



WHAT YOU NEED TO KNOW ABOUT
LANGUAGE ACCESS SERVICES

N.C. MAGISTRATES' FALL CONFERENCE - OCTOBER 2020

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Magistrates are the gateway to our justice system and can have a profound impact on efficiency!




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OLAS IS HERE FOR YOU. . .

The NCAOC Office of Language Access Services (OLAS) helps facilitate equal access to justice for limited-English proficient individuals (LEP) in our court system by:

- o Developing **Standards for Language Access Services in North Carolina State Courts** for the provision and efficient use of language access services
- o Ensuring the provision of **proficient and ethical** foreign language court interpreters to the North Carolina courts
- o **Administering court interpreter training and certification testing** provided by the National Center for State Courts
- o Providing **support and guidance** for questions, concerns and issues involving interpreting and translating services

Email: OLAS@nccourts.org; Phone: 919-890-1407



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COVERED COURT PROCEEDINGS – FULL EXPANSION

- **Magistrates** - All civil and criminal proceedings before the magistrate, including marriages
- **Clerks** - All proceedings before the clerk of superior court, including estates, foreclosures, name changes, and other proceedings
- **District Court** - All criminal and civil court proceedings
- **Superior Court** - All criminal and civil court proceedings

THIS MEANS: All limited English proficient (LEP) parties in interest **must** be provided an AOC interpreter **at no cost to the party.**



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EQUAL ACCESS TO JUSTICE



Using a properly trained court interpreter ensures full and fair participation and facilitates equal access to justice for Limited English Proficient (LEP) individuals in the North Carolina court system.

Equally important is . . .



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. . . THE ADMINISTRATION OF JUSTICE

The Court's own interests in ensuring effective communication and protecting the integrity of evidence that comes into the record or is presented before the court. Our courts should appear just and well-managed. Ensuring effective language access promotes court efficiency.



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WHAT ARE LANGUAGE ACCESS SERVICES?

The full spectrum of language services available to provide meaningful access to court proceedings and court operations for LEP individuals, including, but not limited to, in-person interpreting services, telephonic and video remote interpreting services, translation of written materials, and the use of bilingual staff.



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LANGUAGE ACCESS SERVICES

In-person interpreting for court proceedings	Staff court interpreters in 9 counties: <i>Atamance, Buncombe, Chatham, Durham, Forsyth, Guilford, Mecklenburg, Orange and Wake</i> Contract court interpreters
Telephone interpreting service Current vendor: Telelanguage, Inc.	Use by magistrates for initial appearances, public access, and brief, non-evidentiary matters Use by district court for first appearances and brief routine matters Use by district attorneys, public defenders, public access areas in clerks' offices, child custody mediation, and family court offices
Translation	Court forms and vital court documents
Transcription - translation	Audio/visual evidence for district attorneys and public defenders or assigned counsel Court interpreters are prohibited by their ethics from interpreting audio/visual recordings; all audio/visual recordings must be transcribed and translated <i>prior to the court proceeding</i>
NEW!! Video Remote Interpreting (VRI) Access to RID-certified Sign Language Interpreters Current vendor: Telelanguage, Inc.	Available for public access needs, initial appearances, and brief, non-evidentiary matters for deaf individuals who understand and communicate via sign language. VRI is not to be used for spoken foreign languages.



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AOC BILINGUAL FORMS

NOBLESSE CAROLINA
JETSOU LAAS BIRANCI

Courts Help Topics Services Forms Court Dates Contact [Going to Court](#)

Q Search...

Contains
search keyword or form #...

Subject
-Any-

Language
 - Any -
 English
 Español
 Tiếng Việt

Select Spanish or Vietnamese



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TELEPHONE INTERPRETING FOR MAGISTRATES

- Criminal court proceedings
- Responding to public inquiries
- Brief non-evidentiary matters in Small Claims Court*

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WHAT DO I NEED TO USE THE TELEPHONE INTERPRETING SERVICE?

- **User Guide**
- **'I Speak...' Resource**
- **Access Code**

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VIDEO REMOTE INTERPRETING (VRI) FOR SIGN LANGUAGE INTERPRETERS

- Criminal court proceedings
- Responding to public inquiries
- Brief non-evidentiary matters in Small Claims Court*

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WHAT DO I NEED TO USE THE VIDEO REMOTE INTERPRETING SERVICE?

Credentials are assigned per NCAOC user by the current vendor, Telelanguage, Inc.

Need Credentials?

- Complete Excel spreadsheet for users in your office;
- Email spreadsheet to OLAS@nccourts.org;
- OLAS will send spreadsheet to vendor for assignment of credentials;
- OLAS will distribute credentials upon receipt from vendor

- User Guide
- Access Code
- Credentials



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SAMPLE EXCEL SPREADSHEET

Telelanguage, Inc. - Access to Video Remote On-Demand Sign Language Interpreters

COUNTY	OFFICE*	nccourts.org email Address of Staff Who Need Access
	Magistrate	

* Magistrate's Office, Judicial Offices, Clerk's Office, Family Court Office (if applicable), Child Custody Mediation Office, District Attorney's Office, Public Defender's Office (if applicable).



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THE COURT INTERPRETER'S ROLE

- To provide equal access to justice and court proceedings by linguistically *placing the LEP individual in the same position as an English speaker.*
- Equal access does not mean better access.



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WHAT MUST A COURT INTERPRETER DO?

- Render everything said in court from the source language into the target language
- Accurately without any distortion of meaning
- Without omissions
- Without additions
- Without changes to style or register
- With as little delay or interference as possible . . .
- While speaking and listening for the next chunk of language; and
- Monitoring their own output

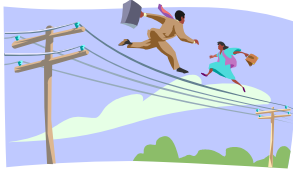


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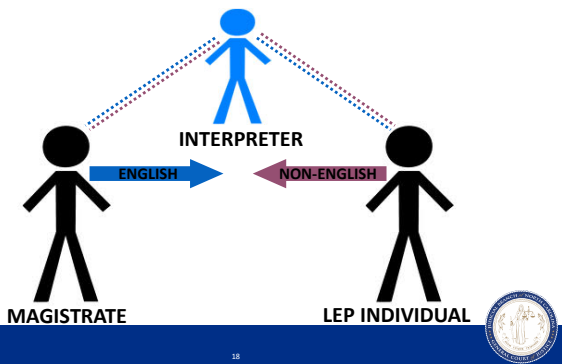
THE INTERPRETER IS A . . .

Neutral Language Conduit



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THE INTERPRETER'S JOB IS NOT . . .

-  To explain anything to anyone
-  To fill out forms
-  To be an advocate




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WHEN USING AN INTERPRETER. . .

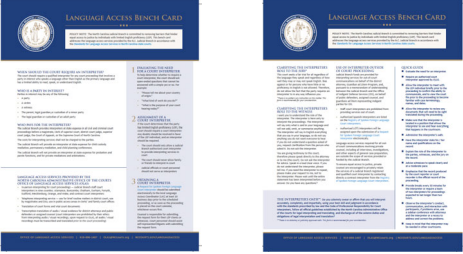

- Speak to the LEP person directly, not in the third person
- Remember to speak clearly and allow adequate time for the interpreter to interpret fully
- Do not ask the interpreter to have a conversation with the LEP individual or explain anything
- Do not ask the interpreter what he thinks a defendant or witness understands



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LANGUAGE ACCESS BENCH CARD

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PROPERLY TRAINED COURT INTERPRETER VS. BILINGUAL PERSON

- Do not allow bilingual law enforcement officers or other untrained bilingual individuals to **serve as interpreters** for LEP people who come before you.
- Why?



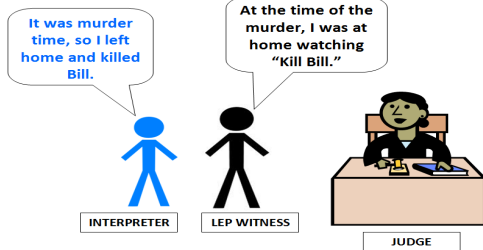
1. Avoid any appearance of partiality or conflict of interest
2. Ensure the use of qualified, skilled interpreters
3. Ensure full and fair participation



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UNQUALIFIED INTERPRETERS



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ASSESSING A PERSON'S NEED FOR A COURT INTERPRETER

- The language of courtroom proceedings is far more complex than the linguistic interactions of every day conversation.
- The level of English proficiency required to **meaningfully** participate in a legal setting requires Cognitive Academic Language Proficiency (CALP) obtained from formal education and years of exposure.
- Be aware that the heightened anxiety of being in a court room diminishes a speaker's ability to comprehend and communicate in the second language.
- Always **err on the side of caution** and ensure a qualified court interpreter is provided for LEP individuals in all covered court proceedings.




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OBTAINING SPOKEN FOREIGN LANGUAGE COURT INTERPRETERS FOR PROCEEDINGS. . .

<div style="background-color: #4a86e8; color: white; padding: 5px; border-radius: 5px; margin-bottom: 10px;">Spanish Language Court Interpreters</div> <div style="background-color: #d9e1f2; padding: 5px; border-radius: 5px; margin-bottom: 10px;">Identify the language access needs of cases as early as possible before the court date (See Indicators)</div> <div style="background-color: #d9e1f2; padding: 5px; border-radius: 5px;">Submit a Request for Spoken Foreign Language Court Interpreter to the local Language Access Coordinator (LAC)</div>	<div style="background-color: #4a86e8; color: white; padding: 5px; border-radius: 5px; margin-bottom: 10px;">LOTS Court Interpreters</div> <div style="background-color: #d9e1f2; padding: 5px; border-radius: 5px; margin-bottom: 10px;">Identify the language access needs of cases as early as possible before the court date (See Indicators)</div> <div style="background-color: #d9e1f2; padding: 5px; border-radius: 5px;">Submit a Request for Spoken Foreign Language Court Interpreter to the local Language Access Coordinator (LAC)</div>
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REQUESTS ARE RECEIVED BY THE DESIGNATED LANGUAGE ACCESS COORDINATOR (LAC)

- **Since October 19, 2015**, all Spanish language court interpreters must be scheduled by the LAC in order to be paid for services rendered in AOC-covered matters
- LACs shall schedule court interpreters upon receipt and evaluation of a completed *Request for Spoken Foreign Language Court Interpreter*

Have a question or need to make a change to a request already submitted? Contact the LAC via email using email address convention of [CountyName.Interpreter@nccourts.org](#), i.e., [Wake.Interpreter@nccourts.org](#)




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LANGUAGE ACCESS ACCOMMODATIONS FOR DEAF AND HARD OF HEARING INDIVIDUALS

- The governing legal requirements for ADA accommodations:
 - NCGS Chapter 8B, and
 - Title II of the federal Americans with Disabilities Act (ADA)
- **Bottom line:** Courts are required to appoint a qualified (licensed) interpreter for any deaf or hard of hearing party or witness in any proceeding, including juvenile proceedings, special proceedings, and proceedings before the court.
- [Disability Access](#)
- [Guidelines for Accommodating Persons Who are Deaf or Hard of Hearing in the Courts](#)



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LANGUAGE ACCESS ACCOMMODATIONS FOR DEAF OR HARD OF HEARING INDIVIDUALS

Scheduling ADA accommodations is a local court function. Requests should be submitted by:

- o Contacting the designated Disability Access Coordinator (DAC), if applicable (spreadsheet available [online](#)); or
- o If no designated DAC, consulting the clerk's office to request appropriate services.
- o **Applicable AOC Form:** **AOC-G-116** includes Motion, Order of Appointment, Certification and Order Authorizing Payment. Certified copy of this form shall be submitted by the clerk to NCAOC for payment to the interpreter.

Complaints or other ADA accommodations questions? Contact the NCAOC Disability Access Coordinator, Lori C. Cole, at Lori.C.Cole@nccourts.org



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INTERPRETER INDICATORS

- Implemented May 2013 – eCITATION, NCAWARE, ACIS, CCIS-CC, CCIS-DA, CCIS-PD, VCAP, and JWIS
- Used to indicate spoken foreign language interpreting services and sign language interpreting services for the deaf and hard of hearing
- **Interpreter Used** – Yes (Y) or No (N or blank)
- **Interpreter Needed** – Specify Language
- **Guide to Interpreter Language Needed and Interpreter Used Indicators**



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LANGUAGE CODES

Spanish	spa	Farsi (Persian)	pes	Muong (Montagnard)	mng
Vietnamese	vie	Gujarati	gaj	Nepali	nep
Russian	rus	Haitian Creole	hat	Pushto (Pashto)	pbt
French	fra	Hakka (Chinese)	hak	Polish	pol
Mandarin (Chinese)	cmn	Hausa	hau	Punjabi (Panjabi, Panjab)	pan
Arabic	arb	Hindi	hin	Rhade (Montagnard)	rad
Portuguese	por	Hindko	hnd	Serbian	srp
Korean	kor	Igbo (Ibo)	ibo	Swahili	swh
Hmong	hvj	Indonesian	ind	Tagalog	tgl
Burmese	mya	Japanese	jpn	Thai	tha
Amharic	amh	Jarai (Montagnard)	jra	Tigrinya	tir
Bosnian	bos	Karen (Karen Languages)	kar	Urdu	urd
Bu Nong (Montagnard)	cmo	Khmer (Cambodian)	khm	American Sign Language	ase
Cantonese (Chinese)	yue	Krahn	kro	Undetermined	und
Chatino	chy	Kru (Kru Languages)	kru	Other	999
Chaukese	chk	Lao	lao		
Czech	ces	Marshallese	mah		



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VCAP

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YONG 10200010000 YONG
NC AHC CIS CIVIL CASE PROCESSING SYSTEM 03/22/13 09:41:32
WARNING CASE WISE DETAILS
13 CVD 10000 DOE,JOHN VS RYLAND,MANDY
ACTION CODE: 19777 FILE NUM: 13 CVD 012000
INTERPRETER NEEDED: SPANISH USED: Y
CASE INTENTION CLOCK OF: 00:00:00 JURY REQUESTED: N (Y,N)
ELIGIBLE FOR MEDIATED SETTLEMENT CONFERENCE: N (Y,N)
ELIGIBLE FOR CUSTODY/MEDIATION: N (Y,N)
ELIGIBLE FOR MEDIATION: N (Y,N)
CALENDAR DATE: 04/01/13 TRIAL TIME: 1000 N (A,P,N)
LOCATION: CTRM COURTROOM A
NOTES:
CASE INTENTION:
FILE NUM CHANGE REQUEST: N (Y,N) NEW FILE NUM:
CASE INDEXED IN ERROR, DELETE CASE: N (Y,N)
PRESIDING OFFICIAL ID:
PRESIDING OFFICIAL NAME:
GENERATED RECORD UPDATED SUCCESSFULLY
?|=HELP 3=EXIT 4=PRINT 5=REFRESH 6=LIST 9=HOLD 11=UNDO 12=CANCEL
```



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NCAWARE

NORTH CAROLINA COURT INFORMATION SYSTEM March 18, 2013 2:10 PM

File Number: JOHNSTON - 131MP00165 (INCOMPLETE) - MAGISTRATE ORDER BASED ON GENERAL CITATION

Defendant Name:

Enter Court Information and click Edit when completed.

- * Courtroom: 0002 - SMITHFIELD
- * Court Date: 04/18/2013 | mm/dd/yyyy Today
- * Court Session: AM PM NC
- * Court Time: 09 : 00
- * Court Type: DISTRICT COURT
- Interpreter Needed: SPANISH
- Interpreter Used:

[Edit] [Refresh] [Cancel]

Interpreter selections are made.



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NCAWARE – SUBSEQUENT DISPLAY

NORTH CAROLINA COURT INFORMATION SYSTEM March 18, 2013 2:10 PM

File Number: JOHNSTON - 131MP00165 (INCOMPLETE) - MAGISTRATE ORDER BASED ON GENERAL CITATION

Defendant Name:

Defendant	Offense	Citation	Complainant	Witness	Court Info
County Courthouse: JOHNSTON COUNTY COURTHOUSE					
Courthouse: 0002 - SMITHFIELD					
Courthouse Address: 207 E JOHNSTON ST, SMITHFIELD, NC 27377					
Court Date: 04/18/2013					
Court Time: 09:00 AM					
Court Type: DISTRICT COURT					
Interpreter Needed: SPANISH					
Interpreter Used: YES					

[Edit Court Info] [Duplicate Process] [Print Process] [Cancel]

Interpreter selections display in tab view.



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ACIS

500 JOHNSTON
DISPOSED
CITATION
R 5 DOB
IF CIT# #: 4382372
INFRACTIONS INDEX 01 051F 005636
FILM:
K F
HEARING DATE: 01/08/2016 AM
SPA
NC
FILING DATE: 01/08/2016
070 IN 55 ZONE
CHRG OFFN: 1 SPEEDING
COMPLAINNT: BRAGGELL, D
OFFENSE TIME: 11:50 PM
AGENCY: SHP
OFFICER #: 1540
ISSUED: 092206
SERVED: 092206
CONT. D: 01:51:00 U: 00 M: 00 [INT? : Y]
DISP DATE: 01/08/2016
FILE VER MOD PEN. 1001 MCC JUDGE J. SATIUF TO BE SATISF.
RL RS JU \$ \$ 110.00 YES
RESP. OFFENSE: 1 IMPROPER EQUIP - SPEEDOMETER
AREA CODE: 04 ACCIDENT: N HAV: NC50 V.LIC: V98392 V.ST: NC V.TYPE: PU
TROOP: C DIST.: 6 WITHORAN: APPEALED TO: SUPERIOR:
COL: N CMY: N HR2: N TRANSFER TO SUPERIOR: APPELLATE:
NEXT: _ PF2 - NAME INQUIRY ADDL CHARGES:
Ready Printing [DEL] [COPY] [RECALL] [RECALL] [COPY] [COPY] [NEXT] [GO] [DUP] [2:08:04 PM]

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CRIMINAL CALENDAR

NO.	FILE NUMBER	DEFENDANT NAME	COMPLAINANT	ATTORNEY	CONT.
1	07C-102137	ADAMS, ALEX, ALLEN GERMAN 077/146	NICOLOSI, D, J	FPD	VER: 8972254
			PLEA:		JUDGMENT:
			CLS: 2 F: Y		
			(F) FAIL TO NOTIFY DMV ADDR CHANGE		VER: 8972254
			CLS: 2 F: L1		JUDGMENT:
2	13C-100330	GONZALES, PEDRO SERRER (M) FEMALE OR A FEMALE	SUNES, ROBBIE FELNER	FPD	VER:
			PLEA:		JUDGMENT:
			CLS: 23 F: Y		
3	08CS 054544	HOOKS, EDWARD ALLEN WOOD: \$5,000 SEC	WATSON, M, D	FPD	VER:
			PLEA:		JUDGMENT:
			CLS: R F: L1		
			(F) POSS CS PRISON/JAIL PREMISES		VER:
			CLS: 8 F: L1		JUDGMENT:
			(F) POSSESSION OF FIREARM BY FELON		VER:
			CLS: 0 F: L1		JUDGMENT:
4	13CS-100051	JENNINGS, JOHN AMERICAN SIGN LANGUAGE	HANLON, STEVE	SPF	VER:
			(M) POSSESS RE-CLASSIFIED		JUDGMENT:
			CLS: 3 F: L1		

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LANGUAGE ACCESS COMPLAINTS OR CONCERNS

NORTH CAROLINA JUDICIAL DEPARTMENT
COMPLAINTS OR CONCERNS
ABOUT FOREIGN LANGUAGE ACCESS SERVICES
QUEJAS O PREOCUPACIONES SOBRE EL ACCESO
SERVICIOS DE ACCESO A LENGUAJES EXTRANJEROS
Si usted habla español como su idioma principal, por favor consulte esta página en español.

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FINAL THOUGHTS



Language access services ensure *full and fair participation* and provides *equal access* to justice for LEP individuals



Language access services help get you the *information you need* to make decisions



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THANK YOU

Office of Language Access Services
OLAS@nccourts.org; 919-890-1407

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