



# Language Access Plan for the Jackson County Superior Court 1

*Prepared by Judge AmyMarie Travis*



Indiana Supreme Court  
Office of Judicial Administration  
Local Language Access Plan

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#### Court Information

Court name Jackson County Superior Court 1  
Court address 109 S. Sugar Street, Suite 110  
City Brownstown State Indiana Zip code 47220

#### Contact Information

Contact name AmyMarie Travis or Philip Nale  
Contact title Judge Travis or Bailiff Nale  
Court name: Jackson County Superior Court 1  
Telephone: 812-522-9677  
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## Introduction

This Language Access Plan (LAP) for the Jackson County Superior Court 1, establishes the local operational plan, guidelines, and procedures for the provision of high-quality, meaningful language access to all limited English proficient (LEP) and deaf and hard of hearing individuals accessing the Court and its services. It does so pursuant to the Indiana Supreme Court's Language Access Plan, which guides the language access best practices and procedures for the trial courts throughout the state's ninety-two counties. This local LAP serves as a guidance tool as each county works towards achieving best practices.

*This local LAP will be reviewed and updated every three years, and changes will be reported to the Indiana Judiciary so it may incorporate any necessary modifications to the Indiana judicial branch's LAP in its own five-year update, if appropriate.*

### I. Legal Basis for the Provision of Language Access Services

As delineated under the Language Access Plan for the Indiana judicial branch, federal and state laws establish this Court's obligation to provide meaningful language access to all LEP and deaf and hard of hearing court users. Specifically, under the Indiana Constitution<sup>1</sup> and Indiana statutory and case law, together with Title VI of the Civil Rights Act of 1964<sup>2</sup> and the Omnibus Crime Control and Safe Streets Act of 1968,<sup>3</sup> Department of Justice regulations, and the American with Disabilities Act of 1990, Indiana state courts must provide interpreters and language access to all LEP and deaf and hard of hearing individuals in civil and criminal court proceedings. The Indiana judicial branch's Rules of Court further address language access and interpreter provision under the [Indiana Rules of Court Interpreter Code of Conduct and Procedure & Disciplinary Process for Certified Court Interpreters & Candidates for Interpreter Certification](#)<sup>4</sup>

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<sup>1</sup> See Ind. Const. art. 1, §13.

<sup>2</sup> 42 U.S.C. § 2000d, et seq.

<sup>3</sup> 42 U.S.C. § 3789d.

<sup>4</sup> For a thorough discussion of the legislative framework applicable to the provision of language access in the Indiana Judiciary generally, and this Court specifically, see the Language Access Plan for the Indiana Judicial Branch, adopted by the Indiana Supreme Court in February 2019.

## II. Needs Assessment, Data Collection, and Early Identification

### A. Local Contact Person

The staff persons designated to coordinate all language assistance services for the Jackson County Superior Court 1.

Contact 1					
Name	Phillip B. Nale		Title	Bailiff	
Telephone	812-522-9677		Email address	pnale@jacksoncounty.IN.gov	
Office address	109 S. Sugar Street, Suite 110				
City	Brownstown		State	IN	Zip 47220
Contact 2					
Name	AmyMarie Travis		Title	Judge	
Telephone	812-522-9677		Email address	atravis@jacksoncounty.IN.gov	
Office address	109 S. Sugar Street, Suite 110				
City	Brownstown		State	IM	Zip 47220

### B. State Contact Person

For questions about interpretations and translations, contact Lun Pieper, Attorney, Office of General Counsel, 251 N. Illinois Street, Suite 1600, Indianapolis, IN 46204. Phone: 317-233-3362; e-mail: [lun.pieper@courts.in.gov](mailto:lun.pieper@courts.in.gov).

### C. LEP Population Estimates for County

\*This information can be found on the Indiana Supreme Court's Language Access Page, by simply selecting your county from the drop-down list\*.

County data					
Total county population	41,012	Total LEP county population	1,210	LEP county percentage	3

\*This information should be reported based on county experience

Top 5 languages spoken by individuals who identify as LEP
1. Spanish
2. Chuj (or other indigenous Central American Languages)
3. ASL
4. Arabic
5. Hindi

## D. Early and Ongoing Identification of Language Needs

### 1. Points of Contact Between the Public and the Court

There are several points of contact between LEP and deaf and hard of hearing court users and the Jackson County Superior Court 1. The most common points of contact are:

- X Security screening at courthouse entrance(s)  
Enter Court address: 109 S. Sugar Street, Brownstown, IN 47220
- X Clerk's office(s) and counter(s)  
Located at: 109 S. Sugar Street, Suite 130, Brownstown, IN 47220
- X Probation department(s) and related services:  
Located at: 109 S. Sugar Street, Brownstown, IN 47220
- X The Court's telephone system and assistance:  
Enter phone number: (812) 522-9677

### 2. Tools for Early Identification of Language Needs

The Jackson County Superior Court 1 has in place the following mechanisms for the identification of a court user's language access needs as early in the process as possible.

#### a. Self-identification of needs

- X [Language identification guides](#) at all points of contact in eighty languages as well as ten indigenous languages spoken in Mexico and Central America and twenty-five ethnic languages of Myanmar/Burma.
- X [Multilingual signage](#) to notify members of the public their right to request an interpreter or other language assistance during their contact with the Court.

#### b. Court staff and judicial officer identification of needs

For all court staff and judicial officers, when it appears that an individual has difficulty communicating due to a language barrier, the following are available:

- X Hard copies of the [language identification guides](#) booklets at their work locations.
- X Ease of access to the online version of [language identification guides](#).

#### c. Case management system tracking of needs

The Jackson County Superior Court 1 maintains case and party related records in the following manner:

- X An electronic court-wide case management system, such as Odyssey, that allows tracking of a party's language needs identification within a case or proceeding and by individual, should he or she be involved in another case in the future.

- X An electronic court-wide case management system, such as Odyssey, that permits the Court to share information with other courts employing the same management system to identify language needs of a court user in another court when necessary.

d. Justice partners' identification and notification of needs

Has the Jackson County Superior Court 1 established informal, internal protocols with the various justice partners to ensure the earliest possible identification of the need for court interpreters and other language access services?

- X Yes
- No

e. Additional tools for early identification of language access needs

The Jackson County Superior Court 1 has instituted the following additional mechanisms for the early and accurate identification of the need for language access services:

- X It is the policy of the Jackson County Superior Court 1 for all court clerks and other staff to inquire about the need for language access services for any party or witness.
- X The attorneys, advocates, and justice partners for LEP and deaf and hard of hearing court users should alert the court the need for interpreters at the beginning stages of the case or at any time during the case.

### III. Language Access in Court Proceedings

The Jackson County Superior Court 1 is responsible for the provision of interpreters for LEP and deaf and hard of hearing individuals involved in court proceedings. As such, the schedules and pays for interpreter services, using: [Check all that apply]

- X Funds from the county.
- X Indiana Supreme Court Grant Funds

Court interpreters used by the Court include: [Check all that apply]

- X Freelance interpreters who contract directly with the Court.
- X LanguageLine telephonic interpreters, paid for under the Indiana Supreme Court's master contract.
- X Telephonic interpretation services, other than LanguageLine, arranged and paid for directly by the Court, through the following agencies or services: Maya Interpreters.

- X When necessary or convenient, the Jackson County Superior Court 1 accesses the Supreme Court's online [Certified or Qualified Interpreter Registry](#) to locate credentialed interpreters.
- X The Court, when needed, obtains the help of the Office of Judicial Administration (OJA) to locate an interpreter for languages of lesser diffusion.

The Jackson County Superior Court 1 local policy for the provision of court interpreters in court proceedings is as follows:

- X Appoint certified or otherwise qualified court interpreters, as recommended by the Indiana Supreme Court. Whenever possible.
- X Prioritize the appointment of certified or otherwise qualified court interpreters whenever possible and, only after reasonable efforts have been made and have been unsuccessful, appoint a non-qualified interpreter.

Regarding the provision of interpreters at the Court's cost or the cost of the LEP or deaf and hard of hearing party (or witness), the Jackson County Superior Court 1:

- X Appoints court interpreters for all LEP and deaf and hard of hearing litigants and witnesses at no cost to the party for both proceeding interpreter and defense interpreter.

The Jackson County Superior Court 1 follows the guidance provided by the Indiana Supreme Court through its [Interpreter Services for Courts](#) page, including policies regarding (1) when to request an interpreter; (2) proceedings for which a telephonic interpreter may be appropriate; (3) the use of qualified interpreters and avoidance of non-qualified individuals, such as family members, friends, minors, and bilingual staff or attorneys; and (4) payment of interpreters. To that end, in court proceedings, the Jackson County Superior Court 1's policy is to:

- X Conduct a voir dire of an LEP or deaf and hard of hearing litigant or witness to ascertain, through open-ended questions in English, whether an interpreter may be required.
- X Provide in-person interpreters for more complex or evidentiary proceedings, including trials and guilty plea hearings.
- X Avoid the appointment of family members, friends, minor children, and bilingual staff or attorneys to interpret for a party or witness.
- X Appoint neutral persons who do not know the parties to interpret.

The Jackson County Superior Court 1 abides by the [Interpreter Code of Conduct and Procedure & Disciplinary Process for Certified Court Interpreters & Candidates for Interpreter Certification](#), of the Indiana Rules of Court. Therefore, if interpreter disciplinary or egregious performance issues arise, the Jackson County Superior Court 1 must refer any matter involving a credentialed interpreter, or candidate for credentialing, to the Indiana Office of Judicial Administration (IOJA)



within 180 days of the alleged misconduct. See Section VIII for more details on the handling of interpreter and other language access-related complaints.

#### **IV. Language Access Outside Court Proceedings**

With respect to points of contact with the Court outside of court proceedings, enumerated in Section II.B.1., the Jackson County Superior Court 1 provides interpreters for deaf and hard of hearing court users when requested, through sign language interpreters, Certified Deaf Interpreters (CDI), or by providing assistive listening or other communication devices, as appropriate.

For LEP court users, the Court provides the following language access services: [Check all that apply]

- X [Language identification guides](#), as referenced above.
- X LanguageLine access for telephonic interpretation services.
- X Other telephonic interpreting service(s) contracted by the Court: Maya Interpreters.
- X Translated information and court forms, other than those provided on the Indiana Legal Help web page, whether in writing, web-based, or audio/visual, as follows: Advisement of Rights, Acknowledgment of Rights (Petitions to Revoke Probation), Probation Orders, Alcohol and Drug Educational Classes and Court Orders for new hearing dates.

#### **V. Translation**

Does the Jackson County Superior Court 1 provide local translations of court materials, such as information, forms, and instructions?

- X Yes
- No

#### **VI. Training for Court Staff and Judicial Officers**

The Jackson County Superior Court 1 provides the following training for its judicial officers, court employees, and court administrators, as a critical component of any language access plan and efforts to ensure meaningful language access for LEP and deaf or hard of hearing individuals to the Court:

- X Indiana judicial branch language access policies and procedures.
- X Legal requirements under the ADA.
- X Local language access operational plan, guideline, and procedures.

- X Proper appointment of certified or qualified interpreters for all court proceedings.
- X Role of an interpreter, modes of interpreting, and interpreter ethics and professional standards.
- X Courtroom management when interpreters are used.

Where available, training is offered as follows:

- X Mandatory for all new employees.

## **VII. Public Notice, Outreach, and Dissemination**

This Language Access Plan is publicly available on the Court’s website at:  
<http://www.jacksoncounty.in.gov/go>

The Jackson County Superior Court 1 has provided notice of this LAP to all relevant stakeholders, justice partners, attorneys, and the public, as follows:

By posting in the Courtroom, the Office lobby, and on the website.

The Jackson County Superior Court 1 will continue to communicate on an ongoing basis with stakeholders, including LEP and deaf and hard of hearing persons, attorneys, justice partners, community-based organizations, and other interested organizations, about its provision of language access services.

To this end, the court will:

- X Collaborate with local bar associations, justice partners, and other relevant organizations to ensure distribution of information.

## **VIII. Language Access Plan and Services Monitoring**

In order to ensure the appropriate and successful implementation of this LAP, the Jackson County Superior Court 1 has established the following systems for monitoring the Court’s effectiveness in providing language access services to its LEP and deaf and hard of hearing users, and for identifying the need for adjustments and improvements:

On an annual basis, the Jackson County Superior Court 1 will monitor the LAP’s implementation by: [Check all that apply]

- X Gathering data regarding the provision of interpreters, interpreter hours, and interpreter billing, by case type and proceeding, and comparing it to prior usage through the mechanisms identified in Section II.A. of this plan.
- X Gathering data regarding the use of qualified interpreters and non-qualified interpreters to assess and improve, if necessary, the prioritization and use of qualified interpreters.

- X Identifying areas for improvement (e.g., provision of interpreters, translations, the addition of bilingual staff, better communication to stakeholders regarding policies, better staff training, etc.) and for assistance from the IOJA and the Language Access Advisory Committee (such as translation assistance for statewide information, areas where interpreter orientations or certification requirements may be improved, language access planning, etc.).

## IX. Local Complaint Mechanism

Complaints may be filed regarding the provision (or the failure to provide) and quality of the following language access services: translations, bilingual staff, web information, access to services, and other related services.

Any complaints filed about language access services provided at the Jackson County Superior Court 1 will be investigated and resolved at the local court level. Complaints about interpreter performance or ethical violations by credentialed interpreters, or credentialing candidates, will be referred to the IOJA as the entity responsible for interpreter qualifications and ethical compliance. Complaints regarding non-credentialed interpreters (or credentialing candidates) will be investigated and resolved by the Jackson County Superior Court 1.

On a quarterly basis, Jackson County Superior Court 1 will forward a report to the IOJA regarding the complaints filed, whether resolved or not, at the local level. The intent of this report is merely to allow the IOJA to monitor the effectiveness of language access policies. The quarterly report will include the number of complaints, reasons for complaints, and resolutions (if any) of the complaints.

## X. Language Access Plan Oversight

The following is/are the person(s) responsible for oversight of this LAP for the Jackson County Superior Court 1.

Contact 1					
Name	Philip Nale		Title	Bailiff	
Telephone	812-522-9677		Email address	pnale@jacksoncounty.IN.gov	
Office address	109 S. Sugar Street, Suite 110				
City	Brownstown		State	IN	Zip 47220
Contact 2 (Optional)					
Name			Title		
Telephone			Email address		
Office address					
City			State		Zip

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Submitting Officer's Name: AmyMarie Travis

Submitting Officer's Title: Judge, Jackson County Superior Court 1



Submitting Officer's Signature

AmyMarie Travis

Date: 8/16/21

## Appendix A — Definitions<sup>5</sup>

1. *Direct “In-Language” Communication* – Monolingual communication in a language other than English between a multilingual staff and an LEP person (e.g., Korean to Korean).
2. *Effective Communication* – Communication sufficient to provide the LEP individual with substantially the same level of access to services received by individuals who are not LEP. For example, staff must take reasonable steps to ensure communication with an LEP individual is as effective as communications with others when providing similar programs and services.
3. *Interpretation* – The act of listening to a communication in one language (source language) and orally converting it to another language (target language) while retaining the same meaning.
4. *Language Assistance Services* – Oral and written language services needed to assist LEP individuals to communicate effectively with staff, and to provide LEP individuals with meaningful access to, and an equal opportunity to participate fully in, the services, activities, or other programs administered by an agency or department that receives federal assistance.
5. *Limited English Proficient (LEP) Individuals* – Individuals who do not speak English as their primary language and who have a limited ability to read, write, speak, or understand English. LEP individuals may be competent in English for certain types of communication (e.g., speaking or understanding), but still be LEP for other purposes (e.g., reading or writing).
6. *Meaningful Access* – Language 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 activities provided to English proficient individuals.
7. *Multilingual Staff or Employee* – A staff person or employee who has demonstrated proficiency in English and reading, writing, speaking, or understanding at least one other language as authorized by his or her component. For LEP individuals, meaningful access denotes access that is not significantly restricted, delayed, or inferior as compared to programs or activities provided to English proficient individuals.
8. *Primary Language* – An individual’s primary language is the language in which an individual most effectively communicates.
9. *Program or Activity* – The term “program or activity” and the term “program” mean all the operations of an agency or department that receives federal assistance.

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<sup>5</sup> These definitions are provided by the Department of Justice on their own [Department of Justice Language Access Plan](#) (March 2012) available at: <https://www.justice.gov/sites/default/files/open/legacy/2012/05/07/language-access-plan.pdf> (archived at <https://perma.cc/X97B-5YQ6>).

10. *Qualified Translator or Interpreter* – An in-house or contracted translator or interpreter who has demonstrated his or her competence to interpret or translate through court certification or is authorized to do so by contract with an agency or department or by approval of his or her component.
11. *Sight Translation* – Oral rendering of written text into spoken language by an interpreter without change in meaning based on a visual review of the original text or document.
12. *Translation* – The replacement of written text from one language (source language) into an equivalent written text in another language (target language).
13. *Vital Document* – Paper or electronic written material that contains information that is critical for accessing a component's program or activities or is required by law.