ANOKA COUNTY DISTRICT COURT
LIMITED ENGLISH PROFICIENCY (LEP) PLAN

Section I. Legal Basis and Purpose

This document serves as the plan for Anoka County District Court to provide services to LEP individuals in compliance with Title VI of the Civil Rights Act of 1964; 45 C.F.R. § 80 et seq; and 28 C.F.R. § 42 et seq. The purpose of this plan is to provide a framework for the provision of timely and reasonable language assistance to LEP persons who come in contact with Anoka County District Court.

This LEP Plan was developed to ensure equal access to court services for persons with limited English proficiency and hearing impaired persons. Although deaf and hard of hearing individuals are covered under the Americans with Disabilities Act (ADA) rather than Title VI of the Civil Rights Act, they have been included in this plan insofar as they relate to the Minnesota Judicial Branch Court Interpreter Program.

Section II. Needs Assessment

Statewide

The State of Minnesota provides court services to a wide range of persons, including people who do not speak English or who are hearing impaired. Service providers include the Minnesota Supreme Court, the Court of Appeals and trial courts in the ten judicial districts.

According to the state's financial management software, MAPS (Minnesota Accounting and Procurement Software), which tracks court interpreter usage, the most widely used languages for interpreters in Minnesota courts in 2002 were (in descending order of priority):

- Spanish
- Hmong
- Somali

Anoka County District Court

Anoka County District Court will make every effort to provide service to all LEP and hearing impaired persons. However, the following list shows the most requested languages for interpreters in 2003 in this court in descending order of priority:

- Spanish
- Russian
- Hmong
- Arabic
- Somali
- Vietnamese
- Bosnian
- Croatian
- Ukraine
- French
- Laotian
- ASL
- Amharic
- Oromo
- Bulgarian
- Cambodian/Khmer
- Chinese
- Japanese

The court will conduct an annual needs assessment to determine whether changes to the LEP plan are required. This assessment may be done by tracking the number of interpreters requested by language in the courts, or by other methods.

Currently when an interpreter is requested for a person appearing in Anoka County District Court, confirmation of hiring the interpreter is kept manually in a notebook and in a computer database system. When the bill is received for payment, confirmation is pulled, the bill is verified for accuracy and approved by the Administrative Deputy and sent to Tenth Judicial District Administration for payment. A copy of the bill, confirmation and approval for payment are kept in a central location in the Anoka County Court Administration Office. By keeping the bills and related confirmation we can track the needs and trends and update our procedure annually. We also track invoice and case information using an Access Computer Database.

At the time of this review, the following needs were identified: Currently no needs have been identified to our knowledge. Needs will be addressed as they arise.

The plan to address these needs is as follows:

- Current identified needs are being addressed by providing qualified court interpreters. Continue to provide qualified court interpreters as needed.

- A portable assistive hearing device is available for use in some courtroom for litigants, attorneys, witnesses, jurors and spectators.

- Court interpreters are provided as needed, "I speak" cards are available to help identify the language for which an interpreter is needed and a movable hearing assist device is available for use in some courtrooms.

Section III. Language Assistance Resources

In the Courtroom

By Minnesota statute, it is "the policy of this State that the constitutional rights of persons handicapped in communication cannot be fully protected unless qualified interpreters are available to assist them in legal proceedings." Minn. Stat. § 611.30 (2002).

Accordingly, the Minnesota Supreme Court has created a Court Interpreter Program (CIP), which is governed by rules established by the Supreme Court. The Court, through its State Court Administrator's Office (SCAO), maintains a statewide roster of interpreters who may work in the courts. Interpreters on the roster have passed the court's ethics exam, attended an orientation session and signed a sworn affidavit of professional responsibility.

When an LEP person needs an interpreter for a hearing, he or she notifies court personnel who hire an interpreter to interpret during the proceeding. Interpreters may be staff interpreters, independent contractors or may work through an agency. Some judicial districts have their own staff interpreters, and SCAO has its own American Sign Language (ASL) interpreter who works in the Twin Cities metropolitan area. Court personnel may also determine that an interpreter is needed for a proceeding. If court personnel are unsure whether a person needs an interpreter, they may use the "I speak" cards (see attachment A).

If an interpreter is hired, this information will be entered into MAPS (Minnesota Accounting and Procurement Software). MAPS tracks interpreter costs.

Rule 8 of the General Rules of Practice for the District Courts states that a "certified" interpreter is the first choice for appointment as a court interpreter if certification is available in that language. A certified interpreter has passed a certification exam specific to a foreign language or to ASL. Currently the only languages where a certification exam has been administered in Minnesota are Spanish, Hmong, Russian and ASL. When a "diligent" effort has been made to find a certified court interpreter and none is available, the court must appoint a non-certified court interpreter who is on the statewide roster.

If neither a certified nor rostered interpreter is available, the court may appoint a non-certified interpreter who is not listed on the statewide roster and who is otherwise competent.

As a last resort, courts may also use interactive television (ITV) or telephone interpreting if no interpreters are available in person. Bilingual staff who are not on the statewide roster should not be used to interpret in court. However, they may assist in securing an interpreter if necessary.

Interpreters may be provided in both civil and criminal proceedings. Minnesota law provides that in a civil action in which a handicapped person is a litigant or witness, the presiding judicial officer shall appoint a qualified interpreter to serve throughout the proceedings. Minn. Stat. § 546.43 (2002).

For criminal matters, the presiding judge must appoint a qualified interpreter for the defendant in all proceedings including a coroner's inquest, grand jury proceedings, and proceedings relating to

mental health commitments. Minn. Stat. § 611.32, subd. 1 (2002). In addition, a qualified interpreter must be appointed for a witness in need of interpreter services who appears at any of these proceedings. Minn. Stat. § 611.32, subd. 1 (2002).

Court administrators and judges should be aware that many people who need an interpreter will not request one because they do not realize that interpreters are available, or because they do not recognize the level of English proficiency or communication skills needed to understand the court proceeding. Therefore, when it appears that an individual has any difficulty communicating, the court administrator or judge should err on the side of providing an interpreter to ensure full access to the courts.

More information on court interpreters is available to court personnel in the "Best Practices Manual on Interpreters in the Minnesota State Court System", published and maintained by the State Court Administrator's Office.

Outside the Courtroom

In addition to the state's in-courtroom responsibilities, the Court is also responsible for providing assistance to LEP and hearing impaired individuals outside of the courtroom. LEP individuals may come in contact with court personnel via the phone, counter or other means. To that end, the Court has the following materials and other aids to help LEP individuals:

1. "I speak" cards in Spanish, Somali, Oromiffa, Serbo-Croatian, Vietnamese, Russian, Lao, Hmong, Khmer, and Arabic (see attachment A) available at Anoka County Court Administration counters and in each courtroom.
2. Translated forms (see attachment B) are made available via access to the court forms site and are provided as needed.
3. If available, and for administrative services only, staff may utilize the assistance of an accompanying friend or family member to interpret general information. This is only an option if agreeable to the client, it will not violate the client's rights to confidentiality, there is no conflict of interest and the friend/family member can demonstrate that he/she understands the information being communicated.

Plan Approval

Each court's LEP Plan shall be approved by the District Administrator or state-level office administrator as applicable, and a copy forwarded to the State Court Administrator's Office. The plan shall be reviewed and updated as necessary annually by each court. SCAO will initiate the review process in June of each year. Any revisions to the plan should be approved by the District Administrator and forwarded to SCAO.

Notification of Plan

Copies of Anoka County District Court's LEP plan will be provided upon request. In addition, Anoka County District Court shall notify local LEP-related advocacy groups of the plan's availability. The State Court Administrator's Office shall notify statewide LEP-related advocacy groups that the plan is available. Anoka County District Court's LEP will be available on Anoka County's website: www.co.anoka.mn.us and the Tenth District's website: www.courts.state.mn.us/district/tenth.

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Section IV. Training

Training for front line staff members, who are often the first points of contact with LEP individuals, is provided by local court personnel. They are trained on ways to identify LEP people, including the use of "I speak" cards, and how to deliver services to LEP individuals.
New employees are trained on the LEP plan as part of their new employee orientation provided by local court personnel. In addition, the SCAO Education and Organizational Development Division will incorporate broader LEP training into its existing training programs, including the Judicial Branch orientation.

Any revisions made to the plan will be communicated to all court personnel, and an updated version of the plan will be posted on the court's web site, if one exists. Otherwise it will be posted on the Supreme Court's public website.

Section V. Monitoring

Evaluation of the LEP Plan

In June of each year the statewide Court Interpreter Program Coordinator will coordinate with the judicial district interpreter liaisons to review the effectiveness of the LEP Plan. The evaluation will include identification of any problem areas and development of required corrective action strategies. Elements of the evaluation will include:

- Number of LEP persons requesting court interpreters in Anoka County District Court
- Assessment of current language needs to determine if additional services or translated materials should be provided
- Assessing whether staff members adequately understand LEP policies and procedures and how to carry them out
- Gathering feedback from LEP communities in the service area of Anoka County District Court

LEP Contact Person

State Contact:
Katrin Johnson
Court Interpreter Program Coordinator
25 Rev. Dr. Martin Luther King Blvd.
Suite 105
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Local Contact:
Lana Dockham, Administrative Deputy
Anoka County Interpreter Coordinator
Anoka County Courthouse
325 East Main
Anoka, MN 55303-2489

The effective date of this LEP plan is November 3, 2004

Approved this 19 day of Nov, 2004.

Susan K Specht

Judicial District Administrator / Designee
Tenth Judicial District

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Attachment A – "I speak" cards

Kuv xav tau ib tug Hmoob
pab txhais lus rau kuv

I need a Hmong interpreter

ខ្ញុំត្រូវការអ្នកបកប្រែភាសាខ្មែរ

I need a Khmer interpreter.

ຂ້າພະເຈົ້າ ຕ້ອງການ ລ່າມແປພາສາລາວ

I need a Lao interpreter

Мне нужен русский переводчик.

I need a Russian interpreter.

Turjumana afan Oromiffa enbarbaa.

I need an Oromiffa interpreter.

Ja treban Srpsko-Hrvatskog prevodioca.

I need a Serbo-Croatian interpreter.

Waxaan u baahnahay turjubaan
Somali ah

I need a Somali interpreter.

Necesito servicios de intérprete
en español.

I need a Spanish interpreter.

Tôi cần thông dịch viên tiếng Việt.

I need a Vietnamese interpreter.

انا احتاج مترجم عربي

I need an Arabic interpreter

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Attachment B
Translated Court Forms

The following forms are available for use by Minnesota courts:

- **Rule 15 Plea Petition (Felony and Gross Misdemeanor):** Cambodian, Hmong, Lao, Russian, Somali, Spanish and Vietnamese
- **Felony – Gross Misdemeanor Statement of Rights:** Cambodian, Hmong, Lao, Russian, Somali, and Spanish
- **Gross Misdemeanor DUI Statement of Rights:** Cambodian, Hmong, Lao, Russian, Somali, and Spanish
- **Misdemeanor Statement of Rights:** Hmong, Lao, Russian, Somali, and Spanish
- **Petty Misdemeanor Statement of Rights:** Hmong, Lao, Russian, Somali, and Spanish
- **Probation Violation Statement of Rights:** Cambodian, Hmong, Lao, Russian, Somali, and Spanish
- **First Court Appearance on Paternity Proceedings:** Cambodian, Hmong, Lao, Russian, and Spanish
- **Getting a Harassment Restraining Order**
- **Getting an Order for Protection**
- **What to do if you are being sued**
- **Establishing Paternity and Deciding Child Custody**
- **Understanding Visitation**
- **Conciliation court**
- **Your Rights in an Eviction**