



Office of the Administrative Director of the Courts & Equality and Access to the Courts

THE JUDICIARY • STATE OF HAWAII • 426 QUEEN STREET, ROOM B17 • KAPUAIWA BUILDING • HONOLULU, HAWAII 96813-2914
TELEPHONE (808) 539-4860 • FAX (808) 539-4203 • EMAIL: oeac@courts.hawaii.gov

Rodney A. Maile
ADMINISTRATIVE DIRECTOR

Daylin Rose Heather
DEPUTY ADMINISTRATIVE DIRECTOR

Susan Pang Gochros
INTERGOVERNMENTAL AND
COMMUNITY RELATIONS
DIRECTOR

Debi S. Tulang-De Silva
PROGRAM DIRECTOR

July 5, 2024

To: Aphirak Bamrungruan, Executive Director
 Office of Language Access

From: Rodney A. Maile, Administrative Director
 Hawai'i State Judiciary

SUBJECT: **Verification of Language Access Plan**

I, Rodney A. Maile, Administrative Director of the Hawai'i State Judiciary, hereby attest that the Language Access Plan dated July 5, 2022 for the Hawai'i State Judiciary has been reviewed and is determined to be current and applicable as of this date.

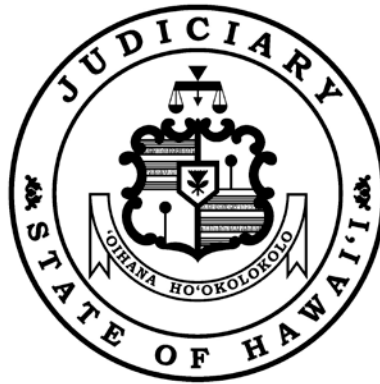
This verification confirms the validity of the Language Access Plan and that no further revisions are required at this time. The next review of the Language Access Plan will occur no later than two years from the effective date of this verification, or sooner if deemed necessary.

Effective Date: July 5, 2024

Signed,

A handwritten signature in blue ink that reads "Rodney A. Maile".

Rodney A. Maile, Administrative Director
Hawai'i State Judiciary



Hawai'i State Judiciary

Language Access Plan for Persons with Limited English Proficiency

FY 2022-2024

Table of Contents

I.	INTRODUCTION: HAWAI‘I’S LIMITED ENGLISH PROFICIENT (LEP) POPULATION.....	1
II.	LEGAL BASES FOR LANGUAGE ACCESS.....	3
III.	FOUR-FACTOR ANALYSIS REQUIRED TO DETERMINE THE EXTENT OF LANGUAGE ASSISTANCE TO BE PROVIDED	4
IV.	LIMITED ENGLISH PROFICIENT POPULATIONS ELIGIBLE TO BE SERVED BY STATE COURTS	5
V.	PROTOCOL FOR PROVIDING LANGUAGE SERVICES	9
A.	PUBLIC NOTICE OF THE RIGHT TO AN INTERPRETER	9
B.	PROCEDURE FOR PROVIDING LANGUAGE SERVICES FOR IN-COURT PROCEEDINGS	10
1.	<i>Determine the Need for an Interpreter in the Courtroom</i>	10
2.	<i>Obtain Court Interpreter Services</i>	11
C.	PROCEDURE FOR PROVIDING LANGUAGE SERVICES OUTSIDE OF THE COURTROOM.....	15
1.	<i>Identify the Language Needs</i>	15
2.	<i>Contact Accessible Bilingual Volunteer Staff</i>	15
3.	<i>Utilize Contracted Telephone Interpreting Service</i>	16
D.	RECORD LEP/LANGUAGE ACCESS DATA	17
E.	SPECIAL SITUATIONS.....	17
1.	<i>Language Not Listed on “If You Need an Interpreter” Card or Poster</i>	17
2.	<i>No Telephone Interpreter Available</i>	17
3.	<i>Other Circumstances</i>	17
F.	TELEPHONE CALLS.....	18
G.	WRITTEN TRANSLATION	18
VI.	LANGUAGE ACCESS RESOURCES AVAILABLE FOR IN-COURT AND OUT-OF-COURT PROCEEDINGS.....	18
A.	COURT INTERPRETER CERTIFICATION PROGRAM	18
B.	COURT INTERPRETER REGISTRY	22
C.	DOCUMENT TRANSLATION	22
1.	<i>Vital Documents</i>	22
2.	<i>Notice of Availability of Document Translation</i>	23
D.	NOTICE	24
E.	JUDICIARY INTERNET SITE	24
F.	LANGUAGE ACCESS COMPLAINTS	25
VII.	LEP/LANGUAGE ACCESS DATA COLLECTION PROJECT.....	25
VIII.	STAFF TRAINING.....	26
A.	LANGUAGE ACCESS PLAN (LAP).....	26
B.	BILINGUAL VOLUNTEER STAFF	27
IX.	MONITORING AND UPDATING THE PLAN	27
X.	DESIGNATION OF THE JUDICIARY LANGUAGE ACCESS COORDINATOR.....	28
XI.	CONCLUSION	28

Hawai‘i State Judiciary
FY 2022-2024 Language Access Plan
for Persons with Limited English Proficiency

I. INTRODUCTION: HAWAI‘I’S LIMITED ENGLISH PROFICIENT (LEP) POPULATION

Hawai‘i has a diverse mix of people and cultures representing numerous languages and dialects. The demographic composition of the Judiciary’s eligible client population has changed dramatically, as both the number of immigrants and the rate of immigration continue to climb. In addition, Hawai‘i’s linguistic makeup is becoming more and more diverse as migrants come from many new countries, bringing many new languages and dialects, particularly among the Asian and Pacific Island languages.

Hawai‘i has one of the highest relative proportions of non-English speakers in the nation. Despite its isolated location in the middle of the vast Pacific Ocean more than 2,500 miles from the continental United States, Hawai‘i has a relatively large limited English proficient population. Hawai‘i’s limited English proficient population increased 27% from 246,735 in 2013 to 315,570 in 2019.¹ In 2019, roughly one in five or 18.5% of Hawai‘i’s total population were foreign born, ranking it sixth among all states.² Approximately 19.7% of Hawai‘i’s foreign born population reported that they speak English “not well” or “not at all”.³ Individuals who speak English less than “very well” are considered to be limited English proficient (LEP).

According to the U.S. Census Bureau American Community Survey 2019 (1-year Estimates), approximately one in four or 27.8% of Hawai‘i residents five years and older, speak a language other than English at home, ranking it eighth among all states.⁴ Of those, 42.6% reported that they speak English less than “very well,” ranking Hawai‘i second (tied with New York) among all states.⁵ Hawai‘i along with the District of Columbia are the two states where the largest

¹ U.S. Census Bureau, 2019: American Community Survey 1-Year Estimates Data Profiles Hawaii (“2019 ACS(1)”), Tbl. B06007, Place of Birth By Language Spoken at Home and Ability to Speak English in the United States, *available at* [https://data.census.gov/cedsci/table?q=B06007%3A PLACE OF BIRTH BY LANGUAGE SPOKEN AT HOME AND ABILITY TO SPEAK ENGLISH IN THE UNITED STATES&g=0400000US15&tid=ACSDT1Y2019.B06007](https://data.census.gov/cedsci/table?q=B06007%3A%20PLACE%20OF%20BIRTH%20BY%20LANGUAGE%20SPOKEN%20AT%20HOME%20AND%20ABILITY%20TO%20SPEAK%20ENGLISH%20IN%20THE%20UNITED%20STATES&g=0400000US15&tid=ACSDT1Y2019.B06007)

² 2019 ACS(1), Tbl. DP02, SELECTED SOCIAL CHARACTERISTICS IN THE UNITED STATES, *available at* <https://data.census.gov/cedsci/table?q=dp02&g=0100000US%240400000&tid=ACSDP5Y2019.DP02> (State ranking table shows Hawai‘i with 18.5% of its population Foreign Born, ranked sixth, after California, New York, New Jersey, Florida, and Nevada).

³ 2019 ACS(1), Tbl. B16005, NATIVITY BY LANGUAGE SPOKEN AT HOME BY ABILITY TO SPEAK ENGLISH FOR THE POPULATION 5 YEARS AND OVER, *available at* [https://data.census.gov/cedsci/table?q=B16&g=0100000US%240400000&d=ACS 1-Year Estimates Detailed Tables&tid=ACSDT1Y2019.B16005](https://data.census.gov/cedsci/table?q=B16&g=0100000US%240400000&d=ACS%201-Year%20Estimates%20Detailed%20Tables&tid=ACSDT1Y2019.B16005).

⁴ 2019 ACS(1), Tbl. S1601, Language Spoken at Home, *available at* [https://data.census.gov/cedsci/table?q=language spoken at home&g=0100000US%240400000&tid=ACSST1Y2019.S1601](https://data.census.gov/cedsci/table?q=language%20spoken%20at%20home&g=0100000US%240400000&tid=ACSST1Y2019.S1601) (state ranking table shows Hawai‘i with 27.8% of its population 5 years and older who speak a language other than English at home, ranked eighth, after California, Texas, New Mexico, New Jersey, Nevada, New York and Florida).

⁵ 2019 ACS(1), Tbl. S1601, Language Spoken at Home. Nebraska ranked first with 42.7% of its residents who

racial or ethnic groups are minority groups.⁶ Hawai‘i has the largest minority population (77%) of all states.⁷ Nearly 22% of the Asian and Pacific Island language speakers in Hawai‘i speak a language other than English at home, and of those, 49% speak English less than “very well.”⁸ Hawai‘i has the highest level of compact migrant resident populations at 26% of the estimated 94,000 compact migrants in the United States during the period from 2013 to 2018.⁹ Within the four states that comprise the Federated States of Micronesia (Chuuk, Kosrae, Pohnpei, and Yap) alone, 17 languages and dialects are spoken.

Many of Hawai‘i’s foreign-born residents are considered to be LEP and are therefore subject to protection under Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, *Prohibition Against Exclusion from Participation in, Denial of Benefits of, and Discrimination Under Federally Assisted Programs on Ground of Race, Color, or National Origin* (“Title VI”) and Hawai‘i’s Language Access Law, codified as Hawai‘i Revised Statutes (HRS) Chapter 371, part II, §§ 371-31 to –37 (repealed 2012), Act 201 of July 3, 2012 (recodified as HRS Ch. 321C). The United States Department of Justice (DOJ) has defined LEP persons as individuals for whom English is not their primary language and who have a limited ability to read, write, speak, or understand English.¹⁰ This includes those individuals who reported that they speak English less than “very well” on the Census.

A person may not be LEP in all situations. A person may be able to go shopping, catch the bus, and get around the community with their level of English skills. However, due to the formal court setting, difficult legal language, and significant impact a court case can have on people’s lives, that person may not be able to navigate the court system or meaningfully participate in legal proceedings with the same level of English skills, and thus may be considered a court customer with LEP. Language for individuals who are LEP can be a barrier to accessing important benefits or services, understanding and exercising important rights, complying with

speak a language other than English, reporting that they speak English less than “very well”.

⁶ U.S. Census Bureau, 2019 ACS 1-year estimates, ACS Demographic and Housing Estimates, Race, Total Population, One Race, Tbl. DP05, available at <https://data.census.gov/cedsci/table?q=Maryland&g=0100000US%240400000&tid=ACSDP1Y2019.DP05>; Race and Ethnicity Prevalence by State: 2020, available at <https://www.census.gov/content/dam/Census/library/stories/2021/08/2020-united-states-population-more-racially-ethnically-diverse-than-2010-figure-1.jpg>

⁷ 2020: DEC Redistricting Data (PL-94-171), available at [https://data.census.gov/cedsci/table?q=largest minority population&g=0100000US%240400000_0400000US15&tid=DECENNIALPL2020.P1](https://data.census.gov/cedsci/table?q=largest%20minority%20population&g=0100000US%240400000_0400000US15&tid=DECENNIALPL2020.P1)

⁸ 2019 ACS(1), Tbl. S1601, Language Spoken at Home.

⁹ U.S. Gov’t Acct’g Off., Cong. Rpt. No. GAO-20-491, Report to the Chairman of the Committee on Energy and Natural Resources, U.S. Senate, Compacts of Free Association, Populations in U.S. Areas Have Grown with Varying Reported Effects (June 2020), available at <https://www.gao.gov/assets/gao-20-491.pdf>, pp. 13-16. The report uses the term compact migrants to refer to “citizens of the Federated States of Micronesia (Micronesia), the Republic of the Marshall Islands (Marshall Islands), and the Republic of Palau (Palau) as well as their U.S.-born children and grandchildren younger than 18 years—live and work in the United States and its territories[.]” Based on data from the Census Bureau surveys from 2005-2009 and 2013-2017 and an enumeration in 2018, the report concluded that “the combined compact migrant populations in U.S. areas grew by an estimated 68 percent, from about 56,000 to about 94,000.”

¹⁰ Limited English Proficient (LEP) persons are “individuals who do not speak English as their primary language and who have a limited ability to read, write, speak, or understand English.” U.S. Dep’t of Justice, Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 67 Fed. Reg. 41455, 41459 (June 18, 2002).

applicable responsibilities, or understanding other information provided by federal agencies and federally funded programs and activities.

Hawai‘i’s recent demographic changes exacerbate the difficulty of responding to the language needs of the Judiciary’s client population. The Hawai‘i State Judiciary is cognizant of the federal and state legal requirements associated with individuals who are LEP and has developed this plan accordingly to ensure their equal access to court services in a manner that is responsive to diverse cultural and communication needs.

II. LEGAL BASES FOR LANGUAGE ACCESS

Title VI provides that “[n]o person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefit of, or be subjected to discrimination under any program or activity receiving federal financial assistance.” Different treatment based upon a person’s inability to speak, read, write, or understand English may be national origin discrimination under Title VI. The Department of Justice issued Guidance on the implementation of Title VI in 2002.¹¹ Further guidance is provided in the U.S. Department of Justice letter to state courts, issued on August 16, 2010.¹²

On August 11, 2000, President William J. Clinton signed into law Executive Order 13166, *Improving Access to Services for Persons with Limited English Proficiency* (“EO 13166”), requiring all agencies receiving federal funds to address the needs of persons who, due to their status as having limited English proficiency (LEP), cannot fully and equally participate in the agency’s programs and activities. Whereas Title VI creates obligations for recipients of federal funds to provide meaningful access for persons with limited English proficiency (LEP) to federally conducted programs, EO 13166 creates obligations for federal agencies to do the same.¹³

On July 10, 2006, the Hawai‘i State Legislature enacted Hawai‘i’s Language Access Law, now Hawaii Revised Statutes (HRS), Chapter 321C, to further reduce language barriers that can preclude individuals who have LEP from meaningful access to services, programs, and activities offered by the State of Hawai‘i or by state-funded programs. Hawai‘i’s Language Access Law specifically requires each state agency or covered entity (entities that receive state funds) to establish a language access plan (LAP).¹⁴ State agencies receiving federal financial assistance, including the Judiciary, were required to file an initial LAP by July 1, 2007, and an updated LAP every two years thereafter.¹⁵

¹¹ U.S. Dep’t of Justice, Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 67 Fed. Reg. 41455 (June 22, 2002) (“DOJ Guidance”).

¹² U.S. Dep’t of Justice, Letter to Chief Justices/State Court Administrators (Aug. 16, 2010), available at http://www.lep.gov/final_courts_ltr_081610.pdf.

¹³ See, e.g., U.S. Dep’t of Justice, Memorandum to Heads of Federal Agencies, General Counsels and Civil Rights Heads re: Federal Government’s Renewed commitment to Language Access Obligations under Executive Order 13166 (Feb. 17, 2011), available at http://www.justice.gov/crt/about/cor/AG_021711_EO_13166_Memo_to_Agencies_with_Supplement.pdf.

¹⁴ Hawai‘i Revised Statutes (HRS) § 321C-4.

¹⁵ *Id.*

III. FOUR-FACTOR ANALYSIS REQUIRED TO DETERMINE THE EXTENT OF LANGUAGE ASSISTANCE TO BE PROVIDED

The U.S. Department of Justice *Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons* (“DOJ Guidance”) issued pursuant to Title VI and EO 13166, is intended to assist DOJ-funded programs, including those in the Judiciary, to provide meaningful access to persons with LEP. To determine if language access services must be provided, and if so, the extent of those services, requires an individualized analysis that balances the following four factors:

- 1) The number or proportion of persons with limited English proficiency (LEP) that are eligible to be served or likely to be encountered by the program or grantee;
- 2) The frequency with which individuals with LEP come in contact with the program;
- 3) The nature and importance of the program, activity, or service provided by the program to people’s lives; and
- 4) The resources available to the Judiciary and associated costs.

Under this analysis, if the Judiciary determines that it requires additional Judiciary staff to respond to the language needs of persons with LEP because more reasonable or appropriate means of providing these services are not available, the Judiciary, consistent with state and federal laws, shall hire qualified staff who are bilingual to fill existing, budgeted, vacant public contact positions.¹⁶ In a report submitted to the Hawai‘i Office of Language Access, the Judiciary identified the public contact positions within its organization statewide in which interfacing with state court users constitutes a significant part of the incumbent’s regularly assigned job duties. *See* Attachment A, Hawai‘i State Judiciary, Public Contact Positions Survey Report (Jan. 5, 2009). The Judiciary recognizes the need to employ new and innovative recruitment strategies to ensure departments have the resources needed to respond to increased language needs by using bilingual staff. Although having sufficient bilingual staff within each service area to obviate the need for contracted interpreting services is desired, this ideal work environment has not been achieved to date. The Judiciary remains committed to looking at alternative ways to utilize the education, training, and work experience of its bilingual staff as a way of meeting the increasing language needs of its court customers with LEP in a manner that is culturally and linguistically appropriate.

Upon determining the language assistance services that are appropriate to provide meaningful access to the agency’s programs, services, and activities, the DOJ recommends that a Language Access Plan (LAP) be developed to address the identified language needs of the population with LEP that is served, including the following: (1) identifying LEP individuals who need language assistance; (2) developing language assistance measures; (3) training staff; (4) providing notice to LEP persons; and (5) monitoring and updating the LAP.¹⁷

The Judiciary developed this LAP to identify the needs of the community it serves and to ensure that LEP persons have meaningful access to Judiciary programs, services, and activities in compliance with Title VI, EO 13166, and HRS Chapter 321C, in a manner that is culturally and

¹⁶ HRS § 321C-3(d).

¹⁷ DOJ Guidance, *supra* note 11, at 41464-65; *see also* U.S. Dep’t of Justice, Language Access Assessment and Planning Tool for Federally Conducted and Federally Assisted Programs (May 2011), available at http://www.lep.gov/resources/2011_Language_Access_Assessment_and_Planning_Tool.pdf.

linguistically appropriate. The Judiciary has also designated the Program Director of the Office on Equality and Access to the Courts as the Language Access Coordinator, responsible for overseeing the implementation and evaluation of language access services under the LAP. *See* Section X below.

The Judiciary collaborated with the U.S. Department of Justice from September 2013 to March 2015 to better meet the growing needs of court users requiring language assistance services in court operations and proceedings. During this technical assistance review period, the Judiciary updated and expanded its Language Assistance Policy; provided mandatory training for staff and judges; refined its court interpreter assignment policy; redoubled its efforts to educate local court interpreter assignment coordinators; and implemented an awareness campaign on its webpage to increase the public’s knowledge about how to access language services, including translating information on the Language Access page into 14 of the most frequently encountered languages in the Hawai‘i State Courts. The Judiciary’s multilingual website was voted #1 in the National Association of Court Management’s Top 10 Court Technology Solutions Awards in 2016, in part for ease of navigation and provision of information in multiple languages, many of which are considered “rare”.

The Judiciary’s progress in providing language access was recognized by the Justice Index 2016 Findings, released by the National Center for Access to Justice, which ranked Hawai‘i number one among all state courts in the country for providing support for people with limited English proficiency and in the top three for practices aimed at making access to justice a reality for all people.

IV. LIMITED ENGLISH PROFICIENT POPULATIONS ELIGIBLE TO BE SERVED BY STATE COURTS

The diversity of races and cultures in Hawai‘i is reflected in the makeup of state court users. Indicative of a growing population with limited English proficiency (LEP) are the Judiciary’s annual expenditures for court interpreters, which have risen dramatically due both to greater demand for interpreting services, as well as increased interpreter pay rates initially implemented as part of the Judiciary’s Court Interpreter Certification Program in FY 2007-2008.

In 2007, the Judiciary conducted a self-assessment to identify the points of public contact in each of its programs and to determine the language assistance needs of those programs to better respond to the cultural and linguistic diversity of populations served. The Judiciary compiled data on the LEP populations that were served, the primary points of public contact with the state courts, the current services in place to meet the needs of these populations, and the availability of oral language services and translated documents. The Judiciary also reviewed its signage, and how staff and LEP court customers understand the right to free language access services.

According to the most recent data compiled, from FY 2019, the Judiciary provided oral language services via court interpreting to LEP persons in state courts in 10,959 court proceedings, with expenditures of \$863,815.

Top Interpreted Languages - Statewide FY 2019						
Rank	Language	\$ Paid		Rank	Language	# of Proceedings
1	Chuukese	\$151,948.08		1	Chuukese	3,612
2	Spanish	\$131,920.60		2	Ilokano	1,220
3	Ilokano	\$89,238.89		3	Marshallese	939
4	Marshallese	\$70,445.83		4	Korean	894
5	American Sign Language	\$62,822.05		5	Spanish	878
6	Korean	\$61,564.04		6	Mandarin	616
7	Mandarin	\$58,286.11		7	Tagalog	473
8	Japanese	\$47,770.71		8	Japanese	469
9	Vietnamese	\$37,801.14		9	Vietnamese	417
10	Tagalog	\$36,453.42		10	American Sign Language	246
11	Samoan	\$23,382.15		11	Cantonese	231
12	Cantonese	\$16,410.58		12	Samoan	230
13	Tongan	\$16,085.47		13	Tongan	169
14	Pohnpeian	\$14,868.84		14	Pohnpeian	168
15	Thai	\$6,499.04		15	Kosraean	85

Top Interpreted Languages-First Circuit, FY 2019						
Rank	Language	\$ Paid		Rank	Language	# Proceedings
1	Chuukese	\$132,884.48		1	Chuukese	2,960
2	Ilokano	\$61,331.48		2	Korean	854
3	Korean	\$57,607.89		3	Ilokano	720
4	Mandarin	\$49,841.75		4	Mandarin	558
5	Japanese	\$43,070.86		5	Japanese	416
6	Vietnamese	\$35,144.64		6	Tagalog	394
7	American Sign Language	\$32,377.57		7	Vietnamese	376
8	Marshallese	\$31,660.16		8	Marshallese	291
9	Spanish	\$31,513.36		9	Cantonese	224
10	Tagalog	\$31,325.08		10	Samoan	210
11	Samoan	\$21,480.00		11	Spanish	176
12	Cantonese	\$15,455.00		12	American Sign Language	134
13	Tongan	\$11,965.17		13	Tongan	114
14	Laotian	\$5,551.80		14	Pohnpeian	59
15	Pohnpeian	\$3,856.01		15	Kosraean	50

Top Interpreted Languages-Second Circuit, FY 2019						
Rank	Language	\$ Paid		Rank	Language	# Proceedings
1	American Sign Language	\$14,971.31		1	Spanish	262
2	Spanish	\$14,398.60		2	Ilokano	238
3	Ilokano	\$10,356.33		3	Marshallese	95
4	Marshallese	\$4,342.85		4	American Sign Language	50
5	Pohnpeian	\$3,239.20		5	Pohnpeian	40

Top Interpreted Languages -Third Circuit, FY 2019						
Rank	Language	\$ Paid		Rank	Language	# Proceedings
1	Spanish	\$85,046.29		1	Chuukese	625
2	Marshallese	\$27,847.42		2	Marshallese	503
3	Chuukese	\$17,844.95		3	Spanish	430
4	American Sign Language	\$14,715.83		4	Ilokano	152
5	Ilokano	\$11,419.62		5	American Sign Language	60

Top Interpreted Languages - Fifth Circuit, FY 2019						
Rank	Language	\$ Paid		Rank	Language	# Proceedings
1	Marshallese	\$6,595.40		1	Ilokano	110
2	Ilokano	\$6,131.46		2	Marshallese	50
3	Pohnpeian	\$5,270.83		3	Pohnpeian	36
4	Mandarin	\$5,098.51		4	Tagalog	21
5	Yapese	\$1,337.10		5	Mandarin	18

V. PROTOCOL FOR PROVIDING LANGUAGE SERVICES

As part of the Judiciary’s commitment to promoting and providing language access for limited English proficient (LEP) court customers in a manner that is culturally and linguistically appropriate, the Judiciary adopted Judiciary Policy #12:

The Hawai‘i State Judiciary is committed to providing meaningful access to court processes and services to persons with limited English proficiency. In all case types, the Judiciary shall reasonably provide, free of charge, and in a timely manner, competent court interpreters for parties, witnesses and individuals with a substantial interest in a case. It shall also provide language assistance services at points of contact with the Judiciary, including over-the-counter and over-the-telephone encounters for all Judiciary-related business. The Judiciary shall notify the public of the Judiciary's language assistance commitment.

The policy is posted on the Judiciary website on the language access page.¹⁸ See Attachment B Language Identification/Notice Materials. To effectuate this policy, the Judiciary has decided to provide oral language services when needed in all services, programs and activities, regardless of the four factor analysis provided for in the language access law. In addition, in 2014 as part of mandatory statewide staff training on language access, the Office on Equality and Access to the Courts (OEAC) developed a bench card for Judiciary staff, *Language Access Services: A Guide for Staff*, which contains this policy and the protocol for providing language services discussed in this section. See Attachment H.

Sub-contractors who contract with the Judiciary to provide services to Judiciary clients must provide their services in compliance with the language access laws. Judiciary purchase-of-service contracts include the following Special Condition:

Pursuant to HRS § 321C-3, to ensure compliance with Title VI, Providers must take reasonable steps to ensure that Limited English Proficiency Persons have meaningful access to the Provider's programs. Meaningful access may entail providing language assistance services, including oral and written translation, where necessary.

A. PUBLIC NOTICE OF THE RIGHT TO AN INTERPRETER

To ensure that individuals with LEP are afforded meaningful access to the courts in a culturally and linguistically appropriate manner, it is important for the Judiciary to inform them of their right to an interpreter. See Attachment B, Language Identification/Notice Materials, for the materials discussed herein.

Signage. Strategically placed multilingual signs and/or pamphlets at a courthouse or court facility are a functional and effective method to inform individuals with LEP of where and how to request language assistance. Signage is, and will continue to be made available to staff at specified court support service locations identified as primary points of public contact. See Section VI.(D), below.

¹⁸ See https://www.courts.state.hi.us/services/language_assistance_services.

In addition, at courthouses statewide, court users are greeted by multilingual *Welcome Banners* printed in English and 14 non-English languages. See Attachment B, Multilingual Welcome Banner.

Internet. In response to the diverse cultural and linguistic needs of court users, the Judiciary website has a multilingual notice of the availability of language access services in English and 14 non-English languages. See Attachment B, Multilingual Notice of Availability of Language Services. A person with LEP can directly access the multilingual notice by clicking on a list of languages on every page of the Judiciary’s website. The notice informs the public of the right to an interpreter at no cost.¹⁹

Multilingual language identification cards (Language ID Cards) are available in courthouses statewide and on the Judiciary’s website. See Attachment B, Language ID Cards. The cards are printed in English and 14 non-English languages. Individuals who have LEP can request an interpreter by showing the appropriate Language ID Card to staff or writing in the name of their language. Judiciary staff are trained to respond to the cultural and linguistic needs of LEP court customers and can more efficiently provide appropriate language services without embarrassment or undue delay to these customers.

B. PROCEDURE FOR PROVIDING LANGUAGE SERVICES FOR IN-COURT PROCEEDINGS

The Judiciary, through its Administrative Director of the Courts, OEAC, and the Hawai‘i Supreme Court Committee on Court Interpreters and Language Access, is committed to providing the most qualified interpreter reasonably available to afford LEP parties, witnesses and individuals with a substantial interest in a case, with meaningful access to the courts in a culturally and linguistically appropriate manner in all case types.

OEAC serves as the platform for planning and policy-making in the area of court interpreting within the Hawai‘i State Courts. Although OEAC provides guidance to Judiciary staff regarding court interpreting services obtained and used in the Hawai‘i State Courts, direct provision of interpreting services, including scheduling and payment, falls under the responsibility of the court operations of each judicial circuit within the Judiciary.

1. Determine the Need for an Interpreter in the Courtroom

Hawai‘i Supreme Court Rules establish standards for determining the need for a court interpreter in a legal proceeding. The rules provide that:

An interpreter is needed if, upon examination by the court,

- (1) a party or witness is unable to speak English so as to be understood directly by counsel, court, and jury, or
- (2) if a party is unable to hear, understand, speak, and/or use English sufficiently to comprehend the proceedings and to assist counsel in the conduct of the case.²⁰

¹⁹ To view the translated notice in the top languages encountered by the courts, see https://www.courts.state.hi.us/services/language_assistance_services#languageaccessservices.

²⁰ Order Adopting the Policies for Interpreted Proceedings in the Courts of the State of Hawai‘i, filed June 22, 1995), in Hawai‘i Rules for Certification of Spoken &

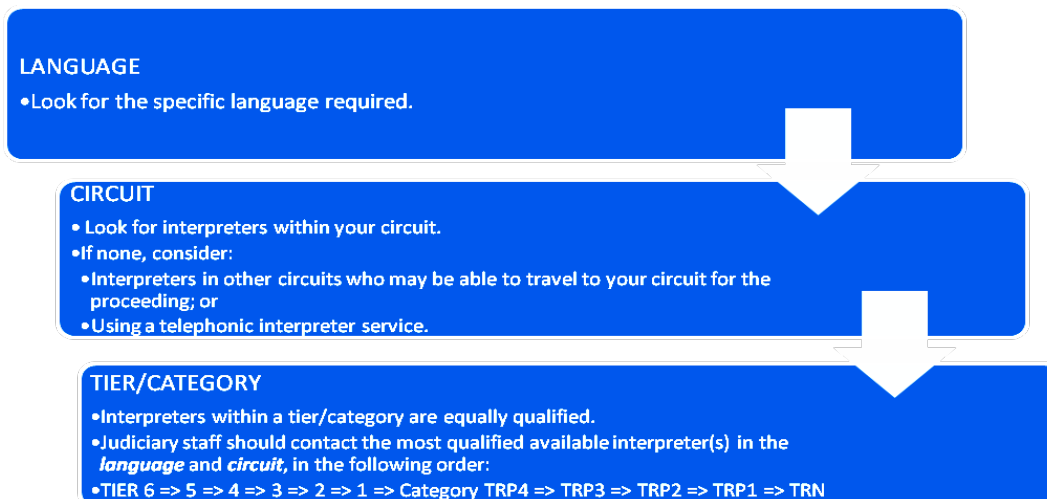
There are various ways that the Judiciary determines whether a court customer is LEP and needs language services to participate in a legal proceeding. Identifying the need for an interpreter in a legal proceeding and providing interpreting services for such a proceeding may initially occur upon the request of the LEP court customer or someone on their behalf, or by the request of an authorized court clerk, judicial assistant, bailiff, or other court staff. Non-Judiciary staff, including a public defender, prosecuting attorney, private attorney, or community advocate, may also inform the court of a client’s need for an interpreter in a particular case. If there is no request for an interpreter, but it appears that an individual may be LEP, the presiding judge may respond to the individual’s cultural and linguistic needs by providing an interpreter to ensure equal access to the courts. The presiding judge has the ultimate responsibility for authorizing the provision of an in-court interpreter in a legal proceeding.

2. Obtain Court Interpreter Services

Once it has been determined that an individual requires language services to meaningfully participate in a legal proceeding, Judiciary policy requires the provision of the most qualified, reasonably available interpreter to provide such services. Designated Judiciary staff are trained to use the Court Interpreter Registry (“Registry”) to contact and obtain the most qualified interpreter who is reasonably available for a particular assignment in any given language.

The Registry is a statewide list of interpreters eligible to interpret in the state courts. See Attachment D – Court Interpreter Registry. Interpreters are listed by Language, Circuit, and Tier/Category. Within each Tier/Category, interpreters are listed in reverse alphabetical order by last name.²¹ Judiciary staff should contact interpreters in the required language within the specific circuit, beginning with interpreters in the highest available tier, then the next highest tier(s), and so on from Tier 6/Certified Master Interpreters to Tier 1/Registered Interpreters. The chart below outlines the procedure for obtaining a court interpreter from the Registry for in-court proceedings.

Procedure for Finding a Court Interpreter Using the Court Interpreter Registry



Sign Language Interpreters, at App. B (Haw. S. Ct., adopted July 11, 2007, effective nunc pro tunc July 1, 2007), available at <http://www.state.hi.us/jud/ctrules/cssli.pdf>.

²¹ After evaluation of requests by court interpreters, the Judiciary placed the Registry list in reverse alphabetical order by last name, as of September 1, 2007. See <https://www.courts.state.hi.us/wp-content/uploads/2017/01/interpreters.pdf>. The list is updated as needed.

The court may appoint interpreters who are not listed on the statewide Registry only when no one on the Registry is available. In those situations, Judiciary staff should use transitional interpreters who have applied to the Certification Program but have not yet satisfied the mandatory minimum requirements and are thus not listed on the Registry. All contracted interpreters are expected to adhere to the ethics and competency standards adopted by the Judiciary. All transitional interpreters are required to complete a Declaration agreeing to abide by these standards.

COVID-19 pandemic impacts on court interpreting services. On March 4, 2020, Governor David Ige declared a state of emergency in Hawai‘i in response to the public health threat posed by COVID-19. Since that time, the Judiciary has responded by postponing matters if necessary, moving proceedings to a remote format as feasible, and adjusting in-person operations to protect court users and staff. As courts increasingly moved to holding hearings remotely via Zoom or WebEx, it became necessary for interpreters to learn new skills to be able to effectively provide interpreting services remotely. OEAC conducted two trainings in November 2020, to assist interpreters in learning how to navigate the Zoom and WebEx platforms and tips on how to effectively interpret in a remote hearing setting.

Telephone interpreter. If an interpreter is not available to appear in-person through this process, the court may suspend the case until an interpreter is available or consider using - for limited purposes - a telephone interpreter from the Judiciary’s contracted vendor, Language Link. The chart below, *Handling LEP Speakers in the Courtroom*, summarizes this procedure. In response to COVID-19 pandemic, OEAC conducted training for First Circuit District Court staff (court clerks and bailiffs) on how to use a telephone interpreter in a remote court hearing via Zoom or WebEx. In order to effectively connect the telephone interpreter to the webconference, it was necessary to install an additional telephone line in each courtroom to ensure that the audio portion of the webconference was not impacted when calling the vendor for a telephone interpreter.

Call OEAC. If an in-person or telephone interpreter is not available, Judiciary staff should contact OEAC as early as possible prior to the scheduled court date, for assistance in securing the resources necessary to meet the language needs of the individual with LEP for an in-court proceeding. When individuals require access to services within short time frames, Judiciary staff - in consultation with a supervisor, manager, or court administrator and the Judiciary’s Language Access Coordinator (LAC) - shall take reasonable actions to ensure that court customers with LEP have access to language access services as needed.

Data Collection. At the end of the transaction, Judiciary staff shall log the LEP encounter and the service provided (or requested) on the User Log-LEP/Language Services form. *See* Section VII; *see also*, Attachment G - Language Access / Data Collection Reporting Tool.

The above protocol is intended to ensure that LEP parties, witnesses, or persons with a substantial interest in a case are provided with appropriate language services to facilitate their meaningful participation in a legal proceeding in a manner that is culturally and linguistically appropriate. There is no charge to the court customer with LEP for court-ordered interpreter services.

It is inappropriate to allow the use of friends or family members, particularly minors, as interpreters in a legal proceeding in court. The better practice, in cases where an LEP defendant or witness requires an interpreter and there is no in-person interpreter or telephone interpreter

available, is to continue the hearing to a future date and to order the provision of an interpreter in the needed language, as this authorizes Judiciary staff to retain an interpreter by using the Court Interpreter Registry. Nothing in this plan precludes a party from bringing their own, privately-retained interpreter to court in a particular case; provided that, in such cases, the court finds the interpreter qualified to interpret and the cost of the court interpreter is borne by the party, not the court.

Request for an interpreter. In addition to Judiciary staff arranging for a court interpreter, court customers with LEP can request an interpreter for court. The Judiciary collaborated with the Hawai‘i Access to Justice Commission to use grant funding the Commission obtained from the American Bar Association to develop an informational flyer to explain the process of requesting an interpreter for a court matter. This information is available in English and 6 non-English languages on the Judiciary’s website (Language Access tab).

First Circuit District Courts have implemented a pilot project that allows the public to request an interpreter before the hearing. If a case is scheduled for hearing in any of the District Courts in the First Circuit (Honolulu, ‘Ewa, Kāne‘ohe, Wahiawa, Wai‘anae), a party, witness, or any other person can submit an Interpreter Request form before the hearing date, requesting that an interpreter be provided for an LEP party or witness. Completed forms can be submitted online via Document Drop service or in person at the Legal Documents counter at any District Court on O‘ahu.

Handling LEP Speakers in the Courtroom

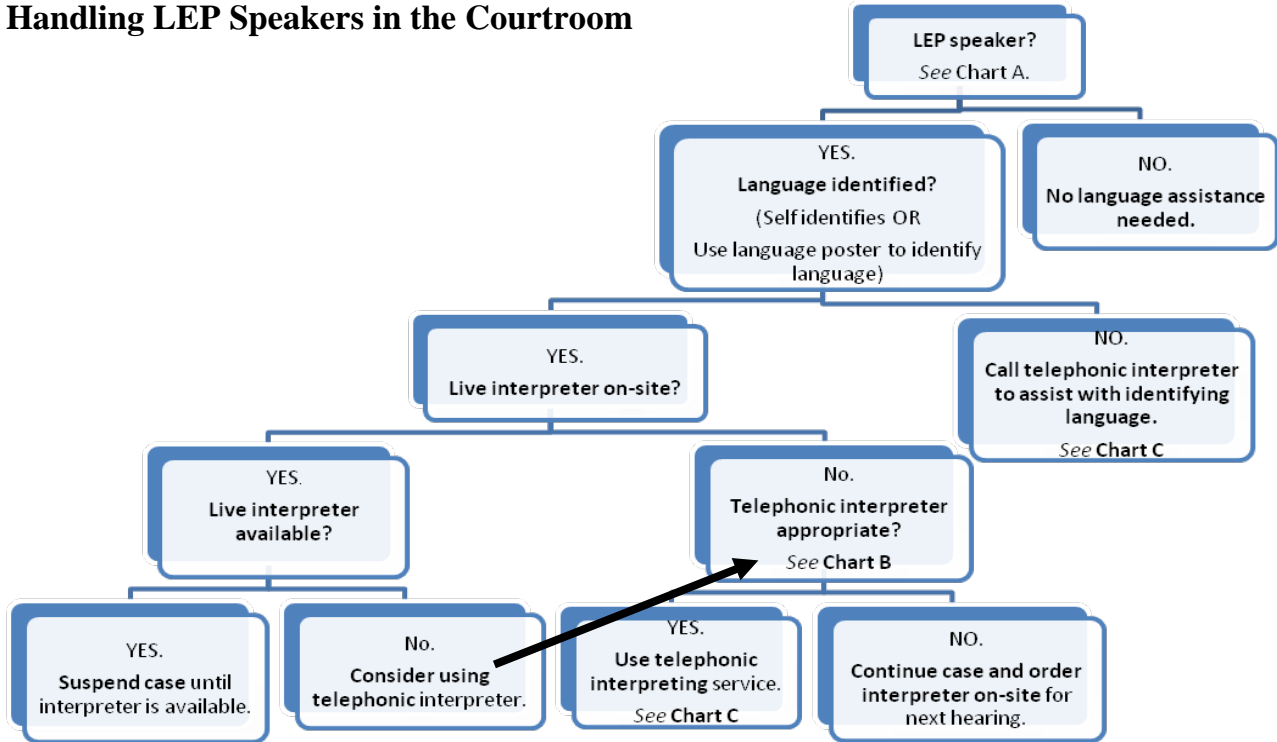


CHART A LEP Speaker: Assessment	CHART B Whether it is Appropriate to Use a Telephone Interpreter	CHART C Using a Telephone Interpreter in Court
<p>STANDARD: An interpreter is needed if the speaker is:</p> <ol style="list-style-type: none"> 1) Unable to speak English to be understood by counsel, court, and jury; or 2) Unable to hear, understand, speak and/or use English sufficient to comprehend proceedings and assist counsel. <p>DETERMINING FACTORS:</p> <ol style="list-style-type: none"> 1) Non-responsiveness 2) Ask open-ended questions requiring narrative responses 3) Assess: <ul style="list-style-type: none"> • Inappropriate grammar • Awkward vocabulary • Lack of fluency • Unintelligible accents • Repeated statements • "Blank look" <p>SAMPLE QUESTIONS:</p> <ol style="list-style-type: none"> 1) Please state your (name, address, age, birthdate, place) for the record. 2) Where were you born? 3) What is your first language? 	<p>WHEN TO USE TELEPHONE INTERPRETER IN COURT:</p> <ul style="list-style-type: none"> • When proceedings are short and non-evidentiary (best suited for short proceedings under 15 minutes) • When a rare language is needed • When no certified or qualified interpreter is available • When local interpreters have conflicts of interest • When a hearing must be held before an interpreter can get there, such as for TRO petition and hearings • When interpreter travel costs are high relative to length or importance of hearing <p>WHEN NOT TO USE A TELEPHONE INTERPRETER:</p> <ul style="list-style-type: none"> • When there is a certified or qualified interpreter close by • For intensive cross-examination or emotionally charged situations • For proceedings longer than 30 minutes or proceedings involving too many people • During trials • Any time that communication is difficult to establish adequately • Any time quality of interpretation would be compromised 	<p>COURTROOM IS HARD-WIRED (i.e. telephone connected to public announcement (PA) system):</p> <ol style="list-style-type: none"> 1) Activate telephone connection to PA system (30 seconds) 2) Call Language Link – see below. <p>COURTROOM IS NOT HARD-WIRED:</p> <p>1) SET UP EXTERNAL GROUP SPEAKERPHONE in courtroom (5-10 minutes depending on staff know how)</p> <ul style="list-style-type: none"> • Court staff obtains equipment from designated staff or locations • Connect speakerphone to breakout box • Connect breakout box to CISCO phone • Connect breakout box to power outlet • Place speakerphone on ledge fronting Judge • Place witness stand microphone on ledge directed towards speakerphone <p>2) CALL Language Link 1-877-650-8014 (toll free)</p> <ul style="list-style-type: none"> • Subaccount Number (4 digits) • Language needed • When interpreter is on the telephone: <ul style="list-style-type: none"> • Qualify the interpreter • Swear in the interpreter

C. PROCEDURE FOR PROVIDING LANGUAGE SERVICES OUTSIDE OF THE COURTROOM

In the course of serving the public, situations may arise where LEP individuals are unable to negotiate through court service centers and/or programs without the assistance of an interpreter. They may come into contact with Judiciary staff in court support services primarily via the telephone or in person.

In order to ensure that LEP individuals are not hindered in accessing identified Judiciary programs, services, and activities, the Judiciary will make reasonable efforts to provide an interpreter, free of charge, to court customers with LEP outside of the courtroom. Judiciary staff should follow the steps below to identify and provide language services in a manner that is culturally and linguistically appropriate to LEP court customers in settings outside of the courtroom.

Data Collection. At the end of each encounter with a court customer with LEP, Judiciary staff shall log the encounter and the service provided (or requested) on the User Log-LEP/Language Services form. *See* Section VII.

1. *Identify the Language Needs*

Judiciary staff helping a person with LEP should attempt to determine what language that person speaks. To identify the language needs, Judiciary staff may rely on the self-report of the LEP individual, a friend or family member, or on the presentation of the Judiciary’s Language ID Card indicating the LEP individual’s name and language they speak. Alternatively, Judiciary staff may show the LEP individual an “If You Need an Interpreter” card or poster developed by the Hawai‘i Office of Language Access.²² *See* Attachment B, Language Identification / Notice Materials. Staff will allow the individual with LEP to review the card or poster, which directs them to point to the language for which they need an interpreter. In addition, language access signage informing individuals with LEP of the availability of language services in 24 languages is visibly displayed at specified court support services locations identified as primary points of public contact; these signs may also be used to help identify the specific language needs of the individual with LEP. Where Judiciary staff is unable to identify the language using the language access signage, “If You Need an Interpreter” card or posters, or Language ID cards, Judiciary staff can call the Judiciary’s telephone interpreting service to help determine the specific language spoken by the individual with LEP. *See* Section V.C.3.

2. *Contact Accessible Bilingual Volunteer Staff*

The Judiciary currently maintains a workforce in excess of 1,900 staff statewide. Bilingual staff who are willing, on an as-needed basis, to assist the Judiciary by facilitating informal oral or written communication with LEP individuals in settings outside of the courtroom, are self-identified through a voluntary survey. Bilingual Judiciary volunteers, students, and interns may be available to work with Judiciary staff to meet the language needs of the Judiciary’s LEP populations.

Judiciary bilingual staff, volunteers, students, interns, and temporary hire employees including law clerks, (collectively “staff”) who are willing to facilitate informal communication with LEP

²² The “If You Need an Interpreter” card/poster developed by the Hawai‘i Office of Language Access is translated into in 24 languages, including many of the Asian and Pacific Island languages encountered in Hawai‘i, at [http://judintra/eac/EAC2_files/Language_ID_Rack_Card_\(prints_2_per_page\).pdf](http://judintra/eac/EAC2_files/Language_ID_Rack_Card_(prints_2_per_page).pdf).

individuals outside of the courtroom, complete the Bilingual Volunteer Staff Questionnaire form, which is available on the Judiciary Intranet in the Forms section and on the Equality and Access to the Courts (EAC) department page, and submit it to the OEAC. *See Attachment C, Bilingual Volunteer Staff Questionnaire.* Staff who submit the Questionnaire to OEAC are placed on the Bilingual Volunteer Staff List.

Bilingual staff must obtain supervisor approval before agreeing to provide language services when requested by Judiciary staff. The Judiciary will continue to develop criteria specific to departments, offices, or sections, as needed, to most effectively utilize the language skills of bilingual staff, as workload demands may prevent bilingual staff from assisting with language needs for out-of-court encounters with LEP individuals.

The Bilingual Volunteer Staff List (“Bilingual Staff List”)²³ posted on the EAC intranet page, lists staff who, as needed and available, are willing to facilitate informal communication with LEP individuals to assist the Judiciary in fulfilling its mandate to provide meaningful language access outside of the courtroom. The list is confidential and for use by internal staff only; it is not for public use.

After the language needs of the LEP individual have been determined, Judiciary staff have been trained to contact the bilingual volunteer staff from the Bilingual Staff List. Staff will first contact a bilingual volunteer staff within the Judiciary nearest to that staff person’s location. If that bilingual volunteer staff is not available, then staff will contact another bilingual volunteer staff from the Bilingual Staff List. If none is available within the Judiciary, then staff should use the telephone interpreting service. As a general rule, a competent, in person interpreter is preferred over a telephone interpreter, however, given the limited availability of bilingual staff to service in person immediately, interpreting assistance is often conducted by telephone.

3. Utilize Contracted Telephone Interpreting Service

The Judiciary has contracted with a telephone interpreting service to provide on-demand oral interpreting services by telephone after a determination to provide language services is made based on the four-factor analysis stated in Section III. If an in-person interpreter within the Judiciary cannot be located or a bilingual staff person is not available, then staff should call the contracted telephone interpreter service. Telephone interpreting services are available for Judiciary staff statewide.

Training. OEAC conducted initial training on how to use the service and how to work effectively with a telephone interpreter, including training materials, for staff statewide prior to full implementation of telephone interpreting services in May 2011. In 2014, all Judiciary staff statewide were required to attend one of OEAC’s two-hour mandatory language access trainings, which include using the telephone interpreting service. OEAC continues to provide refresher training and training for new staff to support the use of the telephone interpreter service. Thus, most Judiciary staff statewide have been trained on the Judiciary’s language access policy and procedures for servicing persons with LEP who contact the courts.

²³ The Bilingual Volunteer Staff List includes the names, non-English language, physical location and contact information of Judiciary staff, volunteers, students, interns, and temporary hires who have submitted the Bilingual Volunteer Staff Questionnaire. This list is an internal company confidential document for use by Judiciary staff only.

Cost. The cost for telephone interpretation services continues to be borne by OEAC. Once usage trends materialize, it is anticipated that costs for the service may be borne by the specific court or department that uses the service.

Courtroom Upgrades. In addition to training on this service, in 2013, the Judiciary upgraded its courtrooms to support use of telephone interpreters in the courtroom when a live interpreter is not reasonably available. All courtrooms in the Judiciary’s judicial circuits (except Hana District Court) have direct telephone connection to the existing public address system and recording devices in each courtroom. Court staff have been trained on how to provide telephonic interpreting services in the courtroom. This enables judges to utilize remote interpreting by telephone interpreters and to support remote appearances for court proceedings.

D. RECORD LEP/LANGUAGE ACCESS DATA

In order to assist the Judiciary in identifying populations with LEP that are eligible to be served by the state courts, and ensuring the provision of language access services in a culturally and linguistically appropriate manner to eligible LEP groups, the Judiciary has implemented the LEP/Language Access Data Collection Project. Judiciary staff will record each encounter with an individual who has LEP, whether in court or outside of the courtroom. *See* Section VII.

E. SPECIAL SITUATIONS

1. Language Not Listed on “If You Need an Interpreter” Card or Poster

If the court customer with LEP speaks a language that is not listed on the “If You Need an Interpreter” card or poster, Judiciary staff should try to identify the language needs by calling the telephone interpreting service and asking for assistance in identifying the customer’s language. If this is not successful, then the staff should contact the Judiciary’s Language Access Coordinator (LAC) at (808) 539-4860 for further assistance.

2. No Telephone Interpreter Available

If the telephone interpreting service representative indicates that an interpreter is not available, staff should contact the Judiciary’s Language Access Coordinator (LAC) at (808) 539-4860 for assistance. **Note:** The telephone interpreting service provider cannot guarantee service in any language. However, staff can call in advance to try to preschedule a telephone interpreter in a particular language.

3. Other Circumstances

Use of family or friend is discouraged. In cases where language services cannot be provided through the methods listed above, Judiciary staff should contact the LAC at (808) 539-4860 for further assistance. Judiciary staff should not require, suggest, or encourage an individual with LEP to use a family member or friend as an interpreter. Minor children under the age of 18 should not be used to provide interpreting services. However, the exception is that a family member or friend may be used as an interpreter in instances of extreme urgency such as encounters where imminent danger or bodily harm may result if immediate communication is not had.

The Judiciary is committed to taking reasonable steps to ensure that LEP parties, witnesses, and persons with a substantial interest in a case in all case types, have meaningful access to the court system. The Judiciary is also providing language access assistance to LEP persons accessing court support services in conformity with the four-factor analysis as discussed in Section III.

Public Access. The Judiciary has Self-Help Centers and Access to Justice (ATJ) Rooms statewide, where volunteer attorneys provide limited legal information (at Centers) or limited legal advice (at ATJ Rooms) to self-represented litigants involved in a civil case. Volunteer attorneys have access to telephone interpreters to respond in a culturally and linguistically appropriate manner to public questions from self-represented litigants with LEP needing language assistance.

F. TELEPHONE CALLS

If Judiciary staff receive a telephone call from a person with LEP or from the person’s representative, and determines that oral interpreting services are needed, staff should call the telephone interpreting service for assistance. Alternatively, to the extent possible, an appointment may be made for the LEP individual to come into the Judiciary office so that oral interpretation services may be arranged as set forth above.

G. WRITTEN TRANSLATION

As discussed in Section VI.(C) below, the Judiciary is working toward attaching a “notice” to identified court support services documents in order to provide meaningful access to individuals with LEP. When a request for written translation of a document is received, the supervisor or administrator of the particular division receiving the request may consult with the Judiciary’s Language Access Coordinator and shall decide whether or not the request should be granted using the four-factor analysis discussed in Section III.

VI. LANGUAGE ACCESS RESOURCES AVAILABLE FOR IN-COURT AND OUT-OF-COURT PROCEEDINGS

The Judiciary developed the following resources to ensure that LEP court customers have meaningful access to the courts and to support the protocols described above. These resources will enable staff to respond in a culturally and linguistically appropriate manner to the diverse communication needs of court customers who need language assistance.

A. COURT INTERPRETER CERTIFICATION PROGRAM

The Hawai‘i State Judiciary’s efforts to meet the needs of court customers with LEP, are driven by the linguistic and cultural diversity of Hawai‘i and further challenged by Hawai‘i’s relative geographic isolation, being the most remote group of islands from any continental land mass in the world. Hawai‘i cannot rely on interpreters to travel from neighboring states to interpret for a case. In addition, the Judiciary’s judicial circuits are separate islands within the state of Hawai‘i resulting in further challenges. The Judiciary recognizes that it must build self-sufficiency in its ability to provide qualified court interpreters for a multitude of languages, many of which are considered “rare.” Accordingly, the Judiciary has taken steps to systematically address court interpreter needs for over a decade.

In its ongoing effort to increase the quality of interpreting in the Hawai‘i state courts, the Judiciary, through OEAC, launched the Court Interpreter Certification Program (“Certification Program”) in 2007.²⁴ The Hawai‘i Rules for Certification of Spoken-Language Interpreters,

²⁴ In 2005, legislation was introduced by the Judiciary and later enacted by the Hawai‘i State Legislature establishing a revolving fund for court interpreter education, screening, training, testing, and certification, a necessary precursor to the establishment of the Court Interpreter Certification Program. The revolving fund was necessary to create a mechanism for ongoing program fiduciary self-sufficiency. In 2006, the Legislature

adopted by the Hawai‘i Supreme Court and effective on July 1, 2007,²⁵ provide the authority for the Certification Program and establish the process by which interpreters may be registered, certified, and otherwise qualified to provide interpreting services in the Hawai‘i state courts. In its continued effort to facilitate the accessibility and availability of court interpreters, the Judiciary introduced legislation in 2011 to establish an exemption for court interpreters from expired parking meter violations received while serving a court assignment. The 2011 Legislature passed the measure, and the Governor subsequently signed it into law.²⁶ In addition, in an effort to fill interpreter requests for assignments in rural courts, the Judiciary increased the mileage reimbursement rate for court interpreters on assignment from \$.35/mile to \$.55/mile effective July 1, 2013, and established compensation for commuter time for eligible interpreters who travel farther to court assignments, effective January 1, 2015.

The Certification Program promotes and ensures equal access to Hawai‘i’s courts for LEP parties, witnesses and individuals with a substantial interest in a case, by providing the most qualified, reasonably available interpreters to provide meaningful access to court proceedings in a manner that is culturally and linguistically appropriate. The Certification Program structure establishes a minimum standard for court interpreters and categorizes interpreters into different designated levels of status (tier), pay, and hiring preference according to their completion of program requirements and interpreting skill level, as determined through measurable objective testing criteria, thereby facilitating the provision of language services to populations with LEP that are served by Hawai‘i State Courts. The Certification Program is similar to that of 43 other states and based on a model program recommended by the National Center for State Courts, Council of Language Access Coordinators (formerly the Consortium for State Court Interpreter Certification) (“NCSC”), of which Hawai‘i is a member.

The current requirements to interpret in the Hawai‘i State Courts are as follows:

Interpreters must:

- Be at least eighteen (18) years of age;
- Be authorized to work in the United States; and
- Complete a Certification Program Application, available at https://www.courts.state.hi.us/services/court_interpreting/registration_packet_instructions.

Because court interpretation is a highly specialized form of interpreting that cannot be effectively performed without commensurate specialized training and skills, the Certification Program further establishes the following mandatory minimum requirements for interpreters to be qualified to interpret in the state courts.

appropriated \$158,329 in start-up funding for the Judiciary’s Court Interpreter Certification Program to orient, screen, train, and test court interpreters, which included funding for two certification staff positions. Act 120 § 7.3 (2006).

²⁵ Hawai‘i Rules for Certification of Spoken- Language Interpreters (fka Hawai‘i Rules for Certification of Spoken and Sign Language Interpreters) (Haw. S. Ct., adopted July 11, 2007, effective nunc pro tunc July 1, 2007), available at <https://www.courts.state.hi.us/wp-content/uploads/2019/08/csli.pdf>.

²⁶ Act 42 (effective May 4, 2011) (codified at HRS § 621-8 (b)); *see also* Gov. Msg. No. 1142 (May 4, 2011).

Interpreters must:

- 1) Attend a two-day (16 hours) Basic Orientation Workshop. Topics covered include: Hawai‘i State Court system, legal procedure and terminology, interpreting skills, and court interpreter ethics;
- 2) Pass both the NCSC Written English Proficiency Exam and the Hawai‘i Basic Ethics Exam; and
- 3) Clear a criminal background check administered by the Judiciary.

Interpreters who satisfy the mandatory minimum requirements attain Tier 1/Registered Interpreter designation status and are placed on the Hawai‘i State Judiciary’s Court Interpreter Registry (“Registry”), a statewide roster of interpreters qualified to interpret in the Hawai‘i State Courts.

Tier1 interpreters may opt to take an Oral Exam, if one exists in their language to test interpreting skills and proficiency in both English and their non-English language. Interpreters who achieve qualifying scores on the Oral Exams can attain a higher tier designation and commensurate higher pay rate and hiring preference. Oral Exams do not exist in all languages, and some interpreters, particularly in Asian and Pacific Island languages, may not be able to take an Oral Exam.

Interpreter Training. The Judiciary has been offering an Arraignment & Plea (A&P) Workshop for new court interpreters. The A&P workshops were conducted on the neighbor islands for the first time in Hilo and on Maui and Kaua‘i in September 2018 in collaboration with the Hawai‘i Office of Language Access.

In 2017 the Judiciary sought to improve the quality of court interpreters in a pilot project aimed at documenting that interpreters meet a baseline standard of understandable, conversational English. 70 court interpreters statewide participated in the project by taking the Versant Oral English Screener free of charge, online or by telephone. Versant evaluates the spoken English skills of non-native English speakers and is recommended by the National Center for State Courts. Interpreters who were assessed as needing improvement, were offered free access to an online English speech training program which can improve spoken English pronunciation and reduce native accents.

Additionally, in collaboration with the Asian Pacific Institute on Gender-Based Violence and the National Language Service Corps, in August 2017, the Judiciary co-sponsored a free, intermediate level skills building training for court interpreters on O‘ahu. Lead by interpreter trainer Martha Cohen from the Seattle King County Courts, 23 court interpreters participated in a full day of interactive interpreting exercises and received practical tips and individualized feedback to help them learn how to build their skills in consecutive and simultaneous interpretation and sight translation.

The COVID-19 pandemic has changed the way the Judiciary does business. In response to the public health threat posed by the pandemic, the Judiciary has postponed matters if necessary, moved proceedings to a remote format as feasible, and adjusted in-person operations to protect court users and Judiciary staff. With the growing use of webconference technology to conduct court proceedings, and the concomitant need for interpreters who are competent in remote interpreting, in 2020, OEAC conducted two trainings to familiarize court interpreters on the two specific webconference platforms used by the Hawai‘i State Courts. More than 230 interpreters

registered for the Court Interpreter Training for Web Ex and Zoom sessions conducted in November 2020. OEAC also polled all its interpreters as to their availability for Web Ex and Zoom assignments, to assist staff in obtaining interpreters for remote proceedings.

Judicial Training. In Spring 2019, OEAC presented “Practical Judicial Skills for Using Interpreters in the Courtroom” at the Spring Judicial Conference, to assist judges to effectively and efficiently use interpreters in court proceedings. The training was offered to all full-time and per diem judges.

Interpreter Recruitment. The Judiciary continues to expand its base of court interpreters through active recruiting at high schools, through the media (radio, television), at career conferences, career days, symposiums and job fairs. The Judiciary was invited to participate in the 6th Annual Pacific Youth Empowerment for Success (PacYES) event at UH Hilo on October 21, 2017. The event aimed to provide Pacific Island high school students with information and resources to promote college, career, and community readiness. Community and UH Hilo student leaders planned and coordinated the event. The Judiciary successfully reached a target audience of Pacific Islander college students and community members to pitch the Court Interpreter Program and met some potential partners who may be able to help the Judiciary reach out to Pacific Islanders who speak languages in high demand in the Hawai‘i State Courts. The Judiciary was also invited to present at the Multilingual Career Development Day sponsored by the Hawai‘i Language Roadmap Initiative Project on March 28, 2018. Bilingual high school and college students attended the event, which highlighted language skills in the workplace. OEAC staff participated in the first-ever “Virtual Multilingual Career Fair” sponsored by the Hawai‘i Language Roadmap on March 30 2021. The Judiciary also participated in the Hawai‘i Association of Language Teachers Spring Conference on April 14, 2018, and the Hawai‘i Department of Education’s Multilingual Symposia on March 2, 2019 and January 11, 2020.

As part of its recruitment efforts, OEAC staff participated in various job fairs, such as the Chaminade University job fair on October 3, 2018; Transition Summit Hiring Fairs at Joint Base Pearl Harbor Hickam and Schofield Barracks on October 16-17, 2018; the Child and Family Services Ewa job fair on August 7, 2019; and the Hiring Our Heroes job fair at Kaneohe Bay Marine Corps Air Station on November 5, 2019.

OEAC also works to build and maintain relationships with community-based organizations that promote language access and can help the Judiciary’s outreach efforts to targeted communities, such as We Are Oceania, Waipahu Safe Haven (Chuukese and Marshallese Steering Committees), Nations of Micronesia, Marshallese Education Day, Pacific Gateway Center, Helping Hands Hawaii, Overcoming Barriers to Access to Justice Committee of the Hawai‘i Access to Justice Commission, Ka Haka ‘Ula O Ke‘elikōlani School of Hawaiian Studies at University of Hawai‘i Hilo, and other organizations.

OEAC staff conduct outreach events for the public on how to become a court interpreter, participate in community events, meet with businesses and organizations, among other actions to raise awareness of the Judiciary’s Court Interpreter Certification Program and support interpreter recruitment.

Other Presentations. OEAC’s Court Interpreting Services Coordinator was the Hawai‘i panelist for the National Center for State Courts webinar, “Back to the Future: Video Remote Interpreting and Other Language Access Solutions in the Time of COVID” on June 30, 2020, available at <https://www.ncsc.org/newsroom/public-health-emergency/webinars/2020-webinars>. Over 2,000

registrants heard a panel of experts from four states discuss the challenges and successes of implementing remote interpreting and other technology solutions to provide language access in state courts.

B. COURT INTERPRETER REGISTRY

The Office on Equality and Access to the Courts (OEAC) maintains the Court Interpreter Registry, a statewide listing of interpreters qualified to interpret in the state courts in accordance with the Judiciary’s Court Interpreter Certification Program. The Registry assists the Judiciary to effectively identify and give assignment preference to the most skilled court interpreters through a system that assigns a numerical tier designation in descending order (i.e., Tiers 6, 5, 4, 3, 2, and 1) to each listed interpreter, based on their interpreting skills and knowledge as determined by objective, standardized testing instruments.

The Registry is available to Judiciary staff statewide through the Judiciary’s intranet. The Registry is also made available to the public on the Judiciary’s website at https://www.courts.state.hi.us/services/court_interpreting/list_of_registered_interpreters and from the “List of Interpreters” link on the “Language Access” tab on the Judiciary’s homepage. The first page of the Registry is a chart illustrating the various tier designations used by the Certification Program to classify interpreters, including requirements for each tier and applicable pay rate. The actual list of interpreters begins on page 3. The Registry lists interpreters by language, circuit (island), and tier designation in descending order from 6 to 1 (with the highest tier, or more qualified interpreters, listed first). Within each tier, interpreters are listed in reverse alphabetical order²⁷ by last name, and are considered equally qualified. *See* Attachment D, Court Interpreter Registry. The Registry is updated regularly by OEAC to ensure that Judiciary staff have access to the most current roster and contact information for court interpreters.

C. DOCUMENT TRANSLATION

1. Vital Documents

The Judiciary has identified vital documents – forms, brochures, and other written materials routinely distributed to English-speaking individuals, that provide important information necessary to access or benefit from its programs, services, or activities. Through a process of prioritization, the Judiciary has identified critical and vital documents to be translated upon availability of funding. *See* Attachment E, Hawai‘i State Judiciary, Vital Documents Survey Reports, submitted to the Hawai‘i Office of Language Access on November 3, 2008 and July 17, 2012.

The Judiciary is working to ensure that vital documents are translated where the program regularly encounters languages other than English in serving the public, subject to the four-factor analysis and funding availability.²⁸ The Judiciary translates documents in various ways: on a contractual basis in accordance with the state procurement requirements; by participating in the State Procurement Office Price List Contract, NASPO Valuepoint On-Demand Remote Interpreting (OPI and VRI) and Document Translation – Statewide, and by applying for grant funding. In addition, sight translations are provided by court interpreters as needed and by bilingual volunteer staff if there is an emergency situation. The Judiciary seeks to ensure

²⁷ *See supra* note 19.

²⁸ Translations can be accessed by language on any Judiciary website page. *See* <https://www.courts.state.hi.us/>.

timeliness and competency of translations in its contract provisions and by contracting with vendors who indicate their level of translation competency.

Written notices of the right to receive competent and free oral interpretation of vital documents are being developed for translation into languages other than English for groups who have LEP that do not meet the five percent or 1,000 persons threshold, subject to the requirements of HRS Ch. 321C. Through its Courts Eliminating Language Barriers (CELB) project funded through a FY 2010 Byrne Justice Assistance Grant (JAG) grant, OEAC aimed to improve the criminal justice system by providing communication access for LEP defendants and witnesses to help them successfully navigate the courts and criminal justice system, process information, make wise decisions, and understand and comply with court orders. OEAC developed and provided the following: Language identification cards (in English + 14 languages) (*See § V.(A), supra*); and an informational brochure, “How to Use a Court Interpreter” (in English + 14 languages) to inform defendants and witnesses of the role and use of a court interpreter in court proceedings – with the aim of making effective and efficient use of court interpreters.

In addition, through its Providing Language Access in the Courts (PLAC) project, funded by a FY2011 Byrne JAG Grant, the Judiciary focused on strengthening interpreter services by providing specialized Interpreter Skills Building training for criminal court cases to facilitate the provision of timely, competent, and free language services for LEP persons in the Hawai‘i State Courts. Criminal court forms/written information were translated into non-English languages frequently encountered in the Hawai‘i State Courts. Judges and court administrators were polled to identify specific forms/written information that provide important information necessary for criminal defendants to meaningfully participate in court proceedings and comply with court orders/judgments.

Through its Multilingual Temporary Restraining Order (MTRO) project funded by a FY2015 S.T.O.P. Violence Against Women Act (VAWA) grant obtained in 2017, the Judiciary sought to improve its ability to facilitate access to justice for immigrant and LEP victims of domestic violence by translating TRO packets and other vital documents that provide important information to access the family courts statewide. MTRO project documents were translated into the high demand languages for TRO petitioners encountered in each circuit statewide and audio recordings of the translations of general TRO information were made available online.

Following the MTRO project, the Judiciary produced a multilingual video to assist domestic violence victims to successfully file a Temporary Restraining Order in the First Circuit Family Court. Funded by a FY 2019 Justice for Families grant, the videos provide important information about the TRO process. The video is available in English, Chuukese, Ilokano, Marshallese and Tagalog, and can be shown by TRO Unit staff to victims who come to the courthouse to file for a TRO.

2. Notice of Availability of Document Translation

The Judiciary is also working to develop “notice” language to be translated into frequently encountered non-English languages to attach to identified court documents. It is anticipated that the content of the notice may include the following: “If you need this document translated, please contact the Judiciary’s Language Access Coordinator by email at oeac@courts.hawaii.gov or by telephone at 808-539-4860.”

D. NOTICE

It is the Judiciary’s goal that identified entry points and primary points of public contact have posted signage that informs LEP persons of their right to free language services.

Signage. In August 2012, the Judiciary released its version of the revised (July 2012) language identification poster developed by the Hawai‘i Office of Language Access to instruct court customers to contact the Judiciary if they have any questions or need information on interpretation services. Signage is posted statewide in various high traffic locations within the Circuit, District, Family and Rural Courts, including the Traffic Violations Bureau, Cashier’s Office, Legal Documents Branch, Adult Client Services Branch, and Customer Service Centers. It is also readily available on OEAC’s intranet page for printing in various sizes for posting and personal desk-side use. *See Attachment B Language Identification / Notice Materials.*

The Judiciary will continue an ongoing process of assessment to ensure appropriate signage is posted. In implementing this Language Access Plan (LAP), the Judiciary will consider physical signage and special considerations so that interactions between the Judiciary and court customers with LEP can take place in a fairly private manner.

Language ID cards. As stated above in Section V.(A), multilingual language identification cards (Language ID Cards) are available in all courthouses statewide, and court users are greeted by multilingual *Welcome Banners* printed in English and 14 non-English languages. *See Attachment B Language Identification / Notice Materials.*

Rack cards. The Judiciary also provides rack cards at court support services and/or program centers notifying court customers with LEP that interpreters are available free of charge. As stated above in Section VI.(C)(2), the Judiciary is working toward providing a notice regarding the availability of free translation services to attach to court documents that a court customer with LEP may need translated. *See Attachment B – If You Need an Interpreter Rack Card.*

Other notice. The Judiciary continues to explore alternative means of providing notice to individuals with LEP, such as:

- Posting notice of availability of language access services for court customers with LEP on the Judiciary’s website in additional non-English languages, as determined by the four-factor analysis as discussed in Section III. above
- Developing an interpreter request form, available in hard copy and on the Internet that LEP persons can use to alert the Judiciary of their language needs by presenting it to Judiciary staff upon arrival at Judiciary facilities when seeking court services
- Promoting use of plain language in court informational materials and website content, for readability and ease of understanding

E. JUDICIARY INTERNET SITE

Multilingual information is available by language on the Judiciary internet site.²⁹ From the “Language Access” tab on the Judiciary’s homepage, the following information can be accessed: the Judiciary’s Language Assistance Policy; Language Access Services; List of Interpreters; Request a Court Interpreter; Sign Language Interpreters; Use a Court Interpreter; Become a Court Interpreter; and Contact Information. In addition, on the left side of the main website page, there is access to language-specific webpages with multilingual information in 14 languages

²⁹ *See* <https://www.courts.state.hi.us/>.

frequently encountered in the Hawai‘i State Courts. The National Center for State Court's named the Judiciary's website as #1 for Court Technology Solutions Awards in 2016 for its work in multiple language access solutions.

F. LANGUAGE ACCESS COMPLAINTS

If an LEP person is unsatisfied with the language services (not provided, quality of the services provided, etc.), a complaint form is available from the Office on Equality and Access to the Courts. The LEP person or their authorized representative may complete the form and submit it to OEAC. The complaint form includes contact information for the complainant, court information and the reason for filing the complaint. After receiving the complaint, the Judiciary will acknowledge its receipt of the complaint, investigate the matter and work to resolve the complaint in a timely manner. OEAC maintains a record of complaints filed.

During its 2013-2015 technical assistance review of the Hawai‘i State Judiciary, the U.S. Department of Justice identified the need for a complaint process for limited English proficient persons to submit a complaint about the denial of interpreter services, or issues with the language services received. Subsequently, the Judiciary developed a language access complaint procedure for court users who believe that they did not receive language access, were not provided with an interpreter by the court, or have a complaint about a court interpreter.

The Judiciary recognizes the need for a multilingual complaint form, and a clear, public, transparent complaint process for LEP persons to notify the Judiciary of concerns with the provisions of language assistance services. Thus, in its Language Access in the Courts Enhancement (LACE) project funded by a FY 2014 Byrne JAG Grant, the Judiciary translated the language access complaint form and complaint process informational sheet into 14 languages frequently encountered in the Hawai‘i State Courts to inform LEP persons about how to file a complaint. Providing such information in LEP persons' primary language will facilitate timely notifying the Judiciary about any problems with provisions of services, so that appropriate corrective action can be taken. This will ultimately reduce delays in court proceedings, insufficient court records, and unenforceable court orders which may result from language barriers. The translations will be posted on the language-specific webpages on the Judiciary's website, and should also be available in hard copy at courthouses statewide.

VII. LEP/LANGUAGE ACCESS DATA COLLECTION PROJECT

After assisting a court customer with LEP, Judiciary staff are required, and have been trained, to document the encounter on the *User Log-LEP/Language Services* form, which includes a User Guide (quick guide) to assist staff in accurately recording LEP encounters, and specific examples of the types of language assistance that can be provided. Each section/office/department is responsible for compiling data on encounters with LEP court customers from *User Logs* into a *Quarterly Report-LEP/Language Services (by language)*, which OEAC collects quarterly. OEAC compiles the information into a comprehensive *Quarterly Report-LEP/Language Services* statewide report and submits a Semi-Annual report to OLA.

The language access reporting forms, together with instructions and training materials (sample scenarios and accompanying forms showing how to log the data), are available on the Judiciary Intranet, on the Forms page and the EAC department page. See Attachments F and G, EAC Intranet page, Language Access/Data Collection Reporting Tool, *User Log & Quarterly Report*

Form (Excel Format); and Language Access/Data Collection Reporting Tool Training Materials, Scenarios, Blank Forms & Answer Sheets.

VIII. STAFF TRAINING

A. LANGUAGE ACCESS PLAN (LAP)

The Judiciary recognizes that the training of its staff is an important component of working with populations that have limited English proficiency (LEP). All staff should understand the need to determine language needs of individuals who have LEP in a timely manner to reduce delay, frustration, and costs. Training also ensures that staff working across departments know how to service individuals with LEP in a consistent and uniform manner.

Accordingly, in 2009, the Judiciary’s Office on Equality and Access to the Courts (OEAC), which is primarily responsible for conducting training and implementing the LAP, conducted initial training for court administrators, senior management members and staff statewide on its Language Access Plan (LAP). For the initial training, representatives from each First Circuit office were required to attend the train-the-trainer sessions in order to subsequently train their respective staff. As part of its training, OEAC developed the *Guide for Serving LEP Court Customers*, to serve as reference material for staff with the essential principles and procedures of the LAP.

The Judiciary has continued to provide refresher training, upon request, statewide on its LAP for staff, judges, law clerks, and new employees. OEAC conducted 95 two-hour mandatory language access training sessions in 2014 for Judiciary staff statewide (27 on neighbor islands, 68 in the First Circuit). As part of this training, OEAC developed a benchcard for Judiciary staff, *Language Access Services: A Guide for Staff*, which contains the protocol for providing language services discussed in Section V. See Attachment H. The benchcard replaced the *Guide for Serving LEP Court Customers* mentioned above. In addition, mandatory judicial training on language access was conducted for all judges. In 2016, the Judiciary updated its data collection forms for staff and conducted additional workshops on how to collect data on encounters with court clients who are limited English proficient. Since the filing of the Judiciary’s Language Access Plan for Persons with Limited English Proficiency FY 2017-2018, the Judiciary has conducted training each year on language access and its provision of language assistance services for Judiciary staff, other government agencies, and numerous community organizations. In response to the rise in remote proceedings due to the COVID-19 pandemic, the Judiciary also conducted several training sessions for staff, judges, and interpreters on how to use court interpreters more effectively in remote hearings. More recently, in November 2021, and January and February 2022, staff training was specifically conducted for First Circuit District Court and Family Court Clerks and Bailiffs. Similar training for First Circuit Probation Officers is scheduled for March 2022.

Due to the size and complexity of its workforce, the Judiciary is exploring alternative modes of training including:

- *Formal Training* – Face-to-face training designed for management, supervisors, and staff who are likely to encounter court customers with LEP, covering topics such as the Judiciary’s LAP, protocols for providing language services, how to use the telephone interpreting service, how to effectively work with interpreters, and data collection.

Descriptions of the training are available on the Judiciary eLearning Center for Judiciary managers and employees to review and request training.

- *Distance Learning* – Training by videoconference, teleconference, and interactive television systems designed to reach staff who are unable to attend training in person due to geographical barriers, budget constraints, and travel restrictions. Staff have access to the language access training materials on the Judiciary website for staff. OEAC is working to make the language access training part of the Judiciary eLearning Center.
- *Computer-Based Training* – Computer-based, online training covering such topics as the Judiciary’s LAP, protocols for providing language services, and how to effectively work with interpreters is tentatively scheduled for 2023.
- *Informal Training* – Informal training provided by unit supervisors or trained staff on topics such as the Judiciary’s LAP and procedures for providing language assistance services to court customers with LEP.

The Judiciary’s Language Access Coordinator will continue to work with court administrators and the respective training departments to determine effective methods of delivering language access training to Judiciary staff. This process may include identifying trainers within each circuit who are willing to conduct language access trainings and coordinating trainings for Judiciary staff and bilingual volunteers and staff.

B. BILINGUAL VOLUNTEER STAFF

The Judiciary has offered bilingual volunteer staff the opportunity to attend training conducted by the State Office of Language Access (OLA) to better understand their role as bilingual volunteer staff interpreters and ways to work more effectively in this capacity. In addition, the Judiciary is exploring the development of additional training for its bilingual volunteer staff modeled after OLA’s “The Role of Bilingual Staff” and “Serving LEP Individuals through Interpreters” workshops. The goal is to develop a curriculum designed to provide basic training in interpreter ethics and confidentiality requirements related to providing language services. The Judiciary is working with OLA to provide Judiciary staff with access to online training videos produced by OLA on the role of bilingual staff.

IX. MONITORING AND UPDATING THE PLAN

To ensure continual improvement in the area of customer service for individuals with limited English proficiency (LEP), in a manner that is culturally and linguistically appropriate, the Judiciary’s Language Access Coordinator will monitor provision of language access services for persons with LEP, and update the Language Access Plan every two years. The Judiciary will also, to the extent practicable and as the need arises, coordinate across programs, departments, and circuits, to more efficiently meet the needs of its court customers who have LEP. The Judiciary implemented an LEP/Language Access Data Collection Project to collect data quarterly on every encounter court staff has with individuals with LEP. It is anticipated that the Data Collection Project will provide necessary information to assist the Judiciary to better determine the language needs of individuals with LEP who seek access to Judiciary programs, services, and activities.

X. DESIGNATION OF THE JUDICIARY LANGUAGE ACCESS COORDINATOR

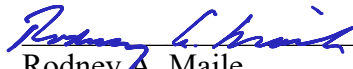
The Program Director of Office on Equality and Access to the Courts is the designated Language Access Coordinator (LAC) for the Judiciary and is responsible for: (1) overseeing implementation and evaluation of the Language Access Plan (LAP); (2) revising the LAP, as necessary; (3) responding to inquires/comments/ complaints regarding the LAP and its implementation; and (4) training Judiciary staff on the LAP.

The LAC also works with other State departments and agencies to identify areas where coordination or collaboration would improve the efficiency with which language access services can be provided. In addition to participating in the State Language Access Coordinators meetings convened by the Hawai'i Office of Language Access, the LAC also participates in the Roundtable meetings convened by the Overcoming Barriers to Access to Justice Committee of the Access to Justice Commission (OBAJ Roundtable). The OBAJ Roundtable is comprised of invited entities working to reduce language and other barriers to access to justice and aims to facilitate collaboration and cooperation among its participants and members.

The LAC also participates in the Hawai'i Language Roadmap Initiative Project which acknowledges the realization that to compete in a global economy and to respond to the demands of its increasingly diverse population, Hawai'i must promote and support the study of foreign languages and culture. The project brings stakeholders from education, government, and business together to assess foreign language needs and create sustainable and applicable solutions designed to meet language access needs within the state.

XI. CONCLUSION

This Language Access Plan (LAP), developed in compliance with the mandates of Title VI and Hawaii Revised Statutes, Ch. 321C, memorializes the Judiciary's actions and initiatives to provide reasonable and meaningful access to individuals with limited English proficiency who seek access to Judiciary programs, services, and activities. For further information on this LAP, contact the Judiciary's Language Access Coordinator at 808-539-4860 or oeac@courts.state.hi.us.


 Rodney A. Maile
 Administrative Director of the Courts
 Hawai'i State Judiciary

7/5/22

Date

ATTACHMENTS

Attachment A	Hawai'i State Judiciary, Public Contact Positions Survey Report
Attachment B	Language Identification / Notice Materials <ul style="list-style-type: none">• Language Access Policy Notice• Multilingual Notice of Availability of Language Services• Language ID Cards• If You Need An Interpreter Rack Card• Multilingual Welcome Banner
Attachment C	Bilingual Volunteer Staff Questionnaire
Attachment D	Court Interpreter Registry
Attachment E	Hawai'i State Judiciary, Vital Documents Survey Report
Attachment F	EAC Intranet page
Attachment G	LEP/Language Access Data Collection Materials <ul style="list-style-type: none">• How to Record an LEP Encounter• User Log-LEP/Language Services• Quarterly Report-LEP/Language Services (by language)
Attachment H	Language Access Services: A Guide for Staff (benchcard)

Attachment A*

Hawai'i State Judiciary, Public Contact Positions Survey Report (January 5, 2009)

*** Attachment is on file with OEAC**

(808) 539-4860 or Email: oeac@courts.hawaii.gov

Attachment B

- **Language Access Policy Notice**
- **Multilingual Notice of Availability of Language Services**
- **Language Identification Cards**
- **If You Need an Interpreter Rack Card**
- **Multilingual Welcome Banner**



- for Public
- for Litigants
- for Attorneys
- for Jurors
- for Media
- Language Access
- ADA
- Access to Justice

- General Information
- News & Reports
- Self-Help
- Services
- Courts
- Legal References
- Community Outreach
- Special Projects & Events

Home » Services » Judiciary Language Assistance Policy



I want to...

- Find a Mediator
- Get Victim Assistance
- Become a Court Interpreter
- Visit the Law Library
- Learn About the Judicial System
- Request an ADA Accommodation
- Give Feedback

Searches

eCourt Kokua

For access to traffic cases, district court criminal and appellate cases. (The Hawaii Judiciary is not affiliated with Sustain Technologies, Inc. or with eCourt®, which is a registered trademark of Sustain Technologies, Inc.)

Ho'ohiki

For access to criminal and civil case information filed in the Circuit and Family courts and certain civil cases of the District Courts.

Jobs

Search for jobs at the Judiciary

Efiling

Case information.

Status Updates

- Twitter Stream
- Facebook Fan Page
- YouTube Channel

Judiciary Language Assistance Policy

A Message From Chief Justice Mark E.

Recktenwald:

The Judiciary has long recognized that many people who come before the courts, or receive Judiciary services, may not be able to meaningfully participate due to limited English proficiency (LEP) or speech or hearing impairments. We have dedicated many resources over the last several years to enhancing language access services for LEP court customers. We are proud of the accomplishments we have achieved in providing such services -- including providing court interpreters for all defendants, parties, and witnesses in all case types and providing language services at all points of contact with the Judiciary, including over-the-counter and over-the-telephone encounters. Much of our success is attributable to the time and care Judiciary employees and volunteers provide LEP customers. The Judiciary's commitment to serving LEP customers is set forth in the following policy:

Judiciary Policy #12

The Hawai'i State Judiciary is committed to providing meaningful access to court processes and services to persons with limited English proficiency. In all case types, the Judiciary shall reasonably provide, free of charge, and in a timely manner, competent court interpreters for parties, witnesses and individuals with a substantial interest in a case. It shall also provide language assistance services at points of contact with the Judiciary, including over-the-counter and over-the-telephone encounters for all Judiciary-related business. The Judiciary shall notify the public of the Judiciary's language assistance commitment.

Language Access Services

The following materials are available on a trial basis. Additional materials and additional languages may follow in the future within the limits of Court resources in the interest of enhancing public access. For more information about language services, contact:

English

You have the right to an interpreter at no cost to you.

Language ID Card

Print this card and show it to Judiciary staff when you come to court.

How to Request an Interpreter

English | Kapasen Chuuk (Chuukese) | Ilokano (Ilokano) | 한국어 (Korean) | Kajin Majöl (Marshallese) | Español (Spanish) | Tiếng Việt (Vietnamese)

How to Request a Sign Language Interpreter

How to Use A Court Interpreter

[English, Kapasen Chuuk (Chuukese), Ilokano, 日本語 (Japanese), 한국어 (Korean), Kajin Majöl (Marshallese), Español (Spanish), Tiếng Việt (Vietnamese)]

Tips on Going to Court

Self-Help Centers

How to Become a Court Interpreter

Language Access Services Home

廣東話 / 广东话 | Cantonese

Kapasen Chuuk | Chuukese

Ilokano | Ilokano

日本語 | Japanese

한국어 | Korean

Kosrae | Kosraean

國語 / 普通话 | Mandarin

Kajin Majöl | Marshallese

Pohnpei | Pohnpeian

Gagana Samoa | Samoan

Español | Spanish

Tagalog | Tagalog

Lea faka-Tonga | Tongan

Tiếng Việt | Vietnamese

Multilingual Notice of Availability of Language Services

Language Services

The following materials are available on a trial basis. Additional materials and additional languages may follow in the future within the limits of Court resources in the interest of enhancing public access.

English

You have the right to an interpreter at no cost to you.

[Print this card](#) and show it to Judiciary staff when you come to court.

Cantonese / 廣東話

你有權利要求一位免費的傳譯員。

[請打印此卡](#)，帶它來法院，到達時把它給司法人員看。

Chuukese / Kapsen Chuuk

Mi wor omw pung an epwe wor chon chiaku ngonuk nge kesapw moni.

[Kopwe print-ini ei card](#), iwe ka pwari ngeni chon angangen non imwen kapung nupwen ka etto kapung.

Japanese / 日本語

通訳を無料でご利用になれます。

[このカードを印刷し](#)、裁判所にお出での際に司法部の担当者に提示して下さい。

Korean / 한국어

여러분은 무료로 전문 통역자의 도움을 받을 권리가 있습니다.

[이 카드를 인쇄하여](#) 법원에 가지고 오셔서 사법부 직원에게 보여 주십시오.

Mandarin / 普通话 (华语/國語)

你有權利要求一位免費的傳譯員。

[請打印此卡](#)，帶到法院拿給司法人員看。

Pohnpeian / Pohnpei

Mie omwi pwuhng en doadoahngki sounkawehweh me komw sohte pahn pwain.

[Print kahs](#) wet oh kasalehiong tohn doadoahk en mwoalen kopwung ahnsou komw pwarodo mwoalen kopwung.

Samoaan / Gagana Samoa

E iai lou aia tatau i se faamatala upu e aunoa ma se tau ia te oe.

[Lolomi lenei pepa](#) ma faaali atu i le au faigaluega a le faamasinoga pe a e susu mai i le fale faamasino.

Spanish / Español

Usted tiene derecho a un intérprete gratis.

[Imprima esta tarjeta](#) y muéstrasela a un funcionario de la Judicatura al comparecer en el juzgado.

Tagalog / Tagalog

Ikaw ay may karapatan na magkaroon ng tagapagsalin na walang bayad.

[I-print ang card](#) na ito at ipakita sa kawani ng Hukuman pagdating mo sa korte.

Vietnamese / Tiếng Việt

Quý vị có quyền được một thông dịch viên miễn phí.

[Xin in thẻ này](#) và trình voi nhân viên tu pháp khi bạn ra tòa.

Cantonese

Hello, my name is _____

The language I speak is **Cantonese**. Please find someone who can speak my language so we can talk to each other. Thank you.

This project was supported by Award No. 2010-DJ-BX-0404, awarded by the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice through the Hawaii Department of the Attorney General.



Ilokano

Hello, my name is _____

The language I speak is **Ilokano**. Please find someone who can speak my language so we can talk to each other. Thank you.

This project was supported by Award No. 2010-DJ-BX-0404, awarded by the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice through the Hawaii Department of the Attorney General.



Korean

Hello, my name is _____

The language I speak is **Korean**. Please find someone who can speak my language so we can talk to each other. Thank you.

This project was supported by Award No. 2010-DJ-BX-0404, awarded by the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice through the Hawaii Department of the Attorney General.



Mandarin

Hello, my name is _____

The language I speak is **Mandarin**. Please find someone who can speak my language so we can talk to each other. Thank you.

This project was supported by Award No. 2010-DJ-BX-0404, awarded by the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice through the Hawaii Department of the Attorney General.



Pohnpeian

Hello, my name is _____

The language I speak is **Pohnpeian**. Please find someone who can speak my language so we can talk to each other. Thank you.

This project was supported by Award No. 2010-DJ-BX-0404, awarded by the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice through the Hawaii Department of the Attorney General.



Chuukese

Hello, my name is _____

The language I speak is **Chuukese**. Please find someone who can speak my language so we can talk to each other. Thank you.

This project was supported by Award No. 2010-DJ-BX-0404, awarded by the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice through the Hawaii Department of the Attorney General.



Japanese

Hello, my name is _____

The language I speak is **Japanese**. Please find someone who can speak my language so we can talk to each other. Thank you.

This project was supported by Award No. 2010-DJ-BX-0404, awarded by the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice through the Hawaii Department of the Attorney General.



Kosrae

Hello, my name is _____

The language I speak is **Kosrae**. Please find someone who can speak my language so we can talk to each other. Thank you.

This project was supported by Award No. 2010-DJ-BX-0404, awarded by the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice through the Hawaii Department of the Attorney General.



Marshallese

Hello, my name is _____

The language I speak is **Marshallese**. Please find someone who can speak my language so we can talk to each other. Thank you.

This project was supported by Award No. 2010-DJ-BX-0404, awarded by the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice through the Hawaii Department of the Attorney General.



Samoaan

Hello, my name is _____

The language I speak is **Samoaan**. Please find someone who can speak my language so we can talk to each other. Thank you.

This project was supported by Award No. 2010-DJ-BX-0404, awarded by the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice through the Hawaii Department of the Attorney General.



Kapasen Chuuk

Ran allim, itei

Pukutan ai fos, fosun Chuuk.
Kose mochen kuttato emon mi sile kapasen fonuwei pwe am upwe tongeni poraus fengen. Killisou.

日本語

こんにちは、私は

と申します。
私の話す言語は日本語です。会話ができるように日本語の話者を探してください。
よろしくお願いたします。

Kosrae

Hello, inek pa

Ngakahs Kosrae. Nuhnakh muhnahs sokack sie mwet muh etuh kash luhk uh nga el in sramsram. Kulo.

Kajin Majôl

lakwe, eta in

Kajin eo aô ej Kajin Majôl. Joij im bukôt tok juôn Armij eo ejelâ Kajin e aô bwe kemro en mârôñ kônono iben droon. Kom emmol.

Gagana Samoa

Talofa, O lo'uigoa o

Ou te tautala i le gagana Samoa.
Fa'amolemole, sa'ili mai se tasi e mafia ona tautala i la'u gagana, ina ia mafia ona talatalanoa ma'ua. Fa'afetai.

廣東話 / 广东话

(Traditional) 你好，我的名字叫：_____

我說廣東話。請幫我找一位會說廣東話的人，以便溝通。
謝謝。

(Simplified) 你好，我的名字叫：_____。
我说广东话。请帮我找一位会说广东话的人，以便沟通。
谢谢。

Ilokano

Hello. Siak ni

Ilokano ti pagsasaok. Isapulanakman ti maysa a makasao ti Ilokano tapno mabalintay ti agsasarita. Agyamanak.

한국어

안녕하십니까. 제 이름은

입니다.
제가 사용하는 언어는 한국어입니다. 의사소통이 가능하도록 한국어 통역사를 찾아 주시기 바랍니다.
감사합니다.

國語 / 普通话

(Traditional) 您好，我的名字是：_____

我說國語(普通話)。請幫我找一位會說國語(普通話)的人，以便溝通。謝謝。

(Simplified) 您好，我的名字是_____。
我说普通话。请帮我找一位说普通话的人，以便沟通。谢谢。

Pohnpei

Kaselehlie, edei

I kin lokaiahn Pohnpei. I sohte kak lokaiahn wai mwahu. Komw kak rapahkihda emen me kak lokaiahn Pohnpei, pwe sen kak kosoi pene. Kalahngan.

Spanish

Hello, my name is _____

The language I speak is **Spanish**. Please find someone who can speak my language so we can talk to each other. Thank you.

This project was supported by Award No. 2010-DJ-BX-0404, awarded by the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice through the Hawaii Department of the Attorney General.



Tagalog

Hello, my name is _____

The language I speak is **Tagalog**. Please find someone who can speak my language so we can talk to each other. Thank you.

This project was supported by Award No. 2010-DJ-BX-0404, awarded by the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice through the Hawaii Department of the Attorney General.



Tongan

Hello, my name is _____

The language I speak is **Tongan**. Please find someone who can speak my language so we can talk to each other. Thank you.

This project was supported by Award No. 2010-DJ-BX-0404, awarded by the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice through the Hawaii Department of the Attorney General.



Vietnamese

Hello, my name is _____

The language I speak is **Vietnamese**. Please find someone who can speak my language so we can talk to each other. Thank you.

This project was supported by Award No. 2010-DJ-BX-0404, awarded by the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice through the Hawaii Department of the Attorney General.



Tagalog

Hello, ako si

Ang wika ko ay Tagalog. Maaari lamang na ihanap ako ng isang nakakapagsalita sa aking wika upang pwede tayong makapag-usap. Salamat.

Español

Hola, mi nombre es

El idioma que hablo es Español. Por favor encuentre a alguien que hable mi idioma a fin de poder comunicarnos. Gracias.

Tiếng Việt

Xin chào, tên tôi là

Tôi nói tiếng Việt. Xin vui lòng tìm một người nào đó có thể nói tiếng của tôi để chúng ta có thể nói chuyện với nhau. Xin cảm ơn.

Lea faka-Tonga

Malo e lelei, ko hoku hingoa ko

Ko e lea 'oku ou ngaue'aki ko e: Lea faka-Tonga. 'Oku 'ikai ke lelei 'eku lea fakapapalangi. Fakamolemole kae kumi mu'a ha taha 'oku potolelei he lea faka-Tonga ke ma lava 'o femahino'aki. Malo.

Attachment B - If You Need an Interpreter Rack Card



Please point here if you need an interpreter in this language (at no cost to you).



Please point here if you need an interpreter in this language (at no cost to you).



‘Ōlelo Hawai‘i (Hawaiian):	E kuhikuhi mai ‘oe i ‘ane’i ke pono ka mahele’ōlelo (‘a’ohe kāki).
日本語 (Japanese):	日本語の通訳が必要な方は、ここを指差してください (通訳費用はかかりません)。
한국어 (Korean):	통역을 필요로 하시면 다음 약속일 전에 반듯이 통역이 필요하다고 말씀하셔야합니다. 비용은 부담않아서드립니다.
普通话(华语/國語) (Mandarin):	如果您需要讲普通话的免费翻译, 请指这里。(如果您需要講國語的免費翻譯, 請指這裡。)
廣東話 (Cantonese):	如果您需要講廣東話的免費翻譯, 請指這裡。
Ilokano:	No masapulmo ti paraipatarus iti Ilokano nga awan bayadna, pakitudom ditoy.
Tagalog:	Kung kailangan mo ng libreng tagasalin sa Tagalog, pakituro lamang dito.
Cebuano (Visayan):	Kung kinahanglan nimo ug libre nga tighubad sa Binisaya, itudlo lang diri.
Tiếng Việt (Vietnamese):	Xin chỉ vào đây nếu bạn cần thông dịch viên cho ngôn ngữ này (bạn sẽ được cung cấp thông dịch viên miễn phí).
မြန်မာ (Myanmar):	သင်နားလည်သောစကားနှင့် ဘာသာပြန်အလိုရှိပါက ယခုနေရာသို့ညွှန်ပြပါ။ အထက်ပါစကား အတွက်နောက်တခေါက်ဆက်သွယ်ရန်လိုအောင်းလျှင်မည်။
ภาษาไทย (Thai):	กรุณาชี้มาที่ข้อความนี้ ถ้าคุณต้องการล่ามภาษาไทย (โดยที่ คุณไม่ต้องเสียค่าใช้จ่ายใดๆ)
ភាសាខ្មែរ (Khmer):	សូមបង្ហាញនៅក្រុងនេះមក បើសិនជាអ្នកត្រូវការអ្នកបកប្រែជាភាសានេះ (អ្នកមិនត្រូវការថវិកាយ៉ាងអស់។)
ອັກສອນລາວ (Lao):	ກະລຸນາ ໃສ່ 'ບ' ອັນນີ້ ຖ້າທ່ານຕ້ອງການວ່າ ພາສາລາວ (ໂດຍບໍ່ ທ່ານ ບໍ່ ຕ້ອງເສຍ ວິໄລ ຈ່າຍໃດໆ)
Kajin Majöl (Marshallese):	Jouj im jitiðñe ijin elañe kwoj aikuji juññ am ri-ukok ilo kajin in (ejjelok wññññ ñan yuk).
Kapasen Chuuk (Chuukese):	Itini awenewenan ikeei ika pwún kopwe néúnéú emén chón chiakú nón fóósun eei fénú (kosap wisenmééni noum eei chón chiakú).
Chamorro:	Matka pat apunta este yangen un nesisita intetpiti gi fino Chamorro (dibadi este na sitbesio).
Pohnpeian:	Menlau idih wasa ma ke anahne soun kawehwe (sohte isais).
Kosraean:	Nunak munas srisrngingac acn se nge fwin kom enenu met in top nuke kahs lom an sifacna (kom ac tia molli).
Yapese:	Fa'anra bet'uf bae' ninge ayweg nem nge abweg e thin rom (ni dabmu pii'pulwon) meere mog aray.
Yapese (Outer Island):	Gobe sor gare go tipeli bwo semal yebe gematfa kepatal menel le yetwai yor paluwal ngalug.
Gagana Samoa (Samoan):	Fa'amolemole tusi lou lima i'T pe 'ā 'e mana'omia se fa'amatala'upu i le gagana lea (e te lē tologiina se tupe).
Tongan:	Tuhu ki heni kapau 'e fiema'u ha taha ke fakatonulea 'oku ta'etotongi.
Русский (Russian):	Если вам нужен бесплатный переводчик русского языка, пожалуйста укажите пальцем на это предложение.
Español (Spanish):	Por favor señale aquí con el dedo si necesita un intérprete (sin ningún costo para usted).

‘Ōlelo Hawai‘i (Hawaiian):	E kuhikuhi mai ‘oe i ‘ane’i ke pono ka mahele’ōlelo (‘a’ohe kāki).
日本語 (Japanese):	日本語の通訳が必要な方は、ここを指差してください (通訳費用はかかりません)。
한국어 (Korean):	통역을 필요로 하시면 다음 약속일 전에 반듯이 통역이 필요하다고 말씀하셔야합니다. 비용은 부담않아서드립니다.
普通话(华语/國語) (Mandarin):	如果您需要讲普通话的免费翻译, 请指这里。(如果您需要講國語的免費翻譯, 請指這裡。)
廣東話 (Cantonese):	如果您需要講廣東話的免費翻譯, 請指這裡。
Ilokano:	No masapulmo ti paraipatarus iti Ilokano nga awan bayadna, pakitudom ditoy.
Tagalog:	Kung kailangan mo ng libreng tagasalin sa Tagalog, pakituro lamang dito.
Cebuano (Visayan):	Kung kinahanglan nimo ug libre nga tighubad sa Binisaya, itudlo lang diri.
Tiếng Việt (Vietnamese):	Xin chỉ vào đây nếu bạn cần thông dịch viên cho ngôn ngữ này (bạn sẽ được cung cấp thông dịch viên miễn phí).
မြန်မာ (Myanmar):	သင်နားလည်သောစကားနှင့် ဘာသာပြန်အလိုရှိပါက ယခုနေရာသို့ညွှန်ပြပါ။ အထက်ပါစကား အတွက်နောက်တခေါက်ဆက်သွယ်ရန်လိုအောင်းလျှင်မည်။
ภาษาไทย (Thai):	กรุณาชี้มาที่ข้อความนี้ ถ้าคุณต้องการล่ามภาษาไทย (โดยที่ คุณไม่ต้องเสียค่าใช้จ่ายใดๆ)
ភាសាខ្មែរ (Khmer):	សូមបង្ហាញនៅក្រុងនេះមក បើសិនជាអ្នកត្រូវការអ្នកបកប្រែជាភាសានេះ (អ្នកមិនត្រូវការថវិកាយ៉ាងអស់។)
ອັກສອນລາວ (Lao):	ກະລຸນາ ໃສ່ 'ບ' ອັນນີ້ ຖ້າທ່ານຕ້ອງການວ່າ ພາສາລາວ (ໂດຍບໍ່ ທ່ານ ບໍ່ ຕ້ອງເສຍ ວິໄລ ຈ່າຍໃດໆ)
Kajin Majöl (Marshallese):	Jouj im jitiðñe ijin elañe kwoj aikuji juññ am ri-ukok ilo kajin in (ejjelok wññññ ñan yuk).
Kapasen Chuuk (Chuukese):	Itini awenewenan ikeei ika pwún kopwe néúnéú emén chón chiakú nón fóósun eei fénú (kosap wisenmééni noum eei chón chiakú).
Chamorro:	Matka pat apunta este yangen un nesisita intetpiti gi fino Chamorro (dibadi este na sitbesio).
Pohnpeian:	Menlau idih wasa ma ke anahne soun kawehwe (sohte isais).
Kosraean:	Nunak munas srisrngingac acn se nge fwin kom enenu met in top nuke kahs lom an sifacna (kom ac tia molli).
Yapese:	Fa'anra bet'uf bae' ninge ayweg nem nge abweg e thin rom (ni dabmu pii'pulwon) meere mog aray.
Yapese (Outer Island):	Gobe sor gare go tipeli bwo semal yebe gematfa kepatal menel le yetwai yor paluwal ngalug.
Gagana Samoa (Samoan):	Fa'amolemole tusi lou lima i'T pe 'ā 'e mana'omia se fa'amatala'upu i le gagana lea (e te lē tologiina se tupe).
Tongan:	Tuhu ki heni kapau 'e fiema'u ha taha ke fakatonulea 'oku ta'etotongi.
Русский (Russian):	Если вам нужен бесплатный переводчик русского языка, пожалуйста укажите пальцем на это предложение.
Español (Spanish):	Por favor señale aquí con el dedo si necesita un intérprete (sin ningún costo para usted).



Interpretation services may be provided at no charge in accordance with Chapter 371-33, Hawaii Revised Statutes.
Questions? See Judiciary staff for more information.



Interpretation services may be provided at no charge in accordance with Chapter 371-33, Hawaii Revised Statutes.
Questions? See Judiciary staff for more information.



Aloha!

Mogethin!

你好!

Iokwe!

Kabla-aw!

환영 합니다!

Malo e me'a mai!



The **Judiciary** State of Hawai'i

Welcome!

Mabuhay!

Ran anim!

¡Bienvenidos!

Kaselehlia!

ようこそ!

Tālofa!

Xin Chào!



Attachment C

Bilingual Volunteer Staff Questionnaire



Bilingual Volunteer / Staff Questionnaire

Employee Name: _____

Department: _____

Division/Office: _____

Position Title or Position Name: _____

Phone Number: _____

Email: _____

1. Do you speak a language **other than English**? (check one) Yes No
 If yes, please specify which languages you speak. If no, please skip to *Question 6*.
 Language(s) (include dialect, if it applies) other than English (please specify):

2. How would you describe your oral language ability? (Check one)
 Elementary (basic words, yes-no questions)
 Conversational (can converse on simple topics)
 Advanced (can converse on deeper or more technical topics)

3. How would you describe your written language ability? (Check one)
 No ability
 Elementary (basic word level, some simple sentences)
 Basic Conversational (can write/read sentences on simple everyday topics)
 Advanced (can read/write on deeper or more technical topics)

4. Do you use this language as part of your job? (Check one) Yes No

5. **Would you be willing, from time to time, to help Judiciary staff provide basic (non-legal) information in your second language to Accommodate Limited English Proficient court customers?** (Check one) Yes No

Interpreting services may be performed over the telephone or in person. Bilingual volunteer staff who assist LEP court customers must obtain supervisor's approval prior to participating. Participating volunteer staff will be allowed release time from their scheduled work hours, as appropriate, and will not receive additional compensation for their assistance. Participation is strictly voluntary.

6. How often, as part of your job, do you interact with the public, including by telephone, email, or in person?
Note: The "public" does not include state employees from other departments, sections, offices or divisions.
 (Please check one)

Never Rarely Occasionally Monthly Daily All day
 (1-2x/year) (6-8x/year)

Please Return Completed Surveys to OEAC

Email: oeac@courts.state.gov

Phone: (808) 539-4860 Office: 426 Queen Street, B17, Honolulu, HI 96813

Mahalo for participating in this survey!

Attachment D*

Court Interpreter Registry

*** Attachment is on file with OEAC**

(808) 539-4860 or Email: oeac@courts.hawaii.gov

Attachment E

Hawaii State Judiciary, Vital Document Survey Report

Office of Language Access Survey of State Agencies Translation of Vital Documents

Hawaii's Language Access Law requires state agencies and covered entities to provide **written translations of vital documents** to limited English proficient (LEP) persons who seek to access services, programs or activities.

"Vital documents" are printed documents that provide important information necessary for access to services and participation by the LEP populations, such as but not limited to: applications; outreach materials; written notices of rights, denials, losses or decreases in benefits or services. Each agency must also further define "vital documents" in its language access plan to include items that are appropriate and applicable to the agency's mission and mandate.

Please fill out this 1 page survey and return it to the Office of Language Access by **July 16, 2012** by fax at 586-8733; email pdf to dlir.ola@hawaii.gov; or send via inter-agency mail.

Name of Agency: Hawai'i State Judiciary Date: July 17, 2012

Language Access Coordinator: Debi Tulang-De Silva Phone: 539-4861

State Agency Head: Mark E. Recktenwald Phone: 539-4700

1. On the back of this page, please list the "vital documents" utilized in your department; whether they have been translated; and if so, into which language. Use additional sheets if necessary.

2. How did you do the translation work? Use of:

bilingual staff private contractors volunteers software other _____

3. What has been the average cost of each translated document? _____

4. Approximately how much total has your department spent on written translations since 2006? None

5. Has your department set aside money for translation of vital documents in your annual budget? Yes/(No)

6. What challenges and/or difficulties did your department encounter in these translations?

identifying vital documents cost not a priority lack of guidance on translation process lack of translators simplifying documents

Other: _____

7. What resources aside from financial would your department find helpful for translating vital documents?

It would be helpful to have a centralized state contract or vendor - like for telephonic interpreters - for all agencies to use with negotiated prices in place.

8. Other Comments: (Feel free to elaborate on back or separate sheet of paper.)

No.	Name of Document	Brief Description	Languages Translated		Division/Office/Unit
			Current	Proposed	
1	Waiver of Jury Trial		None	Ilokano	District Court
				Tagalog	
				Korean	
				Vietnamese	
				Samoan	
				Japanese	
2	Waiver of Preliminary Hearing		None	Ilokano	District Court
				Tagalog	
				Korean	
				Vietnamese	
				Samoan	
				Japanese	
3	DUI Change of Plea	[Driving Under the Influence]	None	Ilokano	District Court
				Tagalog	
				Korean	
				Vietnamese	
				Samoan	
				Japanese	
4	Terms and Conditions of Probation		None	Ilokano	District Court
				Tagalog	
				Korean	
				Vietnamese	
				Samoan	
				Spanish	
5	Special Conditions of Probation		None	Ilokano	District Court
				Tagalog	
				Korean	
				Vietnamese	
				Samoan	
				Spanish	
6	Terms and Conditions of Deferred Acceptance of	[DAGP]	None	Ilokano	District Court
				Tagalog	
	Special Conditions of Probation (cont.)			Samoan	
				Spanish	

No.	Name of Document	Brief Description	Languages Translated		Division/Office/Unit
			Current	Proposed	
				Korean	
				Vietnamese	
				Samoan	
				Spanish	
7	Special Conditions of Deferred Acceptance of	[DAGP]	None	Ilokano	District Court
				Tagalog	
				Korean	
				Vietnamese	
				Samoan	
				Spanish	
8	Terms and conditions of Deferred Acceptance of Nolo Contendere Plea	[DANCP]	None	Ilokano	District Court
				Tagalog	
				Korean	
				Vietnamese	
				Samoan	
				Spanish	
9	Special Conditions of Deferred Acceptance of Nolo Contendere Plea	[DANCP]	None	Ilokano	District Court
				Tagalog	
				Korean	
				Vietnamese	
				Samoan	
				Spanish	
10	Conditions of Release for Judgment of Acquittal and Conditional Release		None	Ilokano	District Court
				Tagalog	
				Korean	
	Conditions of Release for Judgment of Acquittal and Conditional Release (cont.)			Vietnamese	
				Samoan	
				Spanish	
11	District Court Temporary Restraining Order: Information and FAQs	Brochure	None		District Court

No.	Name of Document	Brief Description	Languages Translated		Division/Office/Unit
			Current	Proposed	
12	Temporary Restraining Orders/Injunctions from Further Harassment: Information for Petitioners	Brochure	None		District Court
13	Temporary Restraining Orders/Injunctions from Further Harassment: Information for Respondents	Brochure	None		District Court
14	Civil TRO Packet: Petition for Ex Parte Temporary Restraining Order and for Injunction Against Harrassment; Declaration of Petitioner; Temporary Restraining Order Against Harassment; Notice of Hearing		None	Ilokano Korean Vietnamese Samoan Spanish	District Court
15	TRO Questionnaire	[Temporary Restraining Order]	None	Ilokano Korean Vietnamese Samoan Spanish	District Court
16	Order Granting Petition for Injunction Against Harassment		None	Ilokano Korean Vietnamese Samoan Spanish	District Court
17	Your Guide to Small Claims Court	Brochure	None	Ilokano Tagalog Korean Vietnamese Samoan Japanese Laotian Chinese	District Court

No.	Name of Document	Brief Description	Languages Translated		Division/Office/Unit
			Current	Proposed	
				Marshallese	
				Chuukese	
18	Your Guide to Regular Claims Court	Brochure	None	Ilokano	District Court
				Tagalog	
				Korean	
				Vietnamese	
				Samoan	
				Japanese	
				Laotian	
				Chinese	
				Marshallese	
				Chuukese	
19	Small Claims (General) Packet: Statement of Claim and Notice; Affidavit; Return and Acknowledgment of Service	Instructions, forms, and sample documents	None		District Court
20	Small Claims (Security Deposit) Packet: Statement of Claim and Notice (Residential Security Deposit); Affidavit; Return and Acknowledgment of Service	Instructions, forms, and sample documents	None		District Court
21	Garnishment Packet: Ex Parte Motion for Issuance of Garnishee Summons After Judgment; Garnishee Summons; Garnishee Information; Notice to Recipients of Temporary Aid to Needy Families (TANF); Return and Acknowledgment of Service	Instructions, forms, and sample documents	None		District Court
22	Temporary Restraining Orders/Protection Orders: Information for Respondents [Brochure]		None		Family Court
23	Family Supervision Hearing: Information and Options for Parents [Brochure]		None		Family Court
24	Temporary Foster Custody Hearing: Information and Options for Parents [Brochure]		None		Family Court
25	What Can I Do If I Am an Immigrant in an Abusive Marriage? [Brochure]	[By Na Loio & Advocates for Immigrant Women]	Ilokano		Family Court
			Spanish		

No.	Name of Document	Brief Description	Languages Translated		Division/Office/Unit
			Current	Proposed	
26	Increasing Your Safety, Full Faith and Credit for Protective Orders [Brochure]	[By Hawaii Dep't of Atty General, Grants Enforcing Arrest Policies Training Project]	Ilokano		Family Court
			Japanese		
			Samoan		
			Tongan		
			Vietnamese		
			Korean		
27	What You Need to Know about Stalking [Brochure]	[By Hawaii Dep't of Atty General, Grants Enforcing Arrest Policies Training Project]			Family Court
28	Guardianship of the Person-Minor Persons Packet: Petition for Appointment of a Guardian; Notice of Hearing; Exhibits; Order Appointing Guardian; Letters of Guardianship	Instructions and forms	None		Family Court
29	Voluntary Establishment of Paternity (VEP) Packet: Ex Parte Motion and Affidavit to Waive Filing Fees; Petition for Custody, Visitation, Support Orders after VEP; Summons; Paternity Financial Information Sheet; Proof of Service; Memorandum to Family Support Branch; Child Support Guidelines and Worksheet; Order to Withhold Income for Child Support; Order re: Custody, Visitation, Support after VEP; Statement of Mailing	Instructions and forms	None		Family Court

No.	Name of Document	Brief Description	Languages Translated		Division/Office/Unit
			Current	Proposed	
30	Uncontested Paternity Packet: Petition for Paternity and Summons; Certificate of Live Birth; Paternity Financial Information Sheet; Child Support Guidelines and Worksheet; Acknowledgment of Maternity and Paternity; Affidavit of Respondent; Proof of Service; Memorandum to Family Support Branch; Stipulated Judgment of Paternity Order/Notice to Withhold Income for Child Support; Statement of Mailing	Instructions and forms	None		Family Court
31	Child Custody, Visitation, Support Orders after VEP Packet: Ex Parte Motion and Affidavit to Waive Filing Fees; Petition for Custody, Visitation, Support Orders after VEP; Summons; Paternity Financial Information Sheet; Proof of Service; Memorandum to Family Support Branch, Child Support Guidelines and Worksheet; Order/Notice to Withhold Income for Child Support; Order re: Custody, Visitation, Support after VEP; Statement of Mailing	Instructions and forms	None		Family Court
32	Pre-Decree Relief (Support, Custody, Visitation) Pkt: Motion and Affidavit for Pre-Decree Relief; Scheduling Order; Custody/Visitation Statement; Child Support Guidelines and Worksheet; Income and Expense Statement; Asset and Debt Statement; Proof of Service	Instructions and forms	None		Family Court
33	Pre-Decree Relief (Visitation) Packet: Motion and Affidavit for Pre-Decree Relief; Scheduling Order; Custody/Visitation Statement; Proof of Service	Instructions and forms	None		Family Court

No.	Name of Document	Brief Description	Languages Translated		Division/Office/Unit
			Current	Proposed	
34	Pre-Decree Relief (Alimony) Packet: Motion and Affidavit for Pre-Decree Relief; Scheduling Order; Income and Expense Statement; Asset and Debt Statement; Proof of Service	Instructions and forms	None		Family Court
35	Pre-Decree Relief (Support) Packet: Motion and Affidavit for Pre-Decree Relief; Scheduling Order; Income and Expense Statement; Asset and Debt Statement; Child Support Guidelines and Worksheet; Proof of Service	Instructions and forms	None		Family Court
36	Post-Decree Relief (Support, Custody, Visitation) Packet: Motion and Affidavit for Post-Decree Relief; Scheduling Order; Custody/Visitation Statement; Income and Expense Statement; Asset and Debt Statement; Child Support Guidelines and Worksheet; Proof of Service	Instructions and forms	None		Family Court
37	Post-Decree Relief (Support, Custody, Visitation) Packet: Motion and Affidavit for Post-Decree Relief; Scheduling Order; Custody/Visitation Statement; Income and Expense Statement; Asset and Debt Statement; Child Support Guidelines and Worksheet; Proof of Service	Instructions and forms	None		Family Court
38	Post-Decree Relief (Visitation) Packet: Motion and Affidavit for Post-Decree Relief; Scheduling Order; Custody/Visitation Statement; Proof of Service	Instructions and forms	None		Family Court
39	Post-Decree Relief (Alimony) Packet: Motion and Affidavit for Post-Decree Relief; Scheduling Order; Income and Expense Statement; Asset and Debt Statement; Proof of Service	Instructions and forms	None		Family Court

No.	Name of Document	Brief Description	Languages Translated		Division/Office/Unit
			Current	Proposed	
40	Post-Decree Relief (Support) Packet: Motion and Affidavit for Post-Decree Relief; Scheduling Order; Income and Expense Statement; Asset and Debt Statement; Child Support Guidelines and Worksheet; Proof of Service	Instructions and forms	None		Family Court
41	Service by Mail and Posting in Lieu of Publication Packet (divorce): Ex Parte Motion for Service by Mail and Posting in Lieu of Publication; Affidavit of Plaintiff; Order Granting/Denying Ex Parte Motion for Service by Mail and Posting in Lieu of Publication; Plaintiff's Affidavit of Mailing in Lieu of Publication; Affidavit of Posting of Complaint and Summons Pursuant to Order for Service by Mail and Posting in Lieu of Publication; Request for Non-Hearing Uncontested Divorce	Instructions and forms	None		Family Court
42	Uncontested Divorce without Children Packet: Complaint for Divorce; Summons; Matrimonial Action Information; Income and Expense Statement; Asset and Debt Statement; Proof of Service; Appearance and Waiver; Income and Expense Statement of Defendant; Asset and Debt Statement of Defendant; Request for Non-Hearing Uncontested Divorce; Affidavit of Plaintiff; Divorce Decree	Instructions and forms	None		Family Court

No.	Name of Document	Brief Description	Languages Translated		Division/Office/Unit
			Current	Proposed	
43	Uncontested Divorce with Children Packet: Complaint for Divorce; Summons; Matrimonial Action Information; Income and Expense Statement; Asset and Debt Statement; Kids First Information Sheet; Proof of Service; Appearance and Waiver; Income and Expense Statement of Defendant; Asset and Debt Statement of Defendant; Child Support Guidelines and Worksheet; Affidavit of Plaintiff; Order/Notice to Withhold Income for Child Support; Request for Non-Hearing Uncontested Divorce; Decree Granting Divorce and Awarding Child Custody	Instructions and forms	None		Family Court
44	Income Statement		None	Ilokano	
				Tagalog	
				Korean	
				Vietnamese	
45	Asset and Debt Statement		None	Samoan	Family Court
				Ilokano	
				Tagalog	
				Korean	
				Vietnamese	
46	Rules and Conditions of Probation and Order		None	Samoan	Family Court
				Ilokano	
				Tagalog	
				Korean	
				Vietnamese	
47	Rules and Conditions of Protective Supervision and Order		None	Samoan	Family Court
				Ilokano	
				Tagalog	
				Korean	
				Vietnamese	
48	Ex Parte Petition for a Temporary Restraining Order for Protection and Statement		None	Samoan	Family Court

No.	Name of Document	Brief Description	Languages Translated		Division/Office/Unit
			Current	Proposed	
				Ilokano	
				Tagalog	
				Korean	
				Vietnamese	
				Samoan	
				Japanese	
				Laotian	
				Chinese	
				Marshallese	
				Chuukese	
49	Notice of Hearing		None	Ilokano	Family Court
				Tagalog	
				Korean	
				Vietnamese	
				Samoan	
				Japanese	
				Laotian	
				Chinese	
				Marshallese	
				Chuukese	
50	Amended Notice of Hearing		None	Ilokano	Family Court
				Tagalog	
				Korean	
				Vietnamese	
				Samoan	
				Japanese	
				Laotian	
				Chinese	
				Marshallese	
				Chuukese	
51	Temporary Restraining Order		None	Ilokano	Family Court
				Tagalog	
				Korean	
				Vietnamese	
				Samoan	

No.	Name of Document	Brief Description	Languages Translated		Division/Office/Unit
			Current	Proposed	
				Japanese	
				Laotian	
				Chinese	
				Marshallese	
				Chuukese	
52	Order for Protection		None	Ilokano	Family Court
				Tagalog	
				Korean	
				Vietnamese	
				Samoan	
				Japanese	
				Laotian	
				Chinese	
				Marshallese	
				Chuukese	
53	Request for Interpreter at Kids First Program	Mandatory program for children in divorce cases	Simplified Chinese		Family Court
			Traditional Chinese		
			Japanese		
			Korean		
			Vietnamese		Family Court
54	Purple Family Video (Screenplay)		Japanese		Family Court
55	Guilty Plea/No Contest Plea/Motion to Defer		English	Ilokano	Circuit Court
				Tagalog	
				Korean	
				Vietnamese	
				Samoan	
				Spanish	
56	Arraignment and Plea Advisement		None	Ilokano	Circuit Court
				Tagalog	
				Korean	
				Vietnamese	

No.	Name of Document	Brief Description	Languages Translated		Division/Office/Unit
			Current	Proposed	
				Samoan	
				Spanish	
57	Waiver of Indictment/Trial by Jury		None	Ilokano	Circuit Court
				Tagalog	
				Korean	
				Vietnamese	
				Samoan	
				Spanish	
58	Sex Offender Addendum		None	Ilokano	Circuit Court
				Tagalog	
				Korean	
				Vietnamese	
				Samoan	
				Spanish	
59	Acknowledgment of Receipt of Conditions of Probation		None	Ilokano	Circuit Court
				Tagalog	
				Korean	
				Vietnamese	
				Samoan	
				Spanish	
60	Mandatory Conditions of Probation/DAGP/DANCP		None	Ilokano	Circuit Court
				Tagalog	
				Korean	
				Vietnamese	
				Samoan	
				Spanish	
61	Special Conditions of Probation		None	Ilokano	Circuit Court
				Tagalog	
				Korean	
				Vietnamese	
				Samoan	
				Spanish	

No.	Name of Document	Brief Description	Languages Translated		Division/Office/Unit
			Current	Proposed	
62	Order Setting Aside Bail and Establishing Terms and Conditions of Release		None	Ilokano	Circuit Court
				Tagalog	
				Korean	
				Vietnamese	
				Samoan	
63	Waiver of Extradition		None	Ilokano	Circuit Court
				Tagalog	
				Korean	
				Vietnamese	
				Samoan	
64	Standard Terms and Conditions of Supervised Release/Bail Reduction		None	Ilokano	Circuit Court
				Tagalog	
				Korean	
				Vietnamese	
				Samoan	
65	Special Conditions of Supervised Release/Bail Reduction		None	Ilokano	Circuit Court
				Tagalog	
				Korean	
				Vietnamese	
				Samoan	
66	Terms and Conditions of Probation		None	Ilokano	Circuit Court
				Tagalog	
				Korean	
				Vietnamese	
				Samoan	
67	Probation/DAGP/DANCP		None	Ilokano	Circuit Court
				Tagalog	

No.	Name of Document	Brief Description	Languages Translated		Division/Office/Unit
			Current	Proposed	
				Korean	
				Vietnamese	
				Samoan	
				Spanish	
68	Children's Justice Center of Oahu	Brochure	None	Chinese	ADC-ICRD
69	Children's Justice Center of Oahu	Identification Table	Filipino		ADC-ICRD
			Hawaiian		
			Japanese		
			Korean		
			Portuguese		
			Puerto Rican		
			Spanish		
70	If you need an interpreter ...	Poster - Office of Language Access (OLA)	Burmese		
			Cambodian		
			Chamorro		
			Chuukese		
			Hawaiian		
			Ilokano		
			Japanese		
			Korean		
			Kosraen		
			Lao		
			Mandarin/ Cantonese		
			Marshallese		
			Pohnpeian		
			Samoan		
			Spanish		
			Tagalog		
			Thai		
			Tongan		
			Vietnamese		
			Visayan/Cebuano		
			Yapese		

Attachment F

EAC Intranet page



OFFICE ON EQUALITY AND ACCESS TO THE COURTS

Office of the Administrative Director Hawaii State Judiciary

426 Queen Street, B17, Honolulu, Hawai'i 96813, Phone: (808) 539-4860, Fax: (808) 539-4203

Updated 4/4/2022

Welcome

Aloha! Welcome to the Office on Equality and Access to the Courts web site. From here, you can access court interpreter documents, forms, and resources. For best viewing of the following documents, we recommend using Microsoft's Internet Explorer browser.

Language Access Services

Document	Description or Use	Updated
The Judiciary's Language Access Plan	The Language Access Plan specifies the steps the Judiciary will take to provide language access to court customers as required by law.	08/03/18
Guide for Staff (Staff Benchcard for language access)	Guide for Judiciary Staff. Provides information and procedures for assisting Limited English Proficient (LEP) court customers.	7/17/15
Binder - Language Access Services	Provides step-by-step instructions for staff to service LEP court customers.	7/17/15
Bilingual Volunteer Staff List For Internal Use Only.	List of bilingual staff who may be able to provide basic language assistance to court customers outside of court. FOR INTERNAL USE ONLY.	01/28/22
Bilingual Volunteer Staff Questionnaire	Questionnaire surveys language ability of staff and volunteers. Must be submitted by all staff and VIPS volunteers. **To be listed on the Bilingual Volunteer Staff List, completed Questionnaire must be submitted to OEAC.**	12/18/13
Language ID Poster Language ID Rack Card (prints 2 per page)	"If you need an interpreter..." poster to help LEP court customers to identify the language they speak.	7/27/12
Telephonic Interpreting Services		
Telephonic Interpreting (Blue Card)	Telephonic Interpreting (blue card). Three-step guide to calling the Judiciary's telephonic interpreting service, includes Sample Script and how to make a conference call.	5/15/14
Guide for Judiciary Staff Using Telephone Interpreters Outside of the Courtroom	Guide for Judiciary Staff. Provides information on how to use the Judiciary's telephonic interpreting service and how to work with a telephone interpreter.	5/02/11

CTS Language Link List of Languages for Hawaii	List of languages for which contracted vendor provides telephone interpreters (updated 3/1/17).	9/7/17
Telephone Interpreter Evaluation Form	Evaluation form for Judiciary staff to provide feedback or comments on performance of telephone interpreter or telephonic interpreting services vendor.	5/02/11
Telephonic Interpreting Services Training PowerPoint Slides and Handouts	Telephonic Interpreting Services training - PowerPoint presentation (slides) and handouts.	5/02/11
Language Access/Data Collection Reporting Tool		
User Log & Quarterly Report Form (Excel format) UPDATED!	<i>User Log-LEP/Language Services</i> and <i>Quarterly Report</i> forms in Excel (click on the tabs at bottom of screen to select the "User Log" or "Qtrly Rpt" forms). With Cheat Sheet!	8/1/14
Quarterly Report Deadlines	Deadlines for submitting Quarterly Report forms to OEAC.	4/4/22
Definitions	Defines terms used in <i>Language Access Reporting Tool - User Log-LEP/Language Services</i> and <i>Quarterly Report</i> forms.	6/23/10
Language Access/Data Collection Reporting Tool Training Materials		
Data Collection Tool Training PowerPoint Slides and Handouts	Language Access/Data Collection Reporting Tool training - PowerPoint presentation (slides) and handouts.	6/23/10
Practice Entries for Data Collection	Sample forms and scenarios that illustrate how to complete the <i>Language Access Reporting Tool - User Log-LEP/Language Services</i> and <i>Quarterly Report</i> forms.	4/4/17

Court Interpreting Services

Document	Description or Use	Updated
Instructions for Using the Internal List	Provides information for how to use the Internal List of Interpreters.	12/03
Internal List	Select interpreters from this list first for assignments.	
Changes to the Internal List	Interpreters added to and deleted from the Internal List since the last update are listed in language order.	11/01/19

Language Codes	Provides a listing of language codes.	08/16/18
Tips for Obtaining Interpreters	Provides information when obtaining interpreters of: Chinese Dialects Filipino Dialects Micronesian Languages	Chinese (09/04) Filipino (09/04) Micronesian (12/04)
Policies for Interpreted Proceedings in the Courts of the State of Hawaii, adopted by Order on June 22, 1995	Provides guidance for proceedings in which an interpreter is used.	06/22/95
Declaration of Non-Registered Court Interpreter Form; Code of Professional Conduct for Interpreters	Using a non-registered interpreter? Each time your court/program uses a non-registered interpreter, this form should be completed by the non-registered interpreter. A copy of the Code should be given to the interpreter with the form.	Declaration (12/03) Code (06/22/95)

For problems/questions concerning this web site, please contact the Office on Equality and Access to the Courts. Links to other web sites should not be considered an endorsement. EAC is not responsible for the content of external web sites.

Attachment G

LEP/Language Access Data Collection Materials:

- **How to Record an LEP Encounter**
- **Quarterly Report-LEP Language Services (by language)**
- **User Log – LEP/Language Services**

How to Record an LEP Encounter

The language access law requires the Judiciary to collect data on its encounters with limited English proficient (LEP) persons.

Record data after each encounter with an LEP person, whether in person or over the telephone, on the **User Log of LEP/Language Services**. Turn in your LEP User Log to the designated LEP Data Collection Coordinator. Your Coordinator will compile the LEP User Logs into a Quarterly Report that is submitted to the Office on Equality and Access to the Courts.



Get the **User Log of LEP/Language Services (LEP User Log)** Form.

http://judintra/eac/EAC2_files/User Log & Qtrly Rpt Forms.xls



Language and Date.

[Write down the language spoken by the LEP person and the date of the encounter.](#)

3

Specific Method Utilized - How was language service provided? Place an “X” in the appropriate column.

- “Bilingual Volunteer Staff”
- “Telephone Interpreter” (from Telephonic Interpreting Service)
- “Court Interpreter” (Live, In-Person)
- “Language Service Company Sent Live Interpreter”
- “Other”, includes:
 - No service provided
 - No interpreter present
 - Did not know an interpreter was needed
 - Customer had own interpreter

Do not use family or friends to interpret.

But if the LEP person insists on using them, place an “X” in “Other” and write “Family” or “Friend” in “Comments”.

See the **User Guide for Common LEP Encounters** at the bottom of the LEP User Log.

4

Written Translation

- Was a written document (in English) read aloud into a non-English language by an interpreter? Place an “X” in “Document Read Aloud by Interpreter” (Sight Translation) column.
 - Was a document written in a non-English language given to or used by the LEP person? Place an “X” in “Translated Document Given to LEP Person” (Written Translation) column.
-

Remember to turn in your LEP User Log to your LEP Data Collection Coordinator.

** PLEASE submit the User Logs with your Quarterly Report

QUARTERLY REPORT - LEP/LANGUAGE SERVICES (by language)

DUE BY: __



Court __

Division/Office __

Period Covered (Quarter/FY) __

Contact Person __

Phone No. __

Date Submitted __

1	2		3			4		5		6
Language	# of LEP Encounters	Specific Method Utilized: Enter a NUMBER in the column(s)					Documents Translated: Enter a NUMBER in the column		Comments	
		Bilingual Volunteer Staff	Telephone Interpreter (from Telephonic Interpreting Service)	Court Interpreter (Live, In-Person)	Language Service Company Sent Live Interpreter	Other (Specify in Comments)	Document Read Aloud by Interpreter (Sight Translation)	Translated Document Given to LEP Person (Written Translation)		
Total:	0	0	0	0	0	0	0	0	0	
% of Total:	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	
Cantonese										
Chuukese										
Hawaiian										
Ilokano										
Japanese										
Korean										
Kosraean										
LEP Hearing Impaired										
Mandarin										
Marshallese										
Portuguese										
Samoan										
Spanish										
Tagalog										
Thai										
Tongan										
Vietnamese										
Visayan (Cebuano)										
Other (Specify)										

USER LOG OF LEP/LANGUAGE SERVICES

DUE BY: __

Court__ Division/Office__

Period Covered (Quarter/FY)__

Contact Person__

Phone No. __

Date Submitted__



1	2	3	4	5	6	7	8			
No.	Language	Date	Specific Method Utilized: Place an "X" in the column					Documents Translated: Place an "X" in the column		Comments [E]
			Bilingual Volunteer Staff [C-1]	Telephone Interpreter (from Telephonic Interpreting Service) [C-2]	Court Interpreter (Live, In-Person) [C-3]	Language Service Company Sent Live Interpreter [C-4]	Other (Specify in Comments) [C-5]	Document Read Aloud by Interpreter (Sight Translation) [D-1]	Translated Document Given to LEP Person (Written Translation) [D-2]	
1										
2										
3										
4										
5										
6										
7										
8										
9										
10										
11										
12										
13										
14										
15										

User Guide for Common LEP Encounters:

Check off (✓) in the User Log:	→ if the LEP Encounter involves the following:
C-1	→ Bilingual Judiciary employee provided oral language service in the LEP person's language (i.e., bilingual staff helped LEP person)
C-2	→ Called CTS LanguageLink (1-877-650-8014) to use an interpreter by telephone.
C-3	→ Court interpreter provided oral language service in the LEP person's language.
C-5 and E	→ No interpreting service provided (e.g., no interpreter was present, did not know interpreter was needed, used Family/Friend, brought own interpreter, etc.)
D-1 and C-3	→ Court interpreter read a written document aloud in the LEP person's language or in English.
D-2	→ Gave LEP person a written translation (i.e., a written document that is printed in another language) during the encounter.

Attachment H

Language Access Services: A Guide for Staff (benchcard)



Language Access Services

A GUIDE FOR STAFF

Language Access Policy

The Hawai'i State Judiciary is committed to providing meaningful access to court processes and services to persons with limited English proficiency. In all case types, the Judiciary shall reasonably provide, free of charge, and in a timely manner, competent court interpreters for parties, witnesses and individuals with a substantial interest in a case. It shall also provide language assistance services at points of contact with the Judiciary, including over-the-counter and over-the-telephone encounters for all Judiciary-related business. The Judiciary shall notify the public of the Judiciary's language assistance commitment. *Judiciary Policy #12*

Identify the Language Spoken

Use the Language ID poster to identify the language spoken. See http://judintra/eac/EAC2_files/Language_ID_Poster.pdf. If you cannot identify the language, the telephonic interpreting service can help. See [Call a Telephone Interpreter](#) on page 2.

EXAMPLE

Please point here if you need an interpreter in this language (at no cost to you).

O'lelo Hawai'i (Hawaiian):	ʻE kōkahiʻi māi 'oe i 'ānau' ke pono ka māhele 'ōlelo ('ōlelo kōkahi).
日本語 (Japanese):	日本語の通訳が必要なのは、ここに指差してください (通訳費用はかかりません)。
한국어 (Korean):	통역을 필요로 하시면 다음 약속일 전에 변호이 통역이 필요하다고 알릴 수 있습니다. 비용은 부담하지 않습니다.
普通话(标准普通话) (Mandarin):	如果您需要讲普通话的免费翻译, 请指这里。(如果您需要讲普通话的免费翻译, 请指这里。)
廣東話 (Cantonese):	如果您需要講廣東話的免費翻譯, 請指這裡。
Hokkaido:	No masupulmo ti paraitaparusu iti Hokkaido nga awan bayadna, pakitudom ditoy.
Tagalog:	Kung kailangan mo ng libreng tagapakin sa Tagalog, pakituro lamang dito.
Cebuano (Visayan):	Kung kailangan nimo ug libre nga tigbabad sa Binisaya, itudlo lang diri.
Tiếng Việt (Vietnamese):	Xin chỉ vào đây nếu bạn cần thông dịch viên cho người nói tiếng Việt miễn phí.
မြန်မာ (Myanmar):	အကယ်၍ အင်္ဂလိပ်စကားပြောရန် လိုအပ်ပါက အခမဲ့အဖြစ် ဝန်ဆောင်မှုပေးပါမည်။
ภาษาไทย (Thai):	กรุณาระบุภาษาที่ต้องการแปลฟรีที่นี่ (ไม่ต้องเสียค่าบริการ)
ភាសាខ្មែរ (Khmer):	សូមបង្ហាញពីទីកន្លែងដែលអ្នកត្រូវការការបកប្រែឥតគិតថ្លៃ។
ភាសាខ្មែរ (Khmer):	សូមបង្ហាញពីទីកន្លែងដែលអ្នកត្រូវការការបកប្រែឥតគិតថ្លៃ។
ភាសាខ្មែរ (Khmer):	សូមបង្ហាញពីទីកន្លែងដែលអ្នកត្រូវការការបកប្រែឥតគិតថ្លៃ។
ភាសាខ្មែរ (Khmer):	សូមបង្ហាញពីទីកន្លែងដែលអ្នកត្រូវការការបកប្រែឥតគិតថ្លៃ។
Koñin Majid (Marshallese):	Jong im jibhe jin elahle kvoj akujj juth am ri-ukok ilo kajin in (cijetok, wéráin fan yid).
Kapangon Chank (Chaukese):	Itini awenewenan deeti ika pivin kopve natinati emen ebin chukoi non foonon esi finin (kopiv witanemini nonim esi ebin chukoi).
Chamorro:	Makla pag apunta case yangan an necotina itepitji gi firo Chamorro (dihadi case an sibbet).
Pohnesian:	Mendau idih wana ma ke anahae awan kawehwe (sohte isia).
Kororuan:	Nanak manas riroringingac oen se nge fwin kom enemo met in top nuke kals bom an sibbet (kom se tis mot).
Yapese:	Fa'amaa bet'of boe' ninge aywaw neg nge abweg e thin rom (ni dabnu pi'i'pudwon) meere mege mege.
Yapese (Outer Islands):	Gobe sor gare go tipeli bwo samal yebge gematta kepatal menel le yewoi vor pahawal ngabag.
Guguna Samoa (Samoa):	Fa'amolemole toni lou lima 'i'pe 'a' 'e mana'omia se fa'amatala'upu i le gagana lea (e te te fofogina se tupo).
Tongan:	Tulu ki heni kapu 'e fierma'a ha taba ke fakatouluo 'okua ta'ototongi.
Russian (Russian):	Если вам нужен бесплатная переводчик русского языка, пожалуйста укажите пальцем на это предложение.
Espanol (Spanish):	Por favor señale aquí con el dedo si necesita un intérprete (sin ningún costo para usted).

Interpretation services may be provided at no charge in accordance with Chapter 371A3, Hawaii Revised Statutes.
Questions? See Judiciary staff for more information.

Request a Court Interpreter

Call the Assignment Coordinator for your circuit to arrange for a court interpreter. You can also arrange for a court interpreter using the confidential Internal List of Court Interpreters. See <http://judintra/eac/MASTER/PREF.htm>. Staff must use the most qualified court interpreter who is reasonably available to service each assignment.

IN THE COURTROOM

Using a Court Interpreter

A person with limited English proficiency has limited ability to hear, understand or communicate effectively in English. Court interpreters serve a fundamental role in providing access to justice in court proceedings by facilitating direct communication between an LEP person and English speakers.

Being bilingual does not qualify a person to interpret. Children, relatives and friends should never be used to interpret. Judges, attorneys and court personnel should not also function as interpreters.

Staff must use the most qualified court interpreter on the confidential Internal List of Court Interpreters who is reasonably available to service the assignment. Occasionally, the court may need to call an interpreter who is not on the Internal List. Such interpreters should only be used if an interpreter on the Internal List is not available, and if remote interpreting is not possible or suitable for the proceeding.

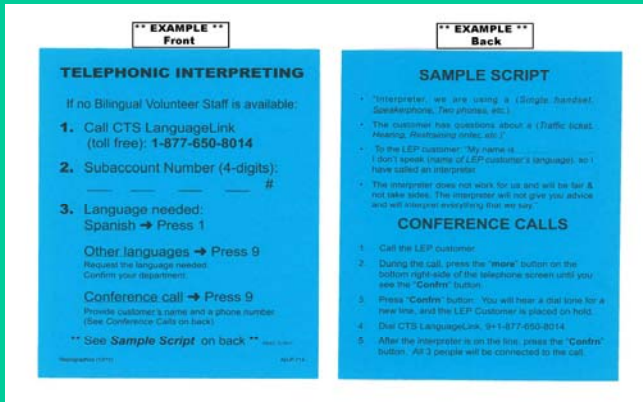
COURTROOM CHECKLIST:

- Limited English Proficient (LEP)?**
Does the person have trouble speaking or understanding English?
- Identify the language spoken.**
Use the Language ID poster. See [Identify the Language Spoken](#) on this page.
- Use a court interpreter.**
Use the scheduled interpreter. In cases where an interpreter was not scheduled, call the Assignment Coordinator to see if an interpreter in that language is available in the courthouse.
 - ✓ **ROIS.** When a court interpreter is used, complete and sign the *Record of Interpreter Services (ROIS)* form. Give the ROIS to the interpreter at the end of the assignment.
- Call a telephone interpreter.**
If a court interpreter is not available, ask the judge if a telephone interpreter should be called.
 - ✓ **Activate the telephone component** for the courtroom PA system, so all parties can hear and be heard.
- Submit interpreter request for next court date.** If the judge orders a court interpreter, submit an interpreter request to the Assignment Coordinator to schedule a court interpreter for the date needed.
- Record the LEP encounter** on the *LEP User Log* form. See [Complete the LEP User Log](#) on page 2.

A GUIDE FOR STAFF

Call a Telephone Interpreter

If no bilingual volunteer staff is available, call CTS LanguageLink for a telephone interpreter (toll free): 1-877-650-8014. Provide your 4-digit subaccount number. For your subaccount number, ask your supervisor. To print a blue card, see <http://judintra/eac/documents/BlueTelephonicInterpretingCard.pdf>.



Tips on Working with Interpreters

- Allow at least twice the usual time. Everything will be said twice: in English and in the other language.
- Say “**Interpreter, please interpret**” to keep the interpreter on track. The interpreter should not have separate side conversations with the LEP person.
- Speak directly to the person needing language assistance, not to the interpreter. Say “What is your name?”, not “Ask him what his name is.”
- Tell the interpreter the context.
- Speak slowly, clearly and loud enough, using plain (basic) English, and avoiding acronyms and colloquialisms. Say “yes” or “no”, not “uh-huh” or “yeah”.
- Use short sentences and pause frequently.
- Check for understanding. Ask open-ended questions that require a narrative response, not a “yes” or “no” answer.
- Allow interpreter breaks every 30-45 minutes.

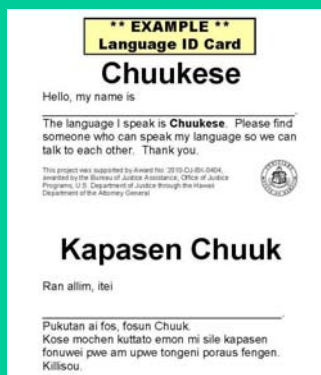
Judiciary Internet: Language Access Services

On the [Language Access](#) drop down menu are the following:

- ▶ Language ID Cards
 - Cantonese • Chuukese • Ilokano • Japanese • Korean
 - Kosraean • Mandarin • Marshallese • Pohnpeian • Samoan
 - Spanish • Tagalog
 - Tongan • Vietnamese

Publications in *Chuukese, Ilokano, Japanese, Korean, Marshallese, Spanish* and *Vietnamese* include:

- ▶ How to Request an Interpreter for a Court Proceeding
- ▶ How to Use a Court Interpreter
- ▶ Self-Help Centers



OUTSIDE OF THE COURTROOM

The Judiciary provides interpreters free of charge for all participants in all case types AND at all points of contact with the Judiciary outside of the courtroom. **Being bilingual does not qualify a person to interpret.** Children, relatives and friends should never be used to interpret.

LANGUAGE ASSISTANCE CHECKLIST:

1. Identify the Language Spoken

Use the Language ID poster to find out what language is spoken. See [Identify the Language Spoken](#) on page 1.

2. Call Bilingual Volunteer Staff to Assist

Look at the Bilingual Volunteer Staff List on the Judiciary’s Intranet and call a Judiciary staff person who speaks the language needed. See http://judintra/eac/EAC2_files/Bilingual_Volunteer_Staff_List.pdf.

3. Call a Telephone Interpreter

If bilingual volunteer staff is unavailable, call a telephone interpreter. See [Call a Telephone Interpreter](#) on this page.

4. Complete the LEP User Log

Record the data for your encounter with the limited English proficient customer in your LEP User Log and Data Collection Quarterly Report. See <http://judintra/eac/index.html>, [Language Access/ Data Collection Reporting Tool](#), [User Log & Quarterly Report Form \(Excel\)](#).