



MINNESOTA JUDICIAL CENTER FY13-FY14 LANGUAGE ACCESS PLAN (LAP)

I. LEGAL BASIS AND PURPOSE

A. Federal

This document serves as the plan for the Minnesota Judicial Center to provide services to limited English proficient (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 Language Access Plan (LAP) was developed to ensure equal access to court services for persons with limited English proficiency and persons who are deaf or hard of hearing. Individuals who are deaf or hard of hearing are covered under the Americans with Disabilities Act (ADA) rather than Title VI of the Civil Rights Act.

B. State of Minnesota

For the purposes of sections Minn. Stat. § [546.42](#) to [546.44](#), a person disabled in communication is one who, because of a hearing, speech, or other communication disorder, or because of difficulty in speaking or comprehending the English language, is unable to fully understand the proceedings in which the person is required to participate, or when named as a party to a legal proceeding, is unable by reason of the deficiency to obtain due process of law.

By Minnesota statute, it is “the policy of this State that the constitutional rights of persons disabled in communication cannot be fully protected unless qualified interpreters are available to assist them in legal proceedings.” Minn. Stat. § [611.30](#). A person “disabled in communication” is one who, “because of a hearing, speech, or other communication disorder, or because of difficulty in speaking or comprehending the English language, is unable to fully understand the proceedings in which the person is required to participate, or when named as a party to a legal proceeding, is unable by reason of the deficiency to obtain due process of law.” Minn. Stat. § [546.42](#); [611.31](#).

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.

II. ANNUAL UPDATE

The Minnesota Judicial Branch provides court services through the Minnesota Supreme Court and the Minnesota Court of Appeals, both located in the Minnesota Judicial Center, as well as the trial courts in the ten judicial districts. Because court hearings heard in the Minnesota Judicial Center are at the appellate level, they tend to involve oral arguments among attorneys and judges.

Minnesota Judicial Center Annual Update

In spite of the limited involvement of the public in the appellate courts, there are several potential points of contact with LEP individuals. The following provides an overview of the various divisions and offices of the Minnesota Judicial Center that have most frequently interacted with the public over the past fiscal year:

1. Minnesota Supreme Court and Court of Appeals

Persons involved in Supreme Court or Court of Appeals proceedings usually come in contact with the Clerk of Appellate Courts Office prior to any involvement with either court. If a person who is deaf or hard of hearing wishes to observe or participate in oral arguments, the Court will make reasonable accommodations for assistance, in compliance with the Americans with Disabilities Act (ADA). Examples may include obtaining a court interpreter or providing an assistive listening device.

2. Clerk of Appellate Courts Office

In addition to responding to questions and accepting filings for Supreme Court and Court of Appeals cases, the Clerk of the Appellate Courts Office provides parties with copies of court orders and opinions. Members of the public who seek assistance from the Clerk of Appellate Courts Office most often request general appeals and unemployment appeals information, or may be in need of assistance with forms and guides related to these areas. This office receives frequent phone calls with requests for language assistance, which are accommodated through the Language Line.

3. The State Law Library

The State Law Library is frequently visited by members of the public accessing materials and information from the library. The State Law Library also receives frequent requests from multi-lingual individuals on becoming a certified court interpreter through the Court Interpreter Program.

When language assistance is needed, library employees refer patrons to the Language Line or the Minnesota Judicial Branch's Self-Help Center. *Do-It-Yourself Forms for Minnesota*, offered through the U.S. Institute of Museum Library Services, and various documents from the Federal Trade Commission are available to LEP individuals in several languages.

4. State Court Administrator's Office (SCAO)

The State Court Administrator's Office (SCAO) provides leadership and direction for the effective operations of the Minnesota Judicial Branch as well as central administrative

infrastructure services. SCAO divisions include the Court Information Office, Court Services, Education and Organization Development, Executive Office, Finance, Human Resources and Information Technology.

Due to its focus on providing administrative support for the Judicial Branch, SCAO has infrequent contact with members of the public seeking services related to court legal proceedings. Encounters are generally limited to phone calls for general information or through visitors to the receptionist's desk. Employees make use of the MJC Multi-lingual Employee Listing or the Language Line in assisting LEP individuals.

5. Office of Lawyers Professional Responsibility (OLPR)

The Office of Lawyers Professional Responsibility (OLPR) investigates complaints of unethical conduct made against attorneys and takes disciplinary action when necessary. LEP Individuals who contact the OLPR are offered assistance through the Language Line. If appropriate, an appointment is made to meet with a sign language interpreter for deaf or hard of hearing individuals. The phone number of the Minnesota Relay Service is printed on the OLPR letterhead.

Complaint brochures, forms and instructions on how to file a complaint against a lawyer are available in Spanish, Somali, Hmong and Russian. When the OLPR receives documents in languages other than English, they are sent out for translation.

6. Board of Law Examiners (BLE) and the Board of Continuing Legal Education (CLE)

The BLE/CLE works directly with attorneys and in accrediting agencies and therefore has little to no interaction with the general public and LEP individuals. This office has received requests for interpreters from deaf and hard of hearing attorneys participating in the State Bar Examination and in admissions ceremonies. Because the official language of the Bar Exam is English, requests for interpreters in languages other than English cannot be granted. The phone number of the Minnesota Relay Service is included in the BLE/CLE stationery.

III. LANGUAGE ASSISTANCE RESOURCES

The Minnesota Judicial Branch is responsible for taking reasonable steps to ensure that LEP individuals have meaningful access to court services outside the courtroom setting. This is perhaps one of the more challenging situations faced by Minnesota Judicial Center employees, as they are called upon to assist LEP individuals without an interpreter.

The following resources are available through the Minnesota Judicial Center:

- [“Language Identification” Card](#)
- Multi-lingual Employees
- Language Line
- Deaf and hard of hearing accommodations
- Translated forms and documents

Language Identification Card

The "[Language Identification Card](#)" is a list of over 170 languages available on the State of Minnesota's Language Line (see below). Employees may use this document to help identify the language that an LAP individual speaks.

Multi-Lingual Employees

MJC employees may be available to voluntarily assist in interpreting should LEP visitors require assistance. A [Multi-Lingual Employee Listing for MJC](#) is posted on the Minnesota Judicial Branch internal website (CourtNet), and is also available from the LAP Coordinator or from the MJC receptionist. Employees on this list have offered their skills and are not required to provide interpretation; they may 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 and are only permitted to provide assistance, not legal advice.

Language Line

Court employees may make use of the Office of Enterprise Technology (OET) Language Line to obtain a phone interpreter to assist LEP individuals. Each location of the following MJC offices has a unique 6-digit access code for billing purposes:

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

Deaf and Hard of Hearing Accommodations

When the Minnesota Court of Appeals, Clerk of Appellate Courts or Minnesota Supreme Court learns that an individual who is deaf or hard of hearing wishes to observe oral arguments, reasonable accommodations are made when possible. This may include obtaining a sign language interpreter or providing assistive listening devices.

Translated Forms & Documents

The Minnesota Judicial Branch understands the importance of translating forms and documents to provide LEP individuals with greater access to court services.

Translated forms and documents are updated and maintained on the [Minnesota Judicial Branch public website](#).

Certain key forms have been translated into commonly used languages, which may include Cambodian, Hmong, Lao, Oromo, Russian, Somali, Spanish and Vietnamese. A Court Forms Translation Workgroup has been created to consider and prioritize requests for form or document translation.

Interpreters hired for hearings are expected to provide sight translations of documentation to LEP individuals.

IV. TRAINING

The Minnesota Judicial Branch is committed to providing LAP training opportunities. LAP training is provided for new employees as a part of the New Employee Orientation. Judges are trained on interpreter matters at the New Judge Orientation. All employees and judges may access LAP training through the Judicial Branch's internal website, CourtNet.

The Minnesota Judicial Center provides periodic training for employees on the following LAP resources available at the Judicial Branch such as:

- [“Language Identification Card”](#)
- Multilingual employees
- Face to face interpreters
- Access to [Self-Help Center](#) for completing court forms

V. PUBLIC NOTIFICATION AND EVALUATION

A. Public Notification

In 2013, the Minnesota Judicial Branch partnered with [ECHO MN](#) (Emergency, Community, Health and Outreach) to create a video on “Going to Court in Minnesota” to inform viewers on how to prepare to go to courts. The video is available on DVD and online in English, Hmong, Somali and Spanish.

The Minnesota Judicial Center LAP Plan is approved by the State Court Administrator and a copy is kept on file with the State Court Administrator's Office (SCAO). LAP plans are available to the public on the [Minnesota Judicial Branch's public website](#). Copies of Minnesota Judicial Center's LAP are available upon request.

B. Evaluation of the LAP Plan

The LAP Coordinator will review this plan on an annual basis and make any necessary changes based on the review. The evaluation will include identification of any problem areas and development of strategies for corrective action strategies. Elements of the evaluation may include:

- Assessing the frequency of language assistance requests
- Assessing current language needs to determine if additional services or translated materials should be provided
- Assessing whether court employees adequately understand LAP 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 [Minnesota Judicial Branch public website](#).

LAP Contact:

Melanie Larsen Sinouthasy
Diversity Specialist and LAP Coordinator
25 Rev. Dr. Martin Luther King Blvd.
Saint Paul, MN 55155
(651) 284-4343



Jeff Shorba, State Court Administrator

The effective date of this LAP is July 1, 2013.