



PUBLIC SERVICE AND TRUST COMMISSION

STRATEGIC PLAN

PHASE ONE IMPLEMENTATION REPORT

2009 REPORT

Initiative: Limited English Proficiency

The Committee on Limited English Proficiency is the expansion of an existing Branch committee that was established to address the access requirements contained in Title VI of the Civil Rights Act of 1964 and other federal laws. The LEP Committee was charged with eliminating language barriers to facilities, processes and information that are faced by individuals with limited English proficiency.

Led by Atty. Faith Arkin (chair) and the Honorable Maria A. Kahn and Atty. Toni Smith-Rosario (co-chairs and advisers), the eighteen-member committee, comprising judges, interpreters, court service center personnel, marshals, and judicial information system staff, formed three subcommittees to address the various aspects of its charge: Outreach, chaired by Ms. Rhonda Stearley-Hebert; Multilingual Materials, chaired by Ms. Rena Goldwasser; and Interpreter Services, chaired by Ms. Gabrielle Winter. The committee and its subcommittees have met a total of thirteen times between November 24, 2008 and March, 2009.

The Committee and its subcommittees conducted a survey of available Branch forms and signs in languages other than English; did an extensive review of the Interpreter and Translator Services unit, including its policies, procedures, and training for staff, and usage by the public; and drafted a survey, to be distributed internally, to assess how often and in what manner language assistance services are utilized by various Branch units. Additionally, the members conducted a multi-question survey for the federal judiciary and other states about LEP services and translation in the courts.

The numbers of people with limited English proficiency who access the Branch is on the rise as Connecticut's demographics become more diverse. In 2007, the Branch provided more than 104,000 direct Spanish interpretations alone, and, on average, uses the Language Line phone interpretation service 391 times per month. These numbers will surely increase and, based on its in-depth review of the data gathered and after analyzing that information, the Committee is making the following recommendations:

Recommendations for which implementation has already begun:

1. Conduct an internal survey to assess how often and in what manner language assistance services are utilized by various units within the Judicial Branch. The survey has been drafted and piloted by the Committee.

2. Identify forms and materials that require translation services through an electronic survey of each Judicial operating unit; determine the number of 'hits' on forms and publication; ascertain which forms are most frequently filed. A phone survey was completed. The internal survey recommended above is anticipated to solicit additional information.

Recommendations for review and prioritization by judicial administration:

1. Consider the use of bar codes and possibly, the use of docket legend codes, to allow Court Operations to generate reports on the numbers and types of Judicial forms that are filed, as opposed to downloaded, printed, or distributed.
2. Consider other materials for translation, including: court calendar uniform instructions, into Spanish; translation of courtroom assignments that are posted on calendar and other days; interpreter/translation options when Support Enforcement Services cases are heard in front of Family Support Magistrates, especially in regards to the advisement of rights.
3. Survey community organizations to obtain information regarding the needs of LEP populations as it pertains to the Judicial Branch and review utilization data such as Webpage hits and forms used to determine translation priorities for the Branch Website.
4. Develop computer programs that will: include both 'Interpreter' and 'Language' indicators in the case-management systems where they currently do not exist; print 'Interpreter' and 'Language' indicators on all dockets; automatically generate an interpreter-service request from earliest identification of need; transfer pertinent data into the Interpreter and Translator Services (ITS) Scheduler system for every scheduled court appearance or interview throughout the duration of the case and until final completion.
5. Develop/include informational links on the existing Judicial Branch Webpage to direct LEP individuals to translated information and make other Webpage changes as determined by community organization survey results.
6. Develop a system for the efficient tracking and scheduling of interpreters through the use of current and future technology.
7. Record in case-management systems (CR/MV, Edison, etc.), at the earliest possible stage in a case involving an LEP individual: the need for interpreting services in a case, the language needed, and the type of proceeding and/or approximate duration of the interview requested.
8. Develop and establish specific criteria for prioritizing assignments of interpreting requests.

9. Permit the use of audio recordings of advisements of Constitutional rights in Spanish, recorded by certified Spanish-language interpreters.
10. Expand the scope of the Telephonic Bilingual Services (TBS), and rename it to allow this unit to provide telephonic and in-person interpreting outside of the courtroom (e.g., jail interviews, CSSD studies and interviews, Court Operations interviews, etc.)
11. Reassign suitable, permanent qualified (but non-certified) Spanish-language interpreters to TBS.
12. Modify, acquire and activate necessary telephonic infrastructure and equipment to maximize utilization of the Telephonic Bilingual Services.
13. Consider Spanish the priority language for translation of materials, with Portuguese as second and Polish as third priorities. Other translations should be determined based upon the utilization statistics and growth of minority communities.
14. Prioritize translation of materials based upon interpreter and translation event statistics and other data collected. Ensure that those pamphlets and brochures which have accompanying forms are translated in a coordinated manner. Additionally, a structured process should be developed for screening and prioritizing requests for translations.
15. Consider acquisition of terminology-management translation computer software (e.g. the Trados program) to ensure consistent state-wide translation of legal terminology on court forms for LEP individuals.
16. Acknowledge the issue regarding literacy levels of some LEP individuals and the need to identify assistance in understanding and reading materials, translated or not, to ensure that meaningful access to due process is provided.
17. Support the concept of Plain Language; need to analyze the concept of Plain Language as a cost-effective measure in forms translation.
18. Recommend additional resources for the Interpreter and Translator Services unit.
19. Establish Branch policies specifying the role and scope of duties and ethical requirements for interpreters in Connecticut Superior Courts.
20. Hire more bilingual staff for positions which directly serve LEP individuals.
21. Change organizational structure to: establish higher rates for services in hard-to-find languages so that the Judicial Branch can compete with other employers; certified temporary interpreters, and qualified temporary interpreters.
22. Change organizational structure to establish an Administrative Translator position for a person responsible for managing translation assignments; update the Interpreter II job

description for certified permanent interpreters to emphasize the professional, rather than clerical, services that interpreters provide to the courts.

23. Change organizational structure to establish a Master Interpreter job classification for those staff who pass the state certification with higher scores, or who hold multiple certifications (e.g., federal, American Translators Association (ATA), interpreting certification in more than one language).
24. Periodically review ITS staffing levels to ensure sufficient coverage for LEP individuals.
25. Create a mechanism to allow candidates to pay for some testing and training which may require legislation.
26. Solicit Branch employees (including judges) who have bi/multilingual abilities to participate in the Branch's outreach objectives (to utilize their skills such as through the Speakers Bureau).
27. The External Affairs Division should create or update a list of employees and judges willing to participate.
28. Expand outreach to LEP populations by the Judicial Branch Website based upon the needs identified via community organizations and establish collaborative relationships with media organizations that have targeted non-English speaking audiences.
29. Develop public service announcements based upon the needs of the LEP population.
30. Utilize monitors in public areas or lobbies that are a source of ongoing information to the public in languages common to the LEP population.
31. Support and foster the development of bi/multilingual employees by dedicating resources to train, recognize and assist these employees.
32. Train staff to routinely record interpreter and translator information into case-management systems (e.g. CR/MV, Edison, etc.)
33. Provide foreign language instruction to employees to enable them to provide basic information to LEP individuals, such as the location of the courtroom.

Recommendations for the continuation or expansion of work begun by the Phase I committee:

1. Review statistical information on civil court requests to Interpreter and Translator services. The ITS application is currently being updated to accept this data.

2. Utilize the experience of other states and the federal government to prioritize forms translations consistent with available resources. A survey was done by the Committee of those experiences.
3. Implement the Committee's procedural recommendations for Quality Consideration for Testing, Certification and Training for the qualification and certification process of interpreters.
4. Conduct Branch-wide training on civil rights, national origin discrimination, and services available to the LEP individuals. A pilot program training was conducted in 2008; program was refined. Branch-wide training has commenced with the judicial marshals; a schedule will be developed to reach all employees.