



COMMITTEE ON LIMITED ENGLISH PROFICIENCY

2023 REPORT

Committee on Limited English Proficiency

The Committee on Limited English Proficiency was formed in 2008 under the Access goal of the Judicial Branch's Strategic Plan and charged with "eliminating language barriers to facilities, processes and information that are faced by individuals with limited English proficiency." The committee is co-chaired by Appellate Court Judge Jose Suarez and Alejandra Donath, Program Manager for the Interpreter and Translator Services Unit (ITS), and is comprised of the following members¹:

Troy Brown
Brittany Kaplan
Richard Loffredo
Brandon Pelegano
Daisy Rosado-Hack
Viviana Livesay (Legal Services advisor)
Heather Collins (Support Staff)

The Judicial Branch is committed to ensuring that limited English proficient (LEP) individuals are able to access its facilities, processes, and services. This commitment is evidenced as the Branch received the second highest rating among all 50 states, Puerto Rico, and the District of Columbia, in providing language access in its courts, according to an assessment conducted by the National Center for Access to Justice (NCAJ) at Fordham Law School.

In 2023, ITS covered over 37,000 files that required oral language assistance in 83 different languages/dialects. This includes over 1,600 pre-scheduled events that were covered remotely by either staff and/or contracted interpreters through Microsoft Teams, Cisco technologies and/or telephonically. In addition, over-the-phone interpreting services for over-the-counter language needs were used over 29,000 times in 75 different languages/dialects. ITS translated/revised 172 separate Judicial Branch forms as well as 181 case specific documents in 2023.

This report serves as an update of the work of the Committee on Limited English Proficiency in 2023.

¹The Committee would like to acknowledge Attorney Michelle Fica from Connecticut Legal Services. Her attendance and participation in the Committee meetings has been invaluable.

I. On-Going Initiatives

In its effort to ensure that LEP individuals can access the Judicial Branch's facilities, processes, and information, the Committee has been working over the past year on the following areas:

Continued LEP Training

In 2009, the Judicial Branch developed a mandatory LEP training program for all of its employees that provided information on the federal requirements for the provision of services to LEP individuals, explained the role of the interpreter, and detailed how to obtain language assistance and translation services. This program also offered cultural sensitivity education. Over 2,300 employees attended this half-day program.

Judges and family support magistrates were given LEP training in 2013. Additional LEP training was provided to judges in 2016. Since 2013, LEP training has been incorporated into the new judge and family support magistrate orientation program provided to all newly appointed judges and family support magistrates. In 2023, twenty new judges and two family support magistrates were appointed and received LEP training.

In 2017, the LEP training moved to an online format. This 75-minute course provides an overview of the Judicial Branch's obligations to provide services to LEP individuals, details the role of an interpreter, the differences between an interpreter and a translator, and how Judicial Branch employees can obtain language assistance services 24-hours a day, 7 days a week. Since its online launch, over 3,300 employees have taken the course. In 2020, this training was revised and re-recorded to reflect updated information. All new Judicial Branch employees are required to complete this course.

In 2018, the LEP Committee developed an online training for those entities that contract with the Judicial Branch and provide services to LEP individuals. The training covers the federal requirements regarding the provision of services to LEP individuals, the entity's responsibilities to LEP individuals under the terms of their contract with the Judicial Branch, how an entity can meet its responsibilities, the difference between interpretation and translation, and tips on how to work with interpreters. Since its online launch, over 1,300 individuals have taken the course.

In 2022, the LEP Committee launched a refresher training for Judicial Branch employees. The refresher training focuses on the interpretation and translation services provided by the Branch and how Branch staff can access those services. In 2023, over 3,500 Judicial Branch staff completed the LEP refresher training course. This training is required to be taken by all Judicial Branch employees on a yearly basis. A reminder email is sent to all Judicial Branch staff on a yearly basis regarding this requirement.

Vital Documents

The ongoing identification and translation of vital documents has remained a priority of the LEP Committee and the Judicial Branch. In 2013 and again in 2017, the Chief Court Administrator requested that the Judicial Branch's Executive Directors identify the vital documents utilized by their Divisions. Interpreter and Translator Services continues the process of translating these documents into Spanish, Polish and Portuguese. In 2023, 172 vital documents were translated into Spanish, Polish and Portuguese.

Forms

All forms that have been translated into other languages now have an indicator to alert staff and members of the public that the form is available in other languages.

The Committee has begun discussions with the Judicial Branch's Legal Services Unit to add a notice to all Branch forms to indicate that interpreting services are available to all LEP individuals at no cost. In addition to adding such notice to its forms, the Committee is looking into developing posters with similar language to be displayed in the public areas of Judicial Branch facilities.

Telephonic Bilingual Services

The Judicial Branch has contracted with three vendors for telephonic language assistance services, enabling Judicial Branch staff and individuals who are limited English proficient to bridge the language gap by communicating through the use of a telephonic interpreting service.

Telephonic Bilingual Services are available in more than 150 languages, 24 hours a day, 7 days a week. They are available in all Judicial Branch facilities and are also available to staff working outside of Judicial Branch facilities, via a cell phone, when needed to communicate with LEP individuals. In 2023, Telephonic Bilingual Services were used over 29,000 times in 75 different languages/dialects.

Translating Pages on the Judicial Branch's Internet Site

The overwhelming majority of interpreter requests continue to be for the Spanish language (approximately 88%). Historically, the next most requested languages are Portuguese and Polish

(approximately 3% each). Accordingly, the Judicial Branch continues to translate pages on its website into Spanish, Portuguese and Polish.

Video Remote Interpreting

The onset of the COVID-19 pandemic fundamentally changed how much of our court business was conducted. Before the pandemic, the overwhelming majority of court cases and interviews were conducted in-person. As a result of the pandemic, it became necessary to shift proceedings to remote platforms. This shift allowed the Judicial Branch to experiment with utilizing video remote interpreting (VRI) technology. The excellent work of the Judicial Branch's Information Technology Division created a system that allowed for simultaneous interpreting utilizing VRI equipment. Allowing for simultaneous interpreting has significantly shortened the length of time a case with a remote interpreter takes. The system also allows for an attorney to have a private conversation in the courtroom with an individual who is limited English proficient.

By introducing VRI, the Judicial Branch can continue assigning certified and highly qualified staff interpreters to cover on-the-record proceedings. The VRI program allows interpreters to be located throughout the state and, through video technology, to be accessed from distant locations to provide language services. In addition, one interpreter could remotely cover several proceedings at a variety of locations in a short period of time, rather than requiring interpreters to drive some distances to these locations.

In 2023, the Judicial Branch outfitted courtrooms utilized for arraignments, housing matters, juvenile matters, and family support magistrate matters to allow for VRI utilizing Judicial Branch staff interpreters. Currently, VRI is used for Spanish, Portuguese, Polish, and Chinese Mandarin languages.

Revised Language Access Plan

The LEP Committee reviewed and revised the Judicial Branch's Language Access Plan. The revised Language Access Plan, which was approved by the Chief Court Administrator, has been translated into Spanish, Polish and Portuguese and posted on the Branch's Internet and Intranet websites.

Grievance Procedure

The Committee has worked to develop a procedure which would allow individuals who are LEP to file a grievance if they had a complaint about the language services provided by the Branch. The policy and form, once finalized, will be translated and available to individuals who are LEP who seek to file a complaint.

II. Future Plans

The LEP Committee recognizes the continuing need for the Judicial Branch to provide access to its facilities, processes, and information to all limited English proficient individuals. In the coming year, the Committee intends to focus on the following areas:

Vital Documents

The translation of vital documents is an important initiative that has been underway since 2013. The Interpreter and Translator Services Unit will continue to translate vital documents into Spanish, Polish and Portuguese. In addition, forms will begin to be translated into Chinese Mandarin.

Video Remote Interpreting

The Committee will continue to work with the Judicial Branch's Interpreter and Translator Services Unit and Information Technology Division to roll out video remote interpreting for all case types.

Training

Training on LEP issues is an ongoing priority of the LEP Committee and the Judicial Branch. The Committee will create an online refresher training for judges. The training will provide an overview of the services provided by the Judicial Branch and how those services can be accessed.

The Committee will also begin work on developing an online tutorial for external stakeholders on the services that the Judicial Branch provides to LEP individuals and how those services can be accessed.

Notices Regarding Interpreter Services

The Committee will continue its dialogue with the Legal Services Unit to have a notice placed on all Judicial Branch forms indicating the provision of interpreter services at no cost to the LEP

individual. In addition, the Committee will develop notices with similar language to be placed in the public areas of Branch facilities.

Grievance Procedure

The Committee will implement a formal procedure which will allow for individuals who are limited English proficient to file a complaint regarding the language services they have been provided.