

2024

LANGUAGE ACCESS PLAN

Sauk
County Circuit Court
Language Access Plan

I. Purpose

This Language Access Plan (LAP) outlines how the Sauk County Circuit Court effectively allocates and regulates its resources, services, and administrative operations to maintain compliance with federal and state language access requirements.

II. Policy Directive

The Sauk County Circuit Court is dedicated to providing limited English proficient (LEP) individuals with timely and meaningful access to all court activities and programs in accordance with federal and state mandates. Specific federal laws include Title VI of the Civil Rights Act of 1964 ("Title VI"), Executive Order 13166, the Americans with Disabilities Act (ADA) and the ADA Amendments Act (ADAAA) of 2008.

Section 601 of Title VI, 42 U.S.C. Section 2000d *et. seq.* states:

"No person in the United States shall on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

III. Definitions

Limited English Proficiency (LEP)

1. The inability, because of the use of a language other than English, to adequately understand or communicate effectively in English in a court proceeding.
2. The inability, due to a speech impairment, hearing loss, deafness, deaf-blindness, or other disability, to adequately hear, understand, or communicate effectively in English in a court proceeding. (Wis. Stat. §885.38(1)(b)1-2))

Interpreting/Interpretation

Language interpretation specifically refers to the process of orally converting spoken or signed language from one language into another.

Qualified Interpreter

A person who is able to do all of the following:

1. Readily communicate with a person who has LEP.
2. Orally transfer the meaning of statements to and from English and the language spoken by a person who has limited English proficiency in the context of a court proceeding.
3. Readily and accurately interpret for a person who has LEP, without omissions or additions, in a manner that conserves the meaning, tone, and style of the original statement, including dialect, slang, and specialized vocabulary. (Wis. Stat. 885.38(1)(c))

Remote Interpreting (RI)

Providing interpreting services using technology where the interpreter is at a location physically separate from the consumers of the interpreting service. Remote interpreting can be provided using audio only or audio and video technologies.

Sight Translation/Sight Translate

msj

The ultimate determination whether to provide language assistance or other reasonable accommodation during a circuit court proceeding belongs to the judge. If the court determines that a qualified individual has limited English proficiency and assistance is necessary, the court shall advise the person that they have the right to a qualified interpreter and that one will be provided at the court's expense under Wis. Stat. §885.38(3)(a).

The county may provide and pay for language assistance services to LEP individuals for any additional out-of-court events as deemed appropriate by the clerk of court or at the discretion of the court.

3. Director of State Courts Responsibilities

The Director of State Courts Office ("DSCO") monitors language assistance services statewide through its Court Interpreter Program (CIP). Through the CIP, the DSCO maintains a central role in training and testing interpreters, providing training for judges and court staff (judicial assistants and clerks of court personnel), translating statewide vital court forms, and pursuing statutory changes and additional funding as needed. This court will incorporate recommendations for ensuring the best procedures are being used to provide quality assistance to LEP court users.

4. Funding

The primary obligation to pay for services for qualified LEP individuals rests with the county. The cost for providing such services will not be charged to the LEP individual. The DSCO issues biannual payments to counties for language assistance services as part of circuit court support funding in accordance with Wis. Stat. §758.19(5)(b).

B. Ensuring Quality Services

This circuit court strives to ensure quality in-person or remote language assistance services are provided to LEP individuals at all points of contact. A certified interpreter will be the first choice for appointment and will be scheduled whenever one is readily available. After a diligent effort has been made to locate a certified court interpreter and none is available, the court may appoint a non-certified court interpreter who is listed on the DSCO's Roster of Interpreters ("Roster"). If neither a certified nor a non-certified interpreter on the Roster is available, the court may appoint an interpreter who is otherwise qualified. Court staff may use community resources to assist in locating interpreters or translators for rare languages and for emergency situations.

Sign language interpreters who work in court for compensation must hold a license by the Wisconsin Department of Safety and Professional Services (WDSPS) in accordance with Wis. Stat. §440.032. This court will appoint more than one qualified interpreter when necessary under Wis. Stat. §885.38(3)(b).

All interpreters who work in this court will understand and abide by the Code of Ethics for Court Interpreters found under Wisconsin SCR Chapter 63. It is expected that interpreters who routinely accept assignments in this court will be registered with the CIP or will have participated in orientation training offered by the CIP and will comply with continuing education requirements to further develop their professional skills.

- b. Assessment of whether staff members adequately understand language assistance policies and are implementing procedures established by the court.
- c. Training court staff on working with LEP court users in a culturally competent manner.
- d. Determining if additional services or translated materials should be provided.

3. Updating

This LAP will be updated as needed to reflect changes to policies or procedures both locally, statewide, and nationally. Updates may include but are not limited to demographic shifts, modification in the methods language assistance services are provided, or changes in the vendors who provide the services.

VI. Language Access Policy Implementation

The procedures in this section outline the manner in which this court implements the language access policies set forth in the previous section.

A. Public Notices and Signage

Members of the public are notified of the availability of free language assistance services or the process for requesting an accommodation through the following means:

- Multilingual signs regarding how to request language assistance services are posted at public access points throughout of the courthouse.
- ADA notices regarding how to request an accommodation are posted at public access points throughout the courthouse.
- The court’s website provides information on how to request language assistance services.
- The court’s website provides information on how to request an accommodation.
- The court’s website or portions of the website have been translated into _____
- This Language Assistance Plan (LAP) is posted on the court’s website at the following link:
www.co.sauk.wi.us/clerkofcourts
- Other:

B. Responsible Staff

1. Interpreter Scheduler

The staff member(s) below is responsible for coordinating all language assistance services for the court which include identifying, scheduling, and coordinating services for both spoken and sign languages; hiring translators if necessary; and responding to inquiries about language assistance services.

| | |
|--|-------------------------------------|
| Name: Carrie Wastlick | Title: Clerk of Court |
| Telephone: 608-355-4432 | Email: carrie.wastlick@wicourts.gov |
| Office Address: 510 Broadway, Baraboo WI 53913 | |
| Office Responsibilities: Clerk of Court | |
| Other: | |

| | |
|-------------------|------------------------------|
| Name: Kris Fisher | Title: Deputy Clerk of Court |
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The clerk of court's staff will obtain language assistance with an agency or individual interpreter to provide remote interpreting services.

Name(s) of agency/agencies the court uses: SWITS

Other:

b. Oral Communication: In-Person

When an LEP individual appears in-person at the courthouse, any available staff will attempt to assist by first identifying the language and making an initial determination of the service the person is trying to access or information they are seeking. In addition to methods indicated in a), staff will provide assistance using the following methods:

Language identification ("I speak") cards are available at the front counter to allow the individual to point to the language he/she speaks.

The clerk of court's staff will initiate communication with the individual's friend or family member who is accompanying them.

The clerk of court's staff will attempt to convey very basic information using a machine translation service.

The clerk of court's staff will attempt to convey very basic information through the exchange of simple written notes (if the individual is deaf).

The clerk of court's staff will obtain language assistance with an agency or individual interpreter to provide remote interpreting services.

Name(s) of agency/agencies the court uses: SWITS

The following equipment is available at the front counter:

Telephone with speaker capabilities

Tablet or I-Pad

Laptop computer with built-in or external camera

Other equipment: Computer at Clerk of Court's front window.

Other:

c. Written Communication: Documents in a language other than English

When an LEP individual submits a form of written communication to the court in a language other than English, any available staff will attempt to first identify the nature of the document and the language in which it is written.

1) Correspondence to the court (e.g. email, letter, fax)

When the court receives written communication in a language other than English such as correspondence seeking general or case-specific information, staff will provide assistance using the following methods:

The scheduler will use an agency to schedule an interpreter to provide either in-person or remote interpreting services.

Name(s) of agency/agencies the court uses: _____

The scheduler will use interpreters from other states or jurisdictions either in-person or remotely.

The scheduler will secure a Communication Access Realtime Transcription (CART) reporter for deaf or hard of hearing individuals, if appropriate.

The scheduler will contact the CIP for assistance in locating an interpreter.

Other:

b. Short Notice

When the court has no advanced notice that an interpreter or other accommodation is needed, in addition to the procedures listed in a):

The court's bilingual employee will be used to provide in-person interpreting services.

A bilingual advocate will be used to provide either in-person or remote interpreting services.

An individual from a local community organization will be used to provide either in-person or remote interpreting services.

An interpreter from a local hospital will be used to provide either in-person or remote interpreting services.

An individual from a local college will be used to provide either in-person or remote interpreting services.

Other:

c. Deaf Jurors

When a deaf or hard of hearing person receives a jury summons, the court has developed a process for facilitating communication with the individual prior to appearance, during voir dire, and jury service:

The juror summons form has instructions on how the deaf or hard of hearing individual can contact the court to request an accommodation.

The court will contact the deaf or hard of hearing individual to arrange an accommodation once the need is made known.

D. Tracking and Recording LEP Data

The clerk of court tracks the following information on LEP individuals within its service area:

- Language
- Who used the interpreting services
- Frequency of encounters with LEP individuals
- Types of cases where interpreters were used
- Interpreter hours
- Other:

The clerk of courts or other staff tracks and records LEP data:

- Daily
- Weekly
- Monthly
- Yearly

E. Training

To improve service to the public and in particular, LEP individuals, new and existing court staff:

- Receive training on local procedures for securing language assistance services.
- Receive training on how to use Zoom or other video conferencing platform to provide remote interpreting services.
- View "Walking the Line" training video available on CourtNet.
- Attend relevant trainings offered by the DSCO.
- Other:

F. Resources

The following resources developed by the DSCO's CIP or other entities are available to judges and/or court staff:

- "Working with Interpreters in Wisconsin Courts Bench Card for Judges."
- "Language Access Requirements in Wisconsin Courts Quick Tips for Schedulers and Court Staff." "A
- "Handbook for Court Interpreters Working in Teams."
- "Guidelines for recorded evidence and limited English proficiency (LEP)" reference document.
- "Best Practices for Interpreting for Multiple Limited English Proficient Individuals" reference document.
- Other:

Access the Director of State Court's roster of court interpreters at <https://www.wicourts.gov/services/interpreter/search.htm>

The effective date of this LAP is the **2** day of **JULY**, 20**24**. It supersedes any previous version(s).

By: 
MICHAEL P. SCIESZKA

Presiding Judge of Sauk County Circuit Court