

FILED

JUN 30 2023

**TINA E. LARGE, CLERK
CHILLICOTHE MUNICIPAL COURT
CHILLICOTHE, OHIO**

**CHILLICOTHE MUNICIPAL COURT
LANGUAGE ACCESS PLAN
EFFECTIVE JULY 01, 2023**

I. LEGAL BASIS AND PURPOSE

This document serves as the Language Access Plan (“LAP”) for Chillicothe Municipal Court to provide services to limited English proficient (“LEP”) individuals in compliance with Title VI of the Civil Rights Act of 1964; 45 C.F.R. § 80 et seq; and 28 C.F.R. § 42 et seq. 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 Chillicothe Municipal Court.

This LAP is developed to ensure equal access to court services for LEP persons and persons who are deaf or hard of hearing. Although deaf and hard of hearing individuals are covered under the Americans with Disabilities Act (ADA) rather than Title VI of the Civil Rights Act, they have been included in this plan to ensure access to justice and equal protection under the law.

II. NEEDS ASSESSMENT

The Chillicothe Municipal Court will make every effort to provide services to all LEP and deaf or hard- of-hearing persons in its jurisdiction. The most commonly used languages in Chillicothe Municipal Court are the following:

- Spanish

III. LANGUAGE ASSISTANCE RESOURCES

A. Language Access Coordinator

The Chillicothe Municipal Court designates the clerk/court administrator as the Language Access Coordinator. The Language Access Coordinator, along with the Administrative Judge, will assist in ensuring that language services are delivered by the court in accordance with this plan and the Rules of Superintendence for the Courts of Ohio, Rules 80–89.

B. Interpreters Used in the Courts

Under Ohio law and Supreme Court rules, there are two different instances in which a court must provide an interpreter: in a case or court function (see Sup.R. 80) and in connection with ancillary services (see Sup.R. 89). This distinction is important because the type of interpreter to be provided and the court's responsibilities differ depending on the specific situation.

The Court will provide an interpreter at court expense in all instances required by law, rule of court, or as necessary to ensure effective communication for court parties, witnesses, or jurors.

IV. USE OF INTERPRETERS

A. Determining the Need for an Interpreter

There are various ways that the Chillicothe Municipal Court will determine whether an LEP or deaf or hard-of-hearing person needs the services of a court interpreter. First, the LEP or deaf or hard-of-hearing person may request an interpreter.

Second, court personnel and judges may determine that an interpreter is necessary for the meaningful participation of a party or witness. Many people who need an interpreter will not request one because they do not realize that interpreters are available, they mistakenly think they will have to pay for the interpreter, 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 staff, judge, or magistrate must provide an interpreter to ensure full access to the court. See Sup.R. 88(A)(2), (B)(1)(b). In legal proceedings, judges and magistrates must decide, on the record, whether an interpreter is needed. In court functions and ancillary services, designated staff may decide whether an interpreter is needed.

Third, once a party or a witness has been identified as an LEP or deaf or hard-of-hearing individual, the court will exercise every effort to appoint interpreters in all future related proceedings or court functions. Furthermore, the court will follow the requirements of Sup.R. 88 to appoint an interpreter (see Section C below). If no in-person interpreter is available at the given instance, the court will grant a continuance or if possible and appropriate, in accordance with Sup.R. 88, Appendix J, use the services of a telephonic interpreter.

B. Appointment of a Court Interpreter

The Chillicothe Municipal Court will appoint in-person and telephonic court interpreters in accordance with all criteria set forth in Sup.R. 88 and will ensure that certified court interpreters are used whenever reasonably available.

Pursuant to Sup.R. 88(C), the Chillicothe Municipal Court will make all reasonable efforts to avoid appointing foreign language interpreters or sign language interpreters if they are compensated by a business owned or controlled by a party or a witness; friend or a family or household member of a party or witness; a potential witness; court personnel employed for a purpose other than

interpreting; law enforcement officer or probation department personnel; or would not serve to protect a party's rights or ensure the integrity of the proceedings or have a conflict of interest, real or perceived.

C. Language Services Outside the Courtroom

In accordance with Sup.R. 89, the Chillicothe Municipal Court shall ensure that LEP individuals and individuals who are deaf or hard of hearing have meaningful access to ancillary services outside the courtroom. LEP individuals and individuals who are deaf or hard of hearing may come in contact with court personnel via the phone, counter, or other means. The Chillicothe Municipal Court has the following resources to assist LEP individuals and individuals who are deaf or hard of hearing:

- When a court staff member does not know what language the person is speaking, refer to an "I Speak" Language Identification Guide which is available in 63 languages. The Language Access Coordinator is responsible for distributing cards to all staff and to any new staff.
- In order to meet the needs of those who speak less-common languages, court staff may rely on telephonic interpretation or relay services to bridge communication.

V. TRANSLATED FORMS AND DOCUMENTS

Ohio courts understand the importance of translating forms and documents so that LEP individuals have greater access to the courts' services.

The Chillicothe Municipal Court currently has the following forms translated into commonly used languages:

Spanish: Explanation of rights and pleas

When interpreters are hired for hearings, interpreters are expected to provide sight translations for corresponding documentation to LEP individuals. Additionally, the Supreme Court of Ohio has translated a number of court forms into various languages: Arabic, Chinese, Russian, Somali and Spanish. These are posted on the Supreme Court of Ohio website and are available to all courts. (www.supremecourt.ohio.gov/forms/all-forms/protection-order/2)

VI. COMPLAINT PROCESS

The Chillicothe Municipal Court will ensure that all LEP individuals and individuals who are deaf or hard of hearing receive language assistance services in their primary language. To promptly address any concerns that an LEP person or an individual who is deaf or hard of hearing did not receive language assistance, the Supreme Court of Ohio has developed a process for handling such complaints.

Chillicothe Municipal Court employees will also provide information on this complaint process to LEP individuals or individuals who are deaf or hard of hearing upon request or if an LEP/deaf or hard-of-hearing individual voices concern about the lack of language access services or the quality of services that were provided.

In addition to the Supreme Court's complaint process, the Chillicothe Municipal Court has developed a local complaint resolution process as well. If the Language Access Coordinator receives a language access complaint, s/he will document receipt of the complaint and provide information about it to the individual who supervises the affected employee(s). Once the supervisor or monitor receives notice of a language access complaint, s/he will take prompt action to review, investigate and respond to its allegations. The Language Access Coordinator will also notify the Supreme Court of Ohio manager of the Language Services Section of such complaint.

The Chillicothe Municipal Court will display a sign translated into Ohio's 12 most frequently used languages which states:

If you are limited English proficient, you have the right to a court-appointed interpreter. To request one please contact the person or number below:

Clerk/Court Administrator (740)-773-3515

If you are not provided an interpreter, call the Supreme Court of Ohio complaint line at 1.888.317.3177

VII. PUBLIC NOTIFICATION AND EVALUATION OF LAP

A. LAP Approval

The Chillicothe Municipal Court LAP has been approved by the Judges of the court. Any future revisions to the plan will be submitted to the Judges for approval. Copies of the Chillicothe Municipal Court LAP will be distributed to all court staff by the Language Access Coordinator.

B. Notification

The Language Access Coordinator will ensure that any new staff receives a copy of the plan. Copies of the Chillicothe Municipal Court LAP will be provided to the public upon request. In addition, the Chillicothe Municipal Court will post this plan on its website.

C. Evaluation of the LAP

The Language Access Coordinator will review this plan on an annual basis and make changes based on the review. The evaluation will include review of any complaints received, identification of any problem areas, development of required corrective action strategies, and input from court staff.

VIII. HELPFUL RESOURCES

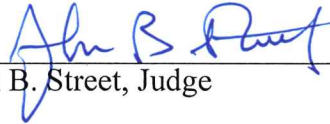
- Federal interagency website about language access- LEP.GOV
- American Bar Association Standards for Language Access in Courts, February 2012
- Department of Justice Language Access Planning
- Supreme Court of Ohio's Language Services Section

IX. LAP JUDGE APPROVAL

This LAP was reviewed and approved by:



Toni L. Eddy, Judge
Administrative & Presiding Judge



John B. Street, Judge

X. EFFECTIVE DATE

July 01, 2023



If you are limited English proficient, you have the right to a court-appointed interpreter. To request one please contact the person or number below:



CLERK/COURT ADMINISTRATOR 740-773-3515, EXT. 116

영어 사용에 제한이 있으신 경우, 귀하께는 법원에서 지정하는 통역사를 이용할 수 있는 권리가 있습니다. 통역사를 원하시는 경우, 위에 나와 있는 담당자 또는 번호로 연락하시기 바랍니다. 통역사가 지원되지 않는 경우, 오하이오주 대법원에 이의제기 라인(1.888.317.3177)으로 연락하십시오.

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call the Supreme Court of Ohio complaint line at **1.888.317.3177**.

