

BEXAR COUNTY DISTRICT COURTSLIMITED ENGLISH PROFICIENCY (LEP) PLAN

1. **Legal Background and Purpose of this Plan**
 - a. This document serves as a plan for the Bexar County District Courts to provide services to individuals with limited English proficiency (LEP) in compliance with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.; 45 C.F.R. § 80.1 et seq.; and 28 C.F.R. § 42.101-42.112) and the Texas law on court interpreters (Tex. Gov't Code Ann. § 57.001 et seq.).
 - b. The purpose of this plan is to provide a framework to ensure meaningful access for LEP persons who come in contact with the Bexar County District Courts.

2. **Census Statistics and Staffing**
 - a. According to the 2000 U.S. Census, 43.2% of Bexar County residents speak a language other than English at home, as compared to 31.2% statewide and 17.9% nationally. After English, Spanish is by far the most common language spoken in Bexar County, as 40.38% of all residents speak it at home. The third most common language, German, is spoken at home by only 0.56% of the population. Therefore, providing interpreters for Spanish-speaking LEP individuals is a particularly urgent priority for the Bexar County District Courts.
 - b. Bexar County has a staff of five licensed court interpreters to accommodate the needs of the county's large Spanish-speaking population. Four are located in the Office of Criminal District Courts Administration and the fifth is located in the Office of Juvenile District Courts Administration. These interpreters are also available for civil and administrative proceedings in the District Courts.
 - c. If there is no staff interpreter available for a proceeding, freelance court interpreters will be used on an as-needed basis. Freelance interpreters will also be used for languages other than Spanish.
 - d. All Spanish interpreters employed as staff and freelance by the Bexar County District Courts are licensed in compliance with the rules and policies set forth by Chapter 57 of the Texas Government Code.

3. **In-Court Procedures for Interpreter Needs**
 - a. Court Interpreters will be provided at no cost to all defendants, witnesses, and parties in court proceedings in the Bexar County District Courts.

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- b. The need for a court interpreter may be identified prior to or at the commencement of a court proceeding by the LEP person or by anyone acting, with permission, on his or her behalf.
- c. 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. If a judge determines that a litigant is having difficulty communicating in English, the judge will contact the Criminal or Juvenile District Court Administrative Offices to arrange to have an interpreter at the proceeding.
- d. All requests for interpreters by judges and court personnel for the Criminal and Civil District Courts must be made to the Office of Criminal District Courts Administration.
- e. All requests for interpreters by judges and court personnel for the Juvenile District Courts must be made to the Office of Juvenile District Courts Administration.
- f. Attorneys and pro se litigants may not contact the Criminal or Juvenile Administrative Offices directly to request an interpreter. All requests must be made by the court directly, specifically the judge, coordinator, clerk, or bailiff. Pro se litigants need to inform the judge or a member of the court staff to request an interpreter for them.
- g. If there is high demand for interpreters, criminal cases will take priority for statutory and constitutional reasons. Civil cases may be delayed or rescheduled for a time when an interpreter is available.
- h. The Bexar County District Courts recognize the significant benefits to both the public and the court by providing interpreters in civil cases and will attempt whenever possible to provide such interpreters upon request.
- i. **LANGUAGES OTHER THAN SPANISH:**
 - i. For languages other than Spanish, the court will use licensed court interpreters to the extent that they are available. As provided by Tex. Gov't Code Ann. § 57.002(d), the court may appoint a spoken language interpreter who is not a certified or licensed court interpreter if the court makes a finding that there is no licensed court interpreter within a 75 mile radius who can interpret in the language that is necessary in the proceeding. Such an interpreter must be qualified by the court as an expert under the Texas Rules of Evidence, be at least 18 years of age, and must not be a party to the proceeding (Tex Gov't Code Ann. § 57.002(e)).
 - ii. The Texas Department of Licensing and Regulation maintains a statewide roster of licensed court interpreters who may work in the courts. This roster is available to court staff and the public on the internet at www.license.state.tx.us/licensesearch.
 - iii. If an interpreter is needed in court for a language other than Spanish, as much advance notice as possible is needed in order to secure and schedule the interpreter services.

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4. **Language Services Outside the Courtroom**
- a. The Office of Criminal District Courts Administration is the primary point of contact for all LEP services in Bexar County.
 - b. The Bexar County District Courts are taking reasonable steps to ensure that LEP individuals have meaningful access to services outside the courtroom.
 - c. To the extent possible, bilingual employees are placed in positions that provide public information about the courts, both in person and on the telephone.
 - d. "I Speak" cards, or another type of language identification flashcard, will be posted in the Offices of Criminal District Courts Administration and the public information counters to identify the LEP individual's primary language.
 - e. Language Line services are available to provide assistance via the telephone in over 170 languages, and are the primary source of interpretation services at the Central Magistration facility.

5. **Translating Forms, Documents, and Electronic Media**

- a. The Bexar County District Courts understand the importance of translating forms and documents so that LEP individuals have greater access to the courts' services. Many of the forms and instructional materials used by the courts have been translated into Spanish and are available on the website for Criminal District Courts Administration.
- b. In all types of cases, interpreters at court hearings will be expected to provide sight translations of simple court documents and correspondence associated with the case.
- c. In a criminal case, if a document needing translation is complex and requires research on the part of the interpreter, more time is required and a request needs to be made for this in advance of the court date.
- d. If a litigant in a civil case has original documentation in a language other than English, that is going to be presented in court, the documentation needs to be accompanied by an official translation in writing that has been prepared in advance of the hearing at the litigant's expense.
- e. Interpreters are not expected to interpret electronic media such as videotapes or telephone calls in court without adequate advance notice. Interpreters are entitled to an appropriate amount of time to review the media and prepare the interpretation.

6. **Judicial and Staff Training**

- a. The Bexar County District Courts are committed to providing LEP training opportunities for all judicial officers and staff members.
- b. Bexar County provides training opportunities in the following areas:
 - i. New employee orientation training;

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ii. Diversity training

7. **Public Notification and Evaluation of LEP Plan**

- a. The Bexar County District Courts' LEP plan is subject to approval by the District Court Judges. Any revisions to the plan will be submitted to the General Administrative Counsel for the Criminal District Courts, to be submitted to the judges. Copies of the Bexar County District Courts' LEP Plan will be provided to the public on request. In addition, the Plan will be posted on the website for the Office of Criminal District Courts Administration.
- b. The General Administrative Counsels for the District Courts, and the District Court Judges will routinely assess whether changes to the LEP Plan are needed. The Plan will remain in effect unless modified or updated.

8. **Plan Effective Date: November 1, 2010**

APPROVED BY:



JUDGE JOHN D. GABRIEL, JR.
131ST JUDICIAL DISTRICT COURT
LOCAL ADMINISTRATIVE JUDGE

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