

RENO JUSTICE COURT
WASHOE COUNTY NEVADA



Language Access Plan
July 29, 2024

I. LEGAL BASIS AND PURPOSE

This document serves as the plan for Reno Justice Court to help ensure meaningful access for all limited English proficient (LEP) individuals who use the court's services. It is designed to comply with Title VI of the Civil Rights Act of 1964, the requirements imposed by Executive Order 13166, and the interpreter services of the Nevada Revised Statute.

The purpose of this plan is to provide a framework for the provision of timely and reasonable language assistance to LEP individuals who come in contact with Reno Justice Court. It is designed to be read in conjunction with the Nevada State Court Plan and relevant federal laws and guidance.

In accordance with federal mandates and state requirements, this court and all its personnel shall provide free language assistance services to all LEP individuals upon request. Members of the public shall be informed that language assistance services are fully available, and that Reno Justice Court shall provide them.

Appellate and Trial Courts/Judicial Districts that receive federal funding for court programs are required to submit a language access plan to the Nevada Administrative Office of the Courts (AOC), Certified Court Interpreter Program office every two years. The U.S. Department of Justice (DOJ) has the right to investigate complaints against any federally funded agency that does not provide free language services when necessary to participate in the program. An agency's federal funding may be withheld until the complaint is resolved.

II. NEEDS ASSESSMENT

A. Statewide

Nevada provides court services to a wide range of individuals, including people who do not speak English or who have a limited knowledge and understanding of English. Service providers include the trial courts at the District, Justice and Municipal Court levels. The LEP population in our county/judicial district is determined by the US Census Bureau data updated every ten years. Changes in the LEP population should be monitored via mid-census estimates and projections from the American Community Survey will (ACS).

2020 US Census, Languages Spoken by Limited English Proficient (LEP) Individuals in Nevada

LANGUAGE	LEP POPULATION	PERCENT
Amharic and Somali	6,350	0.20%
Arabic	1,703	0.05%
Armenian	1,402	0.04%
Chinese	17,707	0.56%
French	1,571	0.05%
German	873	0.03%
Gujarati	488	0.02%
Hindi	545	0.02%
Italian	986	0.03%
Japanese	2,285	0.07%
Korean	5,495	0.17%
Other Indic Languages	812	0.03%
Other Indo-Euro. Languages	988	0.03%
Other Pacific Island Languages	2,766	0.09%
Other Slavic Languages	815	0.03%
Persian	2,062	0.07%
Polish	678	0.02%
Portuguese	1,275	0.04%
Punjabi	655	0.02%
Russian	1,773	0.06%
Serbo-Croatian	890	0.03%
Spanish	229,715	7.31%
Tagalog	23,678	0.75%
Thai and Laotian	3,594	0.11%
Vietnamese	5,753	0.18%
2021 Estimate of Total Population in NV: 3,143,991	314,859	10.01%

B. Reno Justice Court

Reno Justice Court will make every effort to provide service to all LEP individuals. However, the following list shows the non-English languages that are most frequently used in Washoe County.

1. Spanish
2. Tagalog
3. Mandarin/Cantonese
4. Vietnamese
5. Punjabi
6. American Sign Language

This information is based on input from the Interpreter Report collected through Reno Justice Court (RJC) case management system known as Odyssey. In compiling this information on local language needs, RJC consulted with the Language Bank of the Northern Nevada International Center, the Washoe County School District website, and interpreter coordinators from local courts to ensure the listing provided is an accurate representation of the community within Washoe County.

Reno Justice Court has identified the following additional languages that required assistance in Washoe County during Fiscal Year 2023-24:

- Marshallese
- Samoan
- Russian
- French Creole
- Amuzgo
- Chuukese

III. LANGUAGE ASSISTANCE RESOURCES

A. Interpreters Used in the Courtroom

The use of court interpreters (both sign language and non-English spoken language) is guided by the Nevada Revised Statute, Chapter 1 entitled “*Interpreters and Translators*”– NRS 1.500 through 1.560, respectively.

It is the law of Nevada to secure the constitutional rights of persons with, ‘limited English proficiency’ who are unable to readily understand or communicate the spoken English language and who consequently cannot be fully protected in legal proceedings unless qualified interpreters are available to assist them. See NRS 50.050 through 50.053. It is also the law of Nevada to secure the rights, constitutional or otherwise, of persons who, because of a non-English speaking cultural background, are unable to readily understand or communicate in the English language and who

consequently cannot be fully protected in legal proceedings unless qualified interpreters are available to assist them. See NRS 50.054.

If the current list of Nevada Certified and Registered Court Interpreters, maintained by the AOC, does not include an interpreter certified or registered in the language spoken by the LEP individual, the appointing authority shall assign a qualified interpreter who underwent a proper voir dire process.

Community resources may be of assistance in finding interpreters or translators. These include, but are not limited to, social services agencies, community groups and cultural centers, professional interpreting and translating agencies, college language departments, local hospitals, and schools. Courts understand that interpreters from these sources are not necessarily prepared to do court work, and interpreters will be questioned carefully about their qualifications. Court interpreters will be hired from the Nevada Certified Court Interpreter Program roster whenever possible.

1. Determining the Need for an Interpreter in the Courtroom

There are various ways that Reno Justice Court will determine whether a LEP court customer needs an interpreter for a court hearing.

Reno Justice Court displays signage translated into Nevada's most frequently used languages that states: *"Interpreter services are available at no cost. If you need an interpreter, please ask the Court for more information"*. Reno Justice Court has signage displays at the following locations: On the first floor and second floor customer service counters and on RJC digital display board.

First, the LEP individual may request an interpreter at various "points of contact" within the court, including, but not limited to:

- Customer Service Counters (1st Floor, 1 South Sierra)
- Customer Service Counters (2nd Floor, 1 South Sierra)

A LEP individual can request an interpreter in person on all civil matters by completing a "Request for Interpreter" form. This form is also included in the Small Claims Court packet, thus allowing an LEP individual to request an interpreter for mediation services. All requests are sent to the interpreter services coordinator and updated in Odyssey to ensure that interpreter services are available at the time of their hearing.

Second, court personnel and/or Judges may determine that an interpreter is appropriate for a court proceeding. Many people who need an interpreter will not request one because they do not realize that interpreters are available, or because they do not recognize the level of English proficiency or communication skills needed to understand the court proceeding. Therefore, when it appears that an individual has any difficulty communicating, the court administrator or judge should err on the side of providing an interpreter to ensure full access to the courts.

Finally, outside agencies such as the Department of Alternative Sentencing (DAS), District Attorney, Public Defender, Washoe County Sheriff and other criminal justice partners may notify the interpreter services coordinator about a LEP individual's need for interpretation services for an upcoming court hearing using the "Request for Interpreter" form.

If an LEP individual appears for a court hearing and the court was unaware of the need for an interpreter, the court clerk will contact the interpreter services coordinator to assess options. If a Spanish interpreter is needed, the court's certified court interpreter will assist. If the need is for a "language other than Spanish" (LOTS), the court clerk will place a call to the telephonic interpretation services provider to either conduct the hearing (i.e. traffic and arraignments which are short hearings) or to inform the LEP individual of his/her next court hearing; thus, providing the court enough time to schedule an in-person or VRI interpreter. This process also applies to sign language services except the court clerk will contact the "On Demand Video Remote Interpreting (VRI) Services" and not the telephonic provider.

Court clerks will flag the party in the case in Odyssey and email the interpreter services coordinator to make the arrangements for future appearances. By flagging the party designation of languages services, this designation will follow the individual in subsequent court hearings. This is done at any point in time in the case as all staff have the ability to add this flag.

The interpreter services coordinator generally schedules all interpreter assignments by Thursday for the following week. Additionally, the "Interpreter Schedule" is updated each evening before the end of the business day. The next day the "Interpreter Schedule" is provided to each department supervisor every day by 3:00 p.m. and is accessible to all Reno Justice Court employees through Odyssey.

Services provided

In-person interpreting

Spanish language cases are covered daily by the full-time certified court interpreter employed by RJC. When the staff interpreter is unavailable, the court contracts with independent contractors, certified in Spanish, to cover all Spanish language cases appearing in Reno Justice Court.

For cases that require an interpreter for languages other than Spanish (LOTS), preference is always given to certified or registered interpreters from the State roster. RJC also works with the Northern Nevada Language Bank to find qualified interpreters. The court also has directories of certified and registered interpreters from various neighboring states and keeps contact information for interpreters willing to travel to our jurisdiction. The interpreter services coordinator maintains a list of interpreters that have a signed independent contractor agreement (ICA) on file with Reno Justice Court.

Team interpreting is recommended for all lengthy proceedings and is an effective tool in the administration of justice. Interpreting is cognitively demanding and stressful. It requires that many mental processes occur simultaneously: the interpreter listens, analyzes, comprehends, and uses contextual clues to convert thought from one language to another to immediately render a reproduction in another language of each speaker's original utterances. In courtrooms

with imperfect acoustics, cramped seating, security issues, miscellaneous noise, mumbled diction, interruptions, tense litigation, and lawyers or clients who may need the interpreter at any moment for a private consultation, interpreters need to channel dozens of stimuli and effectively sort them to fulfill the task at hand. Even 30 to 60 minutes of continuous interpreting leads to significant processing fatigue. After a certain amount of time on task, an interpreter inevitably reaches a saturation point, at which time errors cannot be avoided because mental circuits get overloaded. Team interpreting is a quality control mechanism, implemented to preserve the accuracy of the interpretation process in any circumstance. Due to the mental demands of simultaneous interpretation, interpreters are encouraged to communicate with the presiding judge when breaks may be needed.

Remote Interpreting

Telephone and videoconference interpreting practices have been adopted at Reno Justice Court.

Remote Video Interpreting Assistance

Distance video interpreting, also known as video remote interpreting, is a process that allows interpreting services without the face-to-face interaction. Video remote interpreting uses videoconferencing technology and the internet and may be supplemented by telephone. This method of interpretation greatly increases a court's ability to provide interpretation in instances of rare dialects and LOTS.

Telephonic Interpretation Assistance

Federal law requires courts to provide qualified interpreters for non-English speakers to protect all parties' civil rights. Telephonic interpreting is one way to protect these rights and ensure equal access in instances where no in-person interpreter is available. RJC considers this alternative as a viable communication source for a LEP individual seeking the use of in-person and videoconference interpretation.

Telephone interpreting is best suited when:

- No certified, qualified, or language-skilled interpreter is available in-person or via videoconference.
- Protecting the interpreter's anonymity is necessary; and/or
- The proceedings are of short duration.

2. Court Interpreter Qualifications

Reno Justice Court hires interpreters for courtroom hearings in compliance with the rules and policies set forth in NRS 1.500 through 1.560, NRS 50.050 through 50.053, as well as the State Court Administrator Guidelines for the Nevada Certified Court Interpreter Program. The Nevada Certified Court Interpreter Program maintains a statewide roster of certified and registered court interpreters who have complied with mandatory requisites to provide specialized staff to the public at:

https://nvcourts.gov/aoc/programs_and_services/court_interpreter/search_for_an_interpreter

The following spoken languages have been offered for certification/registration in Nevada in 2024: Amharic, Arabic, Bosnian/Serbian/Croatian, Cantonese, French, Haitian Creole, Hmong, Khmer, Korean, Mandarin, Polish, Portuguese, Russian, Somali, Spanish, Tagalog (Filipino), Turkish, and Vietnamese.

Pursuant to these rules, a credentialed court interpreter (certified or registered), if available, should be the first choice for the court. When a diligent effort has been made to find a credentialed court interpreter and none is available, the court may appoint a non-credentialed court interpreter who is not listed on the statewide roster and who is otherwise qualified; however, the court must make a record of the efforts made to find a certified court interpreter. Whenever non-certified and non-registered interpreters are used in the courtroom, judges must inquire, on the record, as to the interpreter's skills, professional experience, and potential conflicts of interest (see the Bench card for Nevada Judiciary).

Reno Justice Court may also utilize telephone/video interpreting services in appropriate circumstances if no interpreters are available to assist in person. Telephone interpreting can be a good choice if the hearing is short, if the distance an interpreter will have to travel is long, or if an interpreter for a rare language is needed. A well-qualified interpreter hired to provide language services remotely is a better choice than a poorly qualified or non-credentialed local interpreter.

Bilingual court personnel who are not on the statewide roster are not to be used to interpret in court. Reno Justice Court employs a full-time certified court interpreter and has contracts with several independent contractors that are available to provide interpreting services. Any interpreter hired by the court should be a trained, neutral professional, not a family member or friend of the party, a social worker, lawyer, or law enforcement officer.

Even though bilingual court personnel do not interpret in court for criminal matters, their assistance in interpreting is sometimes necessary during mediation for civil matters. Mediation is conducted by Neighborhood Mediation Center which is a non-profit organization and the RJC provides an interpreter whether it is a credentialed interpreter or a qualified bilingual personnel. Since these mediation services are scheduled weeks in advance, the parties are asked to stipulate to utilizing trained and qualified bilingual court personnel only when necessary for mediation in order to allow participants timeliness for case resolution. These are not court hearings and therefore a certified interpreter is not required, although it is the best practice when available.

In 2016, Reno Justice Court provided the opportunity to several Spanish bilingual clerks to attend the court interpreter training at Truckee Meadows Community College (TMCC) to better understand the role of a court interpreter and to encourage them to become certified court interpreters. All bilingual Spanish speaking personnel at Reno Justice Court receive interpreter training on an ongoing basis through classes, in-house training, observation and interpreting practice under the supervision of the RJC Certified Court Interpreter.

Reno Justice Court's Certified Interpreter provides in-service staff training, as well as external presentations to the Northern Nevada Language Bank, AOC Orientation for Prospective Court Interpreters, NACCA regional training, to ensure a better understanding of the profession and to help encourage interpreters to become credentialed.

A. Spoken Language Services Outside of the Courtroom

Reno Justice Court is also responsible for taking reasonable steps to ensure that LEP individuals have meaningful access to language services outside the courtroom. LEP individuals may come in

contact with court personnel via phone, the website, front counter or other means. To that end, Reno Justice Court has the following resources to allow LEP individuals to communicate with court staff outside of the courtroom:

- RJC employs a full-time certified court interpreter (Spanish-speaking) to assist staff in communicating with LEP individuals outside of the courtroom who appear in person, via telephone, or by email. When the interpreter is in court, bilingual staff are available to assist LEP individuals.
- Reno Justice Court has a minimum of two bilingual clerks during normal business hours of 7:30 a.m. to 5:00 p.m. Monday through Friday to assist Spanish-speaking LEP individuals. As long as the assistance falls within their normal job functions and tasks within the court, they are available to assist LEPs in need of service. To ensure quality customer service, all bilingual clerks are regularly trained by a Certified Court Interpreter to use the correct Spanish verbiage. Bilingual clerks also participate in the Language Access Basic Training-Bilingual Skills Building Module offered online by the Nevada Administrative Office of the Courts and the New Mexico Language Access Center.
- For in-person encounters, as well as telephone conversations, Reno Justice Court uses Over-the-Phone Interpretation (OPI) service when interpreters are not immediately available. For this purpose, in 2016 Reno Justice Court contracted with ALTA Language Services. This company has more than 200 languages available on demand and is able to pre-schedule OPI/VRI services for languages of limited diffusion. In 2024, Reno Justice Court and ALTA Language Services updated their contract to include access to ALTA certified legal interpreters for all court matters.
- Reno Justice Court utilizes OPI services to facilitate interpretation needs. The civil, criminal and citation department counters, as well as the bailiff station on the second floor, have direct access to OPI services. Next to each telephone is an “I Speak” card so that an LEP individual can point to the language needed. All court employees have been trained to initiate calls and to effectively provide services through a telephonic interpreter. Reno Justice Court provides hands-on training, called “Language Access Tools in The Court,” to all employees to work with an interpreter using phone and Video Remote Interpreting (VRI).
- Reno Justice Court has also contracted with *ALTA Language Services* to provide on demand VRI services for ASL interpreters. This service is available through iPads at any front counter, as well as for mediations, short hearings, i.e. CAP Court, and in all courtrooms through big screens TVs.
- In 2016, RJC purchased simultaneous interpreting equipment. The equipment facilitates interpreting in the courtroom and has improved the dynamic in court when an interpreter is needed.
- Bilingual Employee Assistance
 - RJC has an internal phone list of existing bilingual employees who may aid LEP customers when necessary and when no staff person is available to provide that assistance in person;
 - RJC hires employees with foreign language reading, writing, and speaking skills;

- RJC provides monolingual and bilingual legal dictionaries to bilingual court staff who regularly interact with the public.
 - If bilingual staff express interest in furthering their Spanish skills and abilities, RJC assists them in acquiring any necessary certifications.
- Over the last few years, Reno Justice Court has worked diligently to provide resources to assist our employees in communicating with members of the public that are limited English proficient (LEP). As a result of these efforts, the court now has the ability to offer a myriad of language service options including, but not limited to, a certified interpreter for every step of an individual's encounter with the court including their initial appearance.

B. Translation of Documents and Signage

Reno Justice Court also evaluates the need for written materials routinely provided in English to be provided in regularly encountered languages other than English. It is important to ensure that vital documents are translated into the non-English language of each regularly encountered LEP group eligible to be served or likely to be affected by the program or activity. Currently the only required language that exceeds the 5% threshold is Spanish.

A document will be considered vital if it contains information that is critical for obtaining federal and/or state services and/or benefits or is required by law. Vital documents include, for example: applications; consent/and complaint forms; notices or admonishment of rights and disciplinary action; and notices advising LEP persons of the availability of free language assistance. Non-vital information includes documents that are not critical to access such benefits and services or if are not required by law; the extent of the obligation to provide written translations should be determined on a case- by-case basis, looking at the totality of the circumstances.

Reno Justice Court currently has the following forms translated into Spanish:

- Criminal Court Forms:
 - Counter Plea Waiver –Attorney
 - Counter Plea Waiver – Pro Per
 - Public Defender Application
 - Waiver of Constitutional Rights DUI- Proper Defendant
 - Waiver of Constitutional Rights DUI- Attorney
 - Waiver of Initial Appearance
 - Sober 24 Contract
 - Handbook for Specialty Court
 - Order to Attend (OTA)
 - Contractor's Board Waiver
 - Online Hearing request
 - Petition to Modify No Contact Order
- Civil Forms:
 - Small Claims Packet

- Mediation Instructions
 - Housing Court Instructions
 - Request for Participation in Housing Court
- Traffic Court Forms
 - Citations/Traffic Court Sessions Instructions
 - Motion to Plead Guilty
 - Traffic School Instructions
 - Community Service Form
- Reno Justice Court shows defendant rights videos for citation and criminal matters. The videos have been translated into Spanish by our Certified Court Interpreter and include closed captioning for the hearing impaired.
 - Reno Justice Court contracts the services of a Certified Deaf Interpreter to work with an ASL interpreter for courtroom proceedings to ensure the greatest language access to deaf individuals needing additional services.
 - Reno Justice Court also provides video remote interpreting (VRI) and in-person ASL interpreters for deaf individuals in all court proceedings.
 - Reno Justice Court continually works to translate all basic court forms into Spanish on an ongoing basis as forms are changed, updated, or newly created.
 - The Certified Interpreter attends meetings regarding the translation of court forms to maintain compliance with State guidelines.
 - Reno Justice Court has signs indicating to LEP persons that interpretation services are available to them and that they are free of charge. This notice is provided in 5 different languages from the Nevada Administrative Office of the Courts (AOC). The signs are posted in intake areas and other entry points.

IV. PUBLIC INPUT

A copy of this LAP is posted on this Court's website: www.washoecounty.us/rjc/. A copy of this LAP will be maintained on file for public review. Hard copies of state and local language access plans may be available to the public upon request. Complaints regarding language access services (including, but not limited to, in-person interpreter services, telephonic and video remote interpreter services, translation of written materials, and bilingual staff services) may be brought to the attention of the Court administrator and/or to the Nevada State Court Administrator for review. Complaints about interpreters who have allegedly engaged in unethical or unprofessional conduct in the course of performing their interpreter duties should be reported directly to the following:

James Conway | Court Administrator | Reno Justice Court
JConway@washoecounty.gov | Office: 775-325-6543
1 South Sierra Street, Reno, NV 89501|www.washoecounty.gov/rjc/

V. TRAINING

Local courts are committed to providing training opportunities for all judicial and court staff members who come in contact with LEP individuals. Frontline staff members are often the first point of contact with LEP individuals. Deputy clerks and judicial assistants will be provided with training opportunities regarding ways to identify limited English proficiency, best practices on delivering services and cultural issues. As new employees are hired, information on the Language Access Plan will be provided to them.

Training opportunities specifically provided in Reno Justice Court include:

- Employee presentations about Language Access Basic Training (LAB Training) are provided by the RJC Certified Interpreter. This is mandatory training for all employees, including supervisors.
- In-service training regarding utilization of technology in the courtroom as well as at the customer service counters including VRI/ telephonic interpretations.
- New employee orientation includes information about the Language Access Plan and employees are instructed on how to access available resources for LEPs.
- Yearly webinars/workshops are provided to court staff (e.g., “The Role of The Interpreter in The Legal System”) so employees have the opportunity to learn and engage in statewide education.
- In 2020 all bilingual personnel participated on a live Spanish interpretation test provided by ALTA Language Services to determine their different skills level. The clerk with the best score was afforded the opportunity to attend a Spanish-English Legal Interpretation class and she is now going through the process to become Court Certified.
- Reno Justice Court staff have received training to access the Nevada State Certified Interpreters roster, interpreter contact information, RJC contracts, and instructions regarding utilization of VRI and telephonic services.

VI. PUBLIC NOTIFICATION AND EVALUATION OF LAP PLAN

A. LAP Approval and Notification

Reno Justice Court’s LAP has been approved by the Court Administrator and a copy has been forwarded to the Nevada AOC, Court Interpreter Program Coordinator. Any revisions to the plan will be submitted to the Court Administrator for approval, and then forwarded to the Nevada AOC, Certified Court Interpreter Program Coordinator.

Copies of Reno Justice Court’s LAP will be provided upon request. Furthermore, Reno Justice Court will post this plan on its website: https://www.washoecounty.gov/rjc/files/misc/language_access_plan_2022.pdf and the AOC’s website.

B. Annual Evaluation of the LAP Plan

Reno Justice Court will conduct an annual needs assessment to determine whether changes to the LAP are needed. This assessment may be done by tracking the number of interpreters requested by language in the courts, or by other methods. Any revisions made to the plan will be communicated to all court personnel, and an updated version of the plan will be posted on the court’s website. Additionally, it will be posted on the AOC’s public website.

This Language Access Plan was approved by presiding judge Ryan Sullivan and filed with the State Court Administrator’s office.

VII. LOCAL CONTACT PERSON

State Contact:

Court Interpreter Program Coordinator
Nevada Supreme Court
Administrative Office of the Courts
201 S. Carson Street, Suite 250
Carson City, Nevada 89701
Phone: (775) 687-9806
Email: courtinterpreters@nvcourts.nv.gov

Local Contact:

Natalia Cardillo
Court Interpreter/Interpreter Services Coordinator
Reno Justice Court 1 S. Sierra St.
Reno, Nevada 89501
Email: ncardillo@washoecounty.gov
Direct Ph. # Line: (775) 325-6639

The effective date of this Language Access Plan is July 29, 2024.