

# **Travis County Criminal Courts** **Language Access Plan**

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## **Legal Basis and Purpose**

This document serves as the plan for the Travis County Criminal Courts to provide to persons with limited English proficiency (LEP) services that are in compliance with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.; 45 C.F.R. § 80.1 et seq.; and 28 C.F.R. § 42.101–42.112) and the U.S. Department of Justice’s Guidance on Language Access in State Courts. The purpose of this plan is to provide a framework for the provision of timely and reasonable language assistance to LEP persons who come in contact with the Travis County Criminal Courts.

This Language Access Plan was developed to ensure meaningful access to court services for persons with limited English proficiency. Although sign language court interpreters are provided for persons with a hearing loss, access services for them are covered under the Americans with Disabilities Act rather than Title VI of the Civil Rights Act, and therefore will not be addressed in this plan.

### **I. Identification of Limited English Proficiency (LEP) Persons**

The Texas Government Code defines a person in need of interpretation as “an individual who can hear but does not comprehend the English language or communicate in English”. For litigants and witnesses in criminal hearings, the court is mandated by federal law to provide interpreters at no cost.

In the majority of instances, the need for a court interpreter is identified by the Pretrial Services Officer during the booking process. The Pretrial Services Office electronically notifies the Criminal Courts Administration Office regarding the interpretation language needed. If the LEP person qualifies for an indigent attorney, and speaks Spanish, the Court Administration Office will appoint a Spanish Speaking attorney to optimize communication between the LEP person and their attorney.

Furthermore, the need for a court interpreter may be identified prior to a court proceeding by the LEP person or by anyone acting, with permission, on his or her behalf.

The need for a court interpreter may also be made known in the courtroom at the time of the proceeding. To the extent possible, advance notice of the need for an interpreter should be given to the Court.

## **II. Language Services used in the Courtroom**

- A. **Spanish Language Access** - The Criminal Courts employ two licensed Spanish language interpreters who interpret plea and sentencing proceedings. For longer court proceedings, the attorney shall make arrangements for a licensed Spanish interpreter through the respective court coordinator.
- B. **Non-Spanish Language Access** – The courts and defense counsel are usually notified of the need for Non-Spanish interpreters by the Court Administration Office. However, occasionally the court and defense counsel will be notified by the LEP person or their representative. Arrangements for foreign language interpreters shall be made through the respective court coordinator.

## **III. Language Services used Outside the Courtroom**

- A. **Language Line** - The language line is a resource available for defense attorneys to speak with their Non-Spanish LEP clients, whether their client is out of jail or incarcerated. In order to access the language line, the attorney should contact Court Administration for instructions with the name of the defendant, cause number and offense at:  
[Court.administration@traviscountytexas.gov](mailto:Court.administration@traviscountytexas.gov)
- B. **Website Translation** - The Criminal Courts Website provides *Google Translate* which enables the Court's website content to be translated into 104 languages.
- C. **Licensed Spanish Language Interpreters** – The Criminal Courts employ two licensed Spanish Language Interpreters who are available to accompany court ordered experts to the jail for interpretation.
- D. **Bilingual Employees** – The Criminal Courts employ many bilingual (Spanish) staff to assist the public during their initial contact with the courts, and to aide in communication as a case progresses through court.

#### **IV. Court Interpreter Qualifications**

The Travis County Criminal Courts provide language interpreters in court proceedings in compliance with the licensing guidelines provided in Chapter 57 of the Texas Government Code. The Judicial Branch Certification Commission of the Texas Judicial Branch maintains a list of licensed interpreters who may work in Texas Courts. This list is available on the Internet at <http://www.txcourts.gov/jbcc/licensed-court-interpreters/>

For less common languages for which there are no licensed interpreters, the court may use an interpreter who is not licensed. Unlicensed interpreters are required to meet with a Staff Interpreter prior to interpreting in the Criminal Courts. The Staff Interpreter will review courtroom protocol with the unlicensed interpreter.

#### **V. Translated Forms and Documents**

The Travis County Criminal Courts are committed to translating forms and documents so that LEP individuals have greater access to court services. The Travis County Criminal Courts currently use forms translated into Spanish. These forms are available on the Travis County Website at: <https://www.traviscountytexas.gov/>

Interpreters involved in court hearings are expected to provide oral translations of court documents and other written materials associated with the case.

Criminal Courts Language Access Plan Effective Date: July 20, 2017

Approved by:

Criminal Court Judges

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