



# **State of Connecticut Judicial Branch**

## **Phase Four IMPLEMENTATION of THE STRATEGIC PLAN**

**October 2011**

**Public Service and Trust Commission**

*Hon. Alexandra D. DiPentima, Chair*

*Chief Justice Chase T. Rogers*

## **Committee on Limited English Proficiency (LEP)**

The Committee on Limited English Proficiency is continuing its efforts in eliminating barriers to facilities, processes and information faced by individuals who are limited English proficient (LEP).

### **The Committee will continue its work on the following activities between July 2011 and June 2012:**

- Continue scheduling LEP training programs so that all Branch employees are able to attend. As part of this initiative, the curriculum of the LEP training program is continually refined. Additionally, LEP training to Branch vendors who provide contracted services will continue during the next year to ensure compliance with federal regulations.
- Continue working closely with the External Affairs Division in expanding outreach efforts to the LEP population through community organizations and media organizations that have targeted non-English speaking audiences.
- Continue efforts to solicit Branch employees and members of the bench who have bilingual or multilingual abilities to participate in the Branch's outreach initiatives, including the Speakers Bureau. Outreach to employees who participated in the Latino Community Fellows Program offered through St. Joseph's College will be explored.
- Continue examination of whether various case management systems could be modified to identify cases/matters that require interpreter/translation services. This examination will include exploring whether a code could be developed that will appear on the printed docket to provide the on-site interpreter with caseload information to enhance the provision of interpreting services.
- Continue exploring the feasibility of expanding the use of telephonic interpreters services to certain courtroom proceedings where deemed appropriate and when the requestor, having followed all necessary steps, is unable to obtain the provision of "in-person" interpreting services. (The Interpreter and Translator Services Unit (ITS) has referred requestors from several locations across the state to Language Line, the current vendor that provides bilingual telephonic services. Using Language Line, requestors have been able to access interpreting services within seconds and at minimum cost to the Branch).
- Continue exploring the viability of providing foreign language tools to employees. There were two recommendations pertaining to making available foreign language instruction to employees. Based upon the overwhelming response in the Branch survey to employees (seventy percent of the 647 employees who responded expressed an interest in receiving foreign language instruction), the Committee agreed to combine and amend these recommendations and appoint a workgroup to further explore its viability and possible alternatives. The Committee noted possible alternatives and existing options: explore the use of computer programs, encourage enrollment in foreign language courses offered at community colleges, allow the use of educational leave time, and pursue tuition reimbursement.
- Continue reviewing the feasibility of using audio recordings of the advisement of rights. Numerous issues are involved with implementing this recommendation, including a related issue pertaining to the use of videos. A workgroup was appointed to do further research. A survey was drafted and distributed via the Conference of State Court Administrators (COSCA) listserv to other state court administrative offices requesting information on alternative methods used by courts in providing the advisement of rights to individuals who are limited English proficient; the responses were compiled in June. The workgroup is also exploring development of a pilot project.

**As time and resources permit, the Committee will begin work on the following activities:**

- To reexamine the role of the Committee on Limited English Proficiency
- To develop a plan for using video-interpreting
- To explore the expansion of the LEP contracted Court Support Services Division (CSSD) vendor training to other vendors who provide contracted services to other units who have programs, services, and activities that involve individuals who are limited English proficient

**The following activities were completed between September 2010 and June 2011:**

- An LEP training program entitled *LEP: Why It's Important to You* was formalized for Branch employees and a modified program was developed for CSSD vendors who provide contracted services. For calendar year 2010, eighteen sessions of *LEP: Why It's Important to You* were held and 569 Branch staff participated. Between January 2011 and June 2011, training was provided to 120 contracted CSSD vendors.
- The Interpreter and Translator Services (ITS) Unit implemented a system for assigning and prioritizing interpreter requests. The Unit prioritizes requests on a daily basis in order to maximize the use of limited resources and to best meet the needs of the courts. Services are coordinated based on the type of proceedings; courtroom assignments are combined for coverage purposes and interpreters travel to different locations during the course of the day.
- Improvements to the screening process of candidates were implemented. Recently, the ITS Unit acquired a new oral screening exam and began administering it to new applicants to better test their interpreting skills. The Unit also plans to examine the implementation of an Oral Proficiency Interview (OPI) as a way to measure a candidate's language skills. OPI is offered over the phone to the candidate by a private provider.
- After further review and discussion, the Committee agreed to amend a prior recommendation "to hire more bilingual staff." The Committee is now recommending that the Human Resource Management Unit (HRM) assess job positions where bilingual skills would be appropriate for a particular position in a specific geographic area that serves a limited English population. Also, the Committee is suggesting that HRM examine recruiting and screening methods and examine whether bilingual ability should be a factor in hiring. (The Committee is aware of union issues and, therefore, may not act further in this area other than to suggest that this recommendation be forwarded to HRM.).
- The Committee referred to External Affairs the request to develop public service announcements and it has been incorporated into their media plan. As the Committee continues its work, it will forward suggested content to External Affairs for public service announcements. Additionally, the Committee will continue to recommend ideas to External Affairs in reaching organizations that serve the LEP population. The External Affairs Division's outreach efforts to community-based organizations are ongoing. A press release was drafted on the new [LEP Internet page](#) which will be translated into Spanish, Polish and Portuguese.
- Language assistance through telephonic services was expanded during this period. A related recommendation to "emphasize and continue to encourage use of telephonic bilingual services, particularly during non court hours and weekends" has also been accomplished. An individual has been appointed to administer this program; she provides continuous training and support statewide to all Branch offices. Also, information regarding the available telephonic bilingual services is included in the LEP training to all employees. In 2010, the telephonic bilingual services vendor provided language assistance in thirty-nine languages, in 10,000 calls for a total of 79,533 minutes.

- The ITS Unit has reviewed statistical information on civil court requests. A new statistical program was developed for interpreters to input their civil caseload information and is ready to be implemented. Training on the new statistical system has begun.
- Two new LEP webpages were developed and posted - one for the Internet and one for the Intranet. The Internet page includes the Branch's LEP Policy Statement, provides answers to frequently asked questions about LEP, provides information regarding available language services, and identifies various informational resources. This page has also been made available in Spanish, Portuguese and Polish. The LEP Intranet page includes the LEP Policy Statement, provides information on the LEP Committee and LEP Training and Resources, and explains the processes for requesting language assistance, translation services and sign language services.
- A mechanism for educating employees about available language assistance resources has been accomplished through the Branch LEP Training Program and the hands-on training provided on the contracted telephonic bilingual services. The training program provides information on Title VI, the Branch's policy statement regarding LEP, the cultural aspects of working with LEP individuals, and the processes for obtaining interpretation and translation services.
- Guidelines and procedures were developed and implemented for requesting the translation of documents. Also, an automated Document Translation Tracking system was developed and an internal Review Panel appointed to review and prioritize the document translation requests. The guidelines and procedures, which set forth the process and criteria for review and prioritization, are posted on the intranet.
- The recommendation pertaining to the creation of multi-discipline notices/forms that would include, for example, Spanish in the body of a form will be considered by the respective units as they determine whether the form should be translated as well as by various individuals who are involved with the review and development of the form. Additionally, the Committee supported the principle of using plain language in the translation of forms.
- The recommendation pertaining to the need for informational and instructional documents in other languages for distribution by contracted vendors is being examined by Legal Services, which is considering revisions to contract terms. Additionally, language assistance guidelines have been developed for distribution to vendors who provide contracted services for the Branch.
- Two recommendations regarding outreach to organizations that offer computer access to individuals who have limited English proficiency were combined and reworded to "Recommend that Branch Staff provide, within available resources, informational sessions to public libraries and community organizations on resources and services available to the LEP communities." Since the Law Libraries and Court Service Centers conduct outreach programs, the Committee suggests the recommendation be forwarded respectively to these units.
- The Committee assessed the value and usefulness of web-based translation programs and determined that its use must be limited and cautious. It was reported that "translation services on-line" was thoroughly researched by the Information Technology Division and that the translation of legal terms was not accurate.
- The Committee examined carefully the recommendation to develop and implement a system for the efficient tracking and scheduling of interpreters through the use of current and future technology. It was determined that the recommendation was not feasible for the reasons set forth below and reported by the ITS Unit.
  - A focus group was held and, after analysis, it was determined that human intervention is always required when scheduling interpreter services due to three main reasons:

1. There are different court sessions and each session has a unique case flow structure. Based on the download into the system, ITS can not make a determination of whether or not to assign an interpreter based on the specific proceeding held on a specific date.
2. Continued changes in court dates and cancellations may not always be entered on time for ITS to receive notice and make the necessary adjustment.
3. Different dynamics at different locations create a challenge.

ITS currently has a computer system that allows the central office staff to manually input requests organized by date, district and language. It was determined that the best course of action is to enhance the current Scheduler system to minimize certain functions and facilitate overall coordination.

- The Committee initially supported the recommendation to change the Interpreter and Translator organizational structure, but has tabled this recommendation.
- The Committee supported the recommendation to utilize monitors in public areas or lobbies as a source of providing ongoing information to the public in languages common to the LEP population; the Committee is recommending that this recommendation be referred to the Committee on Access to Facilities.