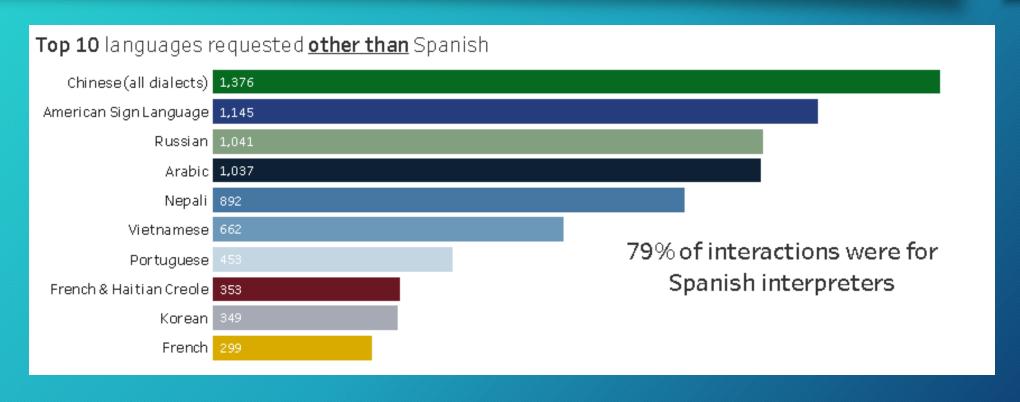
BEYOND PENNSYLVANIA DUTCH: LANGUAGE ACCESS IN THE KEYSTONE STATE



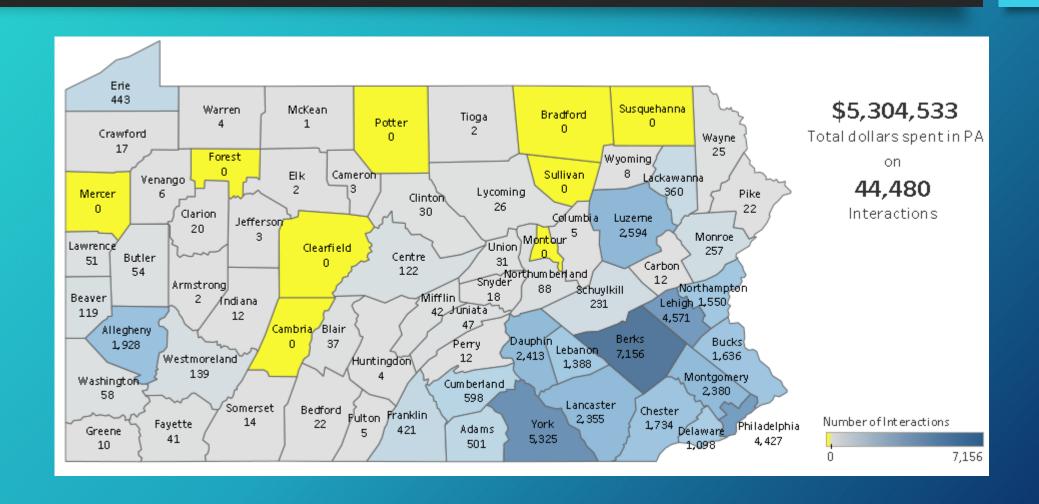
MARY VILTER, ESQ. I COURT ACCESS COORDINATOR
MARK DALTON I DISTRICT COURT ADMINISTRATOR, LANCASTER COUNTY

2019 TOP LANGUAGES IN PENNSYLVANIA



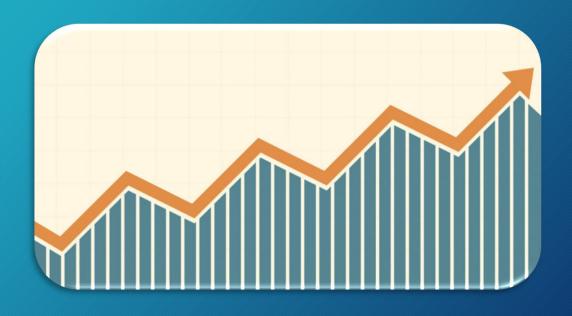
WHAT ARE THE TOP LANGUAGES IN YOUR STATE?

PENNSYLVANIA'S 2019 INTERACTIONS



LANGUAGE ACCESS PROGRESS IN PENNSYLVANIA

- ESTABLISHED PA INTERPRETER CERTIFICATION PROGRAM
- CREATED & IMPLEMENTED STATEWIDE LANGUAGE ACCESS PLAN
- UPDATED LOCAL LANGUAGE ACCESS PLANS
- LAUNCHED INTERPRETER CANDIDATE OUTREACH PROJECT
- TRAINING, TRAINING, TRAINING



WHY INTERPRETERS ARE ESSENTIAL



PENNSYLVANIA INTERPRETER PROGRAM



- PROVIDES 4 INTERPRETER ORIENTATIONS EACH YEAR ACROSS THE STATE
- WORKING WITH BERKS COUNTY BAR ASSN TO INCREASE PIPELINE OF INTERPRETER CANDIDATES
- PARTNERS WITH PHILADELPHIA COURTS' INTERPRETER SHADOWING PROGRAM AND LANGUAGE OF JUSTICE INSTITUTE
- CONSTANTLY WORKS TO INCREASE # OF "LOTS" INTERPRETERS

INTERPRETER PAY

Compensation Schedule

INTERPRETER CLASSIFICATION	FOREIGN LANGUAGE			SIGN LANGUAGE		
	HOURLY	HALF DAY	FULL DAY	HOURLY	HALF DAY	FULL DAY
MASTER	\$65-75	\$200-235	\$350-400	\$65-75	\$200-235	\$350-400
CERTIFIED	\$45-60	\$150-180	\$300-330	\$45-60	\$150-180	\$300-330
QUALIFIED	\$35-40	\$100-125	\$200-225	\$35-40	\$100-125	\$200-225
CONDITIONAL	\$25-30	\$80-95	\$160-170	NA	NA	NA
REGISTERED	\$40-55	\$135-175	\$265-325	\$25-30	\$80-95	\$160-170
RARE OR UNCOMMON LANGUAGE	Depends on qualifications, experience, type of case and language.					

INTERPRETER ROSTER



- 37 LANGUAGES
- 242 INTERPRETERS
 - -20 MASTER
 - -159 CERTIFIED
 - -13 QUALIFIED
 - -43 REGISTERED
 - -7 ADMINISTRATIVE HEARINGS ONLY

CERTIFICATION PROCESS

What are the certification requirements?

Interpreters who wish to become certified by the Pennsylvania Interpreter Certification Program must complete the following requirements:

- Program registration
- Orientation workshop
- Written examination
- Oral proficiency examination
- Pass a background check
- Agree to uphold the interpreter rules of conduct and professional responsibility
- Be at least 18 years of age
- Pay any fees required by the court administrator

COLLABORATIONS/PARTNERSHIPS

- WITH JUDICIAL DISTRICTS
 - INTERPRETER SHADOWING & TRAINING PROGRAMS
 - LOCAL OUTREACH
- WITH COUNTY COMMISSIONERS' ASSN
- WITH STATE & LOCAL BAR ASSOCIATIONS
- WITH OFFICE OF DEAF & HARD OF HEARING
- WITH UNIVERSITY LANGUAGE PROGRAMS



EACH JUDICIAL DISTRICT HAS ITS OWN LAP & LAC

2nd Judicial District (Lancaster County, PA Court) LANGUAGE ACCESS PLAN

Section I. Introduction and Purpose

Equal access to the courts is fundamental to the legitimacy of our system of justice and the trust and confidence of Pennsylvanians in our courts. Language services for individuals who are limited English proficient (LEP) or are deaf or hard of hearing are essential to ensure that they are able to fully participate in judicial proceedings and court services, programs, and activities in which their rights and interests are at stake. Without these services, they are effectively denied the protection of our laws. Moreover, the courts themselves have an independent interest in ensuring the integrity of communications with LEP and deaf or hard of hearing court users so that the fact finder can hear evidence accurately and deliver justice fairly.

The policy of the Unified Judicial System is to provide meaningful language access for all individuals who are LEP to ensure that all persons have due process and equal access to all judicial proceedings, court services, programs and activities. Ensuring meaningful language access means providing timely, accurate, and effective language services at no cost to the court user.

In addition, it is the policy of the Unified Judicial System to provide equally effective communication to individuals who are deaf or hard of hearing, in part, by providing American Sign Language interpreters at no cost to litigants, witnesses and court spectators.¹

Pennsylvania's policies regarding language access to the courts are embodied in the Language Access Plan for the Unified Judicial System (LAP-UJS). This plan was approved by the Pennsylvania Supreme Court in March 2017. The LAP-UJS policies and requirements, which are binding on the judicial districts, are incorporated herein by reference. The LAP-UJS is available at languageaccess.pacourts.us.

Language Access Coordinators



Language Access Coordinators oversee the provision of language access services in their judicial districts in compliance with all applicable laws and the district's policy. Contact these individuals if you wish to request an interpreter for your case or need assistance obtaining information in your language about court services in that particular district.

Lick to download brochure

LOCAL LANGUAGE ACCESS PLANS

KEY CHALLENGES FOR DISTRICTS

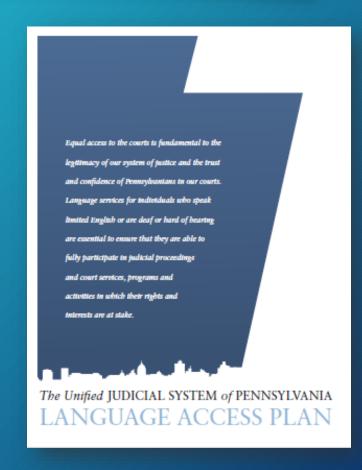
- SHORTAGE OF LOCAL INTERPRETERS
- CHALLENGES PROVIDING ACCESS TO SERVICES BEYOND THE COURTROOM
- LACK OF LOCAL FORM TRANSLATIONS
- · \$\$\$\$!



WHO WROTE THE STATEWIDE LANGUAGE ACCESS PLAN?

LANGUAGE ACCESS ADVISORY GROUP

- 3 COMMON PLEAS JUDGES
- MAGISTERIAL DISTRICT JUDGE
- LOCAL COURT PROTHONOTARY & CLERK
- APPELLATE COURT PROTHONOTARY
- 3 DISTRICT COURT ADMINISTRATORS
- A FOREIGN LANGUAGE COURT INTERPRETER
- REPRESENTATIVE FROM STATE ODHH
- 2 PUBLIC INTEREST ATTORNEYS, A CRIMINAL DEFENSE ATTORNEY, AND AN ADA
- A STATE REPRESENTATIVE
- A STATE SENATOR
- A COUNTY COMMISSIONER



AND WHO'S HELPING IMPLEMENT IT?

MONITORING & EVALUATION TEAM

- CO-CHAIRED BY 2 COURT OF COMMON PLEAS JUDGES
- 5 DISTRICT COURT ADMINISTRATORS (& ONE LAC)
- 2 TRANSLATORS
- A SIGN LANGUAGE INTERPRETER
- A MAGISTERIAL DISTRICT JUDGE
- 2 ATTORNEYS WHO SERVE THE LEP COMMUNITY



BENCHCARD FOR JUDGES & MASTERS

Judicial Bench Card for Working with Interpreters: Quick Reference Guide
The Unified Judicial System of Pennsylvania | Language Access Program

Text in shaded boxes are sample scripts for reading into the record.

Court Checklist

- Provide the interpreter with case information beforehand, or allow him/her to review the case file.
- Allow the interpreter to speak briefly with the LEP person beforehand to identify the speaker's dialect and that they can communicate.
- Establish interpreter qualifications, determine whether any conflicts exist, check the interpreter ID, and administer the interpreter oath.
- Explain interpreter's role to the parties and others as needed.
- Make sure everyone speaks slowly and clearly with pauses.
- Advise participants to raise their hand if they do not understand or disagree with the interpretation.
- Monitor the interpreter's performance and correct problems and any disputes regarding accuracy and ethical issues.
- Give the interpreter breaks at least every 30 minutes.
- Team interpreting is required to maintain accuracy in any proceedings expected to last more than 2 hours.
- Allow Interpreters to determine the frequency and timing of switching while in teams.

OATH TO SWEAR IN AN INTERPRETER

Do you solemnly swear or affirm that you will make an accurate, complete and impartial interpretation from the English language into the [target language], and vice-versa, of all communication during this proceeding using your best skill, judgment and ability and that you will abide by the Rules of Professional Conduct for Judiciary Interpreters, and so you do swear or affirm? 204 Pa. Code ch. 221 § 106.

WHO PAYS FOR THE INTERPRETER?

In judicial proceedings, the court pays for an interpreter for: all parties, victims, and witnesses; the parent, guardian, or anyone in loco parentis to a minor; and the parent, guardian, or anyone in loco parentis to an incapacitated party, victim, or witness.

The court must provide and pay for an interpreter for all deaf individuals requesting one.

Space Reserved for District-Specific Information

Judicial Bench Card for Working with Interpreters: Quick Reference Guide
The Unified Judicial System of Pennsylvania | Language Access Program

Text in shaded boxes are sample scripts for reading into the record.

AN INTERPRETER SHOULD BE APPOINTED

- When a self-represented litigant, attorney, witness, deaf or hard of hearing person requests an interpreter; or
- When the court or participants have difficulty speaking to or understanding each other, even when an interpreter is not requested.

Voir Dire to Determine Limited Ability to Speak or Understand English

- Please tell me how comfortable you are speaking English.
- Please tell us about an important, memorable moment in your life.
- What is your favorite pastime or recreational activity?
- Please describe the kind of work that you do.
- Please tell me about your favorite movie or TV show.

HOW TO QUALIFY AN INTERPRETER

- Certified interpreters
 - Qualifications can be verified through their listing on the Interpreter Roster and their corresponding ID card.
 - Full voir dire is not required.
- Non-certified interpreters (qualified, conditional, registered and non-rostered)
 - · Must be voir dired on the record to ensure qualifications.
- All Telephonic interpreters must be qualified through voir dire.

Voir Dire to Establish Interpreter Qualifications

- Are you a certified interpreter listed on the interpreter roster? Do you have a certification program ID card? (If yes, no need to continue voir dire)
- What credentials do you have to serve as a court interpreter?
- Do you have formal training in interpreting? If yes, when and by whom?
- Have you worked in a legal proceeding before? If yes, please describe it.

TELEPHONE INTERPRETING FOR COUNTER INTERACTIONS



CONSIDER LAMINATED CARDS WITH YOUR TELEPHONE INTERPRETING PROVIDER'S NAME, PHONE #, ACCOUNT #, & LANGUAGE CODE #S

I SPEAK CARDS & RIGHT TO INTERPRETER POSTERS

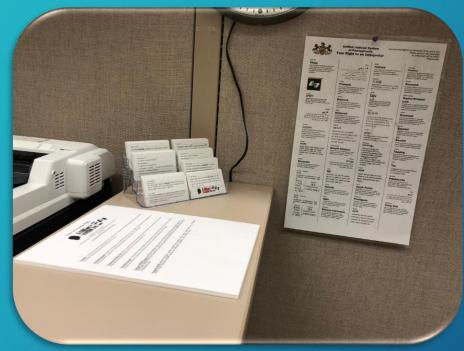
Меня зовут _ Я говорю на русском языке. Прошу вас найти человека, который сможет оказать мне квалифицированную языковую помощь в общении. Спасибо.



Translation: My name is The language I speak is **Russian**. Please find someone who is qualified to provide language assistance so that we can talk to each other. Thank you.

For staff:

For counter assistance, utilize bilingual staff or contact your telephone interpreting provider. For a courtroom proceeding, contact your court's Language Access Coordinator for assistance.









Bahasa Indonesia





版東語 ForLight And Dates 台灣總/福建紙

日本語

E가마으로 가면의 중심시요. 전문

ਸਰਜੀਹਨ ਹੋਣ ਦਾ ਅਧਿਆਰ ਹੈ। ਜ਼ਿਰਮਾ ਕਰਜ਼ੇ

जनवारका विकास स्थाने पेळीच स्थेत

Tiếng Việt Quố ví có canhô danc một thủ việc miết phi. Xei dài việc ngô quố ví, Chẳng tối số gọi một ti

NOTICE OF LANGUAGE RIGHTS

ADVANCE NOTICE OF RIGHT TO A FREE INTERPRETER

Notice of Language Rights



Language Access Coordinator
Lancaster County Courthouse, 50 North Duke Street, PO Box 83480, Lancaster, PA, 17608
717-390-7753

languageaccess@co.lancaster.pa.us

English: You have the right to an interpreter at no cost to you. To request an interpreter, please inform court staff using the contact information provided at the top of this notice.

Spanish/Español: Usted tiene derecho a un intérprete libre de costo. Para solicitar un intérprete favor de informárselo al personal judicial utilizando la información provista en la parte superior de este aviso.

<u>Mandarin/Cantonese Simplified Chinese/普通话/粤语简体中文</u>: 您有权获得免费的口译员服务。若需要口译员, 请使用本通知上方提供的联系信息通知法院工作人员。

LANGUAGE ACCESS COMPLAINT FORM

Pennsylvania Courts Language Services Complaint Queja por servicios lingüísticos de los Tribunales de Pennsylvania



You have a right to court services in your language. Tell us if you had a problem. We will review the information and try to fix the problem./Usted tiene derecho a recibir servicios de los tribunales en su idioma. Díganos si tuvo un problema. Revisaremos la información e intentaremos solucionar el problema.

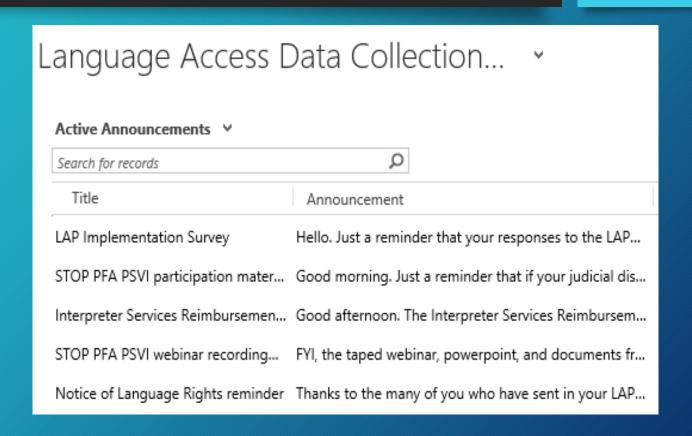
Today's Date/Fecha de hoy 2. Your Name/Su nombre		4.	 How can we contact you for more information (Please provide at least one)/¿Cómo podemos comunicarnos con usted para obtener más información? (Proporcione al menos uno de los siguientes contactos). 				
		E	Email Address/Correo electrónico:				
3. `	Your Language/Su idioma:	P	Phone/Teléfono:				
		Δ	Address/Dirección:				
5. This complaint is for/Esta queja es Me/Mía Another person/De otra persona							
	Person's Name/Nombre de la persona: (Not required/No es necesario)						
6. \	What happened?/¿Qué pasó?		7. Where did this happen? (Mark all that fit.)/				

LANGUAGE ACCESS DATA COLLECTION

County Reports >

- 1. Encounters by Type of Encounter
- 2. Courtroom Encounters by Case Type
- 3. Encounters with Interpreters by Language
- 4. Top 15 Most Often Requested Languages
- 5. Cost of Encounters by Type of Assistance
- 6. Cost of Encounters by Case Type
- 7. Cost of Encounters by Agency
- 8. Cost of Encounters by Interpreter
- 9. Cost of Encounters for PFA/PSVI Cases
- 10. Encounters Missing Expenses

FORMS BANK LADC DOCUMENTATION TRAINING MATERIALS WEBINAR VIDEOS SITE CONTENTS



BILINGUAL EMPLOYEE POLICY

WHAT?

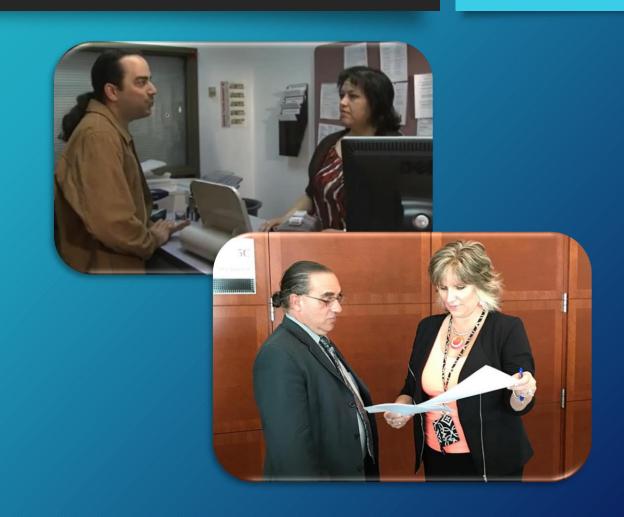
 REQUIRES TESTING OF EXISTING AND NEW EMPLOYEES WHO WILL USE THEIR LANGUAGE SKILLS TO ASSIST COURT USERS

• WHY?

 BECAUSE IN THE PAST WE HAVE HAD NO WAY OF KNOWING WHETHER BILINGUAL STAFF WERE QUALIFIED

• HOW?

 UTILIZE LANGUAGE SKILLS TESTING VENDORS, PROVIDE TRAINING



WHAT ABOUT LANGUAGE ACCESS OUTSIDE THE COURTROOM?



- PROGRAMS OUTSIDE THE COURTROOM INCLUDE:
 - SAFE DRIVING CLASSES
 - DRUG & ALCOHOL EVALUATION
 - CUSTODY EDUCATION PROGRAMS, ETC.
- LEP LITIGANTS NEED TO UNDERSTAND WHAT'S BEING SAID IN THESE PROGRAMS
- DEVELOP PROTOCOLS TO PROVIDE MEANINGFUL LANGUAGE ACCESS
 - PROFICIENT BILINGUAL STAFF
 - O CONTRACTED IN-PERSON, TELEPHONE, VRI, OR STAFF INTERPRETER
 - TRANSLATED WRITTEN MATERIALS OR WEBINARS

WHAT ELSE SHOULD WE BE THINKING ABOUT?

- IF VENDORS GET FEDERAL \$, THEY NEED TO COMPLY WITH TITLE VI
- INCLUDE LANGUAGE REQUIRING COMPLIANCE WITH TITLE VI AND THE ADA IN YOUR VENDOR CONTRACTS
- JUDGES SHOULD CONSIDER WHETHER AN LEP LITIGANT CAN'T COMPLY WITH THEIR ORDER BECAUSE A CLASS OR PROGRAM ISN'T INTERPRETED OR TRANSLATED



MORE HELP FROM THE LOCAL COURTS

- FOCUS GROUPS ON
 - LADC
 - IMPLEMENTATION OF THE STATEWIDE PLAN
- TOP 15 HIGHEST LEP COUNTIES HELPED WITH
 - BILINGUAL EMPLOYEE POLICY
 - SERVICES BEYOND THE COURTROOM GUIDANCE



UJS TRANSLATION POLICY & PROCEDURES MANUAL

GUIDANCE ON:

- IDENTIFYING "VITAL" DOCUMENTS
- PRIORITIZING WHAT TO TRANSLATE AND INTO WHICH LANGUAGES

The Unified Judicial System of Pennsylvania

Translation Policy and Procedures
Manual



ALSO, WEBSITE IS HELPFUL:

Language Access & Interpreter Program

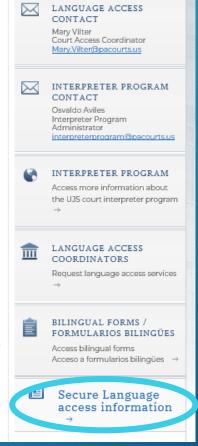
Equal access to the courts is fundamental to the legitimacy of our system of justice and the trust and confidence of Pennsylvanians in our courts. Language services for individuals who speak limited English or are deaf or hard of hearing are essential to ensure that they are able to fully participate in judicial proceedings and court services, programs and activities in which their rights and interests are at stake.

Notice of Language Rights / Aviso sobre derechos lingüísticos



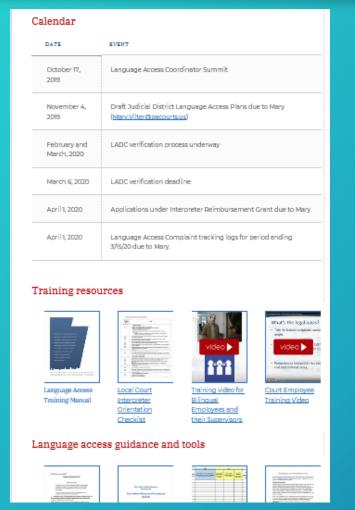
If you are a named party in a case or a witness, victim, or person in loco parentis, you have the right to an interpreter at no cost to you. To request an interpreter, contact the language access coordinator for the court. Please click here for the list of language access coordinators. Go to the first column on that page to find the name of your county, and the second column to find the name of the language access coordinator for the court. Go to the fourth column to find the phone number and email address of the language access coordinator.

In compliance with the Americans with Disabilities Act, the court must appoint and pay for an interpreter for all deaf individuals requesting one.



LANGUAGEACCESS.PACOURTS.US

AND NOW THERE'S A PROTECTED VIEW PAGE:



- CALENDAR OF EVENTS AND DEADLINES
- REFERENCE DOCUMENTS, INCLUDING TRAINING RESOURCES, LANGUAGE ACCESS TOOLS AND GUIDANCE DOCUMENTS, AND MATERIALS FROM THE 2019 LAC SUMMIT

STATE FUNDING

• \$1.5 MILLION AVAILABLE ANNUALLY FOR PARTIAL REIMBURSEMENT TO DISTRICTS FOR THEIR USE OF INTERPRETERS AND OTHER LANGUAGE ACCESS SERVICES.







COST OF PA INTERPRETER SERVICES



WHAT ARE WE DOING NOW IN PENNSYLVANIA?

- CONDUCTING TRAINING
 - JUDGES
 - LAWYERS
 - DCAs
 - LACs
 - **OINTERPRETERS**
- OUTREACH TO QUALIFIED INTERPRETER CANDIDATES
- REMOTE INTERPRETING
- TRANSLATION



DON'T RELY ON GOOGLE TRANSLATE!





CONTACT US

• MARK DALTON I DISTRICT COURT ADMINISTRATOR, LANCASTER COUNTY

o EMAIL: <u>DALTON@CO.LANCASTER.PA.US</u>

o PHONE: 717-299-8041

• MARY VILTER, ESQ. I COURT ACCESS COORDINATOR

o EMAIL: MARY.VILTER@PACOURTS.US

o PHONE: 215-560-6657



الاستثلام

FRAGEN?

P978721?

BOTPOCOB?

QUESTIONS?

PREGUNTAS?

שאלות?

CÂU HÒ1?

任何問題