

LANGUAGE ACCESS PLAN

NEWTON CIRCUIT COURT
201 N. Third Street
P.O. Box 101
Kentland, Indiana 46751

Prepared by Jeryl F. Leach
Newton Circuit Court Judge
October 17, 2023

Introduction.

This Language Access Plan (LAP) for the Newton Circuit Court, establishes the local operational plan, guidelines, and procedures for the provision of high-quality, meaningful language access to all limited English proficient (LEP) and deaf and hard of hearing individuals accessing the Court and its services. It does so pursuant to the Indiana Supreme Court's Language Access Plan, which guides the language access best practices and procedures for the trial courts throughout the state's ninety-two counties. This local LAP serves as a guidance tool as each county works towards achieving best practices. This local LAP will be reviewed and updated every three years, and changes will be reported to the Indiana Judiciary so it may incorporate any necessary modifications to the Indiana judicial branch's LAP in its own five-year update, if appropriate.

I. Legal Basis for the Provision of Language Access Services

As delineated under the Language Access Plan for the Indiana judicial branch, federal and state laws establish this Court's obligation to provide meaningful language access to all LEP and deaf and hard of hearing court users. Specifically, under the Indiana Constitution¹ and Indiana statutory and case law, together with Title VI of the Civil Rights Act of 1964² and the Omnibus Crime Control and Safe Streets Act of 1968,³ Department of Justice regulations, and the American with Disabilities Act of 1990, Indiana state courts must provide interpreters and language access to all LEP and deaf and hard of hearing individuals in civil and criminal court proceedings. The Indiana judicial branch's Rules of Court further address language access and interpreter provision under the *Indiana Rules of Court Interpreter Code of Conduct and Procedure & Disciplinary Process for Certified Court Interpreters & Candidates for Interpreter Certification*.⁴

II. Contacts for Those in Need of Language Access Services

- A. Court Staff Contacts – The Court Staff persons designated to coordinate language assistance for the Newton Circuit Court are as follows:

The Newton Circuit Court Administrator or Court Reporter
219/474-5131, option 2
201 N. Third Street
P.O. Box 101
Kentland, Indiana 46751

1 See Ind. Const. art. 1, §13.

2 42 U.S.C. § 2000d, et seq.

3 42 U.S.C. § 3789d.

4 For a thorough discussion of the legislative framework applicable to the provision of language access in the Indiana Judiciary generally, and this Court specifically, see the Language Access Plan for the Indiana Judicial Branch, adopted by the Indiana Supreme Court in February 2019.

II. Contacts for Those in Need of Language Access Services(continued)

B. State Contact Person:

Lun Pieper
Attorney, Office of General Counsel
251 N. Illinois Street, Suite 1600
Indianapolis, IN 46204.
Phone: 317-233-3362
e-mail: lun.pieper@courts.in.gov

- C. Courthouse On-Site Contact Persons: – Those in need of language assistance while on-site at the Newton County Courthouse may contact one of the security officers as they enter the Courthouse, a member of the Clerk’s office on the main floor of the Courthouse, or employees of the Probation Department located in the basement of the Courthouse.

III. Tools for Early Identification of Language Needs

The Newton Circuit Court has tools in place for the identification of a court user’s language access needs as early in the process as possible. Those tools include language identification cards, foreign language signage, and bi-lingual staff members. Court and Courthouse staff are instructed to utilize LanguageLine telephonic Interpreters, paid for under the Indiana Supreme Court’s master contract.

IV. Language Access in Court Proceedings

The Newton Circuit Court provides for the use of interpreters for Limited English Proficiency (LEP) and deaf or hard of hearing individuals involved in court proceedings.

The Court prioritizes the appointment of Supreme Court certified or otherwise qualified Interpreters whenever possible. The Court typically contracts with independent Interpreters.

Interpreter services are frequently paid for from county funds allocated through the county budget process and from Indiana Supreme Court Grant Funds. There are instances when the cost of Interpreters is born by the parties when determined to be appropriate by the Court.

The Newton Circuit Court abides by the Interpreter Code of Conduct and Procedure & Disciplinary Process for Certified Court Interpreters & Candidates for Interpreter Certification, of the Indiana Rules of Court. Therefore, if interpreter disciplinary or egregious performance issues arise involving a credentialed interpreter or candidate for

credentialing, a referral will be made to the Indiana Office of Judicial Administration (IOJA) within 180 days of the alleged misconduct.

V. Language Access Outside Court Proceedings

The Newton Circuit Court provides for the use of interpreters for Limited English Proficiency (LEP) and deaf or hard of hearing individuals involved in matters outside of court proceedings. Bi-lingual staff members and LanguageLine telephonic Interpreters are also utilized.

VI. Language Access Plan Availability

This Language Access Plan will be made publicly available on the Court's website at: <https://www.newtoncounty.in.gov/department/index.php?structureid=33>

The Plan will also be provided to Newton Circuit Court Staff, the Newton Circuit Court Clerk's Staff, The Newton County Probation Department, and Newton County Courthouse Security Personnel.

VII. Language Access Plan Review

The Newton Circuit Court will continue to communicate on an ongoing basis with stakeholders, including LEP and deaf and hard of hearing persons, attorneys, justice partners, community-based organizations, and other interested organizations, about its provision of language access services.

In order to ensure the appropriate and successful implementation of this LAP, the Newton Circuit Court will review and, if necessary, update the LAP on at least an annual basis. To this end, the Newton Circuit Court will gather data and solicit feedback from users, staff, and other stakeholders.

The Newton Circuit Court Language Access Plan was created on October 17, 2023.

By: _____
Jeryl F. Leach
Newton Circuit Court Judge