

**Language Access Plan of
SKAMANIA COUNTY DISTRICT COURT
STEVENSON MUNICIPAL COURT
NORTH BONNEVILLE MUNICIPAL COURT**

I. PURPOSE

This LAP sets forth the **Skamania County District Court; Stevenson Municipal Court and North Bonneville Municipal Court** policy and procedures for the provision of timely language access services that ensure access for all limited English proficient (LEP), deaf, hard of hearing, and deaf-blind (D/HH/DB) individuals who come in contact with **Skamania County District Court; Stevenson Municipal Court and North Bonneville Municipal Court** services and programs. Language access services include both interpretation and translation services for LEP and D/HH/DB individuals.

II. COURT POLICY REGARDING LANGUAGE ACCESS SERVICES

Under Washington state law (RCW 2.42 and 2.43), Title VI of the Civil Rights Act of 1964 (Title VI), the Omnibus Crime Control and Safe Streets Act of 1968 (Safe Streets Act), the Americans with Disabilities Act (ADA), and the regulations implementing these federal laws, Washington courts are required to provide language access services to all LEP and D/HH/DB individuals in civil and criminal court proceedings and in all court-managed services and programs and to develop a written language access plan pursuant to RCW 2.43.090.

It is the policy of **Skamania County District Court; Stevenson Municipal Court and North Bonneville Municipal Court** to provide foreign language interpreter services at no cost to LEP parties, witnesses, victims, and others with an interest (e.g., parents, legal guardians, custodians) in all court proceedings and operations, both civil and criminal, other than when it is the responsibility of other government bodies pursuant to state law. It is also the policy of this court to provide sign language interpreting services at no cost to persons who are D/HH/DB as required under applicable state and federal statutes and regulations.

Skamania County District Court; Stevenson Municipal Court and North Bonneville Municipal Court will provide accessible information to LEP and D/HH/DB persons on how to request these language assistance services and vital documents as part of its notice to the public about its language access services.

Although D/HH/DB individuals are covered under the ADA and RCW 2.42 rather than Title VI and the Safe Streets Act, this plan covers language access services for both D/HH/DB and LEP individuals.

III. NEEDS ASSESSMENT

1. The clerk shall run a report to determine if any cases have interpreter flags in the PER screen.
2. Based on the result of the report, the clerk shall make proper arrangements for interpreter assistance.

IV DETERMINING THE NEED FOR AN INTERPRETER IN THE COURTROOM

There are various ways that Skamania County District Courts and Municipal Courts will determine whether an LEP, deaf or hearing-impaired court customer needs an interpreter for a court hearing.

1. The LEP, deaf or hearing-impaired person may request an interpreter. Skamania County District Court and Municipal Courts display signs provided by AOC translated into Washington State's five most frequently used languages that state: ***"You may have the right to a court-appointed interpreter in a court case. Please ask someone at information desk."*** Skamania County District Court and Municipal Courts display these signs in the lobby right next to where the lobby docket is posted.
2. 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 administrator or judge should err on the side of providing an interpreter to ensure full access to the courts.
3. 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. Interpreter needs for Skamania County District Courts and Municipal Courts are handled by the District Court Clerk's office. Notifications and arrangements for interpreters should be made by calling (509) 427-3782 or sending an email to districtcourt@co.skamania.wa.us.

V. COURT INTERPRETER QUALIFICATIONS

Skamania County District Court; Stevenson Municipal Court and North Bonneville Municipal Court hire 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 court. This roster is available to court staff and the public at www.courts.wa.gov/programs_orgs/pos_interpret/. 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 (Egyptian), Bosnian/Croatian/Serbian, Cantonese, French, Korean, Laotian, Mandarin, Marshallese, Punjabi, Russian, Somali, Spanish, Tagalog and Vietnamese.

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.

Skamania County District Court; Stevenson Municipal Court and North Bonneville Municipal Court may also use telephone interpreting only if no interpreters are available in person pursuant to General Rule 11.3. Bilingual staff who are not on the statewide roster is never used to interpret in court. However, they may assist in securing an interpreter if necessary.

VI. PRACTICES IN THE APPOINTMENT AND USE OF INTERPRETERS

In appointing interpreters, staff at Skamania County District Court; Stevenson Municipal Court and North Bonneville Municipal Court, will ensure that the interpreter and the LEP or D/HH/DB participant can effectively communicate. It is also the practice of Skamania County District Court; Stevenson Municipal Court and North Bonneville Municipal Court to:

- ✓ Make a determination of the appropriate number of interpreters that may be required for the proceeding. When the proper administration of justice so requires the court will appoint multiple or separate interpreters.
- ✓ For long hearing sessions or trials, appoint a team of two interpreters or if no second interpreter is available, allow the interpreter to have frequent breaks to avoid interpreting fatigue, ensure accuracy, and avoid subsequent errors.
- ✓ Only allow an LEP or D/HH/DB person to waive his or her right to the assistance of an interpreter if the waiver is knowing, voluntary, and on the record. The waiver of an interpreter may be rejected by the court or later revoked by the person.
- ✓ Require interpreters to provide sight translations for documents related to the court proceedings.
- ✓ Prohibit interpreters from assisting LEP or D/HH/DB with entering information on court forms without the involvement of court staff in the completion of such

forms.

- ✓ Provide sign language interpreters for jurors who are D/HH/DB when such persons are called and selected for jury service

1. Calendaring and Scheduling of Interpreters for In-court and Out-of-court Contacts

Skamania County District Court; Stevenson Municipal Court and North Bonneville Municipal Court will provide interpreter services in a timely manner. In order to provide high quality language access services in an efficient manner, Skamania County District Court; Stevenson Municipal Court and North Bonneville Municipal Court employs the following practices:

- ✓ Coordinating calendars so an interpreter may be available for several matters in the same court location on the same day.
- ✓ Coordinating the use of interpreters so that when an interpreter is not busy in a courtroom proceeding, he or she may be available in person or telephonically to assist in other areas where interpreter service is needed such as:
 - Court Documents
- ✓ Creating a pool of interpreters who may be available by telephone to assist in non-evidentiary proceedings or other court programs.

2. Remote Interpreting

For short non-evidentiary hearings, Skamania County District Court; Stevenson Municipal Court and North Bonneville Municipal Court uses the following remote interpreting technologies:

- ✓ Zoom
- ✓ Boost Lingo

The policy or practice of the court with regard to the use of remote interpreting services is as follows:

- ✓ Remote interpreting will be reserved for brief non-evidentiary proceedings such as continuances, given that non-verbal cues – not visible when on the telephone – are critical for communication. Remote interpreting can be particularly problematic in some circumstances such as for individuals who are deaf or hard of hearing, the elderly, those struggling with mental illness, quiet or nonverbally communicative individuals, and others.

VI. TRAINING

The Skamania County District Court; Stevenson Municipal Court and North Bonneville Municipal Court is committed to providing training for all judicial and court staff members who come in contact with LEP and D/HH/DB individuals in order to ensure the successful delivery of language access services. The court will provide staff training on all requirements in this Language Access Plan. Additional training opportunities will include:

- ✓ Proper appointment and scheduling of interpreters for all court proceedings and court-managed programs and services
- ✓ Courtroom management when interpreters are used.
- ✓ Use of remote technologies for interpreting

Training efforts will include an initial training for new staff on the requirements of the current Language Access Plan and an annual training for existing court personnel that addresses any revisions made to the Plan.

III. PUBLIC NOTIFICATION AND EVALUATION OF LAP

A. LAP Approval & Notification

Skamania County District Court; Stevenson Municipal Court and North Bonneville Municipal Court LAP has been approved by the *Presiding Judge*, Ron Reynier, and a copy has been forwarded to Washington State's Administrative Office of the Courts Interpreter Program Coordinator. Any revisions to the Plan are to be submitted to the *Presiding Judge and Court Administrator* for approval, and then forwarded to the Interpreter Program Coordinator. Copies of Skamania County District Court; Stevenson Municipal Court and North Bonneville Municipal Court LAP shall be provided upon request. In addition, the court shall post its LAP on its own website at:

<https://www.skamaniacounty.org/departments/district-court>

B. Annual Evaluation of the LAP

Skamania County District Court; Stevenson Municipal Court and North Bonneville Municipal Court will conduct an annual needs assessment to determine whether changes to the LAP are needed.

This assessment will be done by reviewing various areas in which the court provides language access services, taking into consideration, at a minimum, the number of interpreters requested by language in the courts and the identification of emerging changes in the languages spoken or signed within the court's local population as identified by any informational means or by other methods.

Elements of the assessment evaluation shall include

- ✓ Number of LEP or D/HH/DB persons requesting court interpreters;
- ✓ 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
- ✓ Identification of challenges or trends your court is experiencing with providing language access services.

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. In addition, the Skamania County District Court; Stevenson Municipal Court and North Bonneville Municipal Court will submit to the AOC a copy of any updated information contained in this LAP within 60 days of its approval by *Presiding Judge*

LAP Contact Person

State Contact:

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Local Contact:

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The effective date of this LAP plan is _9/26/2023_____