



District of Columbia Courts

LANGUAGE ACCESS PLAN

I. INTRODUCTION LANGUAGE ACCESS PLAN UPDATED 10-1-2019

The District of Columbia Courts (the Court) is committed to eliminating limited English proficiency as a barrier to meaningful participation in the judicial process and to accessing court services. Recognizing that improved language access results in increased access to justice, language access is and has long been a critical component of the Court's Strategic Plan.

This Language Access Plan is intended to highlight the language access policies of the Court, to identify the services currently available to limited English proficient (LEP) persons¹ at the Court, and to establish operational guidelines for providing language assistance at the Court in accordance with Title VI of the Civil Rights Act of 1964,² the nondiscrimination provisions of the Omnibus Crime Control and Safe Streets Act of 1968,³ and the regulations implementing these federal laws. Although deaf and hard of hearing individuals are covered under the Americans with Disabilities Act,⁴ rather than Title VI of the Civil Rights Act and the Safe Streets Act, the accommodations provided by the Court are also included in this Plan.

Implementation of this Language Access Plan is essential to achieving the mission of the Court:

*To protect rights and liberties, uphold and interpret the law,
and resolve disputes peacefully, fairly, and effectively in the
District of Columbia.*

¹ "Limited English proficient (LEP) persons" are individuals who do not speak English as their primary language and who have limited ability to read, speak, write, or understand English.

² 42 U.S.C. § 2000d *et seq.*

³ 42 U.S.C. § 3789d(c).

⁴ 42 U.S.C. § 12101 *et seq.*

II. GENERAL LANGUAGE ACCESS POLICY

It is the Court's policy to provide LEP persons with meaningful access⁵ to court proceedings⁶ and operations.⁷ Court staff shall take reasonable steps to ensure that communications between the Court and the LEP person are not impaired as a result of the limited English proficiency of the individual. Court staff shall take reasonable steps to effectively inform LEP individuals of the availability of free language assistance services when language assistance is requested or when staff has reason to believe that language assistance may be needed.

III. LANGUAGE ACCESS PLAN

A. Role of the Language Access Coordinator

The Court Interpreting Services and Language Access Program Coordinator (the Language Access Coordinator) is responsible for implementing the Court's Language Access Plan and updating the Plan when needed to incorporate quality improvements. The Language Access Coordinator monitors the Court's overall effectiveness and performance in providing language access; monitors community demographics and language access needs; directs the D.C. Courts Interpreter Registry; provides multi-cultural awareness and sensitization training to judicial officers and court staff; oversees the translation of official court documents; and ensures that the Court's daily interpretation needs are met.

The Language Access Coordinator leads the Court's Office of Court Interpreting Services (OCIS), which is staffed by two full-time, federally certified Spanish language court interpreters, a Program Officer who administers the D.C. Courts Interpreter Registry and the Web Interpreter System, and a deputy clerk.

⁵ "Meaningful access" means "[l]anguage assistance that results in accurate, timely, and effective communication at no cost to the LEP individual. For LEP individuals, meaningful access denotes access that is not significantly restricted, delayed, or inferior as compared to programs or [services] provided to English proficient individuals." Department of Justice Language Access Plan (Mar. 2012), <https://www.justice.gov/sites/default/files/open/legacy/2012/05/07/language-access-plan.pdf> (footnote omitted). *See also* Equal Employment Opportunity Commission Language Access Plan, <https://www.eeoc.gov/eeoc/plan/lap.cfm> (last visited October 11, 2019).

⁶ "Court proceedings" include any hearing, trial, or other appearance before a judicial officer of the D.C. Superior Court or the D.C. Court of Appeals.

⁷ "Operations" include services provided by any office of the D.C. Superior Court or the D.C. Court of Appeals or any service or program managed or conducted by the Court that involves contact with the public or parties to a case.

B. Role of the Language Access Advisory Committee

The Court's Language Access Advisory Committee operates under the aegis of Joint Administrative Order 19-1. The Committee's mission is to advise the Language Access Coordinator on ways to improve language access services at the Court. Committee members serve for 3-year terms and include a judicial officer who is also a member of the Standing Committee on Fairness and Access to the District of Columbia Courts; directors of the D.C. Superior Court's Criminal, Civil, Probate, Domestic Violence, and Special Operations Divisions and the Family Court; and representatives from the D.C. Court of Appeals, the Court's General Counsel's Office, Legal Aid Society of the District of Columbia, and the Consortium of Legal Services Providers in the District of Columbia whose clientele includes LEP individuals.

C. Demographic Data for the Identification of Language Access Needs

According to the U.S. Census Bureau, the population of Washington, D.C., in calendar year 2017 was 693,972 of which 17.5% of the population (or 121,445 persons) over the age of 5 spoke a language other than English at home. In 2017, OCIS provided 9,030 foreign language and American Sign Language (ASL) interpreters for 7,436 events:

Language	# of events	% of total events served
Spanish	5313	71.45%
ASL	656	8.82%
Amharic	621	8.35%
Deaf - Relay	113	1.52%
Arabic	111	1.49%
Tigrinya	107	1.44%
Mandarin	97	1.30%
French	87	1.17%
Korean	76	1.02%
Vietnamese	54	0.73%
Russian	25	0.34%
Swahili	20	0.27%
Portuguese	20	0.27%
Creole (Haitian)	16	0.22%
Persian	16	0.22%
Turkish	15	0.20%
Yoruba	11	0.15%
Bengali	9	0.12%
Cantonese	8	0.11%
Punjabi	8	0.11%

Japanese	7	0.09%
Wolof	6	0.08%
Tagalog	6	0.08%
Hebrew	5	0.07%
Hindi	5	0.07%
Oromo	4	0.05%
Dari	4	0.05%
Bosnian	3	0.04%
Mongolian	2	0.03%
Italian	2	0.03%
Somali	2	0.03%
Romanian	2	0.03%
Albanian	2	0.03%
Sinhala	1	0.01%
Igbo	1	0.01%
Lao	1	0.01%

In calendar year 2018, the population of Washington, D.C., increased to 702,455. During that year, OCIS provided 7,685 foreign language and ASL interpreters for 6,180 events:

Language	# of events	% of total events served
Spanish	4426	71.62%
ASL	572	9.26%
Amharic	495	8.01%
Deaf - Relay	85	1.38%
Mandarin	77	1.25%
Tigrinya	77	1.25%
Arabic	73	1.18%
French	67	1.08%
Korean	42	0.68%
Vietnamese	32	0.52%
Portuguese	22	0.36%
Arabic (Moroccan)	21	0.34%
Greek	19	0.31%
Yoruba	18	0.29%
Persian	17	0.28%
Cantonese	17	0.28%
Russian	14	0.23%
Dari	10	0.16%
Swahili	9	0.15%

Thai	8	0.13%
Japanese	8	0.13%
Tagalog	7	0.11%
Bengali	7	0.11%
Somali	6	0.10%
Cambodian	6	0.10%
Hebrew	5	0.08%
Albanian	5	0.08%
Croatian	4	0.06%
Polish	4	0.06%
Pashtu	3	0.05%
Hindi	3	0.05%
Wolof	3	0.05%
Burmese	2	0.03%
Turkish	2	0.03%
Punjabi	2	0.03%
Bosnian	2	0.03%
Ewe	2	0.03%
Creole (Haitian)	2	0.03%
Creole (Eng)	1	0.02%
PSE	1	0.02%
Oromo	1	0.02%
Hungarian	1	0.02%
Shona	1	0.02%
Kinyamulenge	1	0.02%

D. Language Access Services Available at the Court

The Court provides interpretation services⁸ for a variety of events both on and off the Court’s campus, ranging from court proceedings to mediations, forensic evaluations, home studies, assistance at the Court’s intake counters and self-help centers, interviews, and other ancillary services.

The Court also provides a wide array of language services through the translation⁹ of forms, court orders, publications, and the Court’s website; the availability of bilingual signage,

⁸ “Interpreters” render a message spoken in one language into another language, including sign language. Interpretation services can take place in-person, through a telephonic interpreter for spoken languages only, or via Internet or video interpreting.

⁹ “Translators” convert written text from one language into another.

bilingual staff at public counters; the appointment of bilingual professionals such as counsel and mediators; and telephonic interpretation services.

- ***Inside the Courtroom***

- **In-Person Interpreting Services.** The Court provides in-person interpretation services to interested parties.¹⁰ Upon notice received from a courtroom clerk, OCIS will dispatch an interpreter to the courtroom. The interpreter will provide interpretation into and out of the source and target languages in both consecutive and simultaneous modes. If the proceeding is expected to exceed 30 minutes, OCIS will dispatch a team of two interpreters who will relieve each other every half hour.
- **Telephonic Interpreting Services.** In the rare event that an interpreter is not available, the courtroom clerk may call Language Line Solutions to receive telephonic interpretation. The clerk should put the telephone on speaker mode for all parties to hear each other and for the interpretation to be placed on the record. The interpretation will be conducted in consecutive mode and is therefore not advisable for lengthy hearings.
- **Translation Services.** All notices to appear in all courtrooms are provided in English and Spanish. Translation of court orders and documents is available to a party upon approval by a judicial officer.
- **Video Translation/Voice Over.** Some courtrooms play introductory videos before proceedings commence. These videos have either been translated into Spanish or are repeated with Spanish voice over.

- ***Outside the Courtroom***

- **Providing Notice to LEP Persons.** It is important that LEP individuals are aware of the availability of comprehensive language access services at the Court. The Court engages with LEP community organizations and LEP advocates to disseminate this information. The Court’s website provides information on how to request an interpreter in Spanish, Amharic, Chinese (Traditional), French, Russian, Korean, and Vietnamese. Strategically posted in all entry points of the Moultrie Courthouse and Buildings A, B, and C are large poster size

¹⁰ “Interested party” means a party to a case; a victim; a witness; the parent, legal guardian, or custodian of a minor party; and the legal guardian or custodian of an adult party.

informational signs in multiple languages that inform LEP parties of the available services in their own languages, including their right to an interpreter. These efforts are essential to demystify the court process for LEP persons, who may otherwise fail to participate resulting in serious consequences to their rights.

- **Language Identification Cards.** To encourage LEP persons to self-identify, the Court has placed language identification cards at public counters in each division, the Information Office at the Moultrie Courthouse, and other locations throughout the Court’s campus. The cards contain the message, “*Point to your language. An interpreter will be called. The interpreter is provided at no cost to you,*” in 21 languages.
- **In-Person Interpreting Services.** OCIS dispatches interpreters to interpret between LEP and deaf and hard of hearing persons and court staff or legal services organizations providing services in the courthouse. If the session or interaction is expected to exceed 30 minutes, OCIS will dispatch a team of two interpreters who will relieve each other every half hour.
- **Telephonic Interpreting Services.** In the event an interpreter is not available, the clerk or other service provider may call Language Line Solutions to receive telephonic interpretation.
- **Designated Bilingual (Spanish) Employees.** The Court has 32 bilingual (Spanish) positions, as of February 26, 2019. These employees are not trained as interpreters, but have demonstrated the ability to provide information about their office in Spanish and can assist LEP court users in Spanish without the need for an interpreter.
- **Criminal Justice Act (CJA) Interpreters.** Defense attorneys appointed by the Court to represent clients under the Criminal Justice Act may hire interpreters under the same CJA voucher system to facilitate communication with their LEP clients outside of court. Likewise, attorneys may also hire translators and foreign language transcribers under the same CJA voucher system.
- **Bilingual Attorneys.** Under the Criminal Justice Act, the Court may appoint bilingual (Spanish) attorneys who have been identified, tested, and qualified by OCIS for their language skills to represent their Spanish-speaking clients. The Counsel for Child Abuse and Neglect program also has a subset of bilingual (Spanish) attorneys who have been similarly qualified by OCIS. In addition, the

Domestic Violence Division employs tested and qualified bilingual (Spanish) attorneys who negotiate consent agreements between the parties.

- **Bilingual (Spanish) Mediator.** The Multi-Door Dispute Resolution Division employs a bilingual (Spanish) mediator to mediate family agreements between Spanish-speaking parties.
- **Translations.** Over 400 court forms and other documents have been translated into Spanish and/or a variety of other languages, including Amharic, Vietnamese, Korean, French, Chinese (Traditional), Russian, Arabic, and Portuguese. These translated documents are available online and at public counters. In addition, Court orders issued to parties are translated into the parties' language of preference when requested by a judicial officer. Correspondence received by judicial officers and court offices is also translated.
- **Signage.** Official signs installed in the Historic D.C. Courthouse (Court of Appeals), the Moultrie Courthouse, Buildings A, B, and C, the Gallery Place suite of offices, and the Court Social Services field offices are translated into Spanish.
- **D.C. Court's Website.** The Court's website, <https://www.dccourts.gov>, is available in Spanish, Amharic, Chinese (Traditional), French, Korean, and Vietnamese. Interactive online interviews to complete forms frequently filed in Domestic Violence, Family, Civil, Probate cases and cases on appeal, geared toward self-represented users, are available in Spanish.
- **Referrals.** With certain limited exceptions, all forms filed with the Court must be completed in English. Court staff and interpreters are not permitted to fill out forms for LEP individuals or transcribe dictations from other languages into English. An LEP individual will be provided with a list of non-profit legal service providers that may assist with the completion of forms and documents. In addition, any supporting documentation intended to be filed with the Court that is written in a language other than English must be submitted with its corresponding translation. OCIS can provide a referral list of qualified interpreters and translators on its roster.
- **Employees Skilled in Languages other than English and Spanish.** The Court maintains a list of court staff skilled in 28 languages other than English and Spanish who have agreed to facilitate language access for LEP court users. These employees do not occupy a position designated by the Human Resources Division

as “bilingual.” They may provide assistance occasionally and only to the extent that it does not interfere with the essential functions of their respective jobs.

E. Requesting Language Access Services

OCIS is the point-of-contact for all requests for language services at the Court. Based on a review of the Court’s calendars and requests received in person, by telephone or email, or through the online portal, OCIS engages a sufficient number of freelance foreign language and ASL interpreters and translators to meet the Court’s daily needs. Two full-time, certified Spanish language interpreters supplement the provision of interpreting and translation services.

- ***Requesting an Interpreter***

- **Case Management System.** When a court clerk knows or has reason to know that a party in a case needs interpreting services, the clerk is expected to enter that information into the Court’s Case Management System. Once the information is entered, the system will inform OCIS through a web-based interface of the need to provide an interpreter for any hearing that may be scheduled in that case.
- **Online portal.** Requests for interpreters may also be submitted through an online portal (<https://www.dccourts.gov/services/information-and-resources/interpreting-services/request-interpreter-form>) for LEP persons who are not parties to a case (such as a witness) or when the event is not a judicial proceeding (such as supervised visitation).
- **Telephone or email.** Interpreting services may be requested by calling OCIS’s main number, (202) 879-4828, or by emailing interpreters@dcsc.gov.
- **Remote Telephonic Interpreting.** Language Line Solutions, a telephonic interpretation company, may provide interpreting services in the absence of an interpreter or bilingual staff member. To use this service, court staff dials the toll free number, provides basic account information, and identifies the language needed. If the language is frequently requested, such as Spanish, an interpreter is usually connected within seconds. For languages of lesser diffusion, there may be a short wait or the request may have to be scheduled for a time when an interpreter is available. The Language Line Solutions interpreter can also initiate the call to the LEP person, if needed. Telephonic interpretation is a good solution for short interviews, intake, informal conversations, and communicating over the telephone with LEP persons.

- ***Requesting a Translation***

- Spanish language staff interpreters are available to translate most court orders, agreements, correspondence addressed to judicial officers and court officials, court facilities' signage, and occasional translations of certain forms and publications.
- Translation requests for languages other than Spanish are outsourced.
- Court forms and publications for large scale, multi-language translation projects are outsourced.

F. Use of Technology in Language Access

The Court embraces the capabilities of technology to expand and improve services to the public, including LEP individuals.

- ***Interpreting Equipment.*** Interpreting equipment consists of a transmitter and a receiver. The interpreter speaks into the transmitter and the LEP individual listens using the receiver. These tools are essential for interpreters to perform efficiently and effectively, and are most commonly used for hearings that are lengthy, have multiple LEP users, and where the interpreter has to be physically distant from the LEP user. OCIS safeguards and maintains the equipment in working order.
- ***Communication Access Realtime Translation (CART).*** CART may be an appropriate accommodation for deaf or hard of hearing persons who read English. Through CART, the spoken word is translated into English text. The Court offers CART through the Court Reporting Division.
- ***Assistive Listening Devices.*** Assistive Listening Devices may be an appropriate accommodation for hard of hearing persons. Assistive Listening Devices are amplifiers that bring sound directly into the ear. They separate the sounds, particularly speech, that a person wants to hear from background noise. Assistive Listening Devices are available through the Information Technology Division's Courtroom Technology Branch and in courtrooms throughout the court campus.
- ***UbiDuo.*** The UbiDuo may be an option for deaf or hard of hearing persons who read and write English. The UbiDuo is a stand-alone, portable communication device that consists of two keyboards and two split screens that display both sides of a conversation. The device enables simultaneous, realtime communication allowing

deaf and hard of hearing persons to communicate face-to-face by typing. The UbiDuo is available through the Information Technology Division's Courtroom Technology Branch and the Court of Appeal's Public Office. The devices are also located in OCIS, the Jurors' Office, the Court's Information Center, the Civil Division's Landlord & Tenant Branch, and the Probate Division's Office of the Register of Wills.

- **Remote Telephonic Interpreting.** The Court contracts with Language Line Solutions, a remote telephonic interpretation service for use by all court staff. Information about and instructions on how to use the service is posted on the Court's intranet website.
- **Wordfast.** Wordfast is a translation memory software program that OCIS uses for translation projects. The use of this program has increased the productivity and efficiency of OCIS.
- **Web Interpreting System (WIS).** WIS is a web-based system that supports the administration of the D.C. Courts Interpreter Registry and the management of the Court's daily needs for interpreting services.

Through WIS, interpreters are able to create an account, provide their dates of availability, manage and submit invoices, and maintain current contact information. OCIS staff are able to assign/hire interpreters to pre-scheduled events, manage the interpreter calendar, and insert payment terms on invoices.

WIS is also utilized to monitor the status of interpreters from the time they check-in for duty to when they dispatch to and return from a court event. When an interpreter has been at a court event for 45 minutes, WIS will alert OCIS staff to contact the courtroom or the interpreter to assess the need for back-up relief.

- **Text Messaging.** Communication with interpreters is enhanced by a text messaging program that enables interpreters to receive and accept their next assignment by text and proceed directly from one courtroom to another, reducing a courtroom's wait time for an interpreter. The program will also allow an interpreter to communicate with OCIS when he or she needs relief or support due to a lengthy or technically complex hearing. This should help alleviate interpreter fatigue and support the interpreter to meet the expectation of providing faithful and accurate interpretation so that the court record is precise and accurate.
- **D.C. Court's Website.** OCIS maintains a page on the Court's website at <https://www.dccourts.gov/languageaccess>. Through this webpage, OCIS provides

relevant information about accessing interpreting services at the Court, including an online form to request an interpreter for a hearing, the D.C. Courts' Language Access Plan, guidelines and best practices when working with an interpreter, and an online form to provide feedback about the Court's language access program. Also accessible online are OCIS's login for current interpreters, interpreter training materials, and information on how to become an interpreter.

G. Qualifications of Language Access Providers

Court interpreters must be qualified and trusted to interpret the spoken word as accurately as possible. Anything less could undermine the Court's ability to determine facts and administer justice and the LEP person's due process rights. For LEP individuals, accurate and faithful interpretation is the only way they can testify about their experience and observations, preserve their evidence for the record, and challenge the testimony of adverse witnesses. Accordingly, OCIS makes every possible effort to engage interpreters with the highest qualifications and degree of skill and professionalism.¹¹

- ***Certified Interpreters.*** The D.C. Courts Interpreter Registry includes interpreters who are certified or passed an interpretation examination administered by one of the following:
 1. Registry of Interpreters for the Deaf (ASL and Deaf Interpreters);
 2. Administrative Office of the United States Courts-Federal Court Interpreter Certification Examination (available in Spanish only);
 3. A state court system that administers a State Court Interpreter Certification examination, including those developed by the National Center for State Courts in Arabic, Bosnian/Serbian/Croatian, Cantonese, Tagalog, French, Haitian Creole, Hmong, Ilocano, Khmer, Korean, Laotian, Mandarin, Polish, Portuguese, Russian, Spanish, Turkish, and Vietnamese; or
 4. United States Department of State-Conference Level.

All Spanish language interpreters and ASL interpreters who provide services at the Court are certified.

- ***Qualified Interpreters.*** The D.C. Courts Interpreter Registry may include interpreters for whom a court interpreter certification examination does not exist, as long as the interpreter passed the United States Department of State-Seminar Level exam in the target language, or passed each of the following three exams:

¹¹ OCIS also assists judicial officers with assessing the qualifications of interpreters who are privately engaged by the parties to interpret during court proceedings.

1. A written English exam;
2. An oral proficiency interview in English; and
3. An oral proficiency interview in the target language.

When hiring freelance interpreters, priority is given to certified interpreters on the D.C. Courts Interpreter Registry. If a certified interpreter is not available, a qualified interpreter on the Registry may be engaged. To cover an immediate need of the Court or for languages of lesser diffusion, an interpreter who is not on the D.C. Courts Interpreter Registry may be hired, including interpreters who are on the roster of the United States Department of State.

- ***Translators.*** Translations are prepared by the Court’s certified Spanish language staff interpreters or by vetted translators on the D.C. Courts Interpreter Registry. Vital documents for mass distribution such as court forms, complaints, and summonses are outsourced to a translation agency.

H. Training

- ***Interpreters***
 - All interpreters who provide services at the Court are required to complete an orientation workshop that will cover the Court Interpreter Code of Ethics, rules of professional conduct, team interpretation, skills building, court procedures and protocols, the Web Interpreting System, and OCIS administration. To maintain their eligibility, interpreters are also required to complete 8 hours of continuing education annually on matters related to interpretation and/or translation.
- ***Judicial Officers***
 - Judicial officers receive training on how to identify LEP persons who need interpreting services and how to prioritize interpreting services for those LEP persons. Bench cards have been created to assist judicial officers in determining the need of an LEP person for an interpreter, and in assessing the qualifications of a non-court appointed person providing interpretation support to an LEP party (such as a privately-hired interpreter). The bench card includes a set of sample questions to aid the judicial officer in assessing the LEP person’s understanding of English, as well as a set of questions to aid the judicial officer in evaluating the interpreter’s qualifications and suitability to interpret during the proceeding.

- New judges are trained by the Language Access Coordinator on the Court’s language access policies and procedures.
- In 2017, the Language Access Advisory Committee created training videos for judicial officers that included training on the proper role and use of an interpreter and courtroom procedures using an interpreter. These videos were shown to judges and senior managers at the Spring Judicial and Managers Conference in May 2017.
- ***Court Staff***
 - In 2019, the Court implemented a training called *Identifying Language Needs and Providing Language Assistance Services in a Court Setting*. This training is mandatory for all staff who work directly with the public, and has been incorporated into the on-boarding of all new hires at the Court.
 - Upon request, OCIS also provides training on the use of the Telephonic Interpreting Service, the administrative functions of OCIS, the role of an interpreter, how to enter interpreter requests in the Court’s Case Management System, and how to coordinate interpreting services with OCIS.

I. Language Access Plan Contact

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