



# KING COUNTY SUPERIOR COURT

## LANGUAGE ASSISTANCE PLAN (LAP)

### I. PURPOSE

This document serves as the plan for King County Superior Court to provide timely and reasonable language access services for all limited English proficient (LEP), deaf, hard of hearing, and deaf-blind (D/HH/DB) individuals who come in contact with King County Superior Court sites: The King County Courthouse (KCCH), Involuntary Treatment Act Court (ITA) and Youth Services Center (YSC) in Seattle, and the Maleng Regional Justice Center (MRJC) in Kent.

### II. COURT POLICY REGARDING LANGUAGE ACCESS SERVICES

A. Under Washington state law (chapters 2.42 and 2.43 RCW), Title VI of the Civil Rights Act of 1964 (Title VI), the Omnibus Crime Control and Safe Streets Act of 1968 (Safe Streets Act), the Americans with Disabilities Act (ADA), and the regulations implementing these federal laws, Washington courts are required to provide language access services to all LEP and D/HH/DB individuals in civil and criminal court proceedings and all court-managed services and programs and, pursuant to RCW 2.43.090, to develop a written language access plan.

B. It is the policy of King County Superior Court to provide at no cost to LEP individuals, timely and reasonable language assistance services in all court proceedings and operations, both civil and criminal, other than when it is the responsibility of other government bodies pursuant to state law. In all other instances, certified, registered or qualified interpretation services<sup>1</sup> will be provided free of charge to (a) LEP parties, witnesses or victims; (b) LEP parents, legal guardians, or custodians of minor children who are parties, witnesses, or victims; and (c) LEP legal guardians or custodian of adult parties, witnesses, or victims. It is also the policy of this court to provide sign language interpreting services at no cost to persons who are D/HH/DB as required under applicable state and federal statutes and regulations.

C. Although D/HH/DB individuals are covered under the ADA and chapter 2.42 RCW rather than Title VI and the Safe Streets Act, this plan covers language access services for both D/HH/DB and LEP individuals.

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<sup>1</sup> Washington State Administrative Office of the Court offers credentials in 13 certified languages and over 80 registered languages. Not all languages are certified or registered.

### III. NEEDS ASSESSMENT

The Office of Interpreter Services for King County Superior Court will, on an annual basis, compile and review demographic data in its case management system regarding language needs of its community. The court will also use the following sources for its review:

- Local/County/State census statistics
- County health department
- Department of Public Defense
- Prosecuting Attorney's Office
- Finance Manager for King County Superior Court (tracks invoices for language use and frequency)
- Local legal aid service providers

This data will be analyzed annually to determine whether the court's allocation of language access resources is appropriate. The court will produce such reports as required by law.

The King County Superior Court will make every effort to track requests for language access services by:

- Language preference (both spoken, written and signed)
- Case type (e.g. family law, criminal, housing, etc.)
- Proceeding type (e.g. trial, arraignment, initial appearance, etc.)
- Location of service request

#### A. Identified Current Needs

The most current language need identification efforts shows the following non-English languages, whether spoken or signed, that are most frequently used in our geographic area:

- SPANISH
- VIETNAMESE
- SOMALI
- MANDARIN
- AMHARIC/TIGRINYA

The most current language need identification efforts shows the following foreign or sign languages that are most frequently used in our court community:

- SPANISH
- VIETNAMESE
- SOMALI
- MANDARIN
- AMHARIC/TIGRINYA

#### IV. LANGUAGE ASSISTANCE IDENTIFICATION AND RESOURCES

- A. The Office of Interpreter Services is responsible for coordinating language access services and accepting requests for interpreters and other language access services. This office is available to:
- Develop lists of interpreters and secure interpreter services
  - Receive and track language assistance requests
  - Address gaps in interpreter services by conducting outreach as needed
  - Provide information to assist LEP and D/HH/DB individuals to secure language access services
  - Provide interpreter resource information upon request to attorneys, justice partners, and other relevant persons
  - Assist court staff with securing language access services and
  - Answer questions from LEP and D/HH/DB individual, and the public at large regarding the court's available language access services
  - Make recommendations to the Facilities Management Division (FMD) on additional information and wayfinding signage for LEP customers

LEP and D/HH/DB individuals, attorneys, justice partners, government agencies and other entities in need of language access services or information regarding services may contact:

OFFICE OF INTERPRETER SERVICES  
KING COUNTY SUPERIOR COURT  
516 THIRD AVENUE – ROOM C-701  
SEATTLE, WA 98104  
206-477-1415  
SCINTERP@KINGCOUNTY.GOV

D/HH/DB persons may also contact the court's Disability Access Liaison, Linda Ridge, for assistance with accommodations:

King County Superior Court  
Court Administration  
516 Third Avenue, Room C-203  
Seattle, Washington 98104

**Email:** [Linda.Ridge@kingcounty.gov](mailto:Linda.Ridge@kingcounty.gov)

**Voice:** (206) 477-1365

**TTY Relay:** 711

**Fax:** (206) 205-1360

- B. Identification of Language Access Needs and Notice of Availability

LEP and D/HH/DB individuals may come in contact with court personnel via the phone, TTY/TDD, in-person, email, or through other means. In addition, there are various points of contact within

King County Superior Court where LEP individuals or persons who are D/HH/DB will be in contact with court staff.

To ensure the LEP and D/HH/DB individuals are able to properly identify their language needs and to request language access and assistance services, the following points of contact and sources of information assist in this regard:

1. Identifying Language Needs at Points of Access

King County Superior Court will identify language access needs at all key points of contact with the court, including the following:

- Telephone calls to court staff at 206-477-1415.
- Clerk's Offices at the following locations: King County Courthouse- 6<sup>th</sup> Floor, Maleng Regional Justice Center –Ground Floor and Youth Services – 1<sup>st</sup> Floor.
- Juror Assembly offices at the following locations: King County Courthouse – 1<sup>st</sup> Floor and Maleng Regional Justice Center – 2<sup>nd</sup> Floor.
- Court Records Office at: King County Courthouse – 6<sup>th</sup> Floor, Maleng Regional Justice Center – 2<sup>nd</sup> Floor and Youth Service Center – 2<sup>nd</sup> Floor.
- Cashier Offices at: King County Courthouse – 6<sup>th</sup> Floor and Maleng Regional Justice Center – 2<sup>nd</sup> Floor.
- All King County Superior Court courtrooms at all locations
- Court Facilitator Program at: King County Courthouse – 3<sup>rd</sup> Floor and Maleng Regional Justice Center – 2<sup>nd</sup> Floor.
- Court managed programs and services at all locations
- Other points of contact within court facilities include the King County Law Libraries and Department of Public Defense Screening in both the King County Courthouse and the Maleng Regional Justice Center.

To ensure the earliest possible identification of the need for language access services, the King County Superior Court has established internal communication protocols with those justice partners who routinely interact with the court. While our justice partners may be under a separate legal obligation to provide language access service to their clients, they will also notify the court as early as possible of any services they believe may be the court's responsibility so services may be provided in a timely and efficient manner.

2. Notice of the Availability of Language Access Services

In order to facilitate the ability of LEP and D/HH/DB individuals to request their need for language access services, the King County Superior Court will provide notice of availability of language access services translated into the most frequently used languages that states:

*"You have the right to language access services at no cost to you. To request these services, please contact The Office of Interpreter Services at 206-477-1415 or [scinterp@kingcounty.gov](mailto:scinterp@kingcounty.gov)."*

This notice will be displayed on the court website and at all key points of contact at all courthouse locations. In addition, the following resources are available at key points of contact in all courthouses to help LEP and D/HH/DB and court staff communicate with each other.

- Language identification cards
- Multi-lingual notices advising of the right to request an interpreter or other language assistance.
- Language specific informational kiosks in the top six requested languages
- Language Line availability

If it appears that an individual is experiencing communication difficulties, staff will make efforts to inform them of available language access services and that these services are provided at no cost to them.

3. King County Superior Court will work with King County FMD to seek courthouse wayfinding signage in a variety of appropriate languages, and will seek to provide similar information on the KC Superior Court webpages.

## **V. LANGUAGE ACCESS SERVICES**

Once King County Superior Court staff has determined that interpreter services are required for an LEP or D/HH/DB individual, court staff will use the following procedures for securing an interpreter.

### **A. Language Access Services Inside the Court Room**

#### **1. Appointment of a Certified, Registered, or Qualified Interpreter for In-Court Proceedings**

The Office of Interpreter Services is responsible for securing the assistance of an interpreter at the King County Superior Court and will comply with the following order of preference in selecting an interpreter for appointment by the court, as set forth in RCW 2.43.030(1) (b) and (2).

A. When a LEP person is a party to a legal proceeding, or is subpoenaed or summoned by an appointing authority or is otherwise compelled to appear at a legal proceeding, the interpreter shall be certified or registered by the administrative office of the courts, unless good cause is found and noted on the record by the judge or court commissioner. "Good cause" includes, but is not limited to, a determination that:

- (i) given the totality of the circumstances, including the nature of the proceeding and the potential penalty or consequences involved, the services of a certified or registered interpreter are not reasonably available to the appointing authority; or
- (ii) the current list of certified or registered interpreters maintained by the administrative office of the courts does not include an interpreter certified in the language spoken by the LEP person.

B. When a LEP person is involved in a legal proceeding not covered by A. the judge or commissioner shall appoint a certified interpreter or a qualified interpreter, as defined in RCW 2.43.020(5) as may be amended.

C. If good cause is found for using an interpreter who is not certified or registered, or if a qualified interpreter is appointed, the judge or commissioner shall make a preliminary determination that the proposed interpreter is able to interpret accurately all communications to and from the LEP person in that particular proceeding. The judge or commissioner shall satisfy itself on the record that the proposed interpreter:

- (i) is capable of communicating effectively with the court or agency and the person for who the interpreter would interpret; and
- (ii) has read, understands, and will abide by the code of professional responsibility for language interpreters established by court rules.

In the event no in-person interpreter is available locally, the court or designated authority will weigh the need for moving forward with the proceeding against any possible negative consequences to the LEP or D/HH/DB person's ability to effectively participate in the proceedings through the use of a remote interpreter, as may be allowed by Washington court rule or law. When evidentiary matters are before the court, the court shall reschedule the hearing until an in-person interpreter is available, whether located in state or out of state, and be made present at the hearing.

King County Superior Court will not appoint as interpreters anyone with a known potential conflict of interest in the case, including the following: minors; friends and family of the LEP or D/HH/DB person; advocates and attorneys; justice partner bilingual staff; or anyone deemed unqualified after voir dire by the court.

## 2. Practices in the Appointment and Use of Interpreters

In appointing interpreters, King County Superior Court staff will ensure that the interpreter and the LEP or D/HH/DB participant can effectively communicate. It is also practice to:

- Make a determination of the appropriate number of interpreters that may be required for the proceeding. When the proper administration of justice so requires, the court will appoint multiple or separate interpreters.
- For long hearing sessions or trials, appoint a team of two interpreters or if no second interpreter is available, allow the interpreter to have frequent breaks to avoid interpreter fatigue, ensure accuracy, and avoid subsequent errors.
- Allow the LEP or D/HH/DB person to waive his or her right to the assistance of an interpreter only if such waiver is knowing, voluntary, and on the record. The waiver of an interpreter may be rejected by the court or later revoked by the person.
- Require interpreters to provide some limited sight translations for forms related to the court proceedings when appropriate.
- Prohibit interpreters from assisting LEP or D/HH/DB with entering information on court forms without the involvement of court staff in the completion of such forms.

- Provide sign language interpreters for jurors who are D/HH/DB when such persons are called and selected for jury service.

### 3. Calendaring and Scheduling of Interpreters

King County Superior Court will provide interpreter services in a timely manner. In order to provide high quality language access services in an efficient manner, the court employs the following practices:

- Batching of matters for which an interpreter for a specific language is needed so long as this does not cause unnecessary delays in access and loss of remedies available to litigants.
- Coordinating calendars so an interpreter may be available for several matters in the same court location on the same day.
- Establishing systems of interpreter coordination and scheduling for efficient dispatch and use of interpreters
- Creating a pool of interpreters who may be available by telephone or video to assist in non-evidentiary proceeding or other court programs.

### 4. Remote Interpreting

For short non-evidentiary hearings, the King County Superior Court uses the following remote interpreter technologies:

- Telephonic interpreting provided by credentialed interpreters
- Telephonic interpreting agencies
- Video-remote interpreting (VRI)

The policy or practice of the court with regard to the use of remote interpreting services is as follows:

- Video remote and telephonic interpreting use will be consistent with GR 11.3 and will be used with caution.
- In-person interpreting is the strong preference under this policy. Telephonic interpreting for a courtroom proceeding should only be done when necessity requires. Its use should be reserved for brief non-evidentiary proceedings.
- Video remote interpreting (VRI) will be used appropriately and conducted in such a manner as to provide for effective communication.

### B. Language Services Outside the Courtroom

The King County Superior Court is responsible for taking reasonable steps to ensure that LEP and D/HH/DB individuals have meaningful access to court-managed services, programs and operations consistent with state and federal language access mandates. In compliance with such mandates, the court shall provide language access for services such as:

- Court ordered Alternative Dispute Resolution Programs
- Dependency CASA programs

- Cashiers
- Court facilitator services
- Dependency 101 classes
- Drug Court (intakes, check-ins, graduations)
- Family Law Orientation classes
- Information counters
- Juvenile detention and diversion programs
- Family Law Parenting Seminar
- Housing Justice Intake
- Protection Office interviews
- Family Court Services – social worker interviews

The court, in compliance with federal and state civil rights laws and regulations, **shall provide** the most appropriate language access service for these programs and services, including qualified interpreters, bilingual staff, and **translated forms and documents (as described in subsection C. below)**. When the most appropriate language access service is the appointment of a qualified interpreter, the court shall follow the guidelines described for the appointment of interpreters.

#### C. Translated Forms and Documents

The King County Superior Court understands the importance of translating forms, documents and electronic materials into non-English languages so that LEP individuals have greater access to the courts' services. Trial Court Improvement funds are routinely used to further this important work.

State forms which have been translated are available at [www.courts.wa.gov/forms](http://www.courts.wa.gov/forms). Additional informational resources translated into Spanish include:

- [A Guide to Washington State Courts/Guia de los Tribunale del Estado de Washington](#)
- [Self-Represented Persons in District Court/Personas que se representan a si mismas en el Tribunal de Distrito](#)
- [Self-Represented Persons in Municipal Court/Personas que se auto representan en los Tribunales Municipales](#)
- [Self-Represented Persons in Superior Court Civil Proceedings/Personas que se auto representan en procedimientos civiles en el Tribunal Superior](#)
- [An Introduction to Small Claims Court/Una Introducción Al Juzgado De Demandas De Cuantía Menor](#)

The King County Superior Court currently has the following forms translated into commonly used languages and the location where they can be found or available through staff upon request:

**CRIMINAL** (<https://www.kingcounty.gov/courts/superior-court/criminal/criminal-forms.aspx>)

DPD Reporting Instructions – Spanish

Court Ordered Legal Financial Payment Instructions – Somali/Spanish /Vietnamese

Notice of Rights on Appeal and Rights Pursuant to RCW 10.73- Spanish

Notice to Defendants Sentenced to Supervision by the DOC – Spanish



CCAP- Conditions of Conduct for Persons Ordered by the KCSC into the Community Center for Alternative Programs (CCAP) – Basic – Spanish

CCAP- Conditions of Conduct for Persons Ordered by the KCSC into the Community Center for Alternative Programs (CCA) - Enhanced – Spanish

Plea and Sentencing Orders - Spanish

## **FAMILY LAW**

**Family Court Services** (<https://www.kingcounty.gov/courts/superior-court/family/services.aspx>)

Mediation Questionnaire - Spanish

Parenting Evaluation Questionnaire – Spanish

Domestic Violence Questionnaire – Spanish

**A helpful resource for Spanish translated information can be found at Washington Law:**

<https://www.washingtonlawhelp.org/es>

## **JUVENILE COURT**

<https://www.kingcounty.gov/courts/superior-court/juvenile.aspx>

Frequently asked Questions – Spanish

King County Juvenile Justice Resource Booklet – Spanish/Somali/Vietnamese

King County Superior Court has few translated local forms at this time and relies primarily on translated general pattern forms provided by the AOC. It is the goal of King County Superior Court to increase the number of available translated forms, however, court forms are frequently being updated. These frequent translation updates can be time consuming to track and cost prohibitive.

When translated forms are not available the court may:

- Provide sight translation of the form using bilingual staff
- Provide information regarding the content of the form using bilingual staff
- Provide an in-person interpreter sight translate the form
- Refer LEP party to a community resource
- Use telephonic interpreting

## **VI. TRAINING**

The King County Superior Court is committed to providing training for all judicial and court staff members who come in contact with LEP and D/HH/DB individuals in order to ensure the successful delivery of language access services. The court will provide staff training on all the requirements of this Language Access Plan. Additional training opportunities will include:

- Proper appointment and scheduling of interpreters for all court proceedings and court-managed programs and services

- How to voir dire a non-credentialed court interpreter
- Role of an interpreter, modes of interpreting, and interpreter ethics and professional standards
- Courtroom management when interpreters are used
- Use of remote technologies for interpreting
- Cultural competence

Training efforts will include an initial training for new staff on the requirements of the current Language Access Plan and ongoing training for existing court personnel that addresses any revisions made to the plan.

Resources and information regarding language access services, policies and procedures and tools for providing language assistance (such as bench cards, language identification guides, brochures, etc.) are available to all court staff and decision makers at:

- The court's intranet
- The King County Superior Court Office of Interpreter Services

## **VII. COMPLAINT PROCESS**

LEP and D/HH/DB individuals who disagree with a determination regarding the type or level of services provided to them as part of this Language Assistance Plan are encouraged to submit their complaint using the following process:

### First Level Review

- Submit a written, signed complaint to the attention of the Manager of the Office of Interpreter Services (OIS) at 516 Third Avenue, Room C-701, Seattle, WA 98104.
- The written document shall contain a clear and brief description of the complaint and any evidence upon which the allegation is based, with relevant supporting documentation such as case cause numbers and dates.
- Upon receipt, the OIS Manager will review the complaint, seek any additional information from the complainant which is necessary to conduct an investigation.
- At the conclusion of the investigation, the OIS Manager will relay the outcome and next steps if appropriate. This written response will be made as soon as possible but should not exceed 30 days from the date a complete written complaint is received.

### Second Level Review

- Individuals who are dissatisfied with the outcome of the first level review may seek further review with the Court Operations Director.
- Send the original complaint, the OIS Manager response, and any additional statement or documentation you wish considered to: Court Operations Director, King County Superior Court, 516 3<sup>rd</sup> Avenue, C-203, Seattle, WA 98104.
- Upon receipt the Director will review the documentation, seek out any necessary additional information and provide a written determination within 10 business days.

## VIII. PUBLIC NOTIFICATION AND EVALUATION OF LAP

### A. LAP Approval & Notification

The King County Superior Court LAP has been approved by the Interpreter/Jury Committee and the Judicial Executive Committee and a copy has been forwarded to Washington State Administrative Office of the Courts' Interpreter Program Coordinator. Any revisions to the Plan are to be submitted to the Interpreter/Jury Committee and the Judicial Executive Committee for approval, and then forwarded to the AOC Interpreter Program Coordinator. Copies of King County Superior Court LAP shall be provided upon request. In addition, the court shall post its LAP on its own website at: <https://www.kingcounty.gov/courts/superior-court/interpreter-services.aspx>

### B. Outreach and Communication of Plan

King County Superior Court will inform the public of the existence of the LAP through the collaboration with the local bar associations, stakeholders and community organizations.

### C. Evaluation

Per Section III of this document, *Needs Assessment*, modifications to this plan will occur as needed and approved through the Interpreter/Jury Committee and Judicial Executive Committee as stated above.

#### **King County Superior Court LAP contact:**

Chris Kunej  
Manager, Office of Interpreter Services  
King County Superior Court  
516 Third Avenue, Room C-701  
Seattle, WA 98104  
[ckunej@kingcounty.gov](mailto:ckunej@kingcounty.gov)

The effective date of this Language Access Plan is June 18, 2019

#### **State Contact:**

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