



OREGON JUDICIAL DEPARTMENT LANGUAGE ACCESS PLAN 2022-2026

*A Strategic Plan for Implementing
Enhanced Language Access in the Oregon State Courts*



Cover photo: Image of the Oregon Supreme Court Building

COURT LANGUAGE ACCESS SERVICES
Oregon Judicial Department

PURPOSE

The OJD Language Access Plan (LAP) is a management document that outlines how the Oregon Judicial Department (OJD) allocates and regulates its resources, services, and administrative operations to maintain compliance with federal and state language access requirements. The LAP also provides a framework for engaging in the continuous improvement of access to courts and operations, and in enhancing the integrity of OJD's communications and proceedings for the limited English proficient (LEP) individuals within its jurisdiction.

This LAP updates the previous LAP, signed by the OJD State Court Administrator in 2016, to ensure that the OJD is meeting current LEP population needs. The amended LAP goals also include changes and updates that coincide with current language access technologies and policies.

PLAN MAINTENANCE

The OJD Court Language Access Services (CLAS) program prepared this LAP. The manager of the CLAS program will review the LAP on a yearly basis for necessary changes and substantive milestones. Comments or questions about this LAP or on the operations of the Court Language Access Services program may be sent to:

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The Court Language Access Services webpage can be accessed through the following link: <https://www.courts.oregon.gov/languages/Pages/default.aspx>.

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1| Policy Directive and Legal Basis

The Oregon Judicial Department (OJD) is dedicated to providing limited English proficient (LEP) court users meaningful language access to court programs and services. This OJD Language Access Plan (LAP) documents initiatives of the State Court Administrator (SCA) to ensure access and serves as a blueprint for future efforts. OJD complies with all federal statutory requirements and Oregon Revised Statutes (ORS).

1.1 Federal Laws

Relevant federal laws include Title VI of the Civil Rights Act of 1964,¹ the Omnibus Crime Control and Safe Streets Act of 1968,² (Safe Streets Act) and Executive Order 13166.³

Section 602 of Title VI of the Federal Civil Rights Act of 1964 (42 U.S.C. 2000d) states:

“No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.”

As a recipient of direct and indirect federal funding, OJD provides language access for the public, for parties, for victims, and for certain persons in juvenile proceedings in accordance with applicable laws.

1.2 Oregon Statutory Authority

Oregon Revised Statutes, chapter 45, ([ORS chapter 45](#)) is the main chapter providing authority for language access. As set out in ORS 45.273:

“It is declared to be the policy of this state to secure the constitutional rights and other rights of persons who are unable to readily understand or communicate in the English language because of a non-English-speaking cultural background or disability, and who as a result cannot be fully protected in administrative and court proceedings unless qualified interpreters are available to provide assistance.”

¹ 42 U.S.C. §2000d

² 34 U.S.C. §10101

³ Exec. Order No. 13, 166, 65 FR 50121(2000)

In Oregon, court interpreting services are provided free of charge to LEP parties, victims, witnesses who are testifying in court, and certain persons in juvenile proceedings per state law.

1.3 Compliance Standards

In 2011, the National Center for State Courts (NCSC) addressed the legal obligations underlying state courts' responsibilities to meet the needs of LEP individuals.⁴ According to NCSC's legal analysis, state courts are obligated to provide necessary and reasonable language access services based on four levels of authority:

- 1) Title VI and the Safe Streets Act of 1968,⁵
- 2) US Department of Justice (USDOJ) rules and regulations,
- 3) USDOJ Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting LEP persons (2002),⁶ and
- 4) USDOJ Assistant Attorney General's Letter to State Chief Justices (August 16, 2010).⁷

Accommodations Under the Americans with Disabilities Act (ADA)

OJD is dedicated to providing equal access to court programs and services for people with disabilities. Persons with disabilities make accommodations requests directly to the OJD court or office that provides the service, program, or materials. Every court has an on-site ADA coordinator who responds to requests from persons with disabilities. The SCA has a staff person in the Office of the State Court Administrator (OSCA) appointed as the Statewide ADA Coordinator. The Statewide ADA Coordinator provides training to new employees and technical assistance to on-site local court ADA Coordinators, Trial Court Administrators, and judges.

⁴ NCSC, Title VI Considerations in State Courts Providing LEP Services (2011), [Title VI Considerations in State Courts Providing LEP Services](#)

⁵ 42 U.S.C. §2000d and 34 U.S.C. §10101

⁶ 67 FR 41455 (June 18, 2002)

⁷ Thomas Perez, USDOJ, http://www.lep.gov/final_courts_ltr_081610.pdf

2| Needs Assessment

2.1 Data on Limited English Proficient Persons

Unless otherwise noted, OJD uses US Census data (<http://www.census.gov>) for Oregon demographic information. Much of the specific annual data about LEP individuals in this plan comes from the US Census' American Community Survey (ACS).⁸

2.2 Population

According to the ACS, a LEP person is someone five years or older who speaks English less than "very well." In 2019, the estimated population of Oregon was 3,899,246, and 5.6% of the population identified themselves as LEP individuals. Over 75% of all Oregon LEP individuals reside in just five counties: Multnomah, Washington, Marion, Clackamas, and Lane.

TABLE 1 – 2019 LEP POPULATION ESTIMATES BY COUNTY⁹

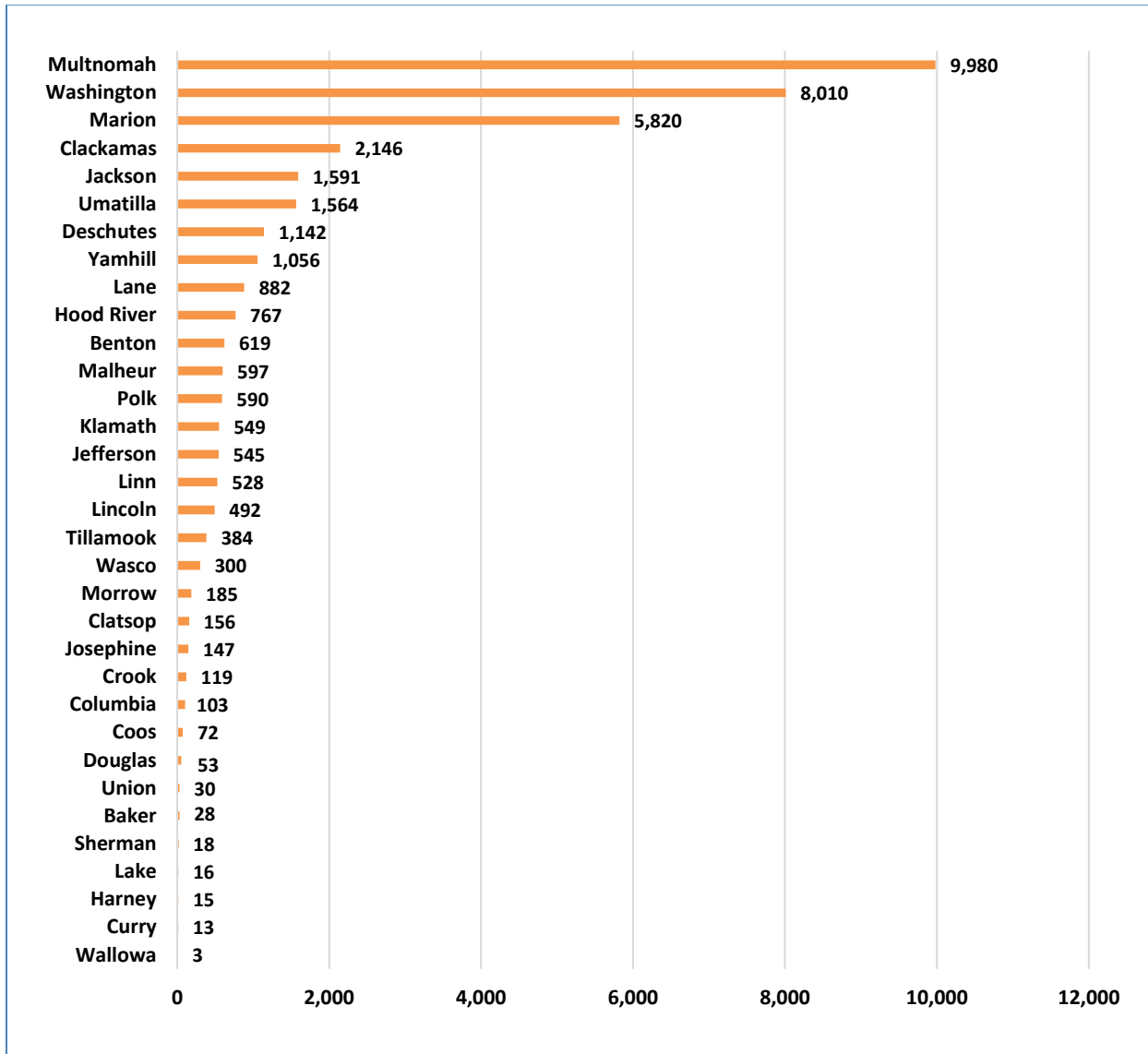
County	Total County Population	Total Est. Pop. that Speak English "less than very well" (>5 y/o)	% of Population that "Speak English Less than Very well"
Oregon Total	3,899,246	220,027	5.6%
Multnomah	760,424	61,299	8.1%
Washington	553,510	48,827	8.8%
Marion	316,989	32,380	10.2%
Clackamas	388,445	15,682	4.0%
Lane	354,917	8,775	2.5%
Jackson	204,663	7,244	3.5%
Umatilla	71,943	6,634	9.2%
Yamhill	98,880	5,202	5.3%
Benton	87,434	3,983	4.6%
Polk	78,339	3,822	4.9%
Deschutes	176,697	3,422	1.9%
Hood River	21,760	3,298	15.2%
Linn	117,557	2,872	2.4%
Malheur	28,351	2,166	7.6%
Klamath	62,820	1,999	3.2%
Morrow	10,457	1,460	14.0%
Wasco	24,476	1,435	5.9%
Douglas	103,467	1,380	1.3%
Josephine	82,005	1,199	1.5%
Jefferson	22,130	1,080	4.9%
Tillamook	25,167	1,074	4.3%
Lincoln	46,372	1,046	2.3%
Clatsop	37,088	906	2.4%
Coos	60,527	804	1.3%

⁸ US Census Bureau, American Community Survey (ACS) 2015-2019 5-Year Estimates

⁹ US Census Bureau, 2019 American Community Survey, 5-Year Estimates

Columbia	48,675	545	1.1%
Curry	21,717	372	1.7%
Union	24,807	324	1.3%
Lake	7,460	201	2.7%
Baker	15,229	186	1.2%
Crook	21,836	170	0.8%
Wallowa	6,662	69	1.0%
Grant	6,859	65	0.9%
Harney	6,885	65	0.9%
Gilliam	1,804	28	1.6%
Wheeler	1,312	9	0.7%
Sherman	1,582	4	0.3%

FIGURE 1 - 2019 INTERPRETER REQUESTS BY COUNTY. ¹⁰



¹⁰ Some counties having a smaller percentage of residents who “speak English less than very well” make a greater number of interpreter requests due to their larger total population. Gilliam County, Grant County, and Harney County had 0 requests for interpreters.

2.3 Internal & External Needs Assessments

OJD conducted several internal and external language access needs assessments between 2018 and 2021.

Oregon State Bar – In 2018, the Oregon State Bar (OSB) created a Diversity Action Plan. The OJD reviewed the OSB plan and identified the following opportunities for collaboration to improve language access to the courts:

- Expand the availability of self-navigation materials for underserved Oregon communities
- Develop public legal information materials that are accessible to all Oregonians
- Collaborate with and support the OJD's Procedural Fairness in Courts Initiative and the Oregon Supreme Court Council on Inclusion and Fairness' (OSCCIF) data identification and collection goals

Oregon Supreme Court Council on Inclusion & Fairness ([OSCCIF Website](#)) – In 2018, OSCCIF piloted the OJD Access and Fairness Court User Survey Project to survey court users about access and fairness in the courts. The pilot targeted a sample of larger and smaller urban and rural circuit courts (Benton, Deschutes, Marion, and Union), with a total of 709 responses. Respondents were asked to rate the following statements regarding access, which pointed out additional opportunities to improve access to services:

- *Finding the courthouse was easy* (9% were neutral, disagreed or strongly disagreed)
- *The forms I needed were clear and easy to understand.* (10% were neutral, disagreed or strongly disagreed)
- *The court makes reasonable efforts to remove physical and language barriers to service* (14% were neutral, disagreed or strongly disagreed)
- *Court staff paid attention to my needs* (14% were neutral, disagreed or strongly disagreed)
- *I was treated with courtesy and respect* (9% were neutral, disagreed or strongly disagreed)
- *The court's website was useful* (30% were neutral, disagreed or strongly disagreed)

OJD Strategic Campaign Planning – In 2019, the OJD Strategic Campaign Steering Committee held a summit to review focus groups' feedback on areas for prioritization in the 2020-2021 strategic plan. CLAS collected language access related feedback from the following focus groups:

Criminal Justice & Mental Health Focus Group (focus group membership: Oregon District Attorney Association, Oregon Criminal Defense Lawyers Association, Oregon Department of Justice, and Victim Rights Law Center)

- Expand video appearance options for all routine cases
- Expand the availability of interpreters
- Clarify who is eligible to receive interpretation services provided by OJD

Self-Represented Litigants & Vulnerable/Marginalized Persons Focus Group (focus group membership: Oregon State Bar, Legal Aid Services of Oregon, Oregon Law Center, Equity Corps/Immigrant and Refugee Community Organization, Public Guardian Program, Campaign for Equal Justice, and the Honorable Maureen McKnight)

- Increase availability of translation services
- Increase multilingual and non-text signage in courthouses
- Provide culturally sensitive and culturally appropriate interpretation
- Provide maps or directions to the courthouse
- Improve online court forms and self-help materials for readability and easy access
- Increase the number of translated forms and the number of languages into which they are translated

OJD Presiding Judges, OJD Trial Court Administrators, & OSCA Division Directors

- Streamline and increase interactive forms, guides, and courthouse signage
- Leverage technology to provide broader litigant access to hearings and court services including offering remote facilitation and internet tools for self-help litigants
- Increase the number of Spanish and American Sign Language (ASL) interpreters
- Educate and seek feedback from the community on available court services through customer surveys, public forums, and listening sessions
- Increase and improve training for judges and court staff on customer service and implicit bias

Representative court staff from judicial districts 7 (Hood, Wasco, Sherman, Gilliam, and Wheeler Counties), 11 (Deschutes County), and 22 (Jefferson and Crook Counties)

- Increase customer service training to address the needs of diverse customers and survey court customers for feedback
- Offer video options for appearances
- Increase recruitment of interpreters in rural/semi-rural districts and offer certification examinations more frequently
- Increase the number of bilingual staff
- Increase language access training for court staff
- Expand translation of OJD documents and forms and provide multi-language signage, phone menus and website information

Bridges Oregon – In 2021, CLAS met with Bridges Oregon, a community service organization for Oregonians that are Deaf, DeafBlind, and Hard of Hearing. Language access related feedback:

- Increase signage explaining available types of services
- Increase court staff training on offering services to the Deaf and Blind
- Provide continuing education to ASL interpreters on best practices when interpreting in court

2.4 The USDOJ Four Factors in Oregon

In its national enforcement role, the USDOJ revised its Language Assessment and Planning Tool (Planning Tool), in 2014.¹¹ The Planning Tool is a resource for state programs receiving federal funds. OJD used it to develop LAP goals that:

- Identify LEP individuals who need assistance,
- Provide language assistance measures,
- Train staff,
- Provide notice to LEP persons of the availability of language services, and
- Monitor and update the LAP.

The USDOJ also recommends recipients of Federal funding evaluate four factors when developing LAPs. The four factors are:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by the program,
2. The frequency with which LEP persons come in contact with the program,
3. The nature and importance of the program, activity, or service provided, and
4. The resources available to the program and a cost-benefit-analysis.

OJD considered the four factors and needs assessment results to develop strategies to improve language access in Oregon's courts.

Factor 1: Oregon's LEP population eligible to be served or likely to be encountered by OJD. Oregon's total limited English proficient population is 5.6% (see [Section 2.2](#)).

**TABLE 2 - TOP 10 LANGUAGES SPOKEN AT HOME IN OREGON¹²
(2019 ACS ESTIMATES)**

Language	Individuals who Speak a Foreign Language at Home	Households with LEP individual
1. Spanish	366,785	126,149
2. Chinese (Includes Mandarin and Cantonese)	33,598	14,540
3. Vietnamese	27,598	15,684
4. Russian	20,823	5,553
5. German	17,161	1,426
6. Korean	13,759	6,286
7. Tagalog (Includes Filipino)	12,923	4,284
8. French (Includes Cajun)	11,924	540
9. Other Indo-European Languages	10,461	1,815
10. Ilocano, Samoan, Hawaiian, or other Austronesian languages:	9,467	1,770

¹¹ [DOJ Language Access Planning and Technical Assistance Tool for Courts](#)

¹² US Census language data questions require respondents to rate their own English-speaking ability based on their own perceptions of their abilities.

Factor 2: The frequency with which Oregon LEP persons come in contact with OJD:

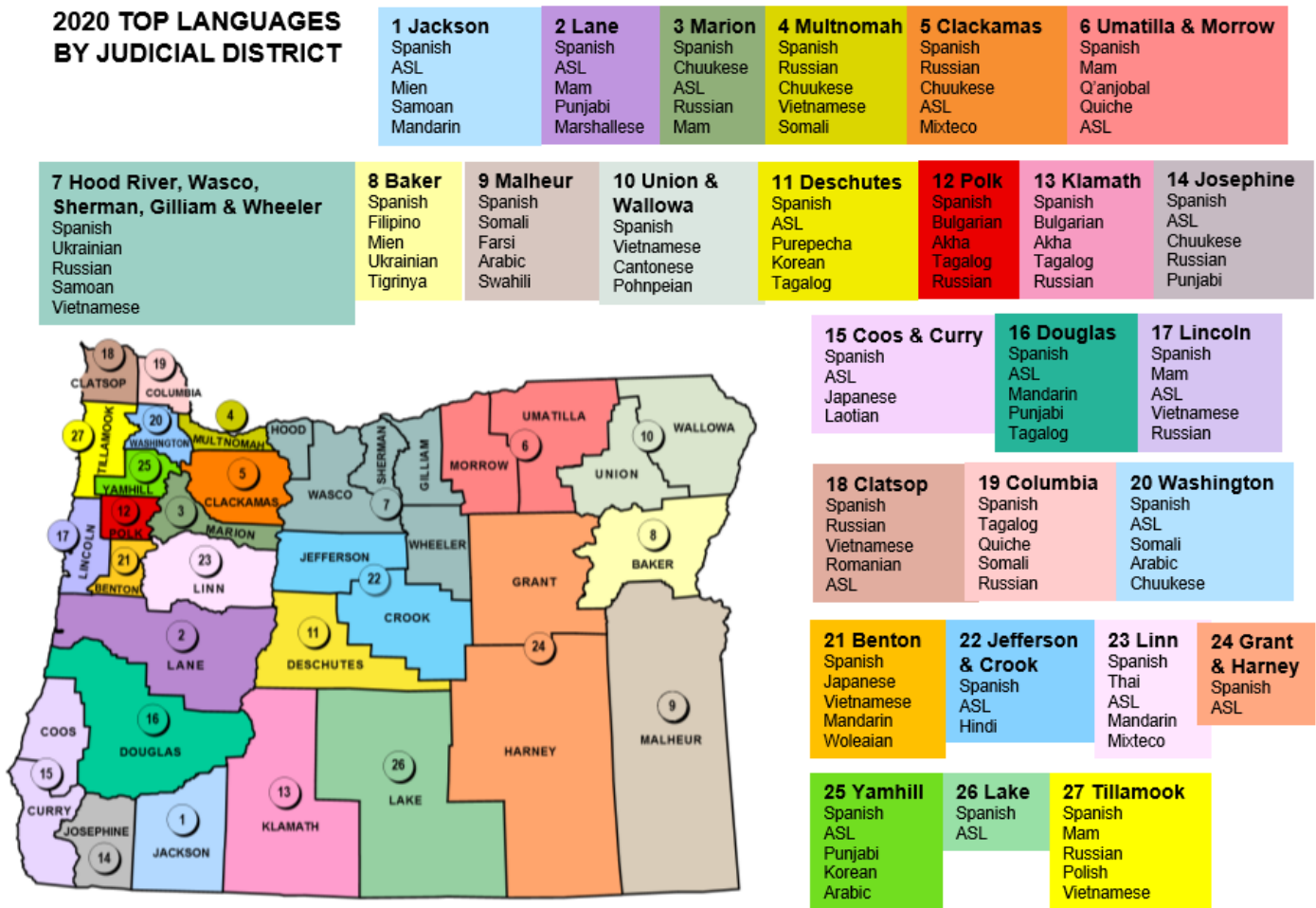
Over 200 languages have been interpreted for Oregon’s LEP court users since 2010. In 2019, the top ten languages requested in court were:¹³

TABLE 3 - TOP TEN REQUESTED LANGUAGES 2019

Language	# of Requests
Spanish	31,313
ASL	1,430
Chuukese	987
Russian	942
Vietnamese	510
Arabic	480
Somali	322
Mandarin	233
Mam	228
Bosnian	117

FIGURE 2 - TOP LANGUAGES REQUESTED IN EACH OREGON JUDICIAL DISTRICT

2020 TOP LANGUAGES BY JUDICIAL DISTRICT



¹³ Rankings are based on OJD expenditures for interpreting & translation services.

Over the years, the number of court interpreter requests in Oregon circuit courts has steadily increased between 2009 and 2020 (see Table 4). Most circuit courts see a higher frequency of LEP court users in criminal, family, small claims, and traffic cases.

TABLE 4 - REQUESTS FOR INTERPRETER SERVICES

Year	Interpreter Requests
2009	27,096
2010	27,475
2011	27,013
2012	26,685
2013	26,183
2014	27,101
2015	32,815
2016	32,823
2017	32,472
2018	34,685
2019	39,225
2020	31,533 ¹⁴

Factor 3: The nature and importance of OJD court proceedings, services, and activities:

Court proceedings are critical and compulsory for most case types. The courts are often the last means available to parties to resolve a dispute.

Factor 4: The resources available to the program and cost-benefit analyses:

As a state-funded branch of government, OJD has access to resources of the state, subject to spending authority granted by the legislature. OJD conducts cost-benefit analyses to prioritize language access activities and needs. OJD and CLAS use technology and economies of scale to provide language services efficiently.

OJD’s statewide centralized scheduling system is an example of using economies of scale to dispatch interpreter assignments efficiently and to avoid unnecessary interpreter travel expenses. Interpreter requests for out-of-state, rare-language interpreters in several locations may be scheduled on particular days of the month to bundle travel and reduce costs. For example, a Chuukese interpreter flying in from Hawaii may serve three different metro-area courts in a single day, to avoid multiple flights from Hawaii.

The use of remote interpreting via video or telephone is another centralized scheduling resource that provides high-quality services efficiently. See [Section 5.5](#) for additional remote interpreting information. Descriptions of direct service delivery methods, and CLAS staff roles are detailed in [Section 5.0](#).

¹⁴ Interpreter requests decreased in 2020 due to the COVID 19 pandemic and State of Oregon Executive Order No. 20-12 Stay Home, Save Lives.

3| Performance Measurement

3.1 OJD Key Performance Measures

OJD recognizes the importance of tracking and reporting language access compliance and development through performance measures outlined in the *OJD Strategic Campaign 2020-2021*. Commitment three of the plan pledges “to enhance the public’s trust and confidence in Oregon’s state government, including the judicial branch,” in part by developing data-driven performance measures.

CLAS has identified two key performance measures to track and evaluate the provision of interpreting services and the quality of the interpreting services provided:

- **Fill Rate of Interpreter Requests** – CLAS will measure the number of interpreter requests filled as a percentage of the total number of interpreter requests.
 - Rationale: When an interpreter request is not filled, the court cannot effectively process the case. To reduce delays and wasted resources in the legal process, it is important to monitor interpreter fill rate and identify where modifications to resources need to be made.
 - Data: Gathered from CLAS’s statewide scheduling computer system, LIBRA, and reported in aggregate statewide and by county.
- **Quality of Interpreting Services** – For languages that have a court interpreter credential available, CLAS will measure the number of interpreter assignments filled by a credentialed interpreter as a percentage of the total number of interpreter assignments in that language.
 - Available credentials:
 - Oregon Certified Court Interpreter – 18 languages,
 - Oregon Registered Court Interpreter – 88 languages.
 - Rationale: CLAS’s mission is to, “provide mandated linguistic access to the Oregon State Courts through trained ethical interpreters.” Credentialed interpreters have demonstrated the ability to provide high quality, ethical interpreting services.
 - Data: Gathered from CLAS’s statewide scheduling computer system, LIBRA, and reported by language in aggregate statewide and by county.

3.2 NCAJ Justice Index Score

In 2020, the National Center for Access to Justice (NCAJ) reviewed and ranked each state’s language access policies against 35 benchmarks. Oregon was ranked 6th in the nation with a “Justice Index” score of 70.44, on a 100-point scale. The highest score nationwide was 89.31 and the lowest score was 11.32. For Oregon, NCAJ identified two areas of improvement:

- The current optional language access training for new employees should be made mandatory within six months of hire.

- Language access training should be made mandatory for all employees every three years.

These have been incorporated into the goals and strategies of the OJD language access plan.

4| OJD Management and Governance

4.1 Organization

OJD is a unified court system with 200 judges and 1,576 full and part-time staff. Oregon state courts include the Supreme Court, Court of Appeals, Tax Court, 36 circuit courts in 27 judicial districts and the Office of the State Court Administrator (OSCA).

The Chief Justice of the Oregon Supreme Court is the administrative head and chief executive officer of OJD. The Chief Justice supervises the state court system, makes rules, and issues orders to carry out the duties of the office. The Chief Justice appoints the Chief Judge of the Court of Appeals, State Court Administrator, and presiding judges of the state circuit court judicial districts. The Chief Justice adopts rules that establish procedures for all state courts and OSCA. The Chief Justice also supervises the statewide fiscal plan and budget for all state courts and OSCA.

The Chief Justice appoints a presiding judge in each judicial district for a two-year term. The presiding judge has general administrative authority and supervision over the district. The presiding judge assigns the workload, makes rules, and issues administrative orders. Each district also has a trial court administrator (TCA) to help the presiding judge manage the court's operations and local budget. Judges and TCAs are active participants in the statewide policy development process.

2020-2021 Strategic Campaign

In 2020, the Chief Justice introduced the *OJD Strategic Campaign 2020-2021* (see [Appendix I](#)). Three of four commitments in the plan have language access components and are incorporated into this Language Access Plan.

Commitment 2: *We will improve access to justice by eliminating barriers; continuing to simplify and streamline our processes and forms; enhancing service options; leveraging technology; improving interpreter services; and advocating for resources to keep courts open, safe, and secure.*

Language Access Plan Component: Increasing visibility and ease of website access to translated forms, developing a Spanish online Guide and File form for court customers, and improving interpreter services (see [section 6](#)).

Commitment 3: *We will enhance the public's trust and confidence in Oregon's state government, including the judicial branch.*

Language Access Plan Component: Conducting surveys with court customers to measure language access services and supporting OJD community engagement activities by providing interpreting services (see [section 6](#)).

Commitment 4: *We will create a workplace and courthouse culture that is supportive, inclusive, welcoming, and affirming; that embraces diversity; and where all people can thrive and are treated with respect and dignity.*

Language Access Plan Component: Implementing and requiring language access training for all court staff, incorporating cultural competency training, and providing equity, diversity, and inclusion training for contract interpreters (see [section 6](#)).

Oregon Supreme Court Council on Inclusion and Fairness

In 2016, the Chief Justice created the Oregon Supreme Court Council on Inclusion and Fairness (OSCCIF). The Council is charged with:

- 1) Monitoring and assisting in the implementation of goals and strategies identified in the Oregon Judicial Department Strategic Plan regarding access, inclusion, and fairness.
- 2) Identifying ways to integrate inclusion and fairness into Oregon Judicial Department practices and procedures and to coordinate efforts in order to ensure access, fairness, equality, and integrity at all levels.
- 3) Establishing, implementing, and monitoring methods to ensure the Oregon Judicial Department reaches out to the diverse people we serve to understand and address their needs and priorities as they relate to Oregon Courts.
- 4) Providing reports on the council's work and recommendations to the Chief Justice and the State Court administrator.

4.2 Office of the State Court Administrator (OSCA)

The Chief Justice of the Supreme Court appoints a chief administrative officer whose title is State Court Administrator (SCA). The SCA oversees all statewide administrative and executive operations of the state trial and appellate courts, and several statutory programs. The SCA promotes the efficient use of statewide resources to develop innovative court programs and services, judicial and staff education, program evaluation, and internal controls. In addition to administration and program development, the SCA is responsible for the long-range planning for the future needs of the courts.

Court Language Access Services (CLAS)

Established in 1995, CLAS is part of OSCA and provides language access services. CLAS offers courts interpretation, and translation services along with resources, technical assistance, training, and testing and certification of interpreters. CLAS also does outreach to LEP communities and judicial system partners. Activities are prioritized based on the Chief Justice's OJD Strategic Plan and the OJD Language Access Plan. CLAS activities and progress are reported each year in an Annual Report, available on the OJD CLAS website, <http://courts.oregon.gov/CLAS>. [Section 5.1](#) contains detailed descriptions of 22 CLAS staff members' duties and an explanation of how direct services are delivered.

4.3 Budget

In 1991, statute established language and ADA access funds for the provision and payment of services including: language interpreters where the court is required by statute to uphold any disabled or LEP persons' access to court services, Communication Access Realtime Translation (CART) services, and assistive devices. These access funds are part of the General Fund Mandated Payments account which finances all costs associated with the administration of the trial and grand jury systems and federally and other legislatively mandated costs. Legislators consider access services in the budget development process for each biennial OJD budget. OSCA monitors the budget to see if changes are needed in mandated funding levels and may request modifications from the legislature, through submission of the Chief Justice's Recommended Budget or through special requests.

Additional funding sources for improved access services may come from grants. The Statewide Grants Coordinator in the OSCA Business and Fiscal Services Division provides technical assistance to ensure that OJD grantees meet policy and financial grant requirements.

In 2016, OJD received a State Justice Institute (SJI) Curriculum Adaptation and Training Grant to accomplish OJD Language Access Plan goals. The grant was used to 1) provide resources and training for OJD Judges, 2) expand judicial branch training on Language Access policies, and 3) increase the diversity of certified language interpreters by providing scholarships to training and oral interpreting examinations.

4.4 State Court Administrator Language Access Policies

OJD enacted various policies and protocols to enhance language access in the courts. The *Code of Professional Responsibility for Interpreters in the Oregon Courts* (1995) is comprised of 11 canons describing the interpreter's role as an officer of the court. It is binding on all interpreters who provide services in the courts or in adjudicatory proceedings before state agencies (see [Appendix II](#)).

In 1999, the SCA published the State Court Administrator Policies (SCA Policies) for the OJD's Oregon Certified Court Interpreter Program. The policies fulfill the requirements in ORS 45.291 to establish a program for the certification of court interpreters. In 2012, the SCA revised the policy to add a new category of certificate, the Oregon Registered Interpreter Credential, and expanded the Oregon Court Interpreter Certification languages to include American Sign Language (see [Appendix III](#)).

4.5 National Policy Participation

Several national organizations' collaborative efforts assist in facilitating the development of language access in Oregon.

Council of Language Access Coordinators (CLAC)

In 1995, Oregon was a founding member of the Consortium for State Court Interpreter Certification, renamed and reorganized as the Council of Language Access Coordinators (CLAC) in 2013. The purpose of the group is to establish national standards for court interpreting, share costs in funding interpreter examination development, and expand the number of languages for which there is a court certification examination. CLAC membership includes all 50 states and four territories. The National Center for State Courts (NCSC) maintains court interpreter examinations, trains examination raters, facilitates judicial language access planning policy, and provides research and expertise to members. In 2019, the OJD CLAS Program Manager completed their last year serving as one of three state liaisons on the Language Access Advisory Committee, a joint committee of the Conference of State Court Administrators and the Conference of Chief Justices.

National Summit on Language Access in the Courts

In 2012, OJD sent representatives to the National Summit on Language Access in the Courts. Participants from 49 states, three territories, and the District of Columbia discussed language access issues and developed draft language action plans. The Summit produced nine action steps for improving language access, published in *A National Call to Action* (see [Appendix IV](#)).

Other Organizations

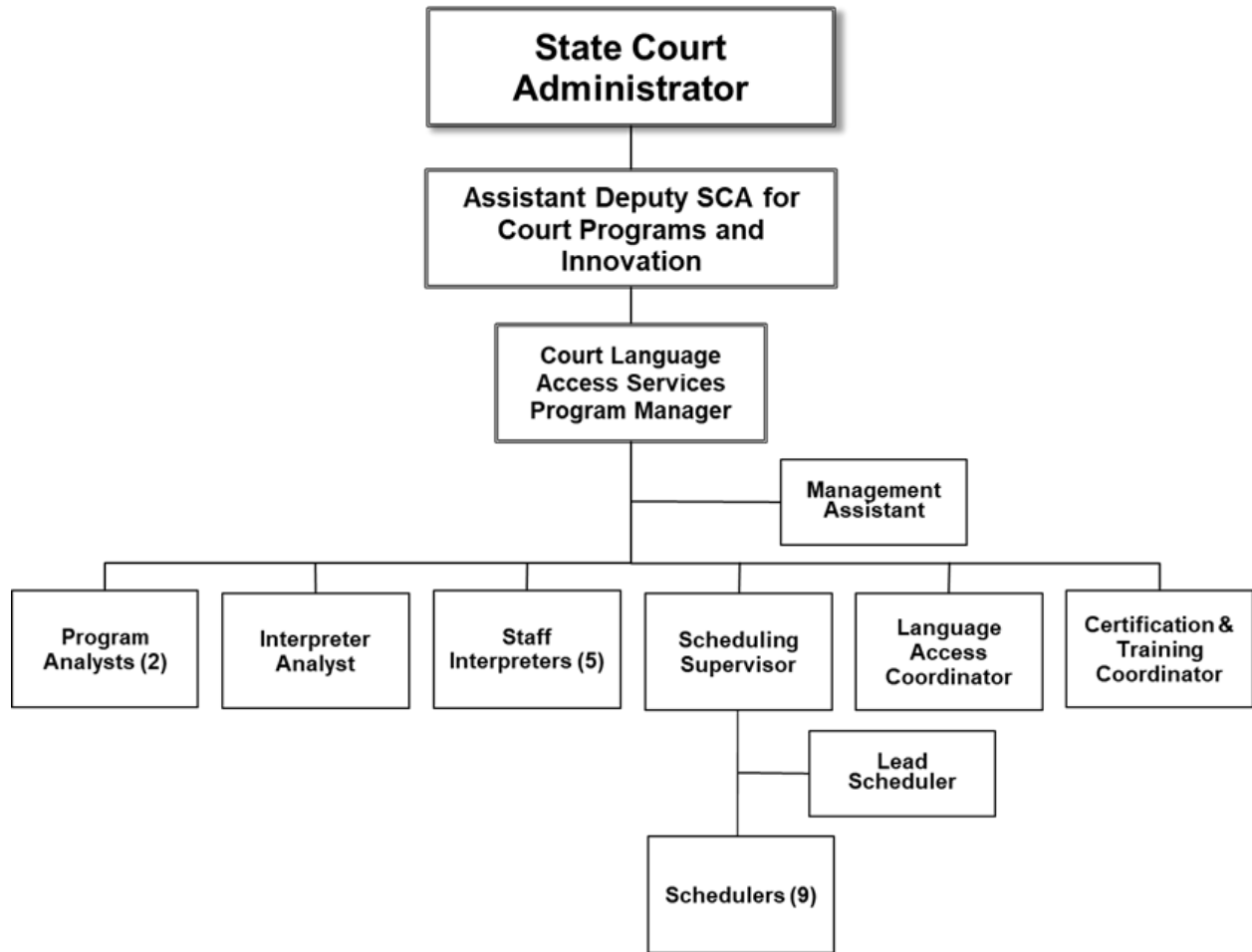
OJD provides feedback on policy and publications when requested and follows national interpreter best practices through publications of the Registry of Interpreters for the Deaf (RID), the National Association of Judicial Interpreters and Translators (NAJIT), the American Translator Association (ATA), and the National Consortium of Interpreter Education Centers (NCIEC).

5| Language Access Services & Resources

OJD recognizes that individuals at all levels of the department are critical in providing access to justice.

5.1 OJD Court Language Access Services Staff

FIGURE 4 – CLAS ORG CHART



Program Manager

The CLAS Program Manager oversees the daily operations and budget of statewide language access services. The manager oversees 22 staff and determines how to deploy interpreters, equipment, and other resources to maximize efficiency to serve LEP court users. The manager works closely with TCAs, interpreters, judicial system partners, court staff, judges, and the LEP community. The manager works to resolve language access complaints within OJD.

Interpreter Analyst

The OJD Interpreter Analyst is responsible for observing and evaluating the use of interpreters. The analyst provides training to court interpreters, OJD judges and staff, and other justice stakeholders. The analyst periodically assesses interpreters' skills for quality and mentors interpreters in the courtroom. The analyst investigates and manages protocol and ethics complaints and consults on the development of new language access programs, systems, policies, and legislative concepts.

Staff Interpreters

Staff interpreters are OJD employees and Oregon Court Certified interpreters whose primary duty is to interpret state court proceedings and other OJD activities and programs. Interpreters also provide expertise on diverse language and data projects, produce written translations, and promote the consistent use of Oregon Spanish legal terminology in court interpretations. Interpreters assist with continuing education programs and mentor or observe interpreter colleagues. Interpreters may perform scheduling duties, collect data, and provide bilingual assistance at OJD court counters. In fiscal year 2020, CLAS had 4.0 FTE Spanish staff interpreters and 1.3 FTE ASL staff interpreters.

Language Access Coordinator

The OJD Language Access Coordinator implements and reports on tasks identified in OJD's LAP and is the subject-matter expert assuring court procedural rules and policies comply with Title VI of the Civil Rights Act of 1964. The Coordinator manages language access grants and promotes technology initiatives to improve language services. The Coordinator evaluates the use of interpreters in the state courts, manages statewide translation projects, develops and provides language access training to judges and court staff, and works to improve statewide and local procedures, resources, and public relations vis-à-vis the courts and local LEP communities.

Scheduling Supervisor & CLAS Schedulers

The CLAS supervisor provides structure for daily business operations related to interpreter scheduling, including supervising ten schedulers. The supervisor responds to and implements solutions to emerging interpreting issues from the court, attorneys, contract interpreters, and staff.

Schedulers receive and assign an average of 33,000 requests each year for interpreting services from all over the state in adherence to ORS, Uniform Trial Court Rules, and industry best practices. A certified interpreter is appointed whenever one is available, able, and willing to serve. Teams of two interpreters are scheduled to work in court proceedings requiring continuous interpreting to reduce interpreter fatigue and ensure accuracy. Schedulers also review interpreter credentials, negotiate rates, collect data, and process vendors' invoices.

Interpreter Certification and Training Program (CAT)

Since 1990, the number and diversity of Oregon credentialed language interpreters has steadily increased. CLAS offers court interpreter credentials in more than 70 languages. In 2019, there were 144 credentialed interpreters (see below) in 23 languages in CLAS's interpreter database.

The Oregon Court Registered Interpreter Credential requires the successful completion of English, foreign language, and ethics examinations. Registered interpreters must pass a criminal background check and attend court with an experienced interpreter. The Registered Interpreter Credential is for interpreters of languages where a court certification interpreting examination does not exist. The Registered Interpreter Credential is available in 88 languages.

The Oregon Certified Court Interpreter Credential is available in 20 languages. Certification requires the successful completion of examinations in English, the non-English language, court interpreting, and ethics. Certified interpreters also attend an orientation program, observe court proceedings, and must pass a criminal background check.

For both the Certified Court Interpreter Credential and the Registered Interpreter Credential, the interpreter must complete a required number of continuing education hours to retain their credential. Required continuing education subject areas are ethics, language specific, and general credits.

The OJD also provides conditionally approved interpreters. Although this is not a credential, the interpreter must pass a criminal background check and complete an experience interview about their relevant interpreting education and experience.

CLAS provided more than 45 hours of orientation and continuing education programs to interpreters in 2019. In 2019, CLAS staff made presentations about working with interpreters to 20 stakeholder groups. CLAS employs a 1.0 FTE CAT Coordinator to administer credentialing and outreach activities.

5.2 OJD Bilingual Employees

In 2021, OJD recognized 84 bilingual employees as important bridges to LEP court customers. Qualified employees earn a pay differential when they demonstrate language proficiency through an examination provided by an outside vendor on contract through the OJD Human Resource Services Division. The *OJD Strategic Campaign 2020-2021* instructs OSCA to assist circuit courts in developing an outreach plan to recruit staff who also speak languages other than English. Without giving legal advice, bilingual employees use their language skills to provide information on court procedures, forms, program services, or information about court hours and facilities. Bilingual employees never interpret in court.

Since 2017, twenty-six bilingual court employees have successfully completed an online training program. The training included the legal basis for language access, best practices, and customer service skills.

5.3 OJD Judicial Officers and Personnel

CLAS makes regular presentations at local judicial, staff, and stakeholder meetings. Participants gain an understanding of the legal basis for language access services, as well as how to request interpreters, and how to work with interpreters.

At OJD’s New Employee Orientation, new employees learn about OJD’s obligation to provide access and reasonable accommodations under the ADA. Employees learn general information about the kinds of accommodations requested and where to go for information and assistance.

5.4 Contract Interpreters

A contract interpreter working for OJD is a qualified interpreter or translator who is not a department employee. Court interpreters learn about their roles and responsibilities through orientation programs, peer mentoring, and continuing education events. Online resources for interpreters include training videos, legal glossaries, billing forms, calendars, and the *Code of Professional Responsibility for Interpreters in the Oregon Courts*. Interpreters and the public can also find court interpreter rosters, related statutes, policies, protocols, and court rules on CLAS’s website.

TABLE 5 – NUMBER OF OREGON CERTIFIED COURT INTERPRETERS IN 2020

Language	Number of Certified Interpreters
Spanish	81
ASL	7
Russian	7
Mandarin	6
Vietnamese	4
French	2
Korean	2
Tagalog	2
Arabic	1
Somali	1
TOTAL	113

TABLE 6 – NUMBER OF OREGON REGISTERED COURT INTERPRETERS IN 2020

Language	Number of Registered Interpreters
Arabic	6
Cantonese	4
Farsi	2
Japanese	2
Korean	2
Kurdish	2
Mandarin	2
Romanian	2
Amharic	1
Armenian	1
German	1
Hungarian	1
Macedonian	1
Nepali	1
Punjabi	1
Russian	1
Tagalog	1
Ukrainian	1
Vietnamese	1
TOTAL	33

5.5 Remote Interpreting & Technology Resources

Remote interpreting (RI) is the provision of interpreting services using telecommunications technology to close critical communication gaps and support meaningful participation in court proceedings when the interpreter and the LEP court customer are in separate locations. OJD established remote interpreting services in 2003 as a vital component to providing high quality interpreting services in a timely and cost-efficient manner when local interpreters are not available.

In 2016, the OJD was one of six states selected by the NCSC to participate in a video remote interpreting (VRI) pilot—an effort to improve availability and access to language services by increasing the capacity to provide remote video interpreting services to all courtrooms and courthouses. Currently, OJD courthouse counter staff can access contracted telephonic interpreters in 255 languages or video interpreters in 41 languages.

When the COVID-19 pandemic forced courts to dramatically increase the number of hearings conducted remotely, CLAS was uniquely prepared to make the transition. The OJD began using Webex, a video conferencing platform, to allow courts to continue to conduct business. CLAS's Remote Interpreting Project Team (RIPT) developed technological and procedural options that allow interpreters to provide simultaneous interpretation while using Webex. This avoids the need to interpret the hearing consecutively which doubles or triples the length of the hearing.

In May 2020, CLAS piloted a live remote 1-hour training for contract interpreters (6 Spanish, 3 Vietnamese, 2 Mandarin, and 2 Russian) demonstrating the “dual-channel architecture” for simultaneous interpreting pioneered by RIPT. The team has trained close to 170 interpreters to provide simultaneous interpretation with Webex and has shared lessons learned with other state courts. A [VRI resource page](#) with written instructions, video tutorials and a video demonstration of a mock hearing interpreted both simultaneously and consecutively is available on the CLAS website.

RIPT continues to assess, develop, and implement emerging technologies to better meet the needs of the courts and LEP participants trying to access the justice system in Oregon.

Court Interpreting RI Standards

Interpreter schedulers follow guidelines when offering telephonic or video interpreting options to the court. Schedulers consider the complexity and length of hearing types, the availability of local technology, and judge and party preferences for each assignment. Court staff and contract interpreters are encouraged to report RI issues via an online feedback form for resolution. In fiscal years 2020 and 2021, .75 FTE of an analyst position was dedicated to monitoring RI quality; training interpreters, judges, and court staff; resolving issues; and overseeing data collection.

Simultaneous In-person Interpreting Equipment

Wireless interpreting equipment allows LEP parties, victims, and other court customers access to court proceedings. Equipment allows interpreters to work unobtrusively in the courtroom and offers interpretation to multiple parties at the same time. Sets of simultaneous equipment are available in each judicial district.

5.6 OJD Data Collection and Analysis

CLAS management uses interpreter request data to determine where services are needed and how to arrange resources to meet language access needs. OJD collects data from internal payment, scheduling, and case management systems. Additional information comes from U.S. Census Bureau data (see [Section 2.2](#)). Starting in fiscal year 2014, CLAS allocated 1.0 FTE to a data analyst position to coordinate, collect and analyze strategic planning data.

Oregon eCourt

In 2012, OJD launched the Oregon eCourt Program, a project to develop a statewide web-based courthouse system. The primary software component of Oregon eCourt is the Odyssey Case Management System (Odyssey). Odyssey can track a party’s language need and automatically flag hearings that require an interpreter. Odyssey reports provide CLAS with data about case types, assigned interpreters, and language needs.

LIBRA (Language-access Interpreting & Billing Requests App)

In August 2019, OJD created and launched LIBRA. This software system was developed through a collaboration between CLAS and OJD's Enterprise Technology Services Division (ETSD). Currently, the system supports CLAS's statewide scheduling system, collects data more efficiently and provides detailed reports on demand. An interpreter invoicing and auditing system, and a LIBRA–Odyssey data conduit are under development.

Fiscal Data

The OSCA Business and Financial Services Division (BFSD) provides CLAS summary expenditure reports of General Fund Mandated Payments, which include payment information for sign language interpreters and foreign language interpreters. The interpreter expenditure data can be viewed by language, circuit court location, and interpreter credential categories. OJD uses the data to estimate costs for existing and future services.

LEP Court User Data

In 2018, [OSCCIF](#) collected quantitative and qualitative data directly from LEP court customers via customer surveys (see [Section 2.3](#)). The results provide information about areas for improvement in OJD language access services.

5.7 Translations

OSCA prioritizes the translation of OJD vital documents into the languages most frequently encountered in Oregon circuit courts based on demographics, language data, and recommendations from statewide programs and work groups. CLAS assumes responsibility for coordinating translation services. OSCA requires the use of a certified member of the American Translator Association (ATA) for translations of statewide forms whenever ATA offers the credential in the language needed.

Professional translators have translated over 600 OJD forms into Chinese, Korean, Russian, Spanish, and Vietnamese.¹⁵ A combination of local and federal funds, SJI grants, and OJD General Fund Mandated Payments allowed OJD to increase the number of translated OJD vital forms from 627 in 2016 to 875 in 2020.

In 2020, additions and updates were made to the OJD Statewide Eviction/Landlord/Tenant forms due to state and federal eviction moratorium requirements. The forms were translated into 10 languages.

OJD staff interpreters, one of whom is an ATA Certified Spanish Translator, translate Spanish statewide forms and Spanish correspondence received by the courts and provide

¹⁵ In written form, both Cantonese and Mandarin speakers read “traditional” Chinese characters.

sight translations of non-evidentiary documents in proceedings. For translations in languages other than Spanish, CLAS contracts with vendors who are ATA certified. CLAS uses memoQ translation management software to ensure the consistent use of Oregon Standardized English-Spanish Legal Terms in all OJD Spanish translation projects.

5.8 Language Access Basic Training (LABT)

In 2017, CLAS incorporated LABT modules into language access training for court staff. Developed by the New Mexico Center for Language Access and funded by the State Justice Institute, CLAS customized the modules to fit OJD needs. The generic video commentaries in the training modules were replaced with videos of OJD staff including a message from the Chief Justice of the Oregon Supreme Court. The interactive training consists of two modules:

- Module 1 is a fundamental module that includes language access overview, professional standards, roles of court staff, and cultural competency and customer service.
- Module 2 is a bilingual skill building training and includes terminology acquisition, language access facilitation, and standards of practice.

Since its inception, a total of 334 OJD staff have taken the training.

5.9 Outreach Programs

In addition to the education programs described in [Section 5.1](#), CLAS promotes awareness of language policies and best practices to non-OJD groups. Audiences include legal aid attorneys, public defenders, victims' rights advocates, court mediators, law students, and district attorneys. OJD offers pre-approved Oregon State Bar continuing legal education credits for many programs. High school and university students interact with interpreters during Classroom Law days, career fairs, or in job shadowing experiences.

In 2020, OJD participated in a virtual presentation about access to justice to a Portland State University linguistics class. The students then completed a class assignment to review and make linguistic recommendations to improve OJD Clatsop County Circuit Court set aside forms and instructions. The goal was to increase access to justice for LEP users to set aside records of arrests and convictions.

5.10 External Resources

OJD researches federal and local funding resources to improve LEP individuals' access to justice. In 2016 OJD was awarded a Curriculum Adaptation and Training Grant from SJI (see [Section 4.3](#)).

6| Language Access Goals & Strategies

The OJD Language Access Plan falls under the direction of the Chief Justice of the Supreme Court and the State Court Administrator. OJD managers in OSCA Divisions and programs, trial courts, and committees may be assigned responsibilities to monitor progress and ensure improvements.

OJD will implement the following goals in three phases over the next five years.

IMPLEMENTATION PHASES

Phase 1: Strategies that are urgent and will be implemented in year one.

Phase 2: Strategies that are critical and may depend on Phase 1 tasks. These strategies will be implemented between years two and three.

Phase 3: Strategies that are complex and require significant foundational steps and resources. These strategies will be implemented by year five.

GOALS

Goal # 1	Improve language access services at all points of contact outside judicial proceedings for services that are managed or paid for by OJD.
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Rationale: Interpreting services at key points of contact between the public and the court system enhance the public's trust in the judicial branch.

Strategy 1: Increase the number, visibility, and ease of access of Spanish-translated OJD webpages. (Phase 1)

Strategy 2: Promote the availability and proper use of translated OJD statewide forms to court staff and community stakeholders. (Phase 1)

Strategy 3: Improve multi-language wayfinding at major building access points and information at public counters by distributing and posting universal pictorial signage. (Phase 2)

Strategy 4: Improve multi-language access to OJD virtual hearings by creating multi-language instructional videos available on the OJD website. (Phase 1)

Strategy 5: Coordinate with the OJD Law and Policy Workgroup to improve access to language services by placing multi-language notices on OJD statewide forms and other OJD publications. (Phase 3)

Strategy 6: Improve access to online filing services by developing multilingual Guide and File processes for statewide interactive forms starting with the Spanish-translated

Appointment of Counsel Application form and expanding to other forms and languages as time and resources allow. (Phase 1)

Goal # 2	Foster productive working relationships with community partners and other judicial stakeholders by providing language access services.
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Rationale: Language access encourages the public’s trust and confidence in the judicial branch and promotes engagement in the judicial process.

Strategy 1: Survey court customers about access and fairness in the courts through the statewide OJD Access and Fairness Survey. (Phase 1)

Strategy 2: Measure the effectiveness of language access services and training by conducting needs assessments through surveys of contract interpreters, attorneys, judges, and court staff. (Phase 2)

Strategy 3: Work with OJD stakeholders to develop a legal portal website for self-represented litigants that also promotes OJD language access services across the legal system. (Phase 3)

Strategy 4: Support OJD community engagement activities by providing interpreting services and other language access subject-matter support. (Phase 1)

Goal # 3	Increase the number of certified interpreters working in Oregon’s state courts.
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Rationale: Fulfill the growing demand for high quality interpreting services, especially in Spanish and American Sign Language (ASL).

Strategy 1: Develop and pilot a supervised apprentice Spanish interpreter program as an interim step to certification. (Phase 3)

Strategy 2: Develop and implement an alternate path to court certification for ASL court interpreters to replace the loss of the legal specialty certificate from the Registry of Interpreters for the Deaf. (Phase 3)

Strategy 3: Review and analyze survey data collected from certified interpreters and candidates to determine and address barriers to certification and retention. (Phase 1)

Strategy 4: Review and update OJD’s 2001 Bilingual Employee and Pay Differential Policy to ensure appropriate, market-based compensation for these skills and services. (Phase 1)

Strategy 5: Utilize technology and remote outreach for interpreter recruitment and career marketing events. (Phase 2)

Goal # 4	Improve OJD language access training for judges, court staff, and interpreters by incorporating it into existing training, and equity, diversity, and inclusion programs.
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Rationale: Effective language access services depend on appropriate judicial and administrative expectations, performance, and accountability.

Strategy 1: Implement OJD language access training as part of the required core training for judges and court staff within six months of election, appointment, or hire and mandate refresher training at least every three years. (Phase 1)

Strategy 2: Incorporate cultural competency training in judge and court staff language access training and update language access informational cards. (Phase 2)

Strategy 3: Incorporate language access goals and procedures into OJD diversity, equity, and inclusion initiatives. (Phase 1)

Strategy 4: Provide equity, diversity, and inclusion training for interpreters (e.g., implicit bias training) to ensure effective interpreting services for individuals from different cultures and socio-economic backgrounds. (Phase 2)

7| Monitoring and Future Planning

The OJD Language Access Plan is monitored by the CLAS program. The LAP may be updated at any time and will be reviewed annually. CLAS will continue to work with other OJD divisions, circuit courts, and external stakeholders to achieve LAP goals. Population census data and detailed OJD data will continue to be gathered for management purposes.

OJD's LAP and language access activities and progress will be reported annually in the following categories:

- Progress on LAP goals,
- Interpreter event data,
- Inventory of languages most frequently encountered and their demographics,
- Credentialed interpreter data,
- OSCCIF activities related to language access,
- LEP court customer website usage statistics,
- Number of translated OJD statewide forms,
- OJD staff training,
- Results on needs assessment and language access effectiveness surveys, and
- Language access performance measures.

OJD will report progress towards LAP goals to the Oregon State Legislature during their biennial session in the following categories:

- The languages most frequently encountered,
- Biennial language access expenditures,
- Documented OJD staff understanding of language access policies and procedures, and
- Language access performance measures.

Language Access Complaint Process

An LEP person, their attorney, or their advocate may initiate a complaint with OJD regarding failure to provide language access. A complaint review process has been established and can be initiated through an online complaint form that is available in English and the most requested non-English languages in the Oregon courts: Spanish, Russian, Vietnamese, Traditional Chinese, and Korean. OSCA records all complaints, investigates all pertinent information, and responds to the complainant. Since 2016, OJD has received a total of nine language access complaints, all of which have been resolved.

Remote Interpreting Feedback

Contract interpreters and OJD circuit courts receive a confirmation for all remote hearings in which an interpreter has been requested. The confirmation includes a link for interpreters or court staff to submit any feedback about the remote hearing or any remote interpreting issues.

Unfilled Interpreter Requests

Through CLAS's statewide interpreter scheduling system, LIBRA, OJD documents the number of hearings where an interpreter was requested and where CLAS was unable to fill the request. Unable-to-fill requests are submitted to the CLAS Scheduling Supervisor for review and to determine any necessary follow up with OJD staff, the court, the interpreters, or the parties.

Title VI of the Civil Rights Act of 1964

The Language Access Coordinator will conduct a yearly review of updated court procedural rules and other policies related to language access to assure compliance with Title VI of the Civil Rights Act of 1964.

OSCA Language Access Contact:

Manager, Court Language Access Services
Office of the State Court Administrator
Oregon Judicial Department
1163 State St.
Salem, OR 97301-2563

court.interpreter.program@ojd.state.or.us

LAP Effective date: January 1, 2022

Approved by:



Nancy J. Cozine
State Court Administrator

Date: January 5, 2022

Appendices

Appendix I [*OJD Strategic Campaign 2020-2021*](#)

Appendix II [*Code of Professional Responsibility for Interpreters in the Oregon Courts*](#)

Appendix III [*SCA Policies for the Oregon Judicial Departments' Oregon Certified Court Interpreter Program*](#)

Appendix IV [*A National Call to Action*](#)