

AGENDA

LANGUAGE ACCESS COMMITTEE

Administrative Office of the Courts
450 South State Street
Salt Lake City, Utah 84111

Conference Rooms B&C (1st Floor)
Friday, June 10, 2016
12:00 p.m. to 1:30 p.m.

12:00 p.m.	Welcome	Judge Rick Romney
12:05 p.m.	Approval of Minutes (Tab 1)	Judge Rick Romney
12:10 p.m.	Interpreter Applicant Certification Issues (Tab 2)	Rosa Oakes
12:30 p.m.	Signs in Courthouse	Rosa Oakes
12:45 p.m.	National Database	Rosa Oakes
1:00 p.m.	DoJ Civil Rights Division Maps (Tab 3)	Keisa Williams
1:15 p.m.	Other Business	

Upcoming Meetings:

July 15, 2016

September 16, 2016

November 18, 2016

Tab 1

Meeting Date	Language Access Committee	
January 29, 2016	Executive Dining Room	
Members Present		Member Excused
Judge Romney		
Judge Chon		
Megan Haney		
Amine El Fajri		
Jenny Andrus		
Miguel Medina		
Maureen Magagna		
Mary Kaye Dixon		
Gabriela Grostic		
Randall McUne		
Michelle Draper		
Staff: Alison Adams-Perlac, Rosa P. Oakes		
Guests:		
Topic: Approve minutes of November 13, 2015		
<p>Randall McUne clarified that on the topic to “Reconsider Denial of Interpreter Application” the charges against the interpreter candidate would not be eligible for expungement for 10 years. However, for purposes of allowing the candidate to reapply to become an interpreter the committee would accept the time frame as if the charges qualified for expungement after 4 years (similar to a standard class B misdemeanor). There was no further discussion. Mr. McCune moved to approve the minutes as amended; Ms. Grostic seconded the motion.</p>		
Motion: Passed unanimously		
Topic: Language Access Report		By Alison Adams-Perlac
<p>Ms. Adams-Perlac reviewed the latest Language Access Report which was presented to the Judicial Council. She mentioned that while most of the data relative to interpreter usage and cost remained fairly constant from previous years, there were districts where cost increased and others where there was a decrease. Ms. Adams-Perlac explained the potential reasons why these were impacted in the way they were. She also reported on the consistent use of credentialed interpreters in the languages in which they were available. An intern majoring in statistics at the university sorted the data based on information gleaned from FINET, CORIS, and CARE. The data for Justice Courts could not be reported at this time due to the unreliability of the information posted to CORIS. More training for justice court clerks is essential.</p>		
Topic: Interpreter Issues		By Rosa P Oakes
<ol style="list-style-type: none"> 1) Ms. Oakes reported that in recent months the courts have seen an increase in the need for rare language interpreters in cases involving grave charges. The AOC has resorted to locating and bringing out-of-state interpreters to Utah which becomes rather expensive. Given the testing and training fees for locals to participate in the process of receiving a credential, many rare language speakers are unwilling to pursue it. Therefore, Ray Wahl has authorized the waiver of fees for these candidates. 2) A potential Tongan interpreter has completed all but one of the requirements for 		

receiving the Registered credential. The candidate has taken the English Written Test three times in the last year and has failed to receive the minimum score of 80%. This person received 79% and requested a review from the committee. Committee members discussed the possibility of test anxiety and suggested that the candidate submit to the oral proficiency interview (OPI) in English.

- 3) Likewise, a potential Arabic interpreter has completed most of the requirements to receive the Approved credential; however, this person has not passed the English Written Test. The candidate has taken the test two times in the last year and has not received a score near the minimum 80%; however, the candidate feels that an exception could be made given his recent graduation from the University of Utah with a Masters in Mechanical Engineering. Committee members suggested that the candidate submit to the OPI in English.
- 4) The Russian certified interpreter notified that she would not maintain her certification after this year given that the minimum fees the courts pay for interpreting do not compete with her full-time work as a programmer. The Committee agreed that it would be in the court's best interest to allow some negotiating in the hourly fees to preserve the only certified interpreter in the Russian language in the state. Ms. Oakes stated that Ray Wahl was aware of the situation and also approved.

Ms. Grostic moved to recommend to Ray Wahl that the Program Coordinator have the authority to work out cost effective solutions to exceed the hourly rate when an interpreter speaks a rare language and/or when the only other option is to call on out-of-state interpreters. Megan Haney seconded the motion. Motion passed unanimously.

Topic: Policy on Interpreters for Deaf Jurors

By Alison Adams-Perlac

Ms. Adams-Perlac stated that Rule 3-306 does not include information on dealing with jurors needing interpreters. She wished to discuss how requests for these are made procedurally. Clarifying that spoken language interpreters are not provided for jurors in that there is a requirement that they speak and understand English; Ms. Perlac talked about developing some language to address this in the rule. The idea that deaf jurors should have the opportunity to request accommodations when responding to a jury summons, if they do not already, was well received. Ms. Adams-Perlac stated that she would research this further and return to the next meeting with more information and potential language to include in the rule.

Topic: Interpreter Microphone Issues

By Rosa P Oakes

Ms. Oakes reported that she is seeking equipment that will capture the foreign language interpretation during preliminary hearings and trials. The purpose is to have a clear recording in case of appeal or formal complaints regarding an interpreter's performance. The discussion generated some ideas and it was resolved that Ms. Oakes would meet with Jymn Edwards (IT) to discuss equipment compatibility with court sound system.

Megan Haney moved to adjourn the meeting; Miguel Medina seconded. Motion passed.

Future meetings:
June 10, 2016

Tab 2

Requirements to Maintain Certification

April 2016

This survey seeks information on states' requirements to maintain certification.

State/ Respondent	Does your state have requirements in place for interpreters to maintain certification in the state?	When and why would an interpreter's certification lapse or be considered invalid in your state?	Do you grant reciprocity to interpreters that may not have interpreted for years in the state in which they were certified?
Tennessee/ Ryan Mouser	To maintain your certification in Tennessee credentialed interpreters must renew their credentials every three years. This requires completing a renewal application, paying a renewal fee and providing documentation of 18 hours of approved continuing education (CE) credits received during the three-year period. A minimum of 12 of the 18 hours must consist of foreign language or interpreting skills training. A maximum of 6 hours of online course instruction can be counted towards meeting the 12 hour foreign language/interpreting skills requirement. A maximum of 3 hours of online course instruction can be counted towards general credit.	An interpreter's certification would lapse or become invalid if the process mentioned in the previous question was not completed.	Yes, as long as the interpreter credentials are current in the issuing state or federal program at the time of the request. Tennessee's reciprocity application can be found at this address: http://tncourts.gov/sites/default/files/reciprocityapp.pdf
Pennsylvania Osvaldo Aviles	Interpreters must renew their certification every two years by completing 16 CEUs. They must also be in good standing and not be subject of disciplinary action in any jurisdiction. See Continuing Education page for details http://www.pacourts.us/judicial-administration/court-programs/interpreter-program/interpreter-certification/continuing-education	If they fail to renew certification, fail to maintain certification according to their home state program requirements or are found in violation of any of the following according to Section 402 of the regulations: § 402 Suspension or Revocation of Certification and Roster Status The following shall constitute grounds for disciplinary action against interpreters	Each case is decided on an individual basis but generally if the interpreter is in good standing with their home state program and agrees with our reciprocity and renewal

		<p>registered with the ICP. Certified, otherwise qualified or registered status may be suspended or revoked for any of the following reasons: (a) violation of the Rules of Professional Conduct for Judiciary Interpreters; (b) conviction of a felony or misdemeanor involving moral turpitude, dishonesty, or false statements; (c) fraud, dishonesty, or corruption related to the functions and duties of a court interpreter; (d) knowing misrepresentation of court certification or roster status; (e) knowing and willful disclosure of confidential or privileged information obtained while serving in an official capacity as a court interpreter; (f) unprofessional or unethical conduct; (g) fraud or misrepresentation in obtaining or renewing certification status; (h) non-compliance with continuing education requirements; (i) non-payment of renewal fees; or (j) disciplinary action taken in conjunction with the interpreter's services in another jurisdiction.</p>	<p>policies we would consider them.</p>
<p>Michigan/ Stacy Westra</p>	<p>Michigan's court rule MCR 1.111 requires an interpreter to register with the SCAO annually. That registration has particular requirements including 1) a statement that the interpreter has used interpreting skills within the 12 months preceding the registration and 2) the interpreter has engaged in at least 10 hours continuing education to enhanced their skills.</p>	<p>Once the 3-part NCSC test is taken to certify the person in that language, Michigan treats the individual as if they are maintaining their skill as long as they are registering annually and making the assertions mentioned above. There are only one instance where Michigan's Foreign Language Board of Review would require what we call "recertification" of an individual. The instance would be if a complaint were filed and investigation revealed a lack of interpreting skill. Skill building would ordered by the Board and would be monitored to be sure the interpreter completed the requirement. If the interpreter does not follow through or if the results of the ordered skill building reveal their skills are deficient, the Board</p>	<p>All reciprocity applications are reviewed by the Foreign Language Board of Review and require the person to provide their scores from either Federal or NCSC testing and any additional training/experience they have in court interpretation. Michigan has only received two reciprocity requests to</p>

		could suspend their certification and order 1 or more parts of the NCSC oral test be retaken to “recertify”.	date and both had recent training and experience. I can see the members of our Board questioning someone with no recent experience and requiring them to do additional testing prior to granting reciprocity of their credentials.
Texas/ Lesley Ondrechen	Texas requires 8 hours of continuing education, including 2 hours in ethics, for each renewal. Court interpreters' licenses expire annually.	Court interpreters may renew their license up to one year after it expires. They cannot provide court interpreting services requiring a license once the expiration date has passed, even if they are within the 1 year late renewal period.	Texas does not offer reciprocity, but we can grant licensure by endorsement. We require a valid, current certification to consider an application for licensure by endorsement. We do not have an experience requirement.
Minnesota/ Polly Ryan	Minnesota does not require CEUs at this time. Interpreters submit an affidavit annually stating they will abide by the Code of Professional Responsibility and the payment policy.	It would not.	Yes but they would need to have passed the NCSC Written test and attend the 2 –day orientation in Minnesota in addition to submitting an application and other paperwork.
California/ Sonia Sierra Wolf	We are currently developing a means of fairly and consistently assessing court interpreter knowledge, skills and abilities and developing a. a comprehensive complaint based review process and procedures so the		Reciprocity is offered if all criteria required by California is met. I have attached our requirements. [ATT 1]

	<p>quality and accuracy of an interpreter's skills and adherence to ethical requirements are fairly reviewed and assessed. We are identifying the sanctions that may be imposed, up to, and including revocation of an interpreter's certified or registered status and removal from the Master List.</p> <p>Currently in order to maintain certification; only adherence to our Annual Renewal Requirements is required Notices are sent every September and the interpreter must submit:</p> <ul style="list-style-type: none">· \$100 renewal fee before December 31.· If payment is received after December 31 a \$50 late fee is assessed (\$100 annual fee plus \$50 late fee). Payment must be <u>received</u> by the last day of February to avoid suspension of certification or registration status.· Payments received between March 1 – June 30 will be assessed a \$250 reinstatement fee in		
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	<p>addition to the \$100 annual renewal fee and the \$50 late fee.</p> <ul style="list-style-type: none"> · Effective July 1, interpreters out of compliance lose their certification and registrations status and must re-test <p>In addition to annual renewal fees, every two years interpreters must submit documentation every two years at the same time as indicated below demonstrating:</p> <p>30 hours of approved continuing education 40 qualified professional assignments</p>		
Florida/ Lisa Bell	Effective August 14, 2015, our Court Interpreter Certification Board adopted the attached policies regarding non-disciplinary interpreter reinstatement requests. [ATT 2]		
Oregon/ Michaëlle Gearheart	<p>Every three years Oregon Certified Interpreters are required to renew their certification. Renewal requirements include submitting:</p> <p>The renewal application and paying the corresponding fee Documentation of 25 continuing education credits (10 must be language specific, 5 must be ethics specific, and the other 10 can be general credits or a combination of language specific and ethics credits) Information necessary to perform a criminal history check</p>	<p>Noncompliance with Renewal Requirements</p> <ol style="list-style-type: none"> 1. The interpreter's credential will be suspended if the interpreter fails to comply with the credential renewal requirements. 2. The interpreter's credential will be cancelled if the interpreter fails to comply with the credential renewal requirements within six months of the expiration date. 3. If the interpreter's credential is cancelled due to noncompliance with renewal requirements, the interpreter will be required to restart the credential process should the interpreter seek to regain the credential. <p>Skills Retesting or Oral Proficiency Reassessment</p>	<p>Oregon requires that reciprocity candidates complete and submit documentation of at least 150 hours of court interpreting services during the 12 months prior to application in courts of record in Oregon or Consortium member states, federal courts of record, or where the interpreter can be sworn in and the</p>

	<p>Documentation of 120 hours of interpreting services in courts of record in Oregon or Consortium member states, federal courts of record, or where the interpreter can be sworn in and the record can be submitted into evidence</p>	<ol style="list-style-type: none"> 1. An interpreter credential will be cancelled if an interpreter retakes any Court Interpreting Oral Examination or Oral Proficiency Interview and does not achieve acceptable scores. 2. An interpreter credential will be cancelled if an interpreter is required to retake the Court Interpreting Oral Examination or an Oral Proficiency Interview for a psychometric measurement of the interpreter's skills and does not achieve acceptable scores. <p>Credential Review, Suspension, or Cancellation Comments concerning a credentialed interpreter's compliance or noncompliance with the Code of Professional Responsibility for Interpreters in the Oregon Courts or other program policies may be submitted to CLAS for review and possible action.</p> <ol style="list-style-type: none"> 1. When CLAS receives a complaint, CLAS generally will notify the affected interpreter in writing. The interpreter must schedule a meeting with a CLAS management representative or provide a written response within 14 calendar days of the interpreter's receipt of the concerns. The purpose of the meeting or written response is to address the concerns. 3. Depending on the nature and severity of the findings and after review of all information and the interpreter's response, CIS may take one or more of the following steps: <ol style="list-style-type: none"> a. Receive a plan with an implementation timeline from the interpreter to address the concerns and provide an opportunity for the interpreter to show compliance to the Code of Professional Responsibility for Interpreters in the Oregon Courts and other program policies. b. Require the interpreter to retest for an updated psychometric measurement of the interpreter's skills. c. Recommend suspension or cancellation of the 	<p>record can be submitted into evidence</p>
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		<p>interpreter's credential to the State Court Administrator.</p> <p>The State Court Administrator or designee, having reviewed all information, will make a decision regarding renewal, suspension, or cancellation of the court interpreter's credential. According to ORS 45.291(k), an adversely affected interpreter who objects to the decision made by the Office of the State Court Administrator or designee may submit a written request for further review.</p>	
Wisconsin/ Carmel Capati	<p>Yes continuing education requirement every two years, keeping current contact information on file, annual criminal background checks, and being subject to discipline for ethical violations</p>	<p>Possible reasons for discipline of an interpreter that may lead to certification being revoked include:</p> <ul style="list-style-type: none"> (a) Violation of the Code of Ethics for Court Interpreters; (b) Conviction of any felony or misdemeanor; in particular, crimes involving moral turpitude, fraud, corruption, dishonesty, misrepresentation, or false statements; (c) False or deceptive advertising after receipt of notification to discontinue; (d) Knowing and willful disclosure of confidential or privileged information obtained while serving in an official capacity; (e) Gross incompetence; (f) Non-compliance with the program's policies and procedures; (g) Incapacity to perform the duties of a court interpreter which may include but is not limited to medical incapacity or incarceration; (h) Engaging in action that calls into question the interpreter's ability to work effectively in court. 	<p>Yes, we might but we would look at each case individually.</p>
Washington/ Robert Lichtenberg	<p>Washington has substantially similar certification maintenance requirements as Wisconsin does. All Certified Court</p>		

	<p>Interpreters are required to complete 20 court hours each two-year compliance period. Court hours may include interviews, sight translation of documents in meetings with attorneys, or depositions. Registered language interpreters do not have a court hour requirement as many of those credentialed languages do not have enough court or legal “business” needing their language services.</p> <p>We do not require that they be recent or current interpreters in those states in which they were certified or last worked. That is something to think about. We do have a “inactive” status provision for those WA credentialed interpreters who want to maintain their WA certification but need a sabbatical away from taking CEUs (while on inactive status, they would not be considered “credentialed”, and would have to be qualified on the record by the judge. We also require they reaffirm on Oath their promise to observe the WA court interpreter code of ethics.</p>		
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JUDICIAL COUNCIL OF CALIFORNIA

COURT LANGUAGE ACCESS
SUPPORT PROGRAM

Consortium Test Reciprocity Frequently Asked Questions

What is test reciprocity and what does it mean to me?

If you have taken and passed a bilingual oral interpreting exam developed by the Consortium for Language Access in the Courts (Consortium), you may qualify for *test reciprocity* under rules adopted by the state of California.

Test reciprocity means that California will reciprocate (honor) your scores on a Consortium bilingual oral interpreting exam taken outside of California provided the criteria listed below are met. If California grants reciprocity on these scores, you will not have to retake the bilingual oral interpreting exam in the language for which you are seeking certified or registered status¹. If your scores are acceptable, you would also need to complete the enrollment process specified for all California interpreters, as well as comply with annual renewal, continuing education and professional assignment requirements currently in place.

Please continue reading for a description of the application and enrollment processes.

→ Please note that the California Court Language Access Support Program will only recognize Bilingual Interpreting Exam standards and scores that meet or exceed the requirements in California.

Who is eligible for reciprocity?

The California Court Language Access Support Program will grant test reciprocity to interpreters who have passed Consortium bilingual oral interpreting exams in other member states, subject to the following conditions:

- The interpreter passed all four sections (including both sight translation sections) of the Bilingual Oral Interpreting Exam with **70% or higher** in each section; OR
- The interpreter passed the Abbreviated Oral Exam² with **70% or higher** on the simultaneous portion and a requisite score on the oral English proficiency section;
AND
- The interpreter passed all portions of the oral exam in **one** sitting; AND
- The interpreter passed all portions of the oral exam in **one** state.

¹ When seeking reciprocity for languages that are not recognized as certified languages in California; for which a Bilingual Oral Interpreting Exam is available in another state, and if reciprocity is granted, the interpreter will be listed as registered interpreter on the Judicial Council's Master List of Certified Court and Registered Interpreters.

² The Abbreviated Exam is administered in some member states for the following languages: Chuukese; Bosnian/Croatian/Serbian; Marshallese; and Turkish. For more information, please contact courtinterpreters@jud.ca.gov.



JUDICIAL COUNCIL OF CALIFORNIA

COURT LANGUAGE ACCESS
SUPPORT PROGRAM

Consortium Test Reciprocity Frequently Asked Questions

How do I apply for reciprocity?

If you meet the listed criteria above, please email courtinterpreters@jud.ca.gov and request a *California Court Interpreter Eligibility Verification Form*. Please fill out *all parts* of the form and email it to courtinterpreters@jud.ca.gov. Verification of your eligibility can take between **30-45 business days**. *The Court Language Access Services Program will notify you via email once your eligibility status has been confirmed.*

When will I be able to work in California as a certified or registered interpreter?

If you meet the eligibility requirements, the Court Language Access Support Program will send you an enrollment packet. The enrollment process requires a completed application, payment of a fee³, and the submission of a recent photo.

You will be required to enroll and maintain status as a California certified court or registered interpreter by fulfilling the professional requirements approved by the California Judicial Council. California has a continuing education requirement for all interpreters.

You will be recognized as a California court interpreter **ONLY** after you complete the enrollment process. Your name is then added to the *Master List of Certified Court and Registered Interpreters* used by the California courts to identify, locate, and contract with qualified interpreters. You will also receive a badge showing your status.

What is the difference between certified and registered status in California?

Your status is based on the language in which you interpret. Currently California offers certification status for the following languages: Arabic, Eastern Armenian, Western Armenian, Cantonese, Japanese, Khmer, Korean, Mandarin, Portuguese, Punjabi, Russian, Spanish, Tagalog, and Vietnamese.⁴ Interpreters in all other languages can obtain registered status in California. However, reciprocity is granted only to interpreters who have taken and passed a Bilingual Oral Interpreting Exam under the specifications described above.

Certified and registered interpreters receive the same rate of pay. Certified or registered interpreters on California's Master List can work as either independent contractors or as employees of a specific court. Each court maintains its own Human Resources Department. Please contact the individual courts for current employment opportunities or inquire regarding opportunity to serve as an independent contractor.

³ Enrollment fees and annual renewal fees are subject to change. For current information, visit the Court Interpreters Program website: <http://www.courtinfo.ca.gov/programs/courtinterpreters/>.

⁴ Bilingual oral interpreting exams are currently not available in California in Japanese or Western Armenian.



JUDICIAL COUNCIL OF CALIFORNIA

COURT LANGUAGE ACCESS
SUPPORT PROGRAM

Consortium Test Reciprocity Frequently Asked Questions

Interpreters seeking work in California under test reciprocity need to **first** complete the application and enrollment processes described above and receive notification **before** contacting the courts.

BOARD OPERATING PROCEDURES***NON-DISCIPLINARY OFFICIAL STATE-LEVEL REINSTATEMENT REQUESTS***

Rule Requirement. Effective April 1, 2015, under rule 14.450, a court interpreter whose registration or official state-level designation has been suspended may, at any time, apply in writing for reinstatement. Such request shall explain why the applicant believes that he or she should be reinstated, and shall be accompanied by a renewal fee in an amount set by the board. Whether to grant or deny such a request shall rest in the sole and absolute discretion of the board. The board may impose such conditions upon reinstatement as it deems appropriate.

Previously Adopted Board Policy. When considering requests for reinstatement under rule 14.450, the board will take into account an applicant's written submissions explaining a lapse in certification. Determinations in these matters rest in the board's sole and absolute discretion. Absent undue hardship, the board may impose as a condition of reinstatement a requirement applicants satisfy all prerequisites for certification otherwise required of newly certified interpreters.

Additional Proposed Policy Considerations:

- 1. Eligibility for Reinstatement.** Interpreters who have had a lapse of official state-level designation for a period of time in excess of 5 years may be eligible for reinstatement on a case-by-case basis under exceptional circumstances.
- 2. Applications Required.** When considering requests for reinstatement under rule 14.450, the board will take into account an applicant's written submissions explaining a lapse in official state-level designation, and showing good cause why the request for reinstatement should be granted. The application must be on a form approved by the Court Interpreter Certification Board [which includes consent to a background check] and the applicant will furnish such information on such form as required by the board. The application must be accompanied by a non-refundable renewal fee of \$200.00. Conditioned upon finding of reinstatement eligibility, payment of all arrearages is required unless adjusted by the board for good cause shown. Factors considered when assessing applications for reinstatement include good moral character and any delinquencies in relation to required continuing interpreter education or law-related professional interpreting assignments.

3. Interpreters Who Have Had A Lapse of Official State-Level Designation for 2 Years or Less. At a minimum, interpreters who have been delinquent for 2 years or less must have:

- completed 16 continuing interpreter education credits, inclusive of 2 ethics-related credits; and
- completed 20 law-related professional interpreting assignments, or a lesser number totaling no fewer than 40 hours, or alternatively,
- completed 40 hours of courtroom observation.

4. Interpreters Who Have Had A Lapse of Official State-Level Designation for More Than 2 Years, But Less than 5 Years. At a minimum, interpreters who have had a lapse of official state-level designation for less than 5 years, but more than 2 years, must have:

- completed 8 continuing interpreter education credits for each year or portion of a year that the interpreter had a lapse of official state-level designation; and
- completed 10 law-related professional interpreting assignments, or a lesser number totaling no fewer than 20 hours, for each year or portion of a year that the interpreter had a lapse of official state-level designation, or alternatively,
- completed 20 hours of courtroom observation for each year or portion of year that the interpreter had a lapse of official state-level designation; and
- completion of an abbreviated oral examination consisting of the simultaneous component, with a minimum threshold score achieved of no less than 70%.

5. Interpreters Who Have Had A Lapse of Official State-Level Designation for 5 Years or More. Absent exceptional circumstances, interpreters who have had a lapse of official state-level designation for 5 years or longer must begin the designation process anew by satisfying all rule requirements as required for persons newly seeking official state-level designation.

6. Review. Decisions of the board in these matters will be final.

Adopted August 14, 2015

Tab 3



Alison Adams-Perlac <alisonap@utcourts.gov>

Fwd: Corrected version: 15 years of expanding language access

3 messages

Dan Becker <danb@utcourts.gov>

Tue, Aug 11, 2015 at 4:24 PM

To: Brent Johnson <brentj@utcourts.gov>, Alison Adams-Perlac <alisonap@utcourts.gov>

FYI

----- Forwarded message -----

From: **DOJ Civil Rights Division** <dojcivilrights@public.govdelivery.com>

Date: Tue, Aug 11, 2015 at 2:05 PM

Subject: Corrected version: 15 years of expanding language access

To: danb@utcourts.gov



**Federal Coordination and Compliance Section
Civil Rights Division
U.S. Department of Justice**

Ensuring consistent and effective Title VI enforcement across the federal government

Dear Friends and Colleagues,

Today marks the 15th anniversary of [Executive Order 13166](#), "Improving Access to Services for Persons with Limited English Proficiency," requiring federal programs and activities to provide meaningful access to limited English proficient (LEP) individuals. In honor of this anniversary, the Department of Justice's Civil Rights Division (Division), is releasing several mapping resources that help identify the concentration of LEP populations at national, state, judicial district, and county levels:

- The Division's first mapping application, "[Language Map App](#)," allows users to view and [download data](#) from an interactive map. The interactive maps provide data on the languages spoken by LEP populations at the State and County level for all fifty states, the District of Columbia, and Puerto Rico.
- Printable maps, located at [lep.gov/maps](#), provide both the number and percentage of LEP individuals in each region. County and judicial district maps provide the top five languages spoken by LEP individuals within those areas in the form of detailed pie charts.
- Finally, we have also collected other federal language mapping tools at [lep.gov/maps](#).

Title VI of the Civil Rights Act of 1964 requires, in part, that recipients of federal funds provide meaningful language access to their programs and activities. The Executive Order extends those language access principles to federal agencies. As a result, state, local, and federal agencies are often in need of data to inform efforts to provide translated material to LEP families or to ensure that they have interpreters available. But, data can be hard to find, tabulate, and visualize. With these new maps, the Civil Rights Division aims to provide easily-accessible visual representations of the concentration of and languages spoken by LEP individuals in our communities.

The usefulness of these maps is evident throughout our work. A single map can help provide technical assistance, inform investigation plans, and improve targeted outreach efforts. For example:

- A federal agency could use county-level maps to identify target languages spoken by LEP communities when translating notices or hiring interpreters for an outreach event.
- While conducting a state-wide investigation, a federal civil rights office could use our map to determine which counties are most likely to contain LEP complainants.
- After reviewing county-level maps, a local benefits office could decide to translate forms and install notices regarding the availability of language assistance services after realizing that their county contains a large community of potential LEP beneficiaries.
- With improved understanding of the languages spoken by LEP individuals in its district, a U.S. Attorney's office could enhance efforts to reach potential LEP victims and witnesses in a case by translating press releases into the district's top five languages.
- A county transit agency, realizing that a neighboring county transit agency has a similar LEP population, could work with the neighboring county to share translated transit resources and plans to provide meaningful access to LEP commuters.

As a reminder, the Division's Federal Coordination and Compliance Section also produces [TIPS \(translation, interpretation, and procurement series\)](#) training tools for federal agencies. The tools include tips on [hiring language service providers](#), [vetting linguists](#), [using telephone interpreters](#), and [choosing appropriate services for a given task](#). The TIPS align with the mission of Executive Order 13166 by guiding agencies in the process of acquiring the high-quality language services required to provide meaningful access to federal programs and services.

Finally, we encourage you to review the [Interagency Video Training Series on Communicating Effectively with Limited English Proficient Members of the Public](#). As many of you know, the Federal Coordination and Compliance Section partnered with several other agencies and federal partners—including the Social Security Administration, the Federal Bureau of Investigation, the Federal Emergency Management Agency, Immigration and Customs Enforcement, the Internal Revenue Service, the White House Initiative on Asian Americans and Pacific Islanders and the Justice Department's Community Relations Service—to create an exciting new video training series for federal employees regarding language access. The training series includes several scenarios inspired by both emergency and routine events that federal government staff has faced over the years. While designed for federal employees, the training series is also useful for organizations interested in training staff on how to determine whether a person is LEP, identifying an LEP person's primary language, and reviewing reliable language assistance options.

We look forward to hearing how your agency or organization will use our resources to provide meaningful access to LEP individuals and communities. Join us, in taking further strides to open our programs and services to all individuals, regardless of their ability to speak English fluently.

Deeana Jang
Chief
Federal Coordination and Compliance Section
Civil Rights Division
U.S. Department of Justice

For more information and additional resources on the Executive Order, visit www.LEP.gov, or the Federal Coordination and Compliance Section's Executive Order 13166 webpage, at www.justice.gov/crt/about/cor/13166.php.

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