INCREASING LANGUAGE ACCESS IN THE COURTS

TOOLKIT

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Advocates' Assessment of English Language Access for Survivors of Sexual and Domestic Violence

In early 2014, Casa de Esperanza conducted a national assessment of the language accessibility of court systems to survivors of sexual and domestic violence (S/DV), who have limited English proficiency (LEP). LEP is defined by the Federal Interagency Working Group on Limited English Proficiency as characteristic of "individuals who do not speak English as their primary language and who have limited ability to speak, read, write, or understand English." They may be immigrants, citizens, refugees, and/or asylees. They may also be deaf/hard of hearing or possess a disability, however, laws related to LEP are distinct from those such as the Americans with Disabilities Act that govern language access for persons who are deaf/hard of hearing or have learning or cognitive disabilities. This assessment focused on survivors whose language access needs should be met under LEP-related laws and rules.

584 persons participated in the assessment, but not all responded to all questions, so whenever possible, the number of respondents to a specific question (n) is noted.

Nearly all participants worked for community-based S/DV programs. Of those who identified as "other" (22%), most worked as, for example, rural outreach, medical, or dual advocates. Others worked within S/DV response systems (e.g., law enforcement) or, although they may not work primarily on issues of S/DV, were likely valued partners with interest in the issues (e.g., interpreters; child or adult protective services investigators).

ASSESSMENT RESULTS

Availability and Quality of Language Access Services

Participants were asked about the existence of various strategies in their organizations and communities to ensure language accessibility. Participants were not asked about levels of public awareness, use, or quality of the different strategies.

Table 1: How does your organization provide interpretation services?

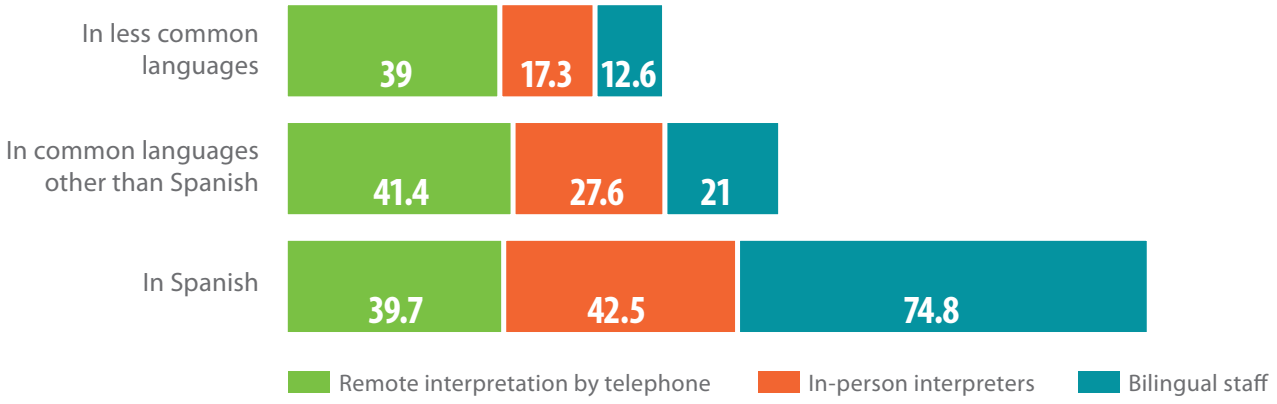
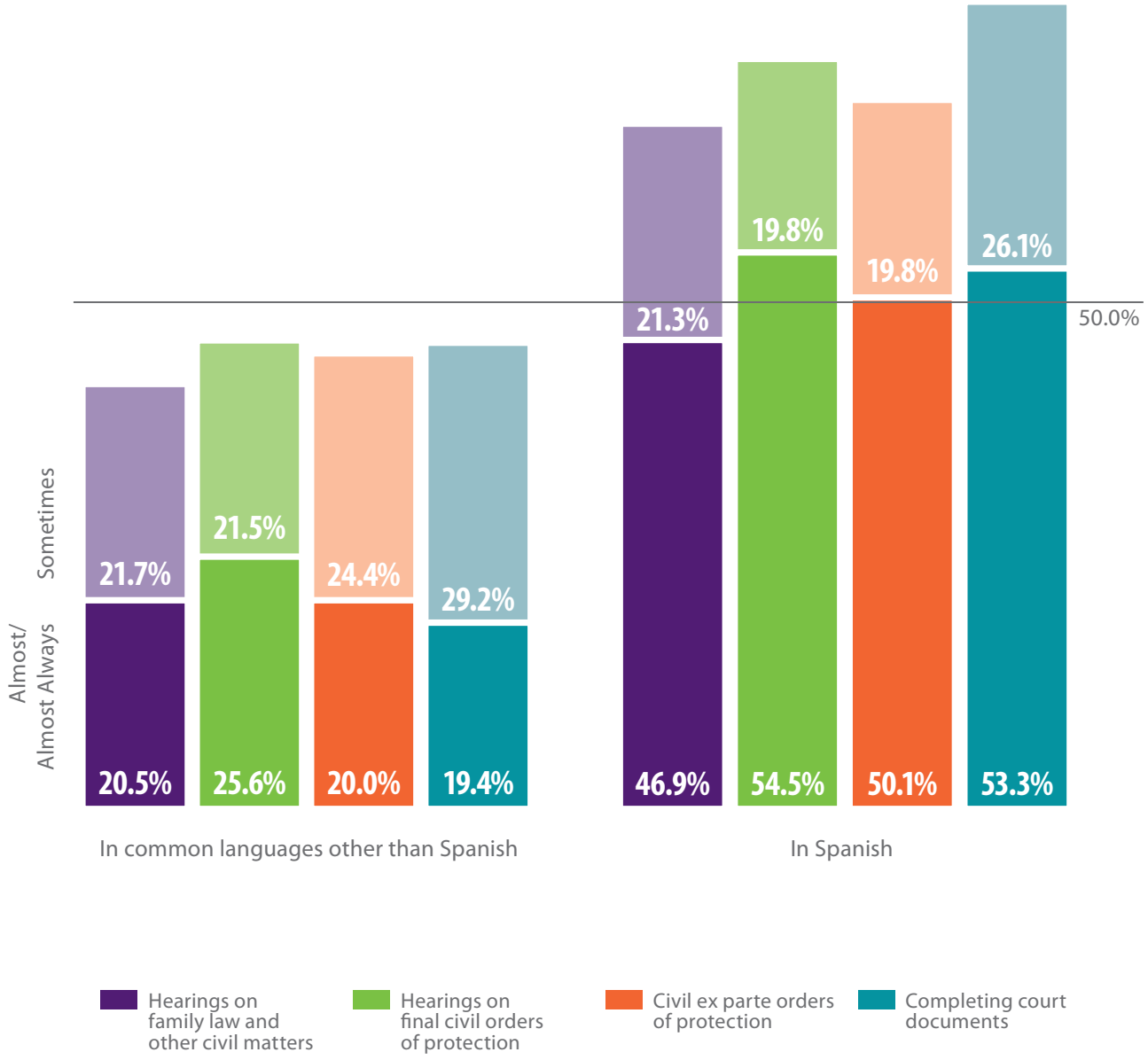


Table reflects the three most common strategies selected. (n=428)

Because the assessment focused on language access to court systems, participants were asked about the level of accessibility of specific court services and proceedings:

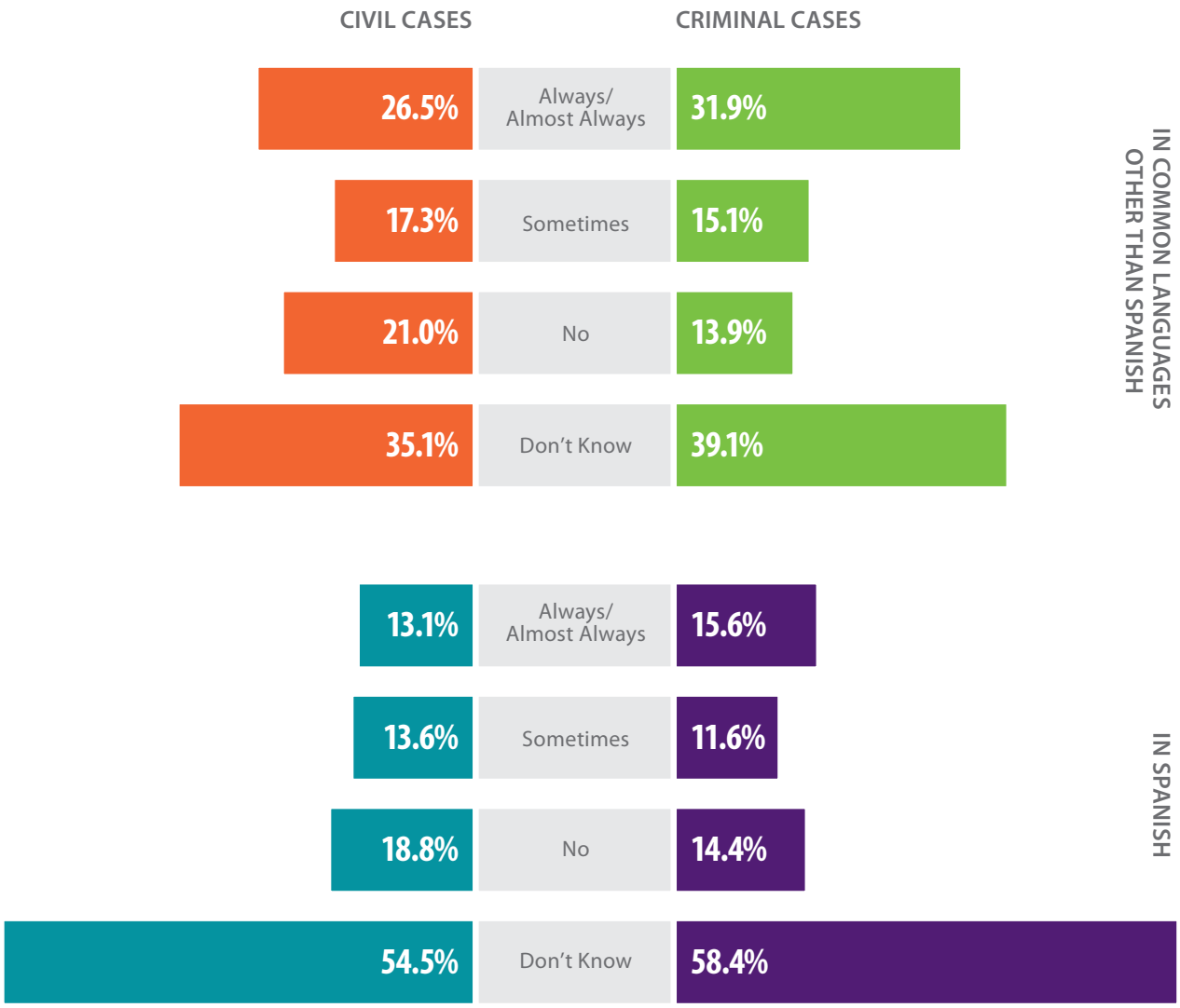
Table 2: In your jurisdiction, is language assistance available to individuals filing court documents? Are court interpreters available to LEP individuals in the specified proceedings?



The meaning behind these numbers should be noted. For example, most participants responded they "don't know" if the court functions listed in Table 3 are accessible in languages other than Spanish that are common in their communities.

Participants were also asked if court interpreters are available to each individual with LEP (e.g., victims, witnesses, defendants) in court proceedings:

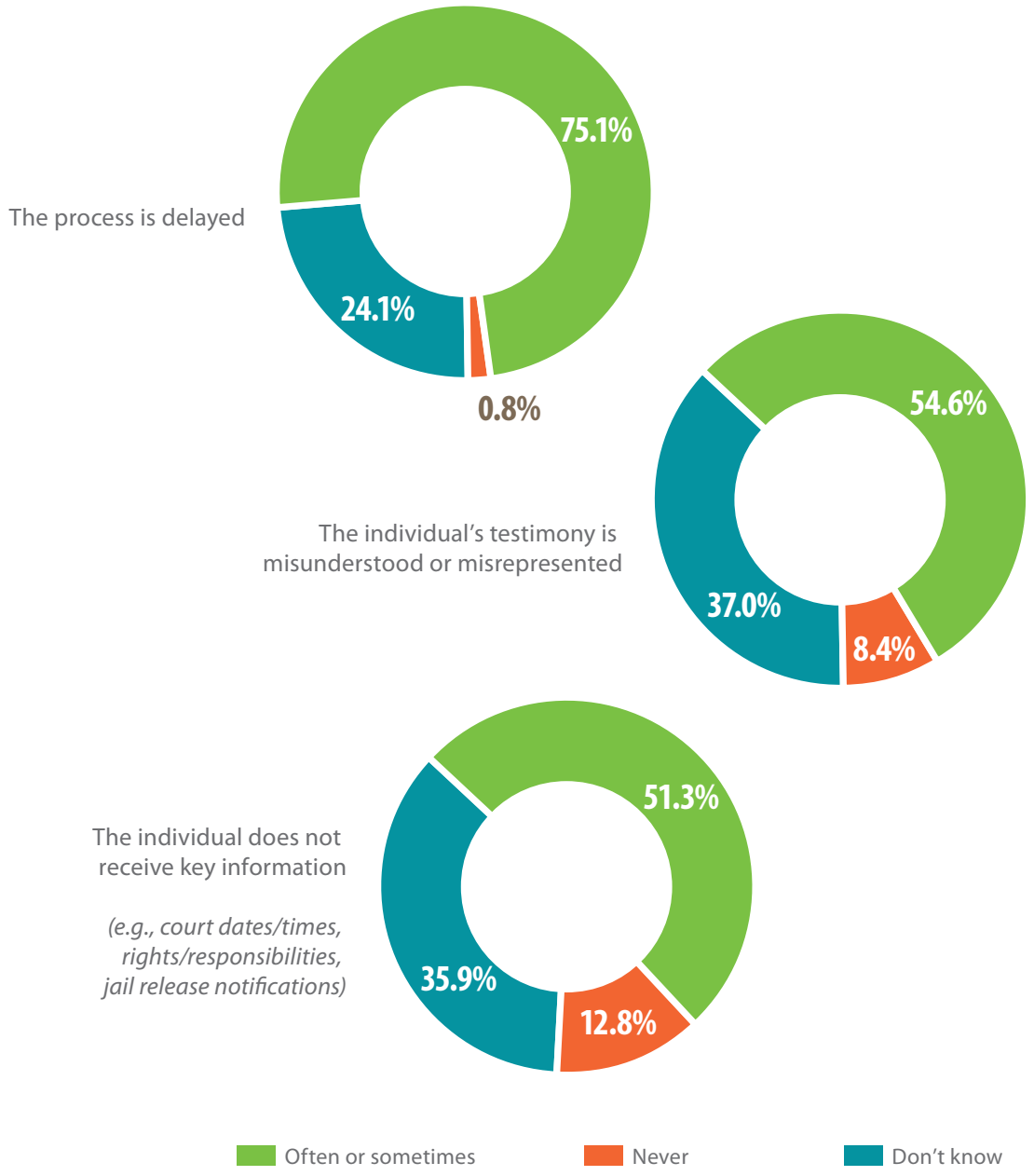
Table 3: Is a court interpreter provided to each individual?



(n=404)

The impact to survivors with LEP of a lack of court interpreters can be severe:

Table 4: What happens to court cases or court-based services when an interpreter is not available?

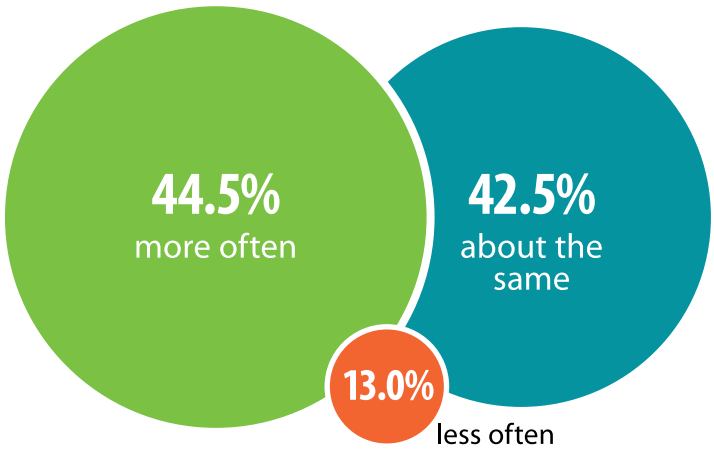


Outcomes most frequently reported (n=290)

These problems are not mutually exclusive, for example, a process can be delayed and the survivor is not provided key information.

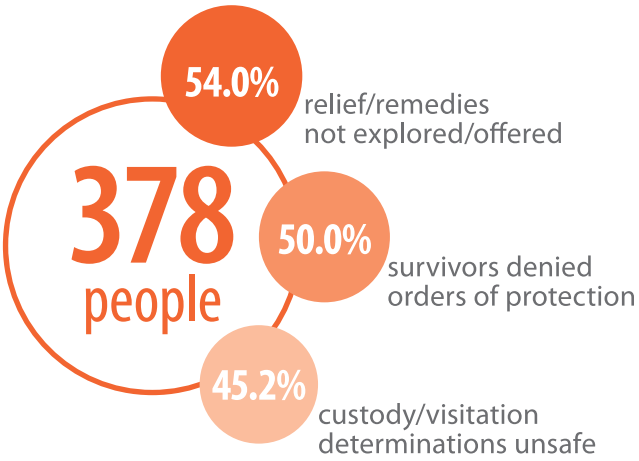
The lack of language access services both excludes survivors with LEP from services, as described above, and also forces or increases their *negative* involvement in the court systems.

How often do survivors with LEP become involved in court-based proceedings?

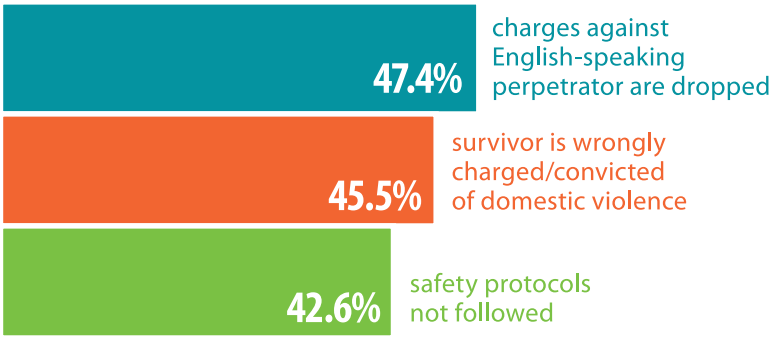


(n=431)

Most commonly-reported outcomes in civil proceedings



Most commonly-reported outcomes in criminal proceedings



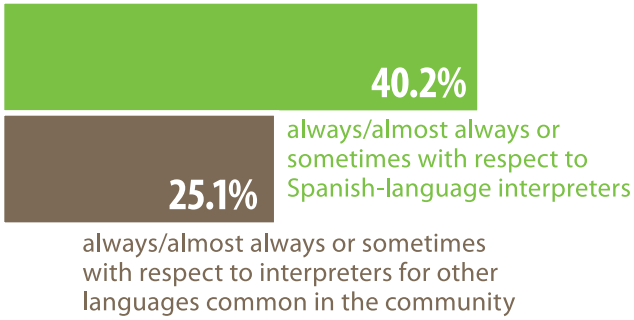
(n=378)

50% participants

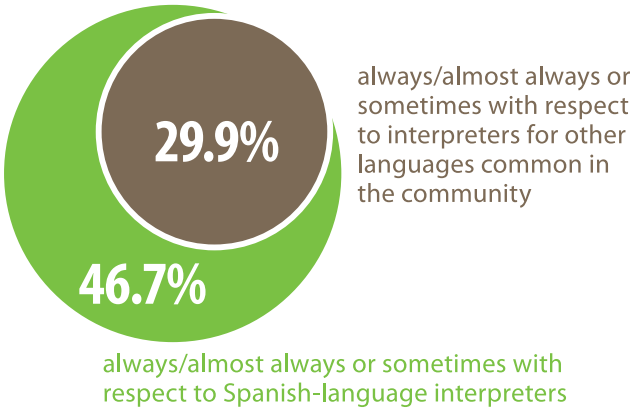
reported proceedings accessible to every or nearly every individual with LEP *(n=420)*

Language accessibility is perhaps as much about quality as availability of services. Participants expressed limited confidence in the quality of S/DV training and ethical practices of court-based interpreters *(n=401)*.

Do you believe court-based interpreters are well-trained to work S/DV cases?



Do you believe court-based interpreters abide by ethical standards when working S/DV cases?



Consequently, advocates, family, or friends might step in to serve as interpreters *(n=401)*.

advocates serve as Spanish-language interpreters often or sometimes in court proceedings

64.3%

advocates serve as interpreters often or sometimes in court proceedings for other languages common in the community

53.6%

66.6%

family and friends serve as Spanish-language interpreters often or sometimes in court proceedings

68.8%

family and friends serve as interpreters often or sometimes for other languages common in the community

ASSESSMENT RESULTS

Advocating for Language Access

Many participants recognize that language access is a core S/DV service, and have integrated language access advocacy into their work with survivors with LEP:

Table 5: Have you tried any of these strategies for increasing language access in your local systems? If so, how did it go?

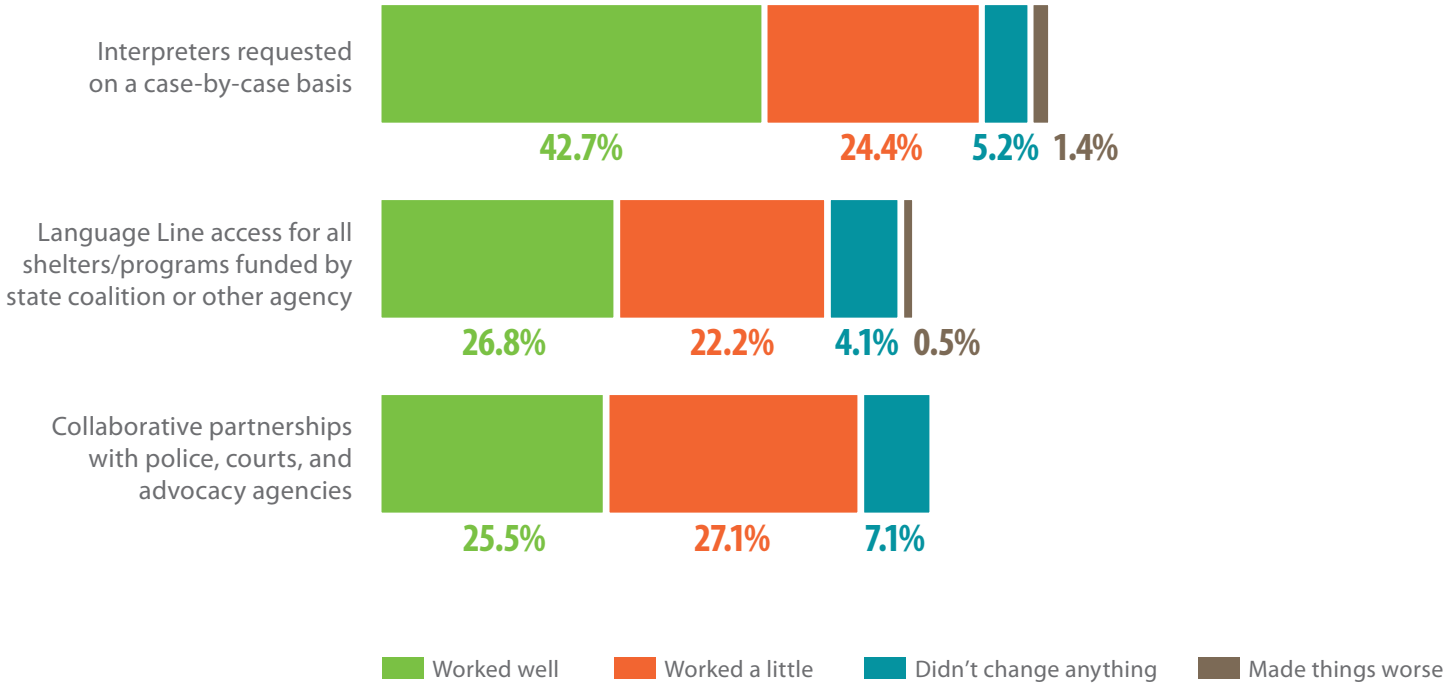


Table reflects the top three strategies cited. (n=365)

Implications for Survivors with LEP

Participants described how the lack of quality, systems-based language access services leads to exclusion, heightened risks, and negative outcomes for survivors with LEP.

EXCLUSION

Denial of language access services results in denial of the full complement of S/DV services and supports to survivors with LEP:

> *"We worked with two survivors of human trafficking who spoke only Spanish. The affidavits they made to law enforcement were never translated and their case was not prosecuted. There was no interpreter supplied by law enforcement for them, only a friend who came with them who was not a strong Spanish speaker."*

Standards of quality, confidentiality, and ethics for language access services are equally as important as the availability of services. The lack of or failure to adhere to these standards can be minimized or exploited in court:

> *"[. . .] interpreter at court was a relative of abuser. The interpreter [. . .] not only translate[d] victim's testimony incorrectly but also intimidate[d] victim when she translate[d] judge's questions to victim."*

The use of family, friends, advocates, or other untrained persons as interpreters will also compromise the quality, confidentiality, and ethical standard of S/DV systems' language accessibility. The use of family or friends holds unique challenges and risks to survivors:

> *"A survivor was raped by partner and officer called to the scene did not speak client's language. Survivor's teenage daughter was asked to interpret and victim decided to leave out information because of daughter being asked to [interpret]. The report did not depict the real incident for further criminal legal proceedings."*

In some cases, the abuser or family/friends of the abuser are asked by the S/DV response systems to serve as interpreters, which also places survivors with LEP at risk of new forms of abuse:

> *"[. . .] Law enforcement officer requested Spanish-speaking family member to interpret. Family was pro abuser's side and was interpreting for abuser's convenience. Advocates had to call 911, to get [. . .] Sheriff deputy on the scene to inform them not to use family member as interpreter. Instead asked if we could interpret what the victim needed. Deputy did not allow this. Victim lost the trust she had gained with law enforcement and does not wish to involve them further [. . .]"*

Even when abusers are not asked to serve as interpreters, if they speak English and the survivor has LEP, it is often the abuser's statement that becomes the systems' record:

> *"One of our clients called the police. She asked for an interpreter and was never given one. The officers ended up listening primarily to the abuser since he spoke English better. The report was written to make it seem like she was at fault even though there was no arrest. Due to lack of interpreter and proper investigation, the officers never asked if she was injured [. . .]."*

HEIGHTENED RISK

Without language accessible services and supports, survivors with LEP are at much higher risk of continued or increased danger:

> *"[Deisy] García completed police reports in Spanish. These were never translated and were not acted upon. She and her daughters were killed by [the] abuser."*

Survivors with LEP are also at heightened risk of loss or compromise of their parental rights, and their children are at risk of continued or increased danger:

> *"A mother lost custody of her two young daughters to an abusive father after the judge concluded that the mother had lied in court. The mother was asked a question in court, but her understanding of the question was distorted and she gave an answer that was not compatible [. . .]. Based on this one answer the mother's credibility was questioned and a decision was made to keep the children with the father. [. . .] There is overwhelming evidence that this mother is a [domestic violence] survivor and her 6-year-old daughter was sexually abused by the father."*

NEGATIVE OUTCOMES

As referenced above, a lack of language accessible services and supports can also, paradoxically, lead to negative systems involvement and render survivors with LEP perpetually unserved or grossly underserved, even as they engage with or try to access S/DV systems:

> *"[. . .] she hit him in the face in order to protect herself. Physically the victim had been visibly beaten while the aggressor had a split lip. No interpreters were provided and the officers decided to arrest both parties. In court, both parties were accused of aggravated assault, yet again, interpreters were not provided. The children were placed in temporary custody. Due to the charge, the victim was also placed under investigation for child endangerment. The victim could not access shelter services, since according to the charges, she was the aggressor."*

ASSESSMENT RESULTS

Recommendations

Participants had numerous ideas about what would help increase language access for survivors with LEP. Although increased funding was the most common request made, the three most commonly-cited needs/recommendations underlying this request included:

- more qualified interpreters and translators;
- training and technical assistance across S/DV response systems on language access, limited English proficiency, and how to work with interpreters; and
- more bilingual staff across S/DV response systems.

Other needs and ideas included specialized training for interpreters (ethics, S/DV and human trafficking, and legal interpretation), more languages represented in interpretation and translation, and increased systems' accountability to the LEP-related laws. Several participants recommend increasing advocates' own tools and knowledge, and requested comprehensive and authoritative bi- or multilingual glossaries of legal terms, tools for systems advocacy for language access, and training on language access. Although mentioned just once or twice, other needs and ideas to consider included: improved interpreter screening, integrating language access into racial justice analysis and advocacy, and systems audits, that is, a process of observing how S/DV systems are working in order to make recommendations to fully integrate survivors with LEP. Finally, some participants' speak to fundamental S/DV systems change, including and beyond language access:

- "It seems the police are hesitant to use a language line at times, because they are unable to subpoena the interpreters for court if the case goes to trial. Perhaps they could record the phone call and translation, and then in court – ask a local certified interpreter [to] testify and verify that the language line interpreter gave [an accurate interpretation]. I know this isn't ideal for the court or law enforcement, but it would be better than police officers asking children and neighbors to [interpret]. Many of our DV victims/clients do not feel comfortable to give their testimony in front of children or neighbors, and it also puts the children in an unfair/uncomfortable position."
- "Court has to review individual income level, not household income level when deciding the financial assistance for [an] interpreter. Our clients who are victims of [domestic violence/sexual assault/human trafficking] often get denied by the court for a fee waiver because their partner/spouse income is used to determine their eligibility [. . .]."

And change beyond S/DV response systems:

- "Teaching the language (Yup'ik, Cup'ik) in the classrooms."
- "I guess the most helpful thing would be for us advocates to learn Spanish [. . .]."

How to Improve Language Access for Survivors in Domestic Violence/Sexual Assault Court Settings (attached) was informed by the results of this assessment and is designed to help S/DV advocates build their capacity to advocate for greater language access in court systems. ■

How to Improve Language Access for Survivors in Domestic Violence/Sexual Assault Court Settings

Introduction

This toolkit is designed to guide and inform advocates working with survivors with limited English proficiency (LEP) who are involved in civil legal proceedings. This toolkit is for domestic violence and sexual assault advocates who want to:

- Understand the legal rights to meaningful language access of survivors with LEP.
- Understand when a court interpreter is required and how and when to advocate for a survivor's rights to adequate interpretation services.
- Understand the importance of cultural relevance in interpretation.
- Develop trainings on meaningful language access for survivors with LEP in the courts.
- Build their capacity to: accompany a person with LEP to court, improve language access to local courthouse services (including orders for protection and legal proceedings), and advocate for increased language access services if a court refuses to provide them.

COURT PACKET

As you read through, consider developing your own **Court Packet** – copies of resources that you take to court every time you are working with a person with LEP, to share with court personnel as appropriate. You will see that many of the linked resources were written by the US Department of Justice and courts' associations, specifically for court systems. Some documents to consider including in your Court Packet include the U.S. Department of Justice *Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons*; the August 16, 2010 letter from the U.S. Department of Justice, Civil Rights Division to Chief Justices and State Court Administrators; the Court Fact Sheet; and the Language Access Resource List for Courts.

Background

It IS the obligation of any organization, agency, or court system that receives federal funds to provide meaningful language access for individuals with limited English proficiency at **no cost** to the individual. It does not matter what type of court hearing (civil, criminal, or administrative matters), what step of the court process, or which role the individual has in the court hearing (petitioner/respondent, defendant/plaintiff, witness, etc.).

The Supreme Court has held that failing to take reasonable steps to ensure meaningful language access is a form of national origin discrimination under Title VI of the Civil Rights Act and its implementing regulations (See Lau v. Nichols, 414 U.S. 563 (1974)). The *Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons* outlines the legal language access requirements for all programs receiving federal funds.

WHAT ARE LANGUAGE ACCESS RIGHTS?

Language access rights include the rights of individuals with LEP to receive meaningful access to federally-funded state and Federal programs. Agencies that are recipients of Federal funding are required to have language access procedures and language services in place to assist individuals with LEP.

Even if the specific program to be accessed by an individual with LEP does not receive federal funds, if the *organization* receives any federal funds for other programs, it must provide language access services for all its programs and services. Nearly every court in the United States (and its territories) receives at least some federal funds, and must comply with the requirement to provide meaningful language access.

"Meaningful access" is defined in the US Department of Justice's own Language Access Plan as "Language assistance that results in accurate, timely, and effective communication at no cost to the LEP individual. For LEP individuals, meaningful access denotes access that is not significantly restricted, delayed or inferior as compared to programs or activities provided to English proficient individuals."[1]

[1] United States Department of Justice (March 2012). Department of Justice Language Access Plan.

WHAT DOES LEP MEAN?

Limited English Proficiency (LEP) refers to individuals who do not speak English as their primary language and have a limited ability to read, speak, write, or understand English. Individuals with LEP may be entitled to language services or communication assistance. To determine which individuals may have limited English proficiency, consider the following:

- English is not their primary language;
- They have a limited ability to read, speak, write, or understand English;
- There has been a determination by that person of their need for language assistance.

It is the right of the individual and, therefore, the individual determines the need for language access - not an agency. For example, even if it seems that the individual can speak and understand English well enough, if that individual feels more comfortable telling their story or understanding legal terminology in their primary language, which is a language other than English, then language assistance should be provided.

WHAT ABOUT COURTS?

The Department of Justice notified state court administrators and chief justices across the country that "court systems receiving federal financial assistance, either directly or indirectly, **must provide meaningful access** to LEP persons in order to comply with Title VI [of the Civil Rights Act and] the Safe Streets Act, and their implementing regulations." Courts that receive federal funds must provide interpreters even if the state has **English-only laws** or other conflicting state or local laws or court rules. (From a letter by Assistant Attorney General Thomas Perez of the Civil Rights Division, US Department of Justice, to State Court Administrators and Chief Justices "regarding the requirement that courts receiving federal financial assistance provide meaningful access for LEP individuals.")

Courts are required under Title VI of the Civil Rights Act to provide qualified interpreters and translated materials to individuals with LEP in the following situations, among others:

(1) Criminal cases where an individual with LEP is a defendant, witness, or victim.

(2) Civil cases involving parental rights, custody, or a protection order.

(3) The filing of, or responding to, all vital court documents, including orders for protection and affidavits.

(4) In cases heard not only by a judge, but also by a magistrate, hearing officer, arbitrator, or other decision maker.

(5) In situations involving court appointed or court managed service providers.

Before Court

BASICS OF INTERPRETATION

It is critical to understand the differences between:

- Being bi- or multilingual and being an interpreter
- The role of the advocate and the role of the interpreter
- Qualified, skilled interpreters (who are qualified *and* attuned to, respectful of, and able to interpret across cultural difference) and unqualified or unskilled interpreters

If a court uses an unqualified and/or unskilled interpreter, this may result in the exchange of wrong information, ineffective communication, invalidated survivor testimony, or may compromise a survivor's confidentiality. Use the *Interpretation and Translation Fact Sheet* to build your knowledge and help you prepare to advocate for language access at court.

STATE-SPECIFIC COURT INTERPRETER POLICIES & PROCEDURES CHART

While state statutes cannot reduce the rights granted by federal law for individuals with LEP, they may provide additional support. Before going to court with survivors with LEP, advocates should review their state's statute and procedures. *State Statutes Requiring the Provision of Foreign Language Interpreters to Parties in Civil Proceedings*, developed by the American Bar Association, Commission on Domestic Violence. Note that laws may change; you should verify the information on your own state's statute and procedures.

LOCAL PRACTICES

Language access practices can vary greatly from county to county. This worksheet can help you collect key information about the language access practices in the counties in your service area to make ongoing advocacy for survivors with LEP easier.

PRE-COURT CHECKLIST

This tool provides instructions and reminders:

- to determine if the survivor needs language access services at court,
- to work with the court to ensure they schedule a qualified interpreter or other needed language access service before the survivor's court appointment, and
- to prepare the survivor regarding the court process and the role of the interpreter.

Interpreter Request Cards

Advocates should inform survivors with LEP of their rights to qualified interpreters and translated materials, and let them know they should request an interpreter if one is not offered. Advocates may want to use the *Interpreter Request Cards* (two samples/ templates are provided here and here) to facilitate the survivor's formal request. One way to do so is to provide the appropriate card to court personnel to be kept in the survivor's court files.

Advocating At Court

IF NO INTERPRETER IS PROVIDED

- Approach the coordinator of court interpreter services to request an interpreter.
- Raise the issue of concern to the judge and request that the judge secure an interpreter.

There are several strategies to advocate for language access at court:

Emphasize access to justice

The ability to access justice requires that all parties understand and participate to the best of their abilities in court proceedings. Limited English proficiency is recognized as a barrier to justice as are, for example, physical access barriers or the lack of an attorney for indigent criminal defendants. Court systems must recognize and remove these barriers in order to ensure access to justice for all persons.

"In order to achieve equal justice for all, every litigant, victim and witness must have a complete understanding of what is happening in the courtroom. However, if language barriers intrude into the process of justice and prevent essential communication and understanding, some of the basic strengths and values of our justice system are negated."[2]

Describe the need for safety

Survivors must be able to communicate effectively and understand the proceedings in order to ensure that the courts' efforts support the goal of maintaining safety. Emphasize the real costs (beyond money) of not providing meaningful language access.

According to the Civil Rights Division of the US Department of Justice, "Often the costs of failure to provide appropriate language access can be even higher than the costs of providing a qualified interpreter, translator, or bilingual staffer. Convictions can be overturned and defendants released for inaccurate interpretation during interrogation, evidence development, or testimony."[3]

[2] State Justice Institute & National Center for State Courts (July 2013). *A National Call to Action: Access to Justice for Limited English Proficient Litigants, Creating Solutions to Language Barriers in State Courts*. Williamsburg, VA: National Center for State Courts (www.ncsc.org).

[3] Civil Rights Division, United States Department of Justice (September 21, 2004). Executive Order 13166 Limited English Proficiency Resource Document: Tips and Tools from the Field.

Inform or educate about the federal obligation to provide meaningful language access

Use the *Court Fact Sheet* to talk through the many pieces of guidance and legislation that reinforce the obligation of courts to provide language access. Use your **Court Packet** documents to reinforce the arguments that you make to the court.

Court personnel may contact the Federal Coordination and Compliance Section of the Civil Rights Division of the US Department of Justice (www.lep.gov, 888-848-5306, or 202-307-2678 TDD) for technical assistance in providing meaningful access to persons with LEP to court services and proceedings.

If family or friends are asked to interpret

Avoid turning to survivors' friends or families for interpretation unless there are no other options and it is an emergency. First, using a survivor's family or friend jeopardizes confidentiality. Second, friends and family are never neutral to a situation, and they may not interpret a survivor's intent accurately and completely. Finally, survivors may not feel comfortable speaking frankly in front of someone from their family or community. They may fear judgment or open disagreement, be uncomfortable discussing the specifics of violence or abuse, or not feel safe disclosing their strategies or plans in front of someone who knows their partner.

Children should **never** interpret for their parents, even for benign information. Asking children to interpret poses safety risks to a survivor and can significantly affect children in ways that are not immediately obvious. First, using children to interpret conversations about violence may cause them to experience or relive trauma. Second, they may not understand or know the legal vocabulary for what they are trying to interpret. Third, as with friends, their investment in outcomes for the family may make children interpret inaccurately or involve them in the outcome in a way that causes even more emotional conflict. Additionally, it creates an imbalance in the parent/child relationship.

If the advocate is asked to interpret

The role of the advocate is different than that of the interpreter. Having a bilingual advocate who speaks a survivor's native language is one of the most effective ways to conduct advocacy with survivors with LEP. Bilingual advocates can speak directly and in plain language to explain complicated legal terms to survivors, determine if they are safe, inform them of the services available, and assess whether survivors are getting the help they need at the courthouse. Further, bilingual advocates can help survivors fill out protection order affidavits, help with safety planning, and provide advocacy support during hearings and other court visits.

However, bilingual advocates, in most cases, are not trained interpreters, and should not try or be expected to interpret for survivors with LEP who are communicating with court personnel. As with family or friends, advocates who are not trained interpreters usually end up summarizing or paraphrasing meaning, which can be problematic because it inevitably leads to miscommunication between the court and the survivor. In addition, the roles of an advocate and of an interpreter are not only different, but can conflict. An interpreter is supposed to only state exactly what the survivor and other parties say. If the survivor does not understand the question or the answers provided, for example, the interpreter cannot provide an explanation or other support for the survivor. Furthermore, if an advocate is asked to serve as an interpreter, and consequently as the mouthpiece for the court, for adverse witnesses, and possibly even for the perpetrator, this can create confusion for the survivor and undermine the relationship of trust with the advocate. Additionally, the neutrality of the advocate/interpreter can be called into question by the opposing party which can complicate or undermine the court process.

Read More

For more information about the differences between advocates and interpreter and the differences between multilingual speakers and interpreters, see "Chapter V. Understanding How Bilingual Speakers and Interpreters Differ" of the *Resource Guide for Advocates & Attorneys on Interpretation Services for Domestic Violence Victims*.

IF THE INTERPRETER PROVIDED BY THE COURT IS NOT QUALIFIED OR IS ACTING UNETHICALLY

Courts are obligated to provide a "Qualified Interpreter" when language services are needed. Generally, interpreters are not only bilingual but also know the cultural meaning behind the words - not just the literal meaning. Their skill set and training enables them to accurately and fluently move information between two languages, which include exercising awareness of and the ability to alert the survivor and the court of the impact of cultural difference on the exchange of information. The *Professional Standards and Ethics for California Court Interpreters*, for example, instructs interpreters that "If there is any confusion, indicate to the judge that the witness has used a term or phrase that does not have a direct equivalent. Do not attempt an approximate translation or volunteer further information unless requested to do so by the judge. Generally, the attorney can elicit an explanation from the witness by means of a follow-up question if it is important that everyone understand the term."[4] Legal and court interpretation also requires expertise in legal terminology.

Even if an advocate does not speak the language, the advocate may be able to identify miscommunication between an interpreter and the survivor:

- Listen for repetition in the questions and answers. Does the interpreter or survivor keep asking for information to be repeated or clarified?
- Listen for long discussions between the interpreter and survivor that are not reflected in the interpretation. Is the interpretation too long, or is the interpreter having side conversations with the survivor? (If the survivor asks for clarification of the meaning of a word, the interpreter should let the speaker know and allow them to provide further clarification that the interpreter could then interpret).
- Look for confusion or doubt in the survivor's expression.
- Look for discomfort in the participant's interactions with the interpreter. Does the survivor seem to be disagreeing with or correcting the interpreter? Does the survivor seem to be influenced or intimidated by the interpreter? Is the interpreter sitting or standing too close to the participant?
- Look for whether the survivor seems disengaged from the discussion. This could also be a trauma response, and would be an opportunity for you to ask to check in with the survivor.
- Pay attention to the tone of the interpreter. The interpreter should not be providing any advice or recommendations, but only strictly interpreting what is being said.

Read More

For more information about interpreter qualifications and ethics, see "Chapter IV. Interpreters" of the *Resource Guide for Advocates & Attorneys on Interpretation Services for Domestic Violence Victims*.

[4] Judicial Council of California, Administrative Office of the Courts, Court Interpreters Program (May 2013). Professional Standards and Ethics for California Court Interpreters.

DEMONSTRATE KNOWLEDGE OF ENFORCEMENT

If you believe a survivor has been discriminated against because of their LEP status by a court system that receives federal financial assistance, or the court in your area does not provide qualified interpreters, you or the survivor should bring those concerns to the attention of the Court Administrator or Chief Justice of that court. If they do not resolve the situation, you may contact the Federal Coordination and Compliance Section of the Civil Rights Division of the US Department of Justice (DOJ) with questions or to file a complaint (www.lep.gov, 888-848-5306, or 202-307-2678 TDD).

Read More

More information about the process of filing a complaint, including the use of personal information and the complainant's rights and privileges, is in the *DOJ Complaint and Consent/Release Form*.

Advocating After Court

TRAINING

As advocates develop good working relationships with court personnel, it might be useful to provide training for court staff on the basics of language access. This toolkit contains a training curriculum for advocates to adapt for use in your community.

SYSTEMS CHANGE – PROMISING PRACTICES

If your organization is ready to take on systems change advocacy, consider these suggestions to increase your capacity and figure out strategies for your situation.[5]

Step 1. Make it Someone's Job

The biggest obstacle to undertaking systems change advocacy is the sense that there is not enough time to help all the survivors who need the support of advocates.

However, if individuals with LEP in your jurisdiction are being denied meaningful language access in the courts, it is important for someone in your organization to take on this responsibility to engage in systems advocacy. If you cannot find specific funding to support a policy or systems-change staff person, assign one or two advocates to work on it together so the task is more manageable. Build in organizational support for their efforts and distribute some of their other obligations rather than just adding on systems change work to their existing responsibilities.

In some organizations, the Executive Director and other management staff have taken on the responsibility for systems change. They may be well-positioned to do so since they already work with other systems decision-makers through their participation in inter-agency collaborations such as Coordinated Community Response and Fatality Review Teams.

[5] Enlace Comunitario in Albuquerque, New Mexico, has worked with their court systems to establish and implement language access plans so that all individuals with LEP automatically receive qualified, state-paid interpreters. We are grateful to draw from their experiences in this section.

Step 2. Educate Yourself

Your efforts to make broad changes will have more credibility and influence with other systems if you are very familiar with what the problem is, how the agency in question works, how other organizations are affected by the issue, and how it might be resolved.

What's the problem?

Keep track of what's happening when survivors with LEP interact with the courts in your area. Consider gathering information from survivors and advocates in your program. Listening sessions or focus groups with survivors with LEP are effective ways of learning about their experiences. Focus groups with advocates or staff meetings are good ways to gather a lot of information about specific topics like language access. Additionally, you may want to organize a Court Watch to observe and document what is happening in the court. Review the *Interpretation and Translation Fact Sheet* to understand the importance of qualified interpreter and translator services.

Make sure you know as much as you can about how your local court functions, both in criminal and civil cases. You can then begin to discuss with court systems how language access can help them accomplish their mission.

Who else should be involved?

Find out which other organizations in your area have an interest in improving language access in the courts. Partner with them in this effort to bring about systems change and engage them in the development of a joint strategy. Note that while it would be good to reach out to other organizations that serve victims of domestic and sexual violence, you should also reach out to a broader group of organizations that would be interested in improving access to justice, including civil rights organizations, immigrant rights organizations, culturally-specific community-based organizations, and faith-based organizations.

What's the solution?

Be prepared to tell the court what you want them to do to respond to this problem.

The information gathered in listening sessions with survivors and advocates and meetings with other area organizations should help you. The materials in this toolkit should also assist you. Review the laws, regulations, and Department of Justice guidance and what it means for your community.

Begin by asking the court whether it has developed a language access plan. If so, review the plan to determine if it is being properly implemented and if it needs to be improved. If the court does not have a language access plan, it is imperative that they develop one. Be familiar with the steps the court should take in order to develop and implement a language access plan in your area.

- The *Resource Guide for Advocates & Attorneys on Interpretation Services for Domestic Violence Victims* offers guidance on where courts can find qualified interpreters, how to determine if they are good, how to work with them, and how to pay for the service.
- The *Language Access Resource List for Courts* includes a technical assistance tool for courts to develop Language Access Plans and sample Language Access Plans.
- The DOJ Agreements and Settlements page of the website of the Federal Interagency Working Group on Limited English Proficiency (www.lep.gov) links to settlement agreements between the DOJ and court systems regarding language access.

Remember, it's not just about oral interpretation but also about written translations. Documents that survivors complete, review, and sign should be translated into their language. Be ready to recommend what documents should be translated, as courts will need to take translation under consideration when developing and implementing their Language Access Plans.

Step 3. Get in the Door

Systems change is much more easily accomplished when advocates and systems staff establish a meaningful partnership with a common purpose. This working relationship requires trust and, in some communities, a willingness to set aside short-term political gains or age-old animosities in exchange for long-term community benefit.

What motivates the court?

Assume that court administrators, clerks and judges also want to ensure meaningful access to justice. It is part of their agency mission, and justice equity was probably a motivation for many of them to begin their careers. However, perhaps language access has not traditionally been part of their planning, or maybe they feel constrained by budget pressures. Knowing what's important to court personnel and why will help you plan the way to approach them to talk about language access. It will also be important to help them understand how failing to comply with the requirements of Title VI of the Civil Rights Act is costly in terms of undermining victim safety and denying access to justice.

Be constructive

The most effective way to approach any system to make change is to present information in a constructive manner. The guidance and resources in this toolkit are designed to help show court systems how qualified interpreters and translated materials can help ensure access to justice; where to find interpreters, how to work with interpreters, and how to evaluate their performance; and provide information about the law and how it applies to them.

Step 4. When to Use Pressure?

It may be beneficial for you to go above the head of the person with whom you're working, either because they do not have the authority to make the changes you seek, or simply because you are being stonewalled. When systems administrators resist change for increased language accessibility, however, advocates can use pressure on court systems to fulfill their legal obligations. Do so carefully and with some transparency—in most communities you will have to work with this person and court system again.

Complaints

If you believe a survivor has been discriminated against because of their LEP status by a court system that receives federal financial assistance, and efforts to remedy this situation have failed, you or the survivor may contact the Federal Coordination and Compliance Section of the Civil Rights Division of the US Department of Justice (DOJ) with questions or to file a complaint (www.lep.gov, 888-848-5306, or 202-307-2678 TDD).

No one may intimidate, threaten, coerce, or discriminate against you or a survivor who:

- makes a complaint, testifies, assists, or participates in an investigation, proceeding, or hearing conducted under the DOJ's jurisdiction or
- asserts rights that are protected by statutes that the DOJ enforces.

And although no law requires a complainant to give personal information to the DOJ, if the DOJ determines it does not have the necessary information to investigate a complaint, it may close the investigation. Additionally, the DOJ may share personal information in carrying out its enforcement activities, or if required to do so by a request made under the Freedom of Information Act.

The decisions whether or not to file a complaint and what personal information to include must be taken within the larger context of a survivor's safety planning.

The *DOJ Complaint and Consent/Release Form* explains this process.

Numerous court systems that were out of compliance with the language access requirements under federal law have subsequently entered into agreements to reform their system as a result of complaints filed with the civil rights division of the Department of Justice. Copies of existing agreements are available in the "DOJ Agreements and Settlements" section of the Federal Interagency Working Group on Limited English Proficiency (www.lep.gov) website.

Lawsuits

As a last resort, individuals or organizations can file a lawsuit against the court for failure to meet their language access obligations. This is best accomplished as a partnership with other stakeholder organizations, both for financial and political reasons. Enlace Comunitario, for example, joined in a successful lawsuit with their local Legal Aid office and other nonprofits to compel a local hospital to fulfill its language access obligations. The considerations that go into the decision to sue another organization are beyond the scope of this toolkit but if you are considering this option, contact Casa de Esperanza for help exploring your strategies.

Postscript

In broad terms, the principle of language access is that a commitment to justice and equality requires community services and supports to be available to everyone, including survivors with LEP. Ideally, this is possible through a strong infrastructure that includes bilingual advocacy, qualified and skilled interpreters, and culturally relevant frameworks; and is well-coordinated across systems. Your individual and systems advocacy for survivors with LEP is critical to survivors' access to justice and safety and impels social change toward equitable, peaceful, and thriving communities. ■

Advocate Resource List

American Bar Association, Commission on Domestic Violence (December 2008). State Statutes Requiring the Provision of Foreign Language Interpreters to Parties in Civil Proceedings. Available at americanbar.org/content/dam/aba/migrated/domviol/docs/Foreign_Language_Interpreters_Chart_12_2008.authcheckdam.pdf

Dabby, C. & Han, C. (August 2009). *Resource Guide for Advocates & Attorneys on Interpretation Services for Domestic Violence Victims*. APIA Health Forum, Asian & Pacific Islander Institute on Domestic Violence. Available at apiidv.org/files/Interpretation.Resource.Guide-APIIDV-7.2010.pdf

California Department of Social Services (n.d.). I Speak Cards. Available at www.cdss.ca.gov/civilrights/PG584.htm

State Justice Institute & National Center for State Courts (July 2013). *A National Call to Action: Access to Justice for Limited English Proficient Litigants, Creating Solutions to Language Barriers in State Courts*. Williamsburg, VA: National Center for State Courts (www.ncsc.org). ISBN 978-0-89656-287-5. Available at ncsc.org/Services-and-Experts/Areas-of-expertise/Language-access/%7E/media/Files/PDF/Services%20and%20Experts/Areas%20of%20expertise/Language%20Access/Call-to-Action.ashx

U.S. Department of Justice (June 18, 2002). Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons. Federal Register, Vol. 67, No. 117, 41455-72. Available at gpo.gov/fdsys/pkg/FR-2002-06-18/pdf/02-15207.pdf

U.S. Department of Justice, Civil Rights Division (August 16, 2010). Letter from Assistant Attorney General Thomas E. Perez to Chief Justices and State Court Administrators. Available at lep.gov/final_courts_ltr_081610.pdf

U.S. Department of Justice, Civil Rights Division (n.d.). Agreements and Resolutions [listed as "DOJ Agreements and Settlements" in the toolkit]. Available at justice.gov/crt/about/cor/agreements.php

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Welcoming Center for New Pennsylvanians (n.d.). I Speak Cards. Philadelphia, PA: Author. Tel 215-557-2626. Available at welcomingcenter.org/immigrants/language-access

Interpretation & Translation Fact Sheet

Interpreters are not only bilingual but also know the culture behind the words in two or more languages.[1] Their skill set and training enables them to accurately and fluently move information between two languages. There are two modes of interpreting:

1. ***Consecutive interpretation*** where the interpreter takes turns with the other speakers, as in a question-and-answer session. When the survivor speaks, then the interpreter steps in and interprets. If long statements are made, the interpreter may take notes to ensure accuracy. This is the format for interpreting by telephone, for medical consultations and for some court proceedings.
2. ***Simultaneous interpretation*** where the speaker and the interpreter talk at the same time and the interpreter lags a few words or seconds behind the speaker. When the interpreter is working with just one survivor, simultaneous interpretation is usually done in a whisper. This is most often the format used in court proceedings.

[1] To learn more about interpreters see: *Resource Guide on Interpretation Services.* http://www.apiidv.org/files/Interpretation.Resource.Guide-APIIDV-7.2010.pdf

BILINGUAL VS. INTERPRETER

When a bilingual individual summarizes an individual's statement to another party, this relay of information is not considered interpretation. Summarizing or paraphrasing inevitably leads to miscommunication between the person with limited English proficiency (LEP), the bilingual person, and the third party, and is a sign of an untrained interpreter. In contrast, trained interpreters have a unique skill set that qualifies them to accurately interpret for persons with LEP, including survivors.

Bilingual advocates are not interpreters. Their language skills enable them to provide one-on-one services to survivors with LEP, but do not qualify the advocate to provide a clear channel of communication between the survivor and another advocate, law enforcement officer, or anyone else. The role of the advocate is to support the survivor in addressing the domestic violence or sexual assault in their lives. Acting as an interpreter compromises the advocate's role, the program's services, and the survivor's confidentiality.

When a bilingual advocate is available, assess whether there is an additional need for an interpreter by asking the following questions:

1. Is this an activity the advocate would engage in regardless of the languages spoken?
2. Is the advocate acting as a conduit between the survivor and a third party, thereby acting as an interpreter?

Bilingual advocates are often asked to act as interpreters in situations outside the scope of providing sexual and/or domestic violence advocacy. When an advocate is working with a survivor, they may accompany the survivor to other social service agencies to guide them through the different systems. Some of these agencies will assume that since a bilingual advocate is accompanying a survivor with LEP, the agency does not need to provide an interpreter. Although the advocate's role is to support the survivor in their process of accessing services to address the sexual and/or domestic violence in their lives, acting as an interpreter for other systems and professionals is inappropriate.

When a bilingual advocate acts as an interpreter for these others, the following issues may arise:

- Role conflict – For example, an advocate goes to a meeting between a survivor with LEP and a child welfare worker, however, the child welfare agency does not provide an interpreter and so the advocate tries to interpret for the survivor or for the child welfare worker. The advocate is no longer able to advocate for the survivor and has switched from serving the survivor to serving the child welfare agency.
- Barriers to access to services – Interpreters have a unique set of skills that allow them to accurately transmit information. Advocates without this training risk misinterpretation and misrepresentation of what the survivor and other service provider is communicating.

- Compromises to confidentiality – the presence of a third party (who is communicating with the survivor) and/or blurring the lines between advocate and interpreter by assuming both roles could lead to misunderstandings of confidentiality requirements under the Violence Against Women Act.

It is also important to keep in mind that other service systems that receive federal funding have their own obligations to comply with Title VI of the Civil Rights Act and take reasonable steps to provide meaningful access to individuals with LEP.

USING INTERPRETERS IN COURT

Interpreters are essential for communicating effectively with survivors of sexual assault or domestic violence who have LEP. An interpreter may be used for any aspect of court services, including filling out applications for protection orders, criminal proceedings, or participation in civil cases such as custody or parental rights determinations. The interpreter's role is to provide a clear channel of communication between two people, such as between an attorney and survivor.

When assessing whether an interpreter is qualified, remember that simply being bilingual is not enough. Certified interpreters are trained to abide by confidentiality and ethical standards, which include but are not limited to:

- Maintaining their neutrality, that is, refraining from judgments or saying what they think, even when they do not agree with what the survivor or attorney is saying.
- Maintaining their objectivity; for example, disclosing any conflict of interests, such as if the survivor is a family member or friend.

The costs of providing interpretation are the court's responsibility. But check your state's provisions in the *State Statutes Requiring the Provision of Foreign Language Interpreters to Parties in Civil Proceedings*. Most states only provide state-paid interpreter in criminal cases.

CONFIDENTIALITY

Sexual and domestic violence advocacy programs should explain what is meant by confidentiality for survivors why it is critical to safety. Otherwise, because interpreters are not advocates, they may unintentionally breach confidentiality in settings outside the provision of interpretation. For example, an interpreter may see the survivor on the bus and ask the survivor, in front of their friends and other bus riders, if they went to see

the immigration attorney. Interpreters should sign a Confidentiality Agreement with the program specific to interpretation for survivors with LEP.

When advocates act as interpreters, they may no longer be protected by confidentiality provisions that protect the advocate/survivor relationship. This can open up the advocate to the possibility of a subpoena or, in the case of legal processes, invalidate survivor testimony. These are very serious consequences and are key reasons that bilingual advocates should NOT interpret for survivors.

DETERMINING WHETHER AN INTERPRETER IS QUALIFIED

A qualified interpreter possesses appropriate training, specialized skill, and experience. An unskilled interpreter may result in the exchange of wrong information, ineffective communication, a serious injustice in the case of legal proceedings, or compromises to a survivor's confidentiality. Therefore, assessing an interpreter's skills and abilities can be extremely helpful. Look for:

- Knowledge, competency, and fluency, including schooling and experience, in English and a second language;
- Professional training and knowledge of the standards of interpretation, including the various modes of interpretation and the appropriate settings for each;
- Adherence to an interpreter Code of Ethics;
- Adherence to the confidentiality standards and agreements set forth by the domestic violence and/or sexual assault program;
- Training on domestic and/or sexual violence, including the dynamics and vocabulary.

There are a number of organizations that can connect you with qualified interpreters. For example, the American Translators Association [www.atanet.org] maintains a list of interpreters around the country. The National Association of Judicial Interpreters and Translators (NAJIT) [www.najit.org] certifies interpreters to work in court settings.

TRANSLATION SERVICES

Translation is the skill of converting written materials from one language to another language. This, too, is a specialized skill requiring training. The ability to interpret is not enough to ensure accurate written translations. The best way to ensure that text is translated accurately and competently is by utilizing a certified translator (the American Translators Association certifies translators). Refer courts to www.atanet.org for translation services.

Language Access Practices in Our Service Area

Courts in different cities and counties often have different procedures, practices and resources that support language access for survivors with LEP. Knowing what to expect and who to contact are helpful strategies for providing quality advocacy and making systems change. This worksheet can help you prepare to work with one individual, or to learn more for future work.

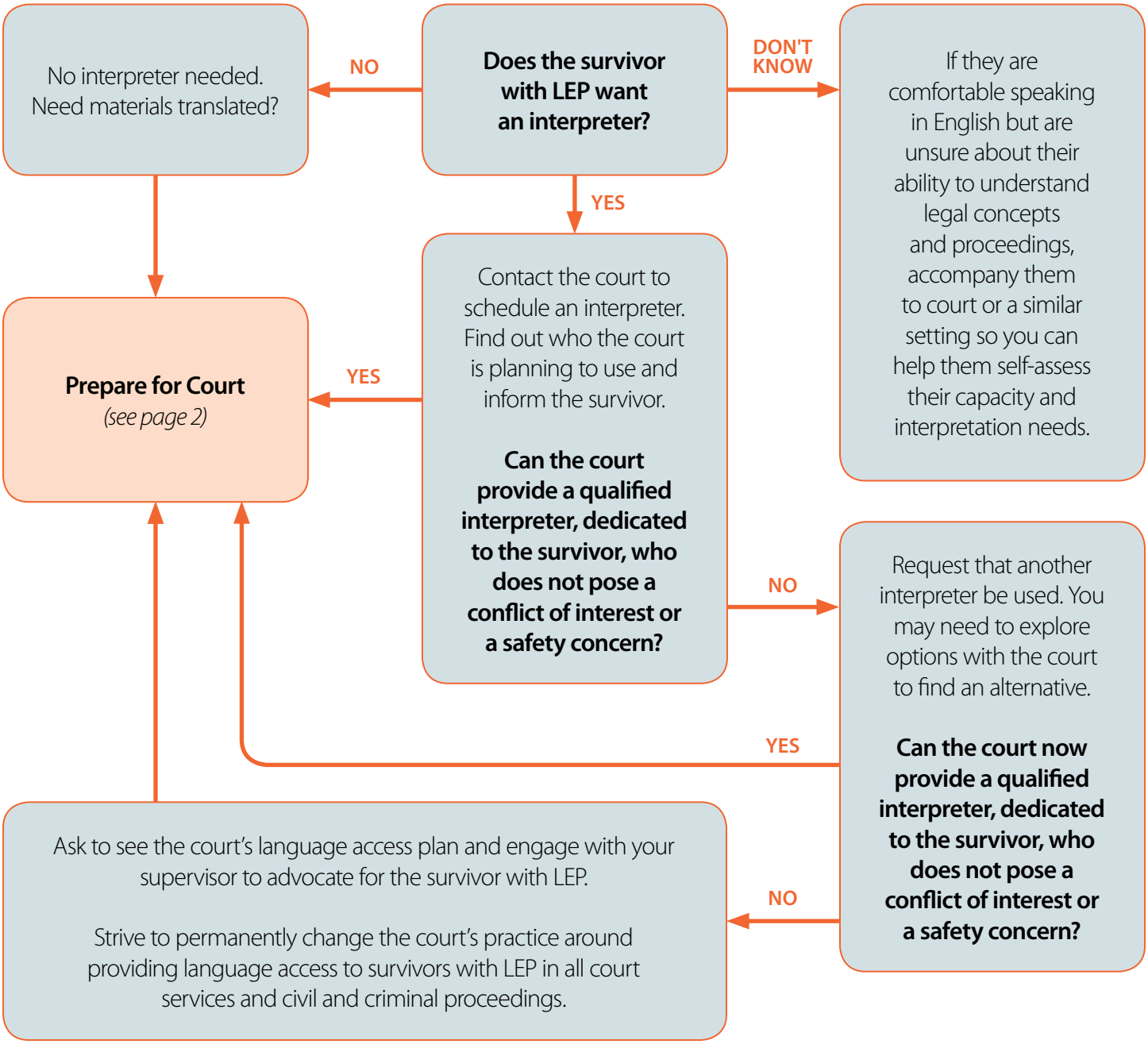
Search your city or county website for "language access" or "Limited English Proficiency" and you may find instructions for requesting an interpreter. Or you can contact your local court and say that you are working with someone who has limited English proficiency, and would like to know how to request an interpreter for this person. You may be connected with an Interpreter Coordinator, a Language Access Coordinator or someone in the office of the Court Administrator. Ask questions that will help you know how to:

	Request an interpreter to file an order (protection, harassment, etc.)	Request an interpreter for a hearing	To confirm that an interpreter will be present at an appointment or hearing	To report unethical behavior or ineffective interpretation
City/County:				
City/County:				
City/County:				
City/County:				

Preparing for Court Proceedings with Survivors with LEP

This tool is intended to guide your planning with a survivor with LEP who will be involved in a civil or criminal court proceeding.

Determine whether or not a survivor with LEP wants an interpreter and if yes, ensure the court is prepared to provide a qualified interpreter who does not pose a safety concern or conflict of interest:



Preparing for Court

- Before court, try to have a conversation with the survivor to understand what "court" means in the country of origin, or in the survivor's past experience. This will provide an opportunity to explain any differences in the court systems, and will help you better prepare the survivor for the hearing.
- Explain the court process to the survivor step-by-step. If you aren't able to go to the courthouse to walk through the proceedings or services, use a diagram or photos. The key here is to help the survivor to know what to expect.
- Explain your role as an advocate, the role of the interpreter, the role of the Judge/Referee, and the roles of any others who may be at the hearing (child protection, guardians ad litem, victim witness advocates, etc.).
- Explain to the survivor with LEP that in case of conflict of interest with the interpreter (for example, the interpreter is a community member or has a relationship with the abusive partner), they have the right to request that the interpreter be replaced.
- Make sure the survivor with LEP knows the limits of confidentiality in conversations with the interpreter. (See *Interpretation and Translation Fact Sheet* in this toolkit for more on confidentiality.)
- Encourage the survivor with LEP to request to speak to you if the survivor feels the interpreter is trying to influence their statement in any manner.
- Encourage the survivor with LEP to speak up, ask questions, and raise concerns to you, the attorney, or the judge before the hearing is over.
- Encourage the survivor with LEP to speak to you if there is an unwanted person in the audience, whose presence will discourage them from speaking freely.
- Call the court the day before the hearing to confirm that an interpreter will be present.

Language Access in Courts: A Fact Sheet

CONSTITUTIONAL PROTECTIONS

Some Federal and State courts have ruled that due process rights are deprived when individuals with LEP are denied interpreters in criminal and civil cases. Although there is no specific State or Federal Constitutional provision governing the right to have interpreters, courts and legislative bodies have long recognized the need for such services to ensure meaningful participation in legal proceedings.[1] State courts have held that there is a constitutional right to an interpreter in some civil proceedings, including but not limited to, cases involving child welfare and domestic violence restraining orders.[2]

FEDERAL PROTECTIONS

Title VI of the Civil Rights Act of 1964[3] (***Title VI***) states, "No person in the United States shall on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance."[4] The Omnibus Crime Control and Safe Streets Act of 1968, as amended, (**Safe Streets Act**)[5] also prohibits national origin discrimination by recipients of federal financial assistance (**recipients**). The regulations for both Title VI and the Safe Streets Act further prohibit policies and practices that appear neutral but have an inadvertent discriminatory effect. "… [A] recipient entity's policies or practices regarding the provision of benefits and services to LEP persons need not be intentional to be discriminatory, but may constitute a violation of Title VI if they have an adverse effect on the ability of national origin minorities to meaningfully access programs and services."[6]

In *Lau v. Nichols*,[7] the Supreme Court held that one type of national origin discrimination is discrimination that is based on a person's inability to speak, read, write or understand English.[8] In accordance with Executive Order 13166,[9] issued in 2000, the federal government has taken a number of steps to notify recipients of their obligations under Title VI. In 2002, Department of Justice, issued final guidance to recipients. This guidance sets out a four-part test for determining whether recipients must provide interpreters:

(1) The number or proportion of LEP persons eligible to be serviced or likely to be encountered by the program or grantee;

(2) The frequency with which LEP individuals come in contact with the program;

(3) The nature and importance of the program, activity, or service provided by the program to people's lives; and

(4) The resources available to the grantee/recipient and costs.

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[1] *United States ex rel. Negron v. New York*, 434 F2d 386 (2nd Cir. 1970)(interpreter required for non-English speaking defendants); *US v. Mosquera*, 816 F.Supp. 168, 178 (E.D.N.Y. 1993)(translation of indictment, relevant statues, plea agreements and other documents required for non-English speaking criminal defendants.) See also *Judiciary and Judicial Procedure Act*, 28 USC sec. 1827, 1828 (allowing for the assignment of interpreters.

[2] *Sabuda v. Kelly*, 2006 WL 2382461 (civil restraining order); *Lizotte v. Johnson*, 777 N.Y.S.2d 580 (N.Y. Sup. 2004) (child welfare case) *In re Doe*, 57 P2d 447 (2002) (family court proceedings regarding parental rights)

[3] Section 601 of Title VI, 42 U.S.C. sec. 2000d.

[4] Id.

[5] 42 U.S.C. sec. 3789d(c)

[6] See 28 C.F.R. sec. 42.104(b)(2), 42.203(e).

[7] 414 U.S. 563 (1974)

[8] See Lau v. Nichols, 414 U.S. 563 (1974).

[9] *Executive Order 13166 of August 11, 2000: Improving Access to Services for Persons with Limited English Proficiency*, Federal Register, Vol. 65, No. 159, 50121 (August 16, 2000) requires federal agencies and recipients of federal funds to "ensure that the programs and activities they normally provide in English are accessible to LEP persons and thus do not discriminate on the basis of national origin in violation of title VI of the Civil Rights Act of 1964."

The Department of Justice also sent letters[10] from the Civil Rights Division to all state courts specifically stating "court systems receiving federal financial assistance, either directly or indirectly, **must provide meaningful access** to LEP persons in order to comply with Title VI, the Safe Streets Act, and their implementing regulations."[11] The Department of Justice also specifically addressed the issue of states with English only laws stating that "[t]he federal requirement to provide language assistance to LEP individuals **applies** notwithstanding conflicting state or local laws or court rules."[12]

Individual state or county courts receiving federal funding to support their operations must ensure that individuals with LEP can participate in or benefit from their programs and activities. Title VI applies whether they get their funding directly from a federal agency, or whether they receive the funding as a subrecipient of a state entity or a non-profit. Moreover, when a state or county court that receives federal funding is part of a unified court system, then all other courts that are part of that system are likewise bound by Title VI.[13]

Consequently, at least some courts in most states must comply with Title VI because they receive federal funding from the U.S. Department of Justice, U.S. Department of Health and Human Services, Department of Transportation's National Highway Traffic Safety Administration, or the State Justice Institute. In addition, the Department of Justice considers "all court proceedings as critical" including civil and administrative as well as criminal cases. "[E]very effort should be taken to ensure competent interpretation for LEP individuals during ***all*** hearings, trials, and motions."[14] Assistant Attorney General Perez, clarifies in her August 16th letter to state courts that "[m]eaningful access will be provided to LEP persons in all court and court-annexed proceedings, whether civil, criminal, or administrative including those presided over by non-judges."[15]

STATE LAWS

"In order to achieve equal access to justice for all, every litigant, victim and witness must have a complete understanding of what is happening in the courtroom. However, if language barriers intrude into the process of justice and prevent essential communication and understanding, some of the basic strengths and values of our justice system are negated."[16]

Despite the requirements of Title VI, the Safe Streets Act, their implementing regulations, Executive Order 13166, the Department of Justice guidance and subsequent technical assistance letters, not all courts are providing language interpretation or, if they are, they are not providing it free-of-charge.

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[10] December 1, 2003 Department of Justice Letter to all Directors of State Courts and/or State Court Administrators informing them of the DOJ Guidance and their obligation to provide language services to LEP persons.

[11] August 16, 2010 Letter from Assistant Attorney General Thomas Perez, Civil Rights Division, U.S. Department of Justice, to State Court Administrators and Chief Justices, emphasis added.

[12] Id.

[13] *Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons*, Federal Register, Vol. 67, No. 117, 41455 (June 18, 2002).

[14] 67 Fed. Reg. 41,471 (emphasis added)

[15] August 16, 2010 Letter from Assistant Attorney General Thomas Perez, Civil Rights Division, U.S. Department of Justice, to State Court Administrators and Chief Justices.

[16] *A National Call to Action Access to Justice for Limited English Proficient Litigants: Creating Solutions to Language Barriers in State Courts (July 2013)*

Language Access Resource List for Courts

Dabby, C. & Han, C. (August 2009). *Resource Guide for Advocates & Attorneys on Interpretation Services for Domestic Violence Victims*. APIA Health Forum, Asian & Pacific Islander Institute on Domestic Violence. Available at apiidv.org/files/Interpretation.Resource.Guide-APIIDV-7.2010.pdf

Dane County Circuit Court (2004). *2004 Language Assistance Plan*. Available at countyofdane.com/court/pdf/20040615_language_assistance.pdf

Federal Coordination and Compliance Section, Civil Rights Division, US Department of Justice (February 2014). *Language Access Planning and Technical Assistance Tool for Courts*. Available at lep.gov/resources/courts/022814_Planning_Tool/February_2014_Language_Access_Planning_and_Technical_Assistance_Tool_for_Courts_508_Version.pdf

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U.S. Department of Justice, Civil Rights Division (September 21, 2004). *Executive Order 13166: Limited English Proficiency Resource Document, Tips and Tools from the Field*. Available at lep.gov/guidance/tips_and_tools-9-21-04.htm

U.S. Department of Justice, Civil Rights Division (August 16, 2010). Letter from Assistant Attorney General Thomas E. Perez to Chief Justices and State Court Administrators. Available at lep.gov/final_courts_ltr_081610.pdf

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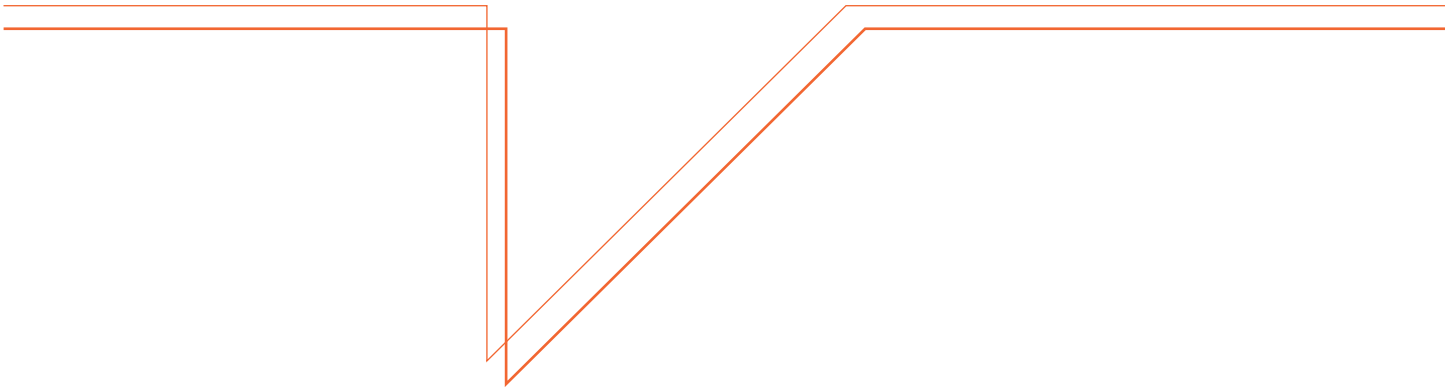
Wisconsin Director of State Courts (Rev. November 25, 2013). *Language Access Plan*. Available at wicourts.gov/services/interpreter/docs/laplan.pdf



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