

12-19-24 P.7

FILED
Marilyn Burgess
District Clerk

**HARRIS COUNTY DISTRICT COURTS & COUNTY
COURTS AT LAW LANGUAGE ACCESS PLAN**

DEC 19 2024

Time: 1:07 PM
Harris County, Texas

By Angellia Dozier

I. PURPOSE AND LEGAL FOUNDATION

This Language Access Plan (LAP) provides a framework for providing notice of the availability of and access to accurate, timely, and effective language assistance services for all limited English proficient (LEP) individuals. LEP individuals include parties, witnesses, victims, parents or guardians of minors, and other individuals participating in proceedings, programs, and services operated by the Harris County Courts (the Courts). The Courts will provide meaningful access to LEP individuals in the form of Language Assistance Services (LAS) at no cost, subject to the appropriation of funds and resources by the County.

The Harris County Courts adopt this plan to provide LEP individuals LAS in a manner that complies with Title VI of the Civil Rights Act of 1964¹ (Title VI), its implementing regulations, state statutes, and the Texas Constitution. To the extent funding and resources are made available, the Harris County Courts are committed to prioritizing, creating, and/or expanding the availability of LAS to LEP participants in criminal, civil, family, and juvenile court proceedings. The Courts are also dedicated to ensuring that everyone has equal access to justice. Accordingly, this LAP enables the delivery of culturally sensitive LAS tailored to diverse communities while upholding due process requirements.

II. IMPORTANT TERMS

- **Limited English Proficient (LEP)** – describes individuals who do not speak English as their primary language and have a limited ability to read, speak, write, or understand English. Designation as LEP is also context-specific, given that someone may possess sufficient English language skills to function in one setting (e.g., conversing in English during common social interactions and daily activities), but these skills may be inadequate in other settings (e.g., addressing court proceedings). The English proficiency needed in legal settings is much higher than most people need in typical daily encounters, which is why legal information and court proceedings can be difficult even for many native English speakers to understand, and why people who know some English often need language assistance services in court.
- **Language Assistance Services (LAS)** — oral and written language services used to provide LEP individuals meaningful access to and an opportunity to participate fully in the proceedings, services, and programs administered by the Courts.
- **Meaningful Access** — Language assistance that results in accurate, timely, and effective communication at no cost to an LEP individual needing assistance.
- **Interpretation** — The act of listening, understanding, analyzing, and processing a spoken communication in one language (source language) and then competently and orally rendering it into another spoken language (target language) while retaining the

¹ 42 U.S.C. § 2000d *et seq.*; 45 C.F.R. § 80.1 *et seq.*; and 28 C.F.R. § 42.101-42.112).

RECORDER'S MEMORANDUM
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same meaning.

- **Translation** — The process of converting written text from a source language into an equivalent written text in a target language as fully and accurately as possible while maintaining the style, tone, and intent of the text.
- **Sight translation** — A visual review of an original text or document in its source language by a licensed/qualified interpreter who orally renders the written text into a target language.
- **Vital document** — A paper document or electronic written material that contains information critical for accessing the Courts or otherwise required by law. Vital documents may contain information intended for the general public or a broad audience. Vital documents may include information about and applications for programs, benefits, or services; intake forms; court forms; consent or complaint forms; letters or notices that require a response or responsive action; orders; and information about LAS.
- **Licensed interpreter** — A competent interpreter with an active Master or Basic license from the Texas Judicial Branch Certification Commission (JBCC). Interpreters with a Master designation may interpret in all Texas courts. Interpreters with a Basic designation may interpret in justice courts and municipal courts.
- **Qualified, unlicensed interpreter** — A competent interpreter who may be appointed by the court when the language required is not Spanish, and the court finds that an interpreter licensed in the necessary language cannot be found within 75 miles.² The interpreter:
 - Must be at least 18 years of age;
 - Must be qualified as an expert by knowledge, skill, experience, training, or education under Texas Rule of Evidence 702; and
 - May not be a party or interested individual to the proceeding.
- **Bilingual Court Staff** – Court staff who are not employed to provide language assistance services, who speak both English and a second language, who are not licensed as either basic or master level interpreters.
 - **Harris County Courts** – the elected and appointed Judges, Magistrates, Visiting Judges, and the staff of the Harris County District Courts and Harris County Courts at Law.

² TEX. GOV'T. CODE §57.002(d-e).

III. FOREIGN LANGUAGE NEED ASSESSMENT.

- A. The Courts are committed to identifying, coordinating, and continually evaluating the LAP and actions helpful to ensure that comprehensive, timely, effective, and free LAS are provided to LEP individuals in all court proceedings.
- B. The following list may reflect the top foreign languages that are most frequently used in Harris County:
 - 1. Spanish
 - 2. Vietnamese
 - 3. Yoruba, Twi, Igbo, or other languages of Western Africa³
 - 4. French (including Cajun)
 - 5. Arabic⁴
- C. The Courts will identify the most frequently used foreign languages in the Harris County Courts.
- D. LEP individuals will have access to LAS as provided in this plan and subsequently adopted policies and procedures.

IV. ALLOCATION OF RESOURCES TO LANGUAGE ASSISTANCE SERVICES.

- A. As permitted by the availability of resources from the County and other authorized appropriations, the Courts will give notice of the availability of and provide LAS at no cost to LEP parties, witnesses, victims, parents or guardians of minors, and other individuals participating in proceedings, programs, and services operated by the Harris County Courts.
- B. The Courts will:
 - 1. establish protocols and systems to assess, provide, and monitor the efficacy and efficiency of LAS, including staff training, stakeholder engagement, funding sources, data collection, complaint handling, and service quality assurance;
 - 2. increase the availability of same-day interpretation and translation services in criminal, civil, family, and juvenile court proceedings;
 - 3. develop protocols to promptly recognize cases necessitating LAS, ideally prior to the initial court appearance of an LEP individual.

³ Multiple languages.

⁴ Tagalog (including Filipino) and Urdu make up .46% and .45% of foreign language speakers in Harris County, respectively, and follow Arabic as the most commonly spoken languages in Harris County.

V. PROVISION OF LANGUAGE ASSISTANCE SERVICES.

- A. The Courts will establish comprehensive policy standards and operational guidelines to regulate the provision of LAS, along with developing clear procedures instructing Court staff on implementing the LAS and policies to promptly recognize and address the requirements of LEP individuals.
- B. Notice of Availability of LAS. The Harris County Courts will establish and post on their websites ways to request language assistance, including interpretation and translation services, available to LEP individuals, in English and non-English languages.

1. Public Notification, Outreach, and Collaboration.

- a. The Courts shall provide translated notices regarding the availability of cost-free language interpretation and translation services to LEP individuals. The Courts may employ any of the following method(s) to disseminate notices, as deemed appropriate and available:
 - i. Points of entry in each of the courthouses and buildings utilized by the Courts;
 - ii. Locations within courthouses that are most utilized by the public.
 - iii. The websites of the Courts and the Courts' administrative offices;
 - iv. Notification of local bar associations; and
 - v. Notification of statewide LEP-related advocacy groups and other community-based organizations.
- b. The notice shall include:
 - i. The following statement: *"Interpretation services for court proceedings are available at no cost. Translation services may be available at no cost, subject to court's discretion and availability of funds. To request these services, please contact _____."*
 - ii. The following icons representing interpretation and translation will accompany the notice wherever it appears:



2. Justice Partner Notification.

- a. The Courts will issue notices about the accessibility of LAS to their justice partners and establish internal protocols with those stakeholders who regularly interact with the Courts.
- b. The Courts will request that the justice partners communicate to the appropriate staff the needs of LEP individuals who come into contact with the Courts.

C. Translated Vital Documents

1. The Courts shall adopt criteria by which vital documents will be identified and prioritized for translation into foreign languages.
2. The Courts may identify vital documents integral to court proceedings under the control of justice partners and request that those partners translate the vital documents.

D. Interpretation Services.

1. The Courts shall adopt policies and procedures for identifying the need for language assistance services in court-related matters.
2. The Judge shall appoint an interpreter for an LEP individual in accordance with Texas law.
 - a. Interpretation services shall be rendered by licensed interpreters and qualified, unlicensed interpreters, when permitted by law.
 - b. Interpretation services may also be rendered by the Office of Court Administration (OCA)'s Texas Court Remote Interpreter Service (TCRIS), which provides licensed Spanish court interpreters at no cost to Texas Courts in all case types for short, non-contested and non-evidentiary hearings that would typically last 30 minutes or less.
3. The mode of interpretation may consist of one or more of the following:
 - a. Simultaneous interpretation: the real-time rendering of a speaker's message (source language) into another language (target language) while the speaker continues to speak.
 - b. Consecutive interpretation: the rendering of a speaker's message (source language) when the speaker pauses to allow interpreting (into the target language).
4. Within the scope of their job duties, multilingual members of a court's staff may provide basic information and generally assist LEP individuals in a foreign language. Bilingual staff may not serve as interpreters, unless otherwise licensed or qualified under Texas law.

E. Data Tracking

1. The Courts will regularly review and, if necessary, revise the LAP to ensure that the LAS offered align with the latest data on pertinent LEP demographics, language assistance requirements, technological advancements, and the efficient allocation of funds and resources.
2. Designated staff of the Courts will measure the following data:
 - a. The language requested
 - b. The case/division type
 - c. The number of interpreters appointed;
 - d. The number of interpreters appointed for parties or witnesses who are indigent;
 - e. The amount of money the county spent to provide court-ordered interpretation services; and
 - f. For civil proceedings, whether a party to the proceeding filed a statement of inability to afford payment of court costs under Rule 145, Texas Rules of Civil Procedure, applicable to the appointment of an interpreter.
3. Beginning in 2025, the Courts agree to provide the data collected in Section V(E)(2), and provided to the State Office of Court Administration by the Harris County Auditor's Office to the Office of County Administration for Harris County, within 60 days after the Auditor's reporting of the data.

VI. EDUCATION AND TRAINING OF COURT STAFF.

- A. The Courts are committed to delivering language access training opportunities to all staff members who interact with or may interact with LEP individuals.
- B. The Courts will designate a primary point of contact for all LAS in each court.
- C. The Courts will provide LEP access training for all court staff promptly upon hiring and on an annual basis thereafter. Each court's staff shall be educated on the availability of LAS for LEP individuals and trained to direct individuals to the designated court personnel to access language interpretation services for LEP individuals.
- D. Court staff shall be trained on remote and telephonic language interpretation services; how to use the associated technologies; and how to effectively communicate with remote interpreters;
- E. Subject to available resources, the Courts will develop staffing plans and related policies and procedures to achieve the goals of this.

VII. EVALUATION, REVIEW AND MODIFICATIONS.

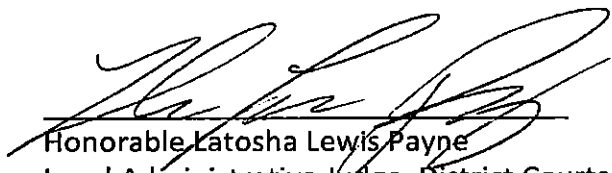
The Courts will regularly review the LAP to assess the necessity for changes to LAS to ensure meaningful access to the Courts for LEP individuals. The initial review of the LAP will occur one year following the adoption of the approved Harris County Courts' LAP, with subsequent reviews scheduled every four years, unless the Courts opt for an alternative timeline.

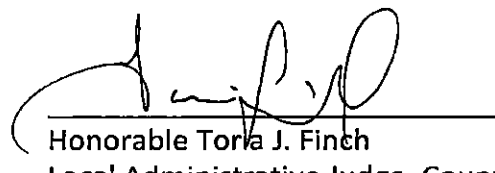
VIII. COMPLAINTS.

- A. All complaints regarding any failure to comply with this LAP, any applicable federal statute or regulation, any state statute or regulation, or any local rule shall be submitted to the designee within the management of the District Court Administration and County Courts' Office of Court Management, as defined by the Courts' policies and procedures.
- B. All complaints regarding any failure to comply with this LAP received by the County language access designee or either of the Clerk's offices, shall be forward to and thus submitted to the designee of the District Court Administration and County Courts' Office of Court Management, whichever is appropriate, immediately.
- C. All complaints about interpreters who violate statutes governing interpreters or the Judicial Branch Certification Commission (JBCC) may be submitted to JBCC.

IX. APPROVED:

On December 18, 2024, THE FOLLOWING JUDGES APPROVED THE HARRIS COUNTY DISTRICT COURTS & COUNTY COURTS AT LAW LANGUAGE ACCESS PLAN.


Honorable Latosha Lewis Payne
Local Administrative Judge, District Courts
Presiding Judge, 55th District Court


Honorable Toria J. Finch
Local Administrative Judge, County Courts
Presiding Judge, Criminal Court at Law No. 9



I, Marilyn Burgess, District Clerk of Harris County, Texas certify that this is a true and correct copy of the original record filed and or recorded in my office, electronically or hard copy, as it appears on this date.

Witness my official hand and seal of office this December 20, 2024

Certified Document Number: 118086973 Total Pages: 7

Marilyn Burgess, DISTRICT CLERK
HARRIS COUNTY, TEXAS

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