



MINNESOTA JUDICIAL CENTER FY10 LIMITED ENGLISH PROFICIENCY (LEP) PLAN

I. LEGAL BASIS AND PURPOSE

This document serves as the plan for the Minnesota Judicial Center to provide services to limited English proficiency (LEP) individuals in compliance with Federal law.¹ The purpose of this plan is to provide a framework for the provision of timely and reasonable language assistance to those who come in contact with the Minnesota Judicial Center.

This plan was developed to ensure equal access to court services for persons with limited English proficiency and persons who are hearing impaired. Although individuals who are deaf and hard of hearing 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 as they relate to the Minnesota Judicial Branch Court Interpreter Program. Spoken language interpreters will be provided at no cost to LEP court customers who are “disabled in communication” when circumstances permit.

II. NEEDS ASSESSMENT

A. Statewide

The Minnesota Judicial Branch 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 Court Interpreter Invoice Database, which tracks court interpreter usage, the most widely used languages for interpreters in Minnesota courts in 2009 were (in descending order of usage):

- Spanish
- Somali
- Hmong

¹ Title VI of the Civil Rights Act of 1964; 45 C.F.R. § 80 et seq; and 28 C.F.R. § 42 et seq.

B. 2009 MJC Needs Assessment Results

The frequency of encounters with LEP individual is not as high at MJC as in the District Courts. Court hearings heard in the building are at the appellate level and tend to involve oral arguments including attorneys and judges. Nevertheless, because there are several potential points of contact with LEP individuals as listed below, there is a need to educate and periodically train employees about the availability and utilization of LEP resources.

The LEP Coordinator will conduct an annual needs assessment and update the LEP plan as needed.

At the time of this review, the following needs were identified:

1. The Minnesota Judicial Center

The Minnesota Judicial Center contains the Minnesota Supreme Court, Court of Appeals, State Law Library and the State Court Administrator's Office.

Initial contact for all offices in the Judicial Center typically occurs at the reception desk at the ground floor public entrance in person or by telephone.

2. Minnesota Supreme Court

Persons involved in Supreme Court proceedings tend to first come in contact with the Clerk of Appellate Courts' Office. If a person who is deaf or hard of hearing wishes to observe or participate in oral arguments, the Court is obligated under the Americans with Disabilities Act (ADA) to make reasonable accommodations such as obtaining a court interpreter or providing an assistive listening device.

3. Court of Appeals

Most contact with the public is made through the Clerk of the Appellate Courts' Office. Members of the public who contact the Court of Appeals often request general information or need assistance with forms.

4. Clerk of Appellate Courts

Members of the public who seek assistance from the Clerk of Appellate Courts Office often request general appeals and unemployment information or need assistance with forms related to these areas. Encounters with LEP individuals primarily occur over the phone with people seeking assistance with unemployment appeals.

When pro se litigants file an appeal with the Minnesota Court of Appeals, or appeal the denial of unemployment benefits, the Clerk of Appellate Courts provides step-by-step guides. Updates were recently made to the English version of the Appeals Guide which is in the process of being translated into Spanish, Hmong, and Somali.

5. The State Law Library

The State Law Library frequently encounters individuals accessing materials on Court Interpretation Program certification, particularly from Somali and Spanish speakers.

Requests also come from LEP pro se litigants, or other persons in search of information. Assistance may be provided through the language line.

The library staff currently refers LEP individuals to the Minnesota Judicial Branch Self Help Center website or phone line. Some library staff members are bi-lingual and can directly assist visitors.

6. State Court Administrator's Office (SCAO)

There is a general need to educate and periodically train staff who interact with the public about the availability and utilization of existing LEP resources such as using the "I Speak" cards, working with multi-lingual employees and accessing the language line. SCAO is the process of developing branch-wide training to enhance the quality of service provided to LEP individuals.

SCAO participates in the advisory committee for the State of Minnesota's Chief Technology Office. This committee works to enhance accessibility for users of the state's technology-related services.

7. Office of Lawyers Professional Responsibility (OLPR)

When a non-English speaking person contacts the OLPR, "I Speak" cards are used to help identify the language needs of the individual. An attorney from this office is available to meet with the individual using the language line on speaker phone. Visitors who are not proficient in the English language are offered assistance through the language line.

If appropriate, an appointment is made to meet with a sign language interpreter for hearing impaired visitors. In addition, the phone number of the Minnesota Relay Service is printed on the OLPR letterhead.

When the OLPR receives complaints in languages other than English, they are sent out to be translated.

III. LANGUAGE ASSISTANCE RESOURCES

The Minnesota Judicial Branch is responsible for taking reasonable steps to ensure that LEP individuals have meaningful access to services outside the courtroom. This is perhaps the most challenging situation facing Minnesota Judicial Center staff, because in most situations they are charged with assisting LEP individuals without an interpreter.

The following resources are available at the Minnesota Judicial Center:

- "I Speak" cards
- Multi-lingual employees
- Language line
- Face to face interpreters
- Deaf and hard of hearing accommodations
- Translated forms and documents

“I Speak” cards (Appendix A)

“I Speak” cards are used to aid in identifying the language that the LEP individual speaks.

Multi-Lingual Employees

MJC employees may be available to voluntarily assist in interpreting should visitors to MJC require assistance. A [Multi-Lingual Employee Listing](#) is available upon request from the LEP Coordinator or front desk receptionist and will be updated annually.

Employees on this list have offered their skills and are not required to provide interpretation as an additional responsibility to their jobs. They should offer their services only if it does not significantly interfere with their primary job duties. They should not interpret in situations requiring a language level superior to their own.

Language Line

When face-to-face interpreting is not appropriate or unavailable for assisting the LEP individual, the MJC employee may make use of the Office of Enterprise Technology (OET) language line. Each location of the following MJC offices have unique 6-digit access codes for billing purposes:

- Court of Appeals
- Supreme Court
- Court Interpreter Information Line
- SCAO Main Line
- State Law Library Circulation Desk
- Ground Floor Reception
- Clerk of Appellate Courts Office

Face to Face Interpreters

If circumstances permit the use of a face to face interpreter, MJC employees can access the Minnesota Interpreter Roster at the Minnesota Judicial Branch [public website](#) and the Intranet ([CourtNet](#)) for court proceedings.

Deaf and Hard of Hearing Accommodations

When the Court of Appeals, Clerk of Appellate Courts or Supreme Court learns that an individual that is deaf or hearing impaired wishes to observe oral arguments, the Clerk’s Office will take all steps possible to make reasonable accommodations such as obtaining a sign language interpreter or providing an assistive listening device.

Translated Forms and Documents

The Minnesota Judicial Branch understands the importance of translating forms and documents for LEP individuals to have greater access to court services. MJC is in the process of translating the recently updated Appeals Guide into Spanish, Hmong and Somali. In addition, the public website Court Forms site has various court forms and instructions translated into several languages.

IV. TRAINING

The Minnesota Judicial Branch is committed to providing LEP training opportunities for all employees who may come in contact with LEP individuals. The LEP Coordinator will work with the Education and Organizational Development division to ensure that new employees are trained on the LEP plan as part of the mandatory Judicial Branch New Employee Orientation. Additionally, judges are trained on interpreter issues at the New Judge Orientation.

The Minnesota Judicial Branch provides periodic training for front line staff to connect LEP individuals with the appropriate resources such as:

- “I Speak” cards
- Multi-lingual employees
- Language line
- Face to face interpreters
- Deaf and hard of hearing accommodations
- Translated forms and documents
- Access to Self-Help Desk for completing court forms.

V. PUBLIC NOTIFICATION AND EVALUATION OF LEP PLAN

A. LEP Plan Approval & Notification

The Minnesota Judicial Center LEP plan has been approved by the State Court Administrator and a copy is on file with the State Court Administrator’s Office (SCAO). In addition, the plan will be posted on the Minnesota Judicial Branch [public website](#). Copies of Minnesota Judicial Center LEP plan will be provided upon request.

B. Evaluation of the LEP Plan

The LEP Coordinator will review this plan on an annual basis and make any changes based on the review.

The evaluation will include identification of any problem areas and development of required corrective action strategies. Elements of the evaluation may include:

- Assessing the number of LEP persons requesting court interpreters in Minnesota Courts
- Assessing 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

Any revisions made to the plan will be communicated by posting on the Judicial Branch [public website](#).

LEP Contact Person

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The effective date of this LEP plan is **May 19, 2010**

Attachment A – “I Speak” cards

<p>Tôi cần thông dịch viên tiếng Việt. I need a Vietnamese interpreter.</p>	<p>Мне нужен русский переводчик. I need a Russian interpreter.</p>
<p>Necesito servicios de intérprete en español. I need a Spanish interpreter.</p>	<p>ខ្ញុំត្រូវការអ្នកបកប្រែភាសាខ្មែរ I need a Khmer interpreter.</p>
<p>انا احتاج مترجم عربي I need an Arabic interpreter</p>	<p>ຂ້າພະເຈົ້າ ຕ້ອງການ ລ່ານແປພາສາລາວ I need a Lao interpreter</p>
<p>Kuv xav tau ib tug Hmoob pab txhais lus rau kuv. I need a Hmong interpreter</p>	<p>Waxaan u baahnahay turjubaan Somali ah. I need a Somali interpreter.</p>