



PUBLIC SERVICE AND TRUST COMMISSION

STRATEGIC PLAN

PHASE TWO IMPLEMENTATION REPORT

JULY 2010 REPORT

LIMITED ENGLISH PROFICIENCY (LEP)

CHARGE

To eliminate barriers to facilities, processes and information faced by individuals with limited English proficiency.

PROGRESS TO DATE

Since June of 2009, the LEP Committee has met five times, and each of its work groups has met numerous times throughout the year. Upon the completion of the work of the original subcommittees, three new workgroups were formed that focused on enhancing media and community outreach efforts, analyzing the internal Judicial Branch LEP survey, and developing translation guidelines. As noted below, a significant amount of work has been accomplished to date; however, the work of the LEP Committee is continuous due to the scope of its charge.

ACTIVITIES COMPLETED

- 1. Recommend additional resources for the Interpreter and Translator Services Unit (ITS) as outlined in Figure 11 of the Preliminary Report to the LEP Committee.** **Completed: 12/2009**

Eight new interpreters were hired in December 2009.
- 2. Establish administrative policies specifying the role and scope of duties and ethical requirements for interpreters in Connecticut Superior Courts.** **Completed: 12/2009**

This recommendation was accomplished without requiring a policy change by the Administration Unit of the Superior Court Operations Division.
- 3. Acquire terminology-management translation computer software (e.g., the Trados program) to ensure consistent statewide translation of legal terminology on court forms for LEP individuals.** **Completed: 1/2010**

The Trados software was successfully installed and implemented. The software's dictionary expands with each translation completed ensuring that future translated materials are more quickly completed and consistent regardless of the individual providing the translation.
- 4. Conduct an internal survey to assess how often and in what manner language assistance services are utilized by various units within the Judicial Branch.** **Completed: 4/2010**

An internal survey was conducted in June 2009; a workgroup to analyze the data was established in October 2009; recommendations were presented to and approved by the LEP Committee on April 29, 2010.
- 5. Establish a subcommittee that will develop recommended guidelines for prioritizing the translation of documents, informational handouts, etc. Consider Spanish the priority language for translation of materials, with possibly Portuguese and Polish as the second and third priorities. The availability of resources and cost benefits to perform other language translations should be determined based upon the utilization of statistics and growth of minority communities.** **Completed: 4/2010**

The Translation Guidelines Workgroup, established in October 2009, presented its recommendations to the LEP Committee in April 2010. The recommendations were approved.
- 6. Identify forms and materials that require translation services through an internal survey of each Judicial operating unit, determine the statistical "hits" on forms and publications, and ascertain which forms are most frequently filed.** **Completed: 4/2010**

Forms and materials were identified by (a) the collection of data from the LEP Committee survey conducted in June 2009, (b) the analysis of the survey results, (c) the list of commonly stocked forms in the Court

Service Centers, and (d) the guidelines and criteria that were established for translation of forms and publications.

7. **Survey community organizations to obtain information regarding the needs of LEP populations as it pertains to the Judicial Branch.** **Completed: 4/2010**

The Media and Community Outreach Workgroup, established in October 2009, conducted a survey of over 135 community organizations. This survey produced information upon which the workgroup developed a set of recommendations that were presented to, and approved by, the LEP Committee on April 29, 2010.

8. **Conduct Branchwide training on civil rights, national origin discrimination, and services available to LEP individuals.** **Completed: 10/2009**

A two-hour training program was developed to include civil rights, national origin discrimination, services available to LEP individuals, and how to access those services throughout the Judicial Branch. Use of dual-handset phones, conference-capable phones, and phones with speaker capacity are part of the training. In addition, "I Speak" posters were created and are available at the training sessions, as are Language Assistance desk cards that list the procedures for accessing language assistance by a Judicial Branch interpreter, a vendor interpreter, or an interpreter for the hearing-impaired LEP individual. To date, 12 LEP training sessions have been offered since November 2009 and 380 employees have attended the training. Although this recommendation has been marked completed, training will continue on an on-going basis.

9. **Support the concept of plain language; however, need to analyze the concept of plain language as a cost-effective measure in forms translation.** **Completed: 4/2010**

The Translation Guidelines Workgroup recommended that applying the principles of "plain language" and "readability" be one of the procedures for every non-case-related translation request going forward.

ACTIVITIES IN PROGRESS

1. **Develop and establish specific criteria for prioritizing assignments for interpreting requests.** **Projected Date: 10/2010**

The practice of the ITS unit is to provide interpreter services for cases involving the loss of liberty, cases involving children, juvenile matters and housing matters. The expanded use of the Telephonic Bilingual Services broadened the ability to provide interpreting services for a variety of other court matters. This will be considered in furthering and developing criteria for prioritizing interpreting requests.

2. **Develop and implement a system for the efficient tracking and scheduling of interpreters through the use of current and future technology. This will allow court personnel to record in the case-management systems (e.g., CR/MVS, Edison, etc.), at the earliest possible stage in a case, the need for interpreting services. The system would: include both "Interpreter" and "Language" indicators and print indicators on all dockets; automatically generate an interpreter-services request to be downloaded into the Scheduler program and to transfer pertinent data for every scheduled court appearance or interview throughout the duration of the case, until final disposition with an approximate duration of the proceedings or interviews; and automatically generate a translation request and download it into the Scheduler program.** **Projected Date: 10/2011**

The Administration Unit of the Superior Court Operations Division will be working with its Technology Unit on this initiative.

3. **Need to further explore improvement of the screening process for candidates; develop and improve the preliminary screening process for identifying qualified candidates. (Details of procedural recommendations set forth in Figures 4 and 5 of the Preliminary Report to the LEP Committee (Quality Considerations for Testing, Certification, and Training) regarding the qualification and certification processes.)** **Projected Date: 10/2010**

ITS contracted the private services of Mr. Robert Joe Lee, former Program Manager for Interpreting Services in New Jersey and currently an advisor for the National Center for State Courts. Mr. Lee developed a new oral screening exam for Spanish-language candidates. ITS started using this new exam in April 2010.

4. **Expand the telephonic services through the use of outside language assistance vendors to provide interpreting services "outside" the courtroom, and if required under exceptional circumstances, "inside" the courtroom, and by modifying, acquiring, and activating telephonic infrastructure and equipment.** **Projected Date: 10/2010**

Since June 2009, 134 dual handset telephones have been installed in multiple offices within 59 buildings throughout the Judicial Branch. This includes locations such as clerks' offices, court service centers, support enforcement offices, and CSSD offices. Training is being provided to on-site employees at the time that the equipment is installed. Training and troubleshooting are ongoing efforts. The contract with Language Line (vendor) was renewed effective May 1, 2010.

5. **Review statistical information on civil court requests to Interpreter and Translation Services.** **Projected Date: 10/2010**

ITS is finalizing the new statistical program for interpreters to enter their daily case load. The new system will have a civil component.

6. **Expand outreach to LEP populations through 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.** **Projected Completion Date: 10/2011**

The results of the survey conducted by the Media and Community Outreach Workgroup have been shared informally with the External Affairs Division. The recommendations developed from this initiative suggest methods by which to conduct outreach to community-based organizations that serve LEP populations, especially those that speak Spanish or Portuguese, identify LEP organizations that are willing to collaborate with the Judicial Branch on outreach efforts, and list media organizations that communicate with LEP audiences. As a result of information obtained from this survey, a detailed contact list of organizations that work with limited English proficient populations has been developed. The Chief Justice recently sent a letter to these organizations that was accompanied by a list of informational materials for the LEP population that are available from the Branch.

7. **Develop/include information 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.** **Projected Date: 10/2011**

The Interpreter and Translator Services Unit continues to work with the Judicial Branch Web Board to determine webpage translation priorities. To highlight work completed, the External Affairs Division recently issued a press release regarding web pages converted to Spanish.

8. **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).** **Projected Date: 10/2010**

Judges have been recruited by the External Affairs Division for the Speakers Bureau.

ACTIVITIES FOR THE FUTURE

1. **Train court personnel (requestors) to routinely record interpreter and translator information into case management systems (e.g. CR/MVS, Edison, etc.).** **Projected Date: TBD**

This recommendation is directly linked to the development and implementation of a scheduling system. Since the scheduling system being considered is in the design phase, no further action can be taken at this time.

2. **Change ITS organizational structure to: 1) Establish higher rates for services in hard-to-find languages so that the Judicial Branch can compete with other employers (i.e., court systems in adjoining states); 2) Establish a “Lead Translator” position responsible for managing translation assignments; 3) Update the Interpreter II job description for certified interpreters to emphasize the professional (rather than clerical) services interpreters provide to the courts; 4) 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, ATA, interpreter certification in more than one language).** **Projected Date: TBD**

This has not been explored further due to current budget issues and the hiring freeze.
3. **Develop public service announcements based upon the needs of the LEP population.** **Projected Date: TBD**

The External Affairs Division was very recently provided a comprehensive list of community organizations that serve LEP populations. They will be using this list in their media outreach plan.
4. **Hire more bilingual staff for positions that directly serve LEP individuals.** **Projected Date: TBD**

Recommendation requires further review.
5. **Provide foreign language instruction to employees to enable them to provide basic information to LEP individuals, such as the location of the courtroom.** **Projected Date: TBD**

Recommendation requires further review.
6. **Permit the use of audio recordings of the advisement of constitutional rights in Spanish, as recorded by certified Spanish-language interpreters.** **Projected Date: TBD**

Recommendation requires further review.
7. **Utilize monitors in public areas or lobbies that are a source of ongoing information to the public in languages common to the LEP population.** **Projected Date: TBD**

Recommendation requires further review.

NEW RECOMMENDATIONS FOR CONSIDERATION

As previously stated, the LEP Committee formed three new workgroups: Media and Community Outreach Workgroup, Survey Workgroup, and Translation Guidelines Workgroup. Below are new recommendations that were approved unanimously by the LEP Committee.

New Recommendations from the Media and Community Outreach Workgroup

1. **Acknowledge and express gratitude to those organizations that responded to the Media and Community Outreach Survey by sending each participating organization a thank you letter.**

The Chief Justice recently sent a letter to various Hispanic community organizations informing them about resources that the Judicial Branch has developed for the Spanish speaking community. In that letter, the Chief Justice took the opportunity to thank the organizations that completed the LEP survey.
2. **Forward to the External Affairs Division recommended methods for continuing its outreach efforts to community-based organizations that serve LEP populations.**
 - Develop and maintain a listserv for LEP organizations using email contact information from the Media and Community Outreach Survey.

A very comprehensive list of LEP organizations was forwarded to the External Affairs Division. They used this list for the letter sent by the Chief Justice to Hispanic community organizations.

- Expand the listserv for LEP organizations over time to include other organizations, such as: Connecticut Department of Education, adult learning centers, community colleges, English as a Second Language (ESL) programs, high schools and hospitals.
- Use the results from the Media and Community Outreach Survey to assist in the development of a media plan that is responsive to the changing needs and circumstances of LEP communities in the state.
- Reach out to the Spanish-language media identified through the Media and Community Outreach Survey, the Foreclosure Mediation Survey and other sources of information.
- Develop relationships with media sources that serve the LEP population in order to explore presenting informational programs, public service announcements, tips of the day, etc., in other languages.
- Engage judges, bilingual staff and community leaders in developing LEP media contacts.
- Contact LEP organizations via mail and/or email and inform them of useful information, such as the following: website resources in Spanish, including publications; the Speakers Bureau, including judges who are bilingual; new Spanish-language resources, such as the video on child custody issues featuring Judge Antonio Robaina.

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- Send flyers/posters to LEP organizations via email regarding upcoming events and newly translated materials.
 - Send press releases on issues that impact the LEP population not only to the media, but also to the LEP organizational Listserv.
3. **Forward to the Information Technology Division and the External Affairs Division two suggestions regarding the Branch's website: 1) Improve visibility of link on website, which is undergoing redesign over the next few years, to Spanish-language materials; and 2) Consider adding an email link, as part of the Judicial Branch website redesign, so that users can sign up for updates on newly translated materials.**
 4. **Provide training to organizations that offer computer access to individuals who have limited English proficiency, particularly libraries, on how to utilize the Branch's website and obtain resources that are available in other languages.**
 5. **Reach out to organizations, particularly libraries such as the Hartford Public Library and the New Haven Free Library, which offer computer access and are already actively engaged in public education efforts with the LEP population.**

New Recommendations from the Survey Analysis Workgroup

1. **Remind employees of foreign language resources available (i.e., translated materials, Judicial Branch web pages in Spanish).**

This information is easy to distribute to staff by way of mass email, newsletter, and other forms of communication.
2. **Consider taking action to address the significant number of employees who in the Branch's LEP survey expressed an interest in taking basic foreign language instruction (647 or 70% of Branch employees who responded to the survey expressed interest in receiving foreign language training).**
3. **Emphasize and continue to encourage use of TBS, particularly during non-court hours and weekends.**

The Branch has experienced increased usage of the TBS contracted services since the summer of 2009.

4. **Recognize the need for informational and instructional documents in other languages to be handed to clients from the Judicial Branch. This would result in expediting court business and making the justice system less frustrating.**

This recommendation should be considered under the Translation Guidelines, if the Guidelines are approved.

5. **Recognize the need for informational and instructional documents in other languages to be handed to clients from contracted vendors. This would result in LEP clients having sufficient information in hand to make informed decisions.**

This recommendation needs further review by Legal Services to determine whether or not the practice of not providing translated materials is a violation of Section II, #33 of the Judicial Branch standard contract language.

6. **Acknowledge the need for compliance documents in other languages.**

This recommendation should be considered under the Translation Guidelines, if the Guidelines are approved.

7. **Consider multi-discipline notices with Spanish on body of form: consider combining multiple notices/ letters into universal multi-disciplinary forms; consider developing universal forms for use by all members of an operating unit, or all members of a particular division; this would decrease the development and use of “homegrown” translated documents.**

This recommendation should be considered under the Translation Guidelines, if the Guidelines are approved.

New Recommendations from the Translation Guidelines Workgroup

The following are proposed Guidelines for Translation Requests.

I. Introduction

Translation requests should be limited strictly to those forms that would be used by the public and, as a result, would exclude the Branch’s internal administrative documents. “Evidentiary” translation requests that are unique to a specific legal proceeding would be excluded from the following proposed “translation request process.”

II. Preconditions

All requests for translation must be for Judicial Branch documents that:

- Have been reviewed and approved by Legal Services, and
- Are used by members of the public involved in legal proceedings.

III. Criteria for Prioritization

Preferences will be given to those requests that meet the following criteria:

- Whether the document is the first step in a particular process (e.g., Writ, Summons and Complaint);
- Whether the document is used frequently (e.g., Appearance form);
- Whether the document would cause significant harm if misunderstood (e.g., Restraining Orders), and
- Whether a previously translated document is impacted by a change in the law (e.g., a Practice

Book or statutory change).

IV. Procedures for Processing Translation Requests

Establish a Review Panel comprised of representatives from Court Support Services, Superior Court Operations, and External Affairs. The Review Panel will be staffed by the Program Manager for Interpreter and Translation Services (or his/her designee).

Each division is to identify a “forms gatekeeper” to coordinate all the translation requests from each Judicial Branch Division.

- Each division’s “forms gatekeeper” will complete a request form and, accompanied by the document to be translated, send the request form electronically to Legal Services for review and approval.

Legal Services will review the request and document and, if approved, assign it a JD number if needed, apply the principles of readability and plain language, and forward the document to the Review Panel.

The Review Panel will:

- determine whether the translation request meets the preconditions;
- compare the request to the guidelines to ensure compliance;
- compare the request to the prioritization criteria to determine whether further consideration of timeliness is required;
- have the authority to determine the relative placement of the document in the translation queue;
- have the authority to recommend that a document be translated into additional languages; and
- have the authority to expedite those documents being requested by multiple requestors.

Upon completion of the Panel’s review, the document will be forwarded to the Translation Unit for processing and notice will be sent to the requesting division that the document has been scheduled for translation.

The Translation Unit will complete the translation and return the document to Legal Services for further processing.

Legal Services will forward the document to the Information Technology Division for design considerations and website posting.

V. Implementation Considerations

In order to implement the guidelines and recommendations described above, the following actions are required:

- Development of a new translation request form;
- Development of a new translated forms tracking system, and
- Assignment of administrative resources to the Review Panel.