



## IN THE COURT OF CRIMINAL APPEALS

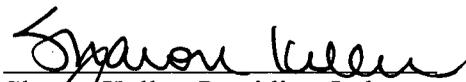
Misc. Docket No. 14-002

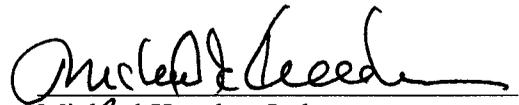
### ORDER APPROVING COURT OF CRIMINAL APPEALS' LANGUAGE ACCESS PLAN

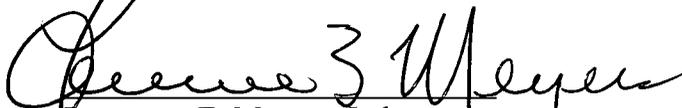
**ORDERED** that:

The Court of Criminal Appeals' Language Access Plan is approved effective June 1, 2014.

SIGNED AND ENTERED this 2ND day of JUNE, 2014.

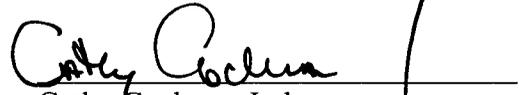
  
Sharon Keller, Presiding Judge

  
Michael Keasler, Judge

  
Lawrence E. Meyers, Judge

  
Barbara Hervey, Judge

  
Tom Price, Judge

  
Cathy Cochran, Judge

  
Paul Womack, Judge

  
Elsa Alcalá, Judge

  
Cheryl Johnson, Judge

# **The Court of Criminal Appeals State of Texas**

## **Language Access Plan**

### **I. Legal Basis and Purpose**

This document serves as the plan for the Court of Criminal Appeals to provide to persons with limited English proficiency (LEP) services that are in compliance with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.; 45 C.F.R. §80.1 et seq.; and 28 C.F.R. §42.101–42.112). The purpose of this plan is to provide a framework for timely and reasonable language assistance to LEP persons who come in contact with the Court. Access services for persons with hearing loss are covered under the Americans with Disabilities Act rather than Title VI of the Civil Rights Act, and therefore will not be addressed in this plan.

### **II. Needs Assessment**

As the state's highest appellate court for criminal cases, the Court hears only English-language oral arguments. Because these hearings are public, the Court may receive requests for oral interpretation to interested parties, and will make reasonable efforts to provide such services. Other points of contact include members of the public seeking information on criminal cases and inmates who write letters regarding their cases. The following list shows the top spoken languages other than English that are most frequently used in Texas, from current U.S. Census Bureau statistics.<sup>1</sup>

1. Spanish (87% of LEP population)
2. Vietnamese
3. Chinese
4. Korean

### **III. Language Assistance Resources**

The Court has designated its Clerk as the primary point of contact for all LEP services. All staff will be trained to direct anyone inquiring about LEP services to the Clerk. The Court is taking reasonable steps to ensure that LEP individuals have meaningful access to all services, though the Court's mission has generally resulted in only a few requests for assistance in languages other than English. LEP individuals may come in contact with Court personnel via the phone, the reception counter, e-mail or other means. The Office of Court Administration (OCA) offers language assistance to the Court through its Language Access Coordinator, including Spanish interpretation and translation by licensed court interpreters.

The most common points of service are at the Clerk's reception counter and phone calls to the

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<sup>1</sup> U.S. Census Bureau; American Community Survey, 2008-2012 American Community Survey 5-Year Estimates, Table B16001; generated by Marco Hanson; using American FactFinder; <<http://factfinder2.census.gov>>; (4 March 2014).

Clerk's office. Assistance for Spanish speakers is provided at the reception counter by the placement of bilingual staff when practical, or by calling on other bilingual staff from elsewhere in the building. To facilitate communication between LEP individuals and staff, the Court will use the following resources as available:

- Bilingual employees;
- Guidance from the OCA Language Access Coordinator; and
- When appropriate, Language Line, Lionbridge and other companies are available to provide assistance through remote interpretation and translation. These contractors provide interpretation services via the telephone in over 170 languages.
- The Court's bilingual staff, with the assistance of OCA Language Access Coordinator will translate, into English, any Spanish-language letters received by the Court.

#### **IV. Staff Training**

The Court is committed to providing language access training opportunities for all current and new employees. Training opportunities currently offered by the Court will be expanded or continued as needed, including training on the Court's Language Access Plan.

#### **V. Public Notification and Evaluation of Language Access Plan**

The Court's Language Access Plan is subject to approval by the Judges of the Court. Any revisions to the plan will be submitted to the full Court for approval. Copies of the plan will be provided to the public on request, and the Court will post this plan on its public website. Periodically, the Clerk will assess whether changes to the plan are needed. The plan will remain in effect unless modified or updated. Periodic assessments may include identification of any problem areas and development of corrective action strategies. Elements of the assessment may include:

- Number of LEP persons requesting assistance and cost to the Court of providing this access;
- Assessment of current language needs to determine if additional services or translated materials should be provided;
- Assessment of whether staff adequately understands LEP policies and procedures and how to carry them out; and
- Review of feedback from staff.

Language Access Plan effective date: June 1, 2014