

*State of Michigan*

*Probate Court*

*Van Buren County*

*212 Paw Paw Street, Suite 220*

*Paw Paw, Michigan 49079-1495*

*(269) 657-8225*

*F.A.X. (269) 657-7573*

*Probate Judge*

*Frank D. Willis*

*Sec./Court Recorder*

*Holly B. Cowgill*

*Probate Register*

*Barbara A. Dunden*

*Deputy Register*

*Christina A. King*

*Probate Clerks*

*Lynn Hess*

*Brandy Antonowitsch*



Administrative Order

C36 2013-04J

D07 2013-02J

P80 2013-02J

**LANGUAGE ACCESS PLAN**

In accordance with Supreme Court Administrative Order 2013-8, the court establishes this Language Access Plan (LAP) to provide for the language access needs of court users in the 36<sup>th</sup> Judicial Circuit Court, 7<sup>th</sup> District Court, and Probate Court in Van Buren County.

This LAP is the plan for the court to ensure meaningful access to court services for persons with limited English proficiency (LEP). A limited English proficient person is a person who does not speak English as his or her primary language, and who has a limited ability to read, write, speak, or understand English, and by reason of his or her limitations, is not able to understand and meaningfully participate in the court process.

The purpose of the plan is to provide a framework for the provision of timely and effective language assistance to LEP persons who come in contact with the court.

The court has appointed a language access coordinator to be a contact person for the public, court staff, and SCAO concerning this plan and its implementation. The language access coordinator may be contacted through the court administrator's office.

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**IT IS ORDERED:**

**Section I. Needs Assessment**

**A. Census Data**

The court will make every effort to provide service to all LEP persons in the court's service area. The following list shows the non-English languages most frequently spoken in the court's physical jurisdiction.

1. Spanish

2. \_\_\_\_\_

3. \_\_\_\_\_

**B. Court Experience**

Based on court usage, the following list shows other non-English languages spoken in the court and not reflected in the US Census data. *[If the census data accurately reflects what the court experiences, leave this section blank].*

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_
- 3. \_\_\_\_\_
- 4. \_\_\_\_\_

**C. Identification of LEP Persons**

Court staff use the following methods to identify LEP persons: *[List the ways that court staff identify an LEP person and determine the language he or she speaks, such as using "I Speak" cards, posting signage in multiple languages, assistance from bi-lingual employees].*

- 1. "I Speak" cards
- 2. Telephonic translation services
- 3. Bi-lingual employees, if available

**Section II. Language Assistance Resources**

**A. Interpreters Used In the Courtroom**

The court will offer assistance to LEP persons in the courtroom by providing foreign language interpreters as required by Michigan Court Rule 1.111.

**B. Language Services Outside the Courtroom**

The court will take reasonable steps to ensure that LEP persons have meaningful access to services outside the courtroom. This is one of the most challenging situations facing court staff, because in most situations they will encounter LEP persons without an interpreter present. LEP persons may come in contact with court personnel via: *[in the space below, list most common points of service outside the courtroom, such as the phone, counter, information desk].*

- Service/payment window – requesting forms, requesting general information, making payments, verifying court dates and times, completing forms, requesting court appointed attorney, translation of court documents, etc.
- Probation office – reporting to probation officer, completing forms, translation of court documents, etc.
- County Clerk’s office – accessing court file, requesting forms, completing forms, requesting general information, translation of court documents, etc.
- Telephone – verifying court dates/times, asking about jury duty, requesting general information, translation of court documents, etc.

- FOC investigations – meeting with case manager or with contractors conducting investigations, translation of reports, etc.
- Swift and Sure Program and Drug Court – meeting with court personnel or contractors, reporting, complying with court ordered drug testing, completing forms, requesting information, etc.
- Home visits – court personnel or contractors visiting the home of LEP persons
- Attorney representation - meeting with attorneys in the courthouse prior to or following a court proceeding, translation of court documents, etc.

Court staff will consult with the court’s language access coordinator to determine what type of language service should be made available, based on the nature and importance of the court service to be provided and resources available. The following language services are available: [*in the space below, list language services available outside the courtroom such as “I Speak” cards, bi- or multi-lingual employees, telephonic interpreter services, in-person interpreters*].

- “I Speak” cards
- Bi-lingual employees, if available
- Telephonic interpretation services
- Certified or Qualified foreign language interpreters

#### **C. Service Referrals**

The court will make reasonable efforts to ensure that a non-federally funded entity to which the court refers LEP persons for services has provisions for addressing their needs. The court will consider viable alternatives if language access is not provided by such a non-federally funded entity.

#### **D. Forms & Documents**

The State Court Administrative Office (SCAO) makes select translated forms available to the courts at <http://courts.michigan.gov/Administration/SCAO/Forms/Pages/default.aspx>.

- 1) Additional translated forms available to court users include: [*If the court provides any translated forms or documents, please list them and the corresponding foreign language(s) in the space below; if it does not, leave the section blank*].
  - District Court Payment Order – Spanish
  - District Court Notice of Pretrial in Circuit Court – Spanish
  - Circuit Court Advice of Rights for Plea – Spanish
  - Family Court Advice of Rights – Spanish

When in-person interpreters are hired for court proceedings, they are expected to provide sight interpretation of documents for LEP persons.

- 2) Courthouse translation for LEP [*list resources available to help LEP persons translate written materials in the courthouse, including signage in frequently encountered languages, clerk of the court interactions, etc.*]
- Signs will be posted in Spanish that identify the language access coordinator and the contact information for the coordinator
  - Depending on the nature of the document being translated the services of an interpreter may need to be provided

#### **E. Other Provisions**

In an effort to provide LEP persons language access to court information, the court also provides the following: [*If the court has made its website or other information accessible in foreign languages, please explain here; if it has not, leave this section blank*].

- Fathers are Forever – Spanish
- Understanding Child Support – Spanish
- What Every Parent Should Know About Establishing Paternity - Spanish
- DNA Paternity Testing – Spanish

#### **Section III. Training**

The court is committed to training its judges and court staff, and coordinating with county clerks on providing LEP persons with meaningful access to court services. When the court provides training sessions, it will include a component addressing LEP policy and procedure and the court's LAP. The court is aware that staff members having contact with the public are more likely to need in-depth training on LEP policy and procedure.

The court will work with SCAO and MJI to ensure that all employees are trained on LEP policy and procedure. Training will be offered to assist judges and staff to: identify and respond to LEP persons, increase awareness of the types of language services available, guide when and how to access those services, and effectively use language services.

The court provides to judges and court staff and offers to county clerks the following training regarding language access: [*If the court provides any training on assisting LEP persons, please explain here. If not, leave blank*].

- The Friend of the Court shall train Friend of the Court, Circuit Court, and if requested, County Clerk employees before December 31, 2013, and thereafter at its annual employee training in August.
- Each District Court Magistrate and the Juvenile Court director shall train their respective employees before December 31, 2013.
- The Language Access Coordinator shall provide each Court office and the County Clerk with a Language Access Resource Manual. The Manual will contain at a minimum the following documents: the court's language access plan, "I Speak" cards, the contact information for

telephonic translation services, the link to a list of certified and qualified foreign language interpreters, MCR 1.111, copies of locally available foreign language forms and brochures. The Manual will be maintained and updated as necessary by the language access coordinator.

#### **Section IV. Public Notification and Evaluation of Language Access Plan**

##### **A. Language Access Plan Approval and Notification**

The court's LAP has been approved by the State Court Administrative Office. The court will post its LAP on its public website (if available) or public notification area within the courthouse and will make copies of the LAP available upon request.

The court will consult with the following members of the community in creating its LAP: [*In preparing its plan, the court may want to seek input on providing language access from the LEP community it serves. If the court chooses to do so, please indicate what outside sources it consulted; if not, leave blank*].

- Migrant Legal Aid
- Mr. Guillermo (Willie) Dominguez
- Ms. Nelly Wolf
- Van Buren County Bar Association

##### **B. Evaluation and Review of the LAP**

At the direction of SCAO, or on its own initiative, the court will assess whether the LAP needs updating. The LAP will remain in effect unless modified or updated. Review of the following areas may indicate a need to update the LAP:

- Number of LEP persons requesting court interpreters or language assistance
- Funding provided or available for languages services
- Current language needs to determine if additional services or translated materials should be provided
- Feedback from LEP communities within the county
- Court staff (turnover, new hires, etc.)
- Feedback from trainings provided by the court or SCAO/MJI
- Viability of identified language services and resources
- Problem areas and corrective action strategies
- Updated census data

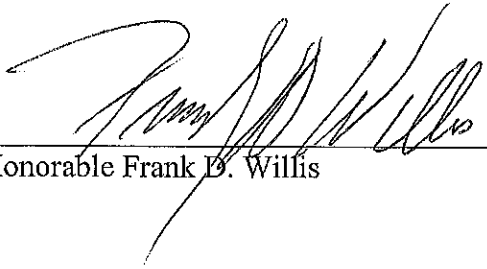
The language access coordinator for this court ensures this plan is followed, advises the court on potential updates to this plan, and coordinates the language access needs for the court as they arise. The court has identified the name and contact information of the language access coordinator and advised the State Court Administrative Office. The court will notify the SCAO regional office of any changes to the

language access coordinator's contact information, or if a new language access coordinator is named.

Effective Date: January 1, 2014

Date: 12/16/2013

Chief Judge Signature:

  
\_\_\_\_\_  
Honorable Frank B. Willis

American Community Survey (ACS) works with the US Census Bureau to estimate demographic information. According to their 2009 estimates, the following languages are spoken by Michigan residents, who self-reported speaking English "less than very well."

Select a court from the drop-down list in the appropriate yellow box below:

Statewide  
Circuit  
District / Municipal  
Probate

C36

Note: Only one court can be selected at any one time on the table above. Confirm in cell J2 the appropriate court's data is displayed. If you inadvertently selected the wrong court, scroll to the top of the list and select the "blank."

	C36	Total Population
Spanish or Spanish Creole LEP:	2,354	3.24%
Arabic LEP:	-	-
Chinese LEP:	-	-
Vietnamese LEP:	-	-
Polish LEP:	29	0.04%
German LEP:	85	0.05%
Korean LEP:	-	-
Japanese LEP:	3	0.00%
French or French Creole LEP:	20	0.03%
Italian LEP:	41	0.06%
Serbo-Croatian LEP:	7	0.01%
Russian LEP:	-	-
Tagalog LEP:	-	-
Hmong LEP:	-	-
Gujarati LEP:	-	-
Urdu LEP:	-	-
Hindi LEP:	-	-
Greek LEP:	-	-
Laotian LEP:	-	-
Persian LEP:	-	-
Mon-Khmer, Cambodian LEP:	-	-
Thai LEP:	-	-
Armenian LEP:	-	-
Portuguese or Portuguese Creole LEP:	-	-
Hungarian LEP:	-	-
Hebrew LEP:	4	0.01%
Yiddish LEP:	-	-
Navajo LEP:	-	-
Other Indo-European Languages LEP:	11	0.02%
Other Indic Languages LEP:	108	0.15%
Other and Unspecified Languages LEP:	6	0.01%
Other Slavic Languages LEP:	-	-
Other Asian Languages LEP:	5	0.01%
African Languages LEP:	-	-
Other West Germanic Languages LEP:	15	0.02%
Other Pacific Island Languages LEP:	-	-
Scandinavian Languages LEP:	-	-
Other Native North American Languages LEP:	-	-
Total LEP Individuals, by this survey estimate:	2,638	3.63%