

**CIRCUIT COURT OF DUNN COUNTY
LANGUAGE ASSISTANCE PLAN
NARRATIVE**

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Section I. Legal basis and purpose

This document serves as the plan for Dunn County Circuit Court to help ensure access to court services for persons with limited English proficiency (LEP). It is designed to respond to Title VI of the Civil Rights Act of 1964, the requirements imposed by Executive Order 13166, and related guidance. It also covers interpreter services to deaf and hard of hearing persons under the Americans with Disabilities Act (ADA) and Wisconsin law.

The purpose of the plan is to provide a framework for the provision of timely and effective language assistance to persons with limited English proficiency who come in contact with Dunn County Circuit Court. It is designed to be read in conjunction with the Wisconsin Director of State Courts Plan explaining the relevant federal law and guidance.

Counties that receive federal funding for court programs are required to submit a language assistance plan to the director’s office every two years. The U.S. Department of Justice has the right to investigate complaints against any federally-funded agency that does not provide free language services when necessary to participate in the program. An agency’s federal funding may be withheld until the complaint is resolved.

Section II. Needs assessment

The circuit court of each county is responsible for conducting a needs assessment and developing a local language assistance plan to meet the court-related needs of the county population.

1. Demographics.

The demographic data for Dunn is listed below:

POPULATION	NUMBER	PERCENT OF COUNTY POPULATION
Hispanic	335	0.8
Hmong	965	2.3%
Other(s):	N/A	N/A

Number of people age 5 and older who speak English less than “very well”	523	1.4
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2. Service information.

In Dunn County:

- A. The courts need interpreters for these types of cases primarily: Criminal, family, juvenile, CHIPS
- B. The courts need Spanish interpreters monthly.
- C. The courts need Hmong interpreters monthly.
- D. The courts need sign language interpreters rarely.
- E. The courts need interpreters in the following languages (list language and frequency): sign language rarely.

3. Costs.

Dunn County Circuit Court will monitor the amount spent on court interpreter services and the amount reimbursed by the state. As the county LEP population increases, the number of interpreter appointments will necessarily increase. Since Wisconsin state laws changed requiring courts to provide interpreters in all cases, the need for interpreters will also likely increase.

Dunn County Circuit Court costs for interpreters and reimbursement:

[DIRECTIONS: provide information from quarterly reimbursement request forms and accounting records]

YEAR	AMOUNT COUNTY SPENT ON INTERPRETER SERVICES	AMOUNT STATE REIMBURSED COUNTY FOR INTERPRETER SERVICES	PERCENTAGE
2006	\$2,677.58	\$1,900.58	71%
2007	\$5,055.73	\$4,855.32	96%
2008	\$3,189.90	\$3,116.40 (to date)	98%

Section III. Court responsibilities

State court responsibilities. The director of state courts office has made great progress in improving court interpreter services statewide. The supreme court has supported this effort through requests for additional funding, statutory changes, and changes to court rules. The director’s office will continue its central role in training and testing interpreters, training judges and court staff, translating court materials, and pursuing statutory changes and funding. The state court interpreter program is described on the court’s website at <http://www.wicourts.gov/circuit/CourtInterpreter.htm>.

Circuit court responsibilities. In Wisconsin, the direct provision of interpreter services, including scheduling and payment, is the responsibility of the circuit courts. The obligation to identify and provide services to LEP persons lies with the circuit courts under Wis. Stats. §885.38(3)(a) and §885.38(8)(a). Initial identification may be done by the clerk of courts office, a judicial assistant, or other court staff. Interpreter needs may also be pointed out by the district attorney, the public defender, community advocates, or others. The ultimate responsibility for appointment of an in-court interpreter belongs to the judge. Clerks of circuit court may appoint for interpreter services used in the clerk's office. §885.38(3)(d).

The primary obligation to pay for court interpreter services also rests with the county. Counties may be reimbursed by the state from an annual appropriation to the director of state courts office, under §885.38(8)(a) and §758.19. The criteria for state reimbursement are set by statute and are summarized in Attachment D. Reimbursement is provided for all in-court proceedings in all case types regardless of indigency and for some out-of-court services with court approval. 885.38(3)(e)

Interpreters or other services will be provided to deaf and hard-of-hearing court users covered by the Americans with Disabilities Act (ADA) when needed. The costs of these services will be borne by the county and will not be charged to the court user, indigent or not.

IV. Resources available.

Statewide resources. Information about training, hiring, and using interpreters is on the court's website at <http://www.wicourts.gov/circuit/CourtInterpreter.htm>. The website contains statutes, court rules, and most of the case law applicable to court interpreters. Information about statewide resources is also contained in the director's language assistance plan.

To take full advantage of the state programs:

- All interpreters who work regularly in the courts should attend court training programs. Court staff will inform local interpreters about training opportunities.
- Court staff will make state-translated forms available to appropriate court users. Courts will evaluate requested local materials and consider having them translated by accredited professional translators. State-translated forms are available on the court website at <http://wicourts.gov/forms1/circuit.htm>
- Courts will use "I speak" cards to help identify which language a court user speaks.
- Courts will post signs in visible locations informing court users of the right to an interpreter.

Appointing an interpreter.

Court staff 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 high level of communication skills needed in court. When it appears an individual has difficulty communicating, the court should err on the side of providing an interpreter to ensure full access to the courts. The circuit courts are also responsible for providing assistance to LEP and deaf and hard of hearing individuals on the phone and at the clerks counter.

Situations to consider: In-Court

When a person appears in-court needing an interpreter if no interpreter is readily available for the hearing, the hearing is either rescheduled to allow an interpreter to be present or a telephone interpreter is used. The CCAP interpreter maintenance codes used to flag the file if an interpreter is needed. The division clerks enter that maintenance code and give a copy of the minute sheet from court to the clerk who is in charge of scheduling the interpreter. The interpreter is notified by phone or email. Real-time reporting is also available. The roster of interpreters on the Wisconsin Court System's website is used to locate interpreters.

Situations to consider: Out-of-Court

When a Hmong or Spanish-speaking person comes to the clerks counter looking for assistance (to pay a fee, file a petition, etc.), they usually bring a friend or family member with them who can translate. If they did not have someone, the telephone interpreter service could be used.

When a person who speaks a more rare language comes to the clerks counter looking for assistance, a telephone interpreter service could be used and/or the "I speak" cards available to identify the language spoken;

Local resources. Community resources may be of assistance in finding interpreters or translators. They include social services agencies, community groups and cultural centers, professional interpreting and translating agencies, college language departments, local hospitals, and schools. Courts understand that interpreters from these sources are not necessarily prepared to do court work and will be questioned carefully about their qualifications. Court interpreters will be hired from the roster whenever possible.

Section V. Public input

A copy of this LEP is posted on this court's website and can be found at <http://dunncountywi.govoffice2.com/>. Copies of state and local language assistance plans may be available to the public upon request.

Complaints regarding language access and services may be brought to the attention of the district court administrator and to the director's office for review. Complaints about interpreters who have allegedly engaged in unethical or unprofessional conduct in the course of performing their interpreter duties should be similarly reported. A grievance procedure for filing complaints against interpreters was developed and is posted on the court's website at <http://wicourts.gov/services/public/interpretercomplaint.htm>

Scott Johnson, District Court Administrator, 4410 Golf Terrace, Suite 150, Eau Claire, WI, 54701, 715-839-4826

Section VI. Training

Circuit court staff training.

Front line staff members are often the first points of contact with LEP individuals. Deputy clerks of courts and judicial assistants will be trained on ways to identify limited English proficiency, best practices on delivering services, and cultural issues. Staff will also be reminded of the requirements of the Americans with Disabilities Act (ADA). As new employees are hired, information on the language assistance plan and the ADA will be included in their new employee orientation.

Section VII. Evaluation

Evaluation of the language assistance plan. Biennially, the director's office will coordinate with the circuit courts to review the effectiveness of the plan, to identify problems and proposed action. Elements of the evaluation will include:

- number of LEP persons receiving court interpreters
- assessment of whether staff members adequately understand language assistance policies
- determination if additional services or translated materials should be provided
- feedback from community groups and individuals in the service area of each court.

Each county's language assistance plan shall be approved by the presiding judge or other judge and filed with the director's office. The first plan is due March 1, 2004. The plan and any future revisions should be communicated to all employees.

Local contact person.

A court staff member is designated to coordinate language services with other county agencies and with the director's office. This person is listed below:

Stacey Matson, Deputy Clerk of Court, 715-232-2611, option 6

State contact person. For questions about interpretation and implementation of this plan, please contact Carmel Capati, Office of Court Operations, 110 East Main St. #410, Madison WI 53703. Phone 608-266-8635; e-mail carmel.capati@wicourts.gov.

Attachments: Summary of demographic data
Two-page summary on effective use of court interpreters