



# **LANGUAGE ACCESS PLAN**

---

**Municipal Courts Department**

**January 31, 2014**



**Hon. Barbara E. Hartle  
Director and Presiding Judge**

## TABLE OF CONTENTS

<b>POLICY</b>	<b>3</b>
<b>PURPOSE</b>	<b>3</b>
<b>DEPARTMENT INFORMATION</b>	<b>3</b>
<i>Department Divisions</i>	3
<i>Contact Information</i>	4
<b>KEY DEFINITIONS</b>	<b>4</b>
<i>Limited English Proficient (LEP):</i>	4
<i>Essential Public Information:</i>	4
<i>Interpretation &amp; Translation:</i>	4
<i>iSpeak Cards:</i>	5
<i>Language Access Coordinator:</i>	5
<i>Language Line/Telephone Interpretation:</i>	5
<b>LANGUAGES COVERED</b>	<b>5</b>
<b>LANGUAGE ACCESS SERVICES</b>	<b>6</b>
<i>Identifying LEP Individuals</i>	6
<i>Obtaining a Qualified Interpreter</i>	6
<i>Translation of Essential Public Information Criteria</i>	6
<i>Implementing Translation of Essential Information</i>	7
<i>Interpretation Services</i>	7
<i>Implementation of Interpretation Services</i>	8
<i>Monitoring, Evaluation &amp; Documentation of Translation &amp; Interpretation Program</i>	8
<i>Employee Training</i>	8
<i>Reporting Requirements</i>	9
<b>APPROVAL SIGNATURE PAGE</b>	<b>10</b>
<b>APPENDIX A</b>	<b>11</b>

## **POLICY:**

It is essential to have procedures in place for provision of services to individuals with Limited English Proficiency (LEP) as stipulated in the Mayor's Executive Order 1-17 Language Access (EO 1-17).

## **PURPOSE:**

On July 31, 2013, Mayor Anise Parker signed EO 1-17 under the authority of Article VI, Section 7a, of the City Charter of the City of Houston. The order mandates all City departments to establish policies for providing information about City services, programs, and activities to residents and visitors with limited English language proficiency (LEP).

EO 1-17 calls for the translation of essential public information into five languages other than English for which there is the greatest need among Houston residents. The Office of International Communities, which oversees the project, will conduct a data-driven language needs assessment, working closely with City departments, international community leaders and stakeholders and university-based experts to identify the five languages that will be adopted into the plan.

The language access executive order is aligned with Mayor Parker's commitment to strengthening the city's economy and improving the quality of life for all Houstonians.

In addition to the mandate presented by EO 1-17, federal precedents exist for the provision of language access services and which are relevant to the City. The two main legal bases for language access are Title VI of the Civil Rights Act of 1964, which prohibits discrimination based on national origin and 2000's Executive Order 13166, which affirms Title VI's language access requirement and outlines additional requirements. Any entity receiving federal support, even indirectly, is required to provide language access. Moreover, Title VI applies to a recipient's entire program or activity. This means all parts of a recipient's operations are covered, regardless of whether the recipient is only partially funded through federal funds. Language access requirements are therefore relevant to a wide variety of programs, services and activities provided by Houston city agencies.<sup>1</sup>

As per the requirements of EO 1-17, the Municipal Courts Department (MCD) has prepared this Language Access Plan ("LAP" or "Plan") in order to create a set of protocols for providing meaningful access to Department services, programs, and activities (both written and orally communicated) to LEP individuals.

## **DEPARTMENT INFORMATION:**

The Houston Municipal Court system is the largest in Texas and among the top five nationally with over 850,000 cases filed annually. The mission of MCD is to provide an accessible legal forum for individuals to have their court matters heard in a fair and efficient manner, while providing a high level of integrity, professionalism and customer service.

### **Department Divisions:**

- Administrative Services
- Public Services

---

<sup>1</sup> Executive Order 13166 can be found at: <http://www.gpo.gov/fdsys/pkg/FR-2000-08-16/pdf/00-20938.pdf> and related guidance on implementation of the federal Executive Order can be found at: <http://www.gpo.gov/fdsys/pkg/FR-2002-06-18/pdf/02-15207.pdf>

- Court Operations
- Judicial Operations

**Contact Information:**

**Director and Presiding Judge:** Hon. Barbara E. Hartle  
**Contact:** 1400 Lubbock  
Houston, TX 77002  
**Phone:** 713.247.5464  
**Email:** [Barbara.hartle@houstontx.gov](mailto:Barbara.hartle@houstontx.gov)

**Language Access Coordinator:** Lillian J. Warden  
**Contact:** 1400 Lubbock  
Houston, TX 77002  
**Phone:** 713.247.8749  
**Email:** [Lilly.Warden@houstontx.gov](mailto:Lilly.Warden@houstontx.gov)

**KEY DEFINITIONS:**

**Limited English Proficient (LEP):**

The term “LEP individual” is someone who is not able to speak, read, write or understand the English language at a level that allows him/her to interact effectively with MCD staff. Individuals maintain the right to self-identify as a LEP person and should not in any circumstances be expected to pay for translation or interpretation services in order to effectively communicate with MCD.

**Essential Public Information:**

As per the Executive Order, “Essential Public Information” is any information developed or used by MCD and deemed vital for purposes of public safety, public health, and economic development. This term is used interchangeably with the term “vital documents.”

**Executive Order 1-17:**

This is a Policy signed by the Mayor that mandates all City Departments to establish policies for providing information about City services, programs and activities to residents and visitors with limited English language proficiency (LEP).

**Interpretation & Translation:**

U.S. Department of Homeland Security’s 2012 Language Access Plan provides<sup>2</sup>:

“Interpretation involves *oral* communication. Translation involves *written* communication. Interpretation involves the immediate communication of meaning from one language into another. An interpreter conveys meaning orally; as a result, interpretation requires skills different from those needed for translation. Interpreting is a complex task that combines several abilities beyond language competence in order to enable delivery of an effective professional interpretation in a given setting. From the standpoint of the user, a successful interpretation is one that faithfully and accurately conveys the meaning of the source language orally, reflecting the style, register, and

---

<sup>2</sup> Definition available on pages 2 and 3 of US Department of Homeland Security February 2011 Language Access Plan, available at: [http://www.lep.gov/guidance/040312\\_crcl-dhs-language-access-plan.pdf](http://www.lep.gov/guidance/040312_crcl-dhs-language-access-plan.pdf)

cultural context of the source message, without omissions, additions, or embellishments on the part of the interpreter. Professional interpreters are subject to specific codes of conduct and should be trained in interpretive skills, ethics, and subject-matter language. DHS Components utilizing the services of interpreters should request information about certification, assessments taken, qualifications, experience, and training. Interpreters may be physically present, or, in appropriate circumstances, may appear via videoconferencing or telephonically. When videoconferencing or telephonic interpretation are used, options include connecting directly to a specific professional interpreter with known qualifications, or using a company that provides telephonic interpretation services and has in place quality control and privacy safeguards. If bilingual staff is asked to interpret or translate, staff should be qualified to do so. Assessment of ability, training on interpreter ethics and standards, and clear policies, as noted below, that delineate appropriate use of bilingual staff, or contract interpreters and translators, will help ensure quality and effective use of resources.”<sup>3</sup>

### **iSpeak Cards:**

These are cards that can be used to help an LEP individual obtain interpretive services. LEP’s are instructed to go online to find their language and print them. They can insert their name on the blank line on both the English and the non-English language statements. They then cut along the border lines, place back-to-back with adhesive (glue or paste), and laminate the card. They can keep these cards in their wallet to be used to help them get interpretive services when needed. You can access iSpeak cards at many online resources, including: <http://www.cdss.ca.gov/civilrights/PG584.htm>

### **Language Access Coordinator:**

These individuals are designated by their Department who are responsible for ensuring compliance by all staff with EO 1-17. They represent the Department on the City of Houston Language Access Task Force

### **Language Line/Telephone Interpretation:**

This is a service that connects human interpreters via telephone to individuals who wish to speak to each other but do not share a common language. The telephone interpreter converts the spoken language from one language to another, enabling listeners and speakers to understand each other. Interpretation over the telephone most often takes place in consecutive mode, which means that the interpreter waits until the speaker finishes an utterance before rendering the interpretation into the other language.

Telephone interpreting through the Language Line is one modality or delivery mechanism for providing interpreting services. Other forms of delivering interpreting services include in-person for languages other than English, CART (real time), amplification devices and certified sign language interpreters for the hearing impaired.

### **LANGUAGES COVERED:**

EO 1-17 mandates City agencies to provide essential public information in *a minimum* of the City’s top five languages spoken by LEP individuals. Given the high level of interaction, both

---

<sup>3</sup> For the purposes of this language access plan, the term “DHS Components” in the definition can be substituted for “Agencies”

orally and in writing MCD has with the public, it has been determined by the Mayor that the most requested languages include the following:

1. Spanish
2. Vietnamese
3. Chinese
4. Arabic
5. Urdu

This list is not inclusive of all of the languages that are requested by the public. MCD strives to provide language assistance to all individuals seeking programs, services, and activities from the department. In an effort to avoid the misperception of unequal services or uneven coverage of language access services to communities who speak languages not identified in the list, the department will follow the City-wide protocol for handling LEP individuals.

MCD has certified interpreters and qualified staff who are available to translate documents requiring either Spanish or Vietnamese. If a request is made for the translation of an essential document in a language other than Spanish or Vietnamese, the department will determine if an outside vendor is needed in order to provide the necessary translation. The decision to translate the document will be determined by the department director, or his/her language access coordinator.

#### **LANGUAGE ACCESS SERVICES:**

This policy applies to all members of the public who seek to participate in the Court's programs, services, and activities, including parties to legal proceedings and their companions, witnesses, jurors, and spectators.

#### **IDENTIFYING LEP INDIVIDUALS AND THEIR LANGUAGE:**

The following procedure should be used by MCD to handle LEP individuals whether in person or by telephone. Keep in mind that these procedures may not be realistic for every situation, so employees are encouraged to use their best judgment to comply with EO 1-17.

MCD employees will promptly identify the language and communication needs of the LEP individual. If necessary, employees will use a language identification card, "ISpeak cards," (available online at [www.lep.gov](http://www.lep.gov)), or posters to determine the language.

#### **OBTAINING A QUALIFIED INTERPRETER:**

MCD will maintain an accurate and current list showing the name, language, phone number and hours of availability of bilingual staff. MCD will first use their in-house staff as interpreters. In order to comply with Privacy laws and ensure confidentiality, children, other clients, patients, residents, etc. will not be used to translate/interpret personal information for the LEP individual. Requests for interpreters come from the following sources:

- **Through an in-person requests received in the Court.** Request/Information is forwarded to the MCD Interpreter section from the Court staff (Judge, Court Clerk, Court Security Officer, Prosecutor). The Interpreter section proceeds to schedule a contractor for languages other than Spanish. The request is also noted in the electronic case file by a Judge or Court Clerk.
- **Through a 3-1-1 Operator.** The 3-1-1 operator receives a request for an interpreter for a court matter and relays the request via email to the MCD Interpreter section. The MCD

Interpreter section proceeds to schedule a contract interpreter for languages other than Spanish.

### **TRANSLATION OF ESSENTIAL PUBLIC INFORMATION CRITERIA:**

MCD will follow the procedure below in determining what documents are “Essential Public Information” and “Vital Documents”:

- 1) Executive Leaders will provide the Department Director with a list of documents deemed as essential/vital.
- 2) Executive Leaders will provide a brief written explanation of why information is deemed essential/vital.
- 3) Department Director or his/her designee will review the documents and approve the translation.
- 4) Documents are translated, reviewed and approved by the Department Director or his/her designee.

### **IMPLEMENTING TRANSLATION OF ESSENTIAL INFORMATION:**

In order to translate the essential public information outlined in the section above, MCD will use the following resources and processes:

- 1) Documents will be translated utilizing existing staff resources prior to using a City-approved vendor for translation/interpretation services in accordance with procedures set out by the administration.
- 2) To ensure quality assurance, all documents that have been translated will be reviewed by the Community Language Access Committee of the Mayor’s International Communities Advisory Task Force, and the Language Access Coordinators.
- 3) If the documents are approved for translation, then they will be made available to the public online in PDF format on MCD’s webpage.
- 4) When feasible, the documents in print format will be made available in public areas.
- 5) If the documents do not meet the quality assurance standards identified by the committee, then the committee will be sent back to the translation firm with specific instructions that will improve the content of the information.
- 6) The revised documents will be submitted for review by the committee. If the documents are approved, they will be sent to MCD Director, who will send an approved copy of the document to the Executive leaders.
- 7) Copies of the approved document will be on file at the MCD’s Public Information Office.
- 8) Essential/Vital documents/information are approved through this process will be periodically reviewed and updated as a result of internal policy changes, legislative action or statutory requirements.

### **INTERPRETATION SERVICES:**

Spanish language interpretation is provided to all court participants by MCD’s five certified court interpreters. As required by law, a certified court interpreter shall be provided for all jury trials. For all other court matters, staff interpreters, approved contract interpreters, language proficient court staff, or language translation conferencing service (Language Line) shall be used to assist LEP individuals.

The Court may not request or require friends or family members to interpret, read, or provide other auxiliary aids or services for LEP individuals because those individuals may not be qualified to render the necessary interpretation due to factors such as professional or personal involvement.

### **IMPLEMENTATION OF INTERPRETATION SERVICES:**

MCD has provided an approved script to the 3-1-1 for use when a request of language assistance is received through the 3-1-1 Helpline (see Appendix “A”). This script will be monitored and updated as changes to policies and procedures are determined.

MCD Language Coordinator shall maintain a list of language proficient internal staff as well as an approved list of contractors that are able to provide interpretation support. The list shall include the language spoken, location of staff member, and vendor contact information.

The Language Line is used by the Court staff to assist when a staff interpreter or contract interpreter is not available. The Language Line can only be used for non-trial proceedings. Judges and Court staff has been provided the instructions for using the Language Line have been provided to the Courts and the access number/codes are included in the in-house telephone contact list.

### **MONITORING, EVALUATION & DOCUMENTATION OF TRANSLATION & INTERPRETATION PROGRAM:**

MCD understands that this internal process can inform, but does not substitute, reporting requirements established under EO 1-17 and that (will be or have been) shared with MCD by the Mayor’s designee.

Ensuring the quality of our language services is critical to communicating effectively with LEP individuals. MCD will work in collaboration with iSpeak Houston to rollout the following evaluation mechanisms to ensure the successful implementation of its language access initiatives.

All Divisions will be required to maintain records of all service requests received for written translation services, oral and over-the-phone interpretation services. This information will be compiled and reported quarterly to the MCD Director.

### **REPORTING REQUIREMENTS & EMPLOYEE TRAINING:**

#### **Employee Training:**

As per the requirements set forth in EO 1-17, reporting and employee training will be facilitated through the Mayor’s designee, the Office of International Communities. Staff training will comply with the provisions set forth in the Executive Order below:

All MCD employees who routinely have direct, substantive interaction with the public (front-line employees) shall be trained in language access policies and procedures that shall include protocols for assisting LEP populations.

A training video course will be required for frontline staff who works with the public as part of their assigned duties. The training videos will be offered through either LMS, E.B. Cape Center,

or by other methods as determined by MCD. The MCD training module shall include information regarding MCD's role in facilitating the provision of Language Access services including:

- How to request an interpreter
- How to request a translation
- Language FAQs
- Language Line services
- Obtaining Signage
- Obtaining Language Identification Cards for LEP's to use when identifying a person's primary language

**Reporting Requirements:**

All reporting will comply with the provisions set forth in the EO below:

- 7.5.1 All Coordinators shall report plan progress, assessments and recommendations periodically to department heads and the Mayor's designee.
- 7.5.2 The Mayor's Designee will establish a reporting format, report submission interval and technical assistance to departments. Reporting logistics should be established within 6 months of this Executive Order.
- 7.5.3 The Mayor's Designee will work with the Coordinators to develop protocols used to measure the progress by MCD, as well as by feedback from the public constituencies with limited English proficiency served by the City department.

**APPROVAL SIGNATURE PAGE**

The Municipal Courts Department Language Access Plan was approved on January 31, 2014, and was submitted on the same day to the Administration as required by EO 1-17.

**Approved:**



**Hon. Barbara E. Hartle  
Director and Presiding Judge  
Municipal Courts Department**

1/31/14  
**Date**



**Lillian J. Warden  
Language Access Coordinator  
Municipal Courts Department**

1/31/14  
**Date**

## APPENDIX A

### **3-1-1 PROCESS FOR HANDLING REQUESTS FOR COURT INTERPRETERS TRANSLATOR OR INTERPRETER REQUESTS- DEFENDANT OR WITNESS**

**ATTENTION 311:** DO NOT TRANSFER THE CALL- Read instructions for processing this type of request. The same process applies to defendants and witness.

**SPANISH LANGUAGE INTERPRETERS:** It is not necessary to request SPANISH language interpreters. The Municipal Courts Department has certified court interpreters on staff for Spanish.

**OTHER LANGUAGES:** Please advise the caller that the City will make every effort to meet their request for accommodation and that they must appear in court as scheduled. It is preferable that requests be made at least 24 hours in advance of the court appearance date. If a translator is not available to appear on the court date, the case may be rescheduled by the Court.

Please email all requests for languages other than Spanish to both [MCD-Interpreter@houstontx.gov](mailto:MCD-Interpreter@houstontx.gov) and to the Interpreter Scheduling Coordinator Andrea Vaughan: [andrea.vaughan@houstontx.gov](mailto:andrea.vaughan@houstontx.gov) . Please cc: Lilly Warden on all interpreter requests: [lilly.warden@houstontx.gov](mailto:lilly.warden@houstontx.gov).

**SIGN INTERPRETERS:** Please advise the caller that the City will make every effort to meet their request for accommodation and that they must appear in court as scheduled. If a translator is not available to appear on the court date, the case may be rescheduled by the Court.

Please email all requests for sign language interpreters to both [MCD-Interpreter@houstontx.gov](mailto:MCD-Interpreter@houstontx.gov) and to the Interpreter Scheduling Coordinator Andrea Vaughan: [andrea.vaughan@houstontx.gov](mailto:andrea.vaughan@houstontx.gov) . Please cc: Lilly Warden on all sign language interpreter requests: [lilly.warden@houstontx.gov](mailto:lilly.warden@houstontx.gov).

#### **REQUIRED INFORMATION NEEDED FOR INTERPRETER REQUESTS:**

- Name of person calling/requesting accommodation
- Name of defendant
- Contact numbers (cell, home)
- Email address for requestor/defendant
- Type of Interpreter needed (Sign, Vietnamese, Farsi, etc.)
- Case number(s)
- Court Date/Time
- Type of Appearance (arraignment, jury trial, trial by judge)

#### **IMPORTANT:**

**PLEASE VERIFY THIS INFORMATION TO ENSURE ACCURACY  
PRIOR TO DISCONNECTING THE CALL.**