

KING COUNTY SUPERIOR COURT

LANGUAGE ASSISTANCE PLAN (LAP)

I. LEGAL BASIS AND PURPOSE

This document serves as the plan for KING COUNTY SUPERIOR COURT to provide services to Limited English Proficient (LEP), deaf or hearing-impaired individuals in compliance with Title VI of the Civil Rights Act of 1964; 45 C.F.R. § 80 et seq.; 28 C.F.R. § 42 et seq.; and RCW 2.42 and 2.43.

The purpose of this plan is to provide a framework for the provision of timely and reasonable language assistance to LEP, deaf or hearing-impaired persons who come in contact with the KING COUNTY SUPERIOR COURT sites: the King County Courthouse (KCCH) and Youth Services Center (YSC) in Seattle, and the Regional Justice Center (RJC) in Kent.

This Language Assistance Plan (LAP) was developed to insure equal access to court services for persons with limited English proficiency and deaf and hearing-impaired persons. Although deaf and hearing-impaired 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 RCW 2.42 and 2.43.

II. NEEDS ASSESSMENT

A. Statewide

Washington State provides court services to a wide range of persons, including people who do not speak English or who are deaf or hearing impaired. Service providers include the trial courts at the Superior, District and Municipal Court levels.

According to 2000 U.S. Census data, the most widely used languages for interpreters in Washington State were (in descending order of frequency):

1. Spanish
2. Russian
3. Vietnamese
4. Chinese

B. KING COUNTY SUPERIOR COURT

KING COUNTY SUPERIOR COURT will make every effort to provide service to all LEP, deaf and hearing-impaired persons. The following list shows the non-English languages that are most frequently used in the area.

- Spanish
- Vietnamese
- Russian
- American Sign Language

This information is based on data from the records of interpreter engagements and interpreter billing. In compiling this information on local language needs, the following individuals and groups were consulted: Finance Manager for KING COUNTY SUPERIOR COURT, records of interpreter engagements and interpreter billing records for in court events, out of court meetings and deaf jurors.

KING COUNTY SUPERIOR COURT has identified the following additional language assistance needs among court users in the area.

- Cambodian
- Somali
- Korean
- Amharic
- Tagalog

This information is based on input from records of interpreter engagements and interpreter billing. In compiling this information on local language needs, the following individuals and groups were consulted: Finance Manager for KING COUNTY SUPERIOR COURT, records of interpreter engagements and interpreter billing records for in court events, out of court meetings and deaf jurors.

In addition, KING COUNTY SUPERIOR COURT regularly receives input and feedback from a variety of community organizations. In addition to the routine outreach and communication between these organizations and the Office of Interpreter Services (OIS), a community forum was held to gather and incorporate additional input. See Section III - A for a list of these community groups.

III. LANGUAGE ASSISTANCE RESOURCES

A. Interpreters Used In the Courtroom

The use of court interpreters (both sign language and non-English spoken language) is guided by two state statutes – RCW 2.42 and 2.43, respectively.

It is the policy/law of Washington State to secure the constitutional rights of deaf persons and of other persons who, because of impairment of hearing or speech, are unable to readily understand or communicate the spoken English language and who consequently cannot be fully protected in legal proceedings unless qualified interpreters are available to assist them. See RCW 2.42.

It is also the policy/law of Washington State to secure the rights, constitutional or otherwise, of persons who, because of a non-English speaking cultural background, are unable to readily understand or communicate in the English language and who consequently cannot be fully protected in legal proceedings unless qualified interpreters are available to assist them. See RCW 2.43.

When a deaf or hearing-impaired person is a party or witness at any stage of a judicial or quasi judicial proceeding in the state or political subdivision, including but not limited to civil and criminal court proceedings, grand jury proceedings, proceedings before a magistrate, juvenile proceedings, adoption proceedings, mental health commitment proceedings and any proceeding in which a deaf or hearing impaired person may be subject to confinement or criminal sanction, the appointing authority shall appoint and pay for a qualified interpreter. See RCW 2.42.120(1).

[NOTE: King County Superior Court has no grand jury or magistrate proceedings.]

In addition, King County Superior Court has several CART [Communication Access Real Time Translation] certified court reporters available when requested and assistive listening equipment at all three sites.

When a non English speaking person is a party to a legal proceeding or is subpoenaed or summoned by an appointing authority or is otherwise compelled by an appointing authority to appear at a legal proceeding, the appointing authority shall use the services of only those language interpreters who have been certified or registered by the Administrative Office of the Courts (AOC). See RCW 2.43.030(1)(b).

OIS has an ongoing policy of actively recruiting certified, registered and otherwise qualified interpreters in all languages. Thus far, OIS has provided interpretation services in 121 languages.

Every effort is made to secure an appropriate interpreter including going outside our jurisdiction if necessary; oftentimes, an interpreter is brought in from out of state.

If the current list of certified and registered interpreters maintained by AOC does not include an interpreter certified or registered in the language spoken by the non English speaking person, the appointing authority shall appoint a qualified interpreter as defined in RCW 2.43.020(2).

The Office of Interpreter Services (OIS) for King County Superior Court regularly interacts and receives requests from the following list of persons, departments, programs and agencies.

They immediately notify OIS as soon as they are aware of any language needs and OIS regularly solicits feedback and input from individual staff and representatives as to their needs. The entities include but are not limited to:

- Superior Court Judges and court support staff
- Clerk's Office
- Attorneys
- County Office of Public Defense
- Jury Services
- Protection Order Program
- Drug Court Treatment staff
- Family Court Services Facilitators and Social Workers
- Detention facilities
- Parenting Seminar and Truancy Class programs
- Alternative Incarceration programs
- Sheriff's Office Extradition Unit
- Guardian Ad Litem staff
- DOC Work Release
- Courthouse Information staff

In addition, OIS works closely with a variety of community agencies that work with LEP populations. These include, but are not limited to:

- ADWAS - Abused Deaf Women's Advocacy Services
- Asian Counseling and Referral Service
- Asian and Pacific Islander Women and Family Safety Center
- CHAYA – Southeast Asian Women's program
- Chinese Information Service Center
- CONSEJO Counseling and Referral Service
- Eastside Domestic Violence Program
- Hearing, Speech and Deafness Center
- King County Protection Order Program
- Korean Women's Organization
- Northwest Justice Project
- REWA - Refugee Women's Alliance
- Seattle Housing Authority
- Various shelters in the area

1. Determining the Need for an Interpreter in the Courtroom

There are various ways that the KING COUNTY SUPERIOR COURT will determine whether an LEP, deaf or hearing-impaired court customer needs an interpreter for a court hearing. First, the LEP, deaf or hearing-impaired person may request an interpreter.

Currently, KING COUNTY SUPERIOR COURT displays information about accessing interpreters on the reader boards at building entrances and at the Family Law Courts. In addition, the Information Desk person directs anyone with language needs to the OIS office.

Other signage in languages other than English is in progress. This includes determining the main language needs and high traffic areas on each floor of the King County Courthouse and Youth Services Center in Seattle, and the Regional Justice Center in Kent.

OIS is currently working closely with the county sign shop to secure and display signage in the top 4 languages as well as English.

We will continue to monitor our language needs and add more languages by means of an annual review. In addition, "I Speak" cards will be available in courtrooms and at main customer service areas such as the Information Booth at the main entrance and at the Clerk's Office.

Second, court personnel and judges may determine that an interpreter is appropriate for a court hearing. 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 staff or judge should err on the side of providing an interpreter to ensure full access to the courts.

Finally, outside agencies such as probation, attorneys, social workers or correctional facilities may notify the court about an LEP, deaf or hearing-impaired individual's need for an interpreter for an upcoming court hearing.

OIS coordinates with all aspects of Superior Court including all court-related programs in determining and servicing interpretation needs. OIS receives requests from electronic, telephonic and written messages, walk-ins, attorneys, community agencies, court personnel and other courts alerting OIS as soon as the need becomes known. OIS communicates with the deaf and hard of hearing through Washington State relay calls, TTY and, soon-to-be implemented Video Relay Service.

Processes have been established to facilitate the communication of interpreter needs. Examples of this are the request and confirmation form developed by OIS for securing and confirming interpreters for Protection Order hearings, and working with the Clerk's Office to provide individual interpreters by phone.

2. Court Interpreter Qualifications

The KING COUNTY SUPERIOR COURT hires interpreters for courtroom hearings in compliance with the rules and policies set forth in RCW 2.42 and 2.43 as well as General Rule 11.0; 11.1; 11.2; and 11.3.

The Washington State Court Interpreter Program maintains a statewide roster of Certified and Registered interpreters who may work in the courts. This roster is

available to court staff and the public at www.courts.wa.gov/programs&orgs. Certified and Registered interpreters on the roster have passed a written examination, oral examination, undergone a criminal background check, signed an oath and attended an orientation.

Washington State currently certifies the following languages: Arabic, Cantonese, Korean, Laotian, Mandarin, Russian, Somali, Spanish, Vietnamese and American Sign Language (ASL).

Washington also offers testing in the Registered Category in the following languages: Afrikaans, Albanian, Amharic, Baluchi, Bengali, Bulgarian, Cebuano, Chavacano, Croatian, Czech, Dari, Dutch, Egyptian, Filipino, French, German, Haitian Creole, Hebrew, Hilgaynon, Hindi, Hmong, Ilonggo, Indonesian, Italian, Japanese, Javanese, Khmer, Malay, Norwegian, Pashto, Persian Farsi, Polish, Portuguese, Punjabi, Romanian, Serbian, Slovak, Swahili, Swedish, Tausug, Thai, Turkish, Urdu and Visayan.

The court may appoint non-certified and non-registered interpreters who are not listed on the statewide roster only when certified and registered interpreters are unavailable.

Whenever non-certified and non-registered interpreters are used in the courtroom, judges are encouraged to inquire into the interpreter's skills, professional experience, and potential conflicts of interest.

The KING COUNTY SUPERIOR COURT may also use telephone interpreting if no interpreters are available in person pursuant to General Rule 11.3. For its infrequent telephonic interpretation needs, OIS only uses the services of known screened interpreters.

Bilingual staff who are not on the statewide certified interpreter roster are never used to interpret in court. However, they may assist in securing an interpreter if necessary.

B. Spoken Language Services Outside the Courtroom

The KING COUNTY SUPERIOR COURT is also responsible for taking reasonable steps to ensure that LEP, deaf and hearing-impaired individuals have meaningful access to services outside the courtroom.

This is one of the most challenging situations facing court staff, because in most situations they are charged with assisting LEP, deaf or hearing-impaired individuals without an interpreter.

LEP, deaf or hearing-impaired individuals may come in contact with court personnel via the phone, TTY / TDD, counter or other means. Court personnel regularly come in contact with LEP, deaf and hard of hearing individuals outside of the courtroom via e-mail, telephone, walk-ins, in-person requests, and written requests.

To that end, the KING COUNTY SUPERIOR COURT has the following resources to help LEP, deaf or hearing-impaired individuals and court staff communicate with each other:

- 3 full time staff who are Court Certified Spanish interpreters
- Bilingual court employees speaking Arabic, French, Tagalog, Vietnamese, Korean, Chinese
- Freelance interpreters in OIS' Language Bank by phone
- Written communication
- "I Speak" cards
- TTY
- Soon-to-be implemented video relay interpreting for deaf consumers.

C. Translated Forms & Documents

The Administrative Office of the Courts understands the importance of translating forms and documents so that LEP individuals have greater access to the courts' services. The KING COUNTY SUPERIOR COURT currently has the following forms translated into commonly used languages:

- Please see Appendix A for a list of criminal court forms that have been translated into seven languages.
- Please see Appendix B for a list of family law court forms that have been translated into Spanish.

When interpreters are hired for hearings, they are expected to provide sight translations for corresponding documentation to LEP individuals, as well as for deaf or hearing-impaired individuals when necessary.

IV. TRAINING

Local courts are committed to providing training opportunities for all judicial and court staff members who come in contact with LEP, deaf or hearing-impaired individuals. Training opportunities specifically provided in the KING COUNTY SUPERIOR COURT include:

- Orientation for new judges and commissioners including a training manual
- Orientation for interpreters new to OIS including a training manual.
- Training sessions for attorneys including written materials.
- Written materials in the Bailiffs' Procedural Manual.
- Policies and guidance from the Judges' Interpreter Committee (a standing court committee)
- OIS staff interpreters are scheduled for the first few events with new judges, commissioners and attorneys as a way of ensuring that they experience the appropriate protocol, methodology and ethics.
- OIS management staff regularly provides hands-on, in-court observation and training for new interpreters.

In an effort to maintain and improve the quality of interpretation provided by King County Superior Court, OIS will:

- Develop and implement a customer satisfaction survey for agencies and litigants who avail themselves of these services;
- Secure judges to assist in training of peers and other court personnel.
- Emphasize the need to secure an interpreter for anyone requesting one rather than on the gravity of any given situation.
- Provide cultural training for judges, commissioners and other court personnel.
- Continue to share tips, interpreters and experience with other jurisdictions.

V. PUBLIC NOTIFICATION AND EVALUATION OF LAP

A. LAP Plan Approval & Notification

KING COUNTY SUPERIOR COURT'S Language Assistance Plan has been approved by the Court Administrator, and a copy has been forwarded to Washington State's Administrative Office of the Courts Interpreter Program Coordinator.

Any revisions to the plan will be submitted to the Court Administrator for approval, and then forwarded to the Interpreter Program Coordinator. Copies of KING COUNTY SUPERIOR COURT'S LAP will be provided upon request. In addition, KING COUNTY SUPERIOR COURT will post this plan on its own and AOC's websites.

B. Annual Evaluation of the LAP

The KING COUNTY SUPERIOR COURT will conduct an annual needs assessment to determine whether changes to the LAP are needed. This assessment may be done by tracking the number of interpreters requested by language in the courts, or by other methods.

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. Additionally, it will be posted on the AOC's public website.

Each year the statewide AOC Court Interpreter Program Coordinator will coordinate with designated local court staff to review the effectiveness of the LAP. 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, deaf or hearing impaired persons requesting court interpreters in Washington State trial courts;
- Assessment of current language needs to determine if additional services or translated materials should be provided;
- Assessing whether staff members adequately understand LAP policies and procedures and how to carry them out; and
- Gathering feedback from LEP, deaf and hearing-impaired communities around the state.

LAP Contact Person

State Contact:

Karina Pugachenok
AOC Interpreter Program
1206 Quince Street SE
PO Box 41170
Olympia, WA 98504-1170
karina.pugachenok@courts.wa.gov
(360) 705-5315 Direct Line
(360) 753-3365 Fax

Local Contact:

Martha N. Cohen
Manager, Office of Interpreter Services
King County Superior CourtC-701
516 Third Avenue
Seattle, WA 98104
martha.cohen@kingcounty.gov
(206) 296-9358 Direct Line
(206) 296-0986 Fax

The effective date of this LAP is _____.

Appendix A

List of Translated Criminal Forms

#	Criminal Forms	Languages Translated
1	Scheduling Order - Trial and Other Hearings - Waiver (SEA)	Amharic, Cambodian, Chinese, Russian, Somali, Spanish, Tagalog, Vietnamese
2	Scheduling Order - Trial and Other Hearings - Waiver (KNT)	
3	Scheduling Order - Trial and Other Hearings - Waiver (VUCSA)	
4	Conditions of Release for Defendant	
5	Notice of Rights on Appeal	
6	Conditions of Conduct for Persons Ordered by the Superior Court into Work Education Release (WER)	
7	Conditions of Conduct for Persons Ordered by the King County Superior Court into the Community Center for Alternative Programs (CCAP) - Basic	
8	Conditions of Conduct for Persons Ordered by the King County Superior Court into the Community Center for Alternative Programs (CCAP) - Enhanced	
9	Drug Diversion Court Waiver and Agreement	
10	Appendix J - Judgment & Sentence - Sex Offender Notice of Registration Requirements	
11	Statement of Defendant on Plea of Guilty (Misdemeanor)	
12	Statement of Defendant on Plea of Guilty to Felony Non-Sex Offense	
13	Statement of Defendant on Plea of Guilty to Felony Sex Offense	
14	Notice of Ineligibility to Possess a Firearm	
15	Order Prohibiting Contact - Domestic Violence Pretrial Order	
16	Order Prohibiting Contact	

Appendix B
List of Translated Family Law Forms

#	Family Law Forms & Instructions	Language Translated
Ending of Marriage/Dissolution		
<i>Forms</i>		
1	Case Schedule	Spanish
2	Note for Motion (SEA)	Spanish
3	Note for Motion (KNT)	Spanish
4	Response to Petition	Spanish
5	Findings of Fact & Conclusions of Law (Disso)	Spanish
6	Decree (Disso)	Spanish
7	Confirmation of Issues	Spanish
8	Status Conference Order	Spanish
9	Pre-Trial Conference Order	Spanish
<i>General Instructions (no forms)</i>		
10	S1 - Service of Process	Spanish
11	S2 - Post-Service of Process	Spanish
12	S3 - Service by Mail	Spanish
13	S4 - Service by Publication	Spanish
14	D7 - Deadlines and Documents for Trial	Spanish
15	J1 - Changing a Trial Date	Spanish
16	F15 - Motion for Reconsideration	Spanish
17	J2 - Motion for Revision	Spanish
18	D1 - Contested Dissolution	Spanish
19	D2 - Response to Dissolution	Spanish
20	D3 - Agreed Dissolution	Spanish
21	F1 - Family Law Motions - Basic Instructions	Spanish
22	F2 - Response to a Family Law Motion	Spanish
23	F4 - Motion for Temporary Orders	Spanish
24	F5 - Response to Motion for Temporary Order	Spanish
25	F6 - Reply to Response	Spanish
26	P7 - How to Fill Out a Parenting Plan	Spanish
27	D5 Dissolution by Default in Ex Parte After One Year	Spanish
<i>Instructions (no forms)</i>		
28	D4 - Dissolution by Default in Ex-Parte	Spanish
29	D6 - Dissolution by Default in Family Law	Spanish
30	D8 - How to Dismiss a Dissolution	Spanish
Unmarried Parents/Paternity		
31	Case Schedule	Spanish
32	Petition	Spanish
33	Summons	Spanish
34	Response	Spanish
35	Motion and Declaration for Default	Spanish
36	Order of Default	Spanish
37	Findings of Fact and Conclusions of Law	Spanish
38	Judgment and Order	Spanish

Instructions (no forms)

39	F7- Motion for Temporary Orders/Paternity Case	Spanish
	P4(a) - Petition to Establish PP/Out of State Acknowledgmt of	
40	Paternity	Spanish
	P5 - Response to Petition to Establish a Parenting Plan/Aff. Of	
41	Paternity	Spanish
42	P8 - Motion for Temporary Order/Petition for Parenting Plan	Spanish
43	P9 - Ex Parte Restraining Order/Petition for Parenting Plan	Spanish

Contempt of Court

44	Motion/Declaration and OSC for Contempt	Spanish
45	Order to Show Cause re: Contempt	Spanish
46	Order on Show Cause re: Contempt/Judgment	Spanish

Instructions

47	E5 - Contempt	Spanish
----	---------------	---------

Modification of Parenting Plan/ Residential Schedule

48	Case Schedule	Spanish
49	Petitions	Spanish
50	Summons	Spanish
51	Response	Spanish
52	Petitioner's Notice/Hg re: Adequate Cause	Spanish
53	Respondent's Notice/Hg re: Adequate Cause	Spanish
54	Order re: Adequate Cause	Spanish
55	Order re: Modifications/Adjustment	Spanish

Instructions

56	P1 - Contested Parenting Plan Modification	Spanish
57	P2 - Response to Parenting Plan Modification	Spanish
58	P3 - Agreed Parenting Plan Modification	Spanish

Nonparental/Third Party Custody

59	Case Schedule	Spanish
60	Petition	Spanish
61	Summons	Spanish
62	Coversheet for WSP Criminal History	Spanish
63	Response	Spanish
64	Petitioner's Notice/Hg re: Adequate Cause	Spanish
65	Respondent's Notice/Hg re: Adequate Cause	Spanish
66	Order re: Adequate Cause Decree	Spanish

Instructions

67	N1 - Contested Nonparental Custody	Spanish
68	N2 - Response to Nonparental Custody	Spanish
69	N3 - Agreed Nonparental Custody	Spanish
70	N4 - Nonparental Custody by Default	Spanish
71	N5 - Motion for Temporary Orders/Nonparental Custody	Spanish

Child Relocation

72	Case Schedule	Spanish
73	Notice	Spanish
74	Objection	Spanish
75	Summons	Spanish

76	Response	Spanish
77	Order on Relocation	Spanish
	<i>Instructions</i>	
78	R1 - Notice of Relocation	Spanish
79	R2 - Objection to Relocation	Spanish
80	R3 - Motion for Temporary Order Restraining Relocation	Spanish