

# Maryland Judiciary Language Access Tools and Resources

# Federal and State Laws

- Title VI of the Civil Rights Act of 1964
- Executive Order 13166 of August 11, 2000.  
Mandates linguistic access for any recipient of federal funds.
- Maryland Rules of Procedure: Rule 1-333, *Court Interpreters*
- House Bill 1148 *Courts-Victims of Crime-Interpreters*
- Maryland Judiciary Administrative Orders

# Service Providers Should:

- Know the definition of “limited English proficient” (LEP)
- Be familiar with language access laws and regulations (Federal and State)
- Be aware of proper noticing requirements for LEP customers
- Be aware of the types of language services provided by the Maryland Judiciary
- Be trained on how to access language services
- Be trained on how to work effectively with LEP customers and interpreters in-person and over the phone
- Be trained on recognizing cultural differences

## **GUIDE TO COMMUNICATING WITH LIMITED ENGLISH PROFICIENT INDIVIDUALS**

The Maryland Judiciary provides court services to many people, including those who are limited English proficient (LEP). This Guide will help court staff when assisting limited English proficient individuals.

### **What does the Term “LEP” mean?**

“LEP” stands for “Limited English Proficient”. It is the inability of an individual to adequately understand or communicate effectively in English. The U.S. Census Bureau’s definition for LEP is an individual’s ability to speak English less than “very well”. By this definition, LEP individuals may speak limited English and require language assistance, particularly when trying to access court services.

### **How to Determine if an Individual is LEP**

The best way to determine if an individual needs language assistance is to ask simple questions, such as:

- “How can I help you?”
- “Please tell me your name and address”
- “Do you have a case pending in this court?”
- “What is your preferred language?”
- “Are you comfortable speaking English or would you like me to obtain an interpreter for you?”

If you and the LEP individual are able to communicate in English, proceed to assist them. Speak slowly and be prepared to repeat your statements. Be patient. Remember that those who self-identify themselves as English speakers may still have difficulty understanding court terminology. If you are unable to communicate with the LEP person, you will need to make arrangements for interpreter assistance.

# Language Access Tools and Resources

- Signage
- Proper notices and announcements for LEP persons (Language Line posters; cards; Language Line dual-handset phones; interpreter request forms)
- Language Line telephonic interpreters
- Video remote ASL interpreters
- Staff interpreters
- Registry interpreters
- Language portals
- Court forms and brochures translated into five languages



# MARYLAND COURTS

## Justice for all in a diverse and changing world

### WE PROVIDE INTERPRETERS UPON REQUEST

The court will appoint an interpreter for you for all court hearings and certain court-ordered or court-sponsored services. Interpreters are available in all languages and are provided at no cost to you.

### AT THE COUNTER

Point to your language on the Language Line Card. We will contact an interpreter on the phone so we can speak with you today.

Several bilingual court forms and brochures are available in SPANISH, FRENCH, RUSSIAN, KOREAN, and CHINESE.

### IN THE COURTROOM

To request an interpreter for your hearing, fill out form CC-DC-041 (Request for Spoken Language Interpreter) 30 days before your court date, if possible. If requesting a SIGN LANGUAGE interpreter, use form CC-DC-049 (Request for Accommodation for Person with Disability). Forms are available at the counter or on-line.

### FOR COURT SERVICES

Interpreters are also available for a broad range of court-based services. Use request forms CC-DC-041 or CC-DC-049.

### LANGUAGE SERVICES ON THE WEB

We have forms and materials available in SPANISH, FRENCH, RUSSIAN, KOREAN, and CHINESE.

Visit our LANGUAGE PORTALS for information on Maryland legal topics, forms, brochures, and self-help centers.

For more information: Look for THE GLOBE at [mdcourts.gov](http://mdcourts.gov).

### 요청시에 통역사를 제공합니다

법원은 모든 법원 심리와 특정한 법원 명령 또는 법원 후원 서비스에 대해 통역사를 제공합니다. 통역사는 모든 언어로 제공되고, 여러분에게 비용을 부과하지 않습니다.

### 카운터에서

언어 라인 카드에 기재된 언어를 가리키십시오. 저희는 통역사에게 전화로 연락하여 오늘 내로 여러분과 대화를 할 수 있습니다.

몇 가지 이중 언어 법원 서식과 브로셔는 한국어, 스페인어, 프랑스어, 러시아어, 중국어로 제공됩니다.

### 법정에서

법원 심리 출두를 위해 통역사를 요청하려면, 마감일 심리일로부터 30일 전에 CC-DC-041(통역사 신청) 서식을 제출하십시오. 수화 통역사를 신청하는 경우에는 CC-DC-049 (장애인의 편의 제공 신청서) 서식을 사용하십시오. 이러한 서식들은 카운터에서, 또는 온라인으로 제공됩니다.

### 법원 서비스에 대해

또한 통역사는 다양한 법원 관련 서비스를 받으실 때도 제공됩니다. 신청서 서식 CC-DC-041 또는 CC-DC-049를 제출하십시오.

### 웹에서 제공되는 언어

한국어, 스페인어, 프랑스어, 러시아어, 중국어로 서식과 자료들을 게시하고 있습니다.

메릴랜드 주의 법원 관련 주제, 서식, 브로셔 및 자조 센터에 대한 정보를 원하시면 저희 언어 포털을 방문하십시오.

더 자세한 정보를 원하시면: [mdcourts.gov](http://mdcourts.gov)에서 THE GLOBE (세계)를 찾아보십시오.

### 我们可应请求提供口译员服务

法院将为您的所有法院听证和某些法院命令或法院赞助的服务任命一名口译员。可提供所有语言的免费口译员服务。

### 在前台

请用手指出“语言专线卡”上您使用的语言。我们将联系一名口译员。这名口译员将接听电话，帮助我们今天与您沟通。

几份双语法院表格和手册有西班牙语、法语、俄语、韩语和中

### OFRECEMOS SERVICIO DE INTÉRPRETES CUANDO LOS SOLICITEN

El tribunal designará un intérprete para usted para todas las audiencias judiciales y para ciertos servicios ordenados o patrocinados por el tribunal. Se dispone de intérpretes en todos los idiomas y no se cobra por este servicio.

### EN EL MOSTRADOR

Señale su idioma en la Tarjeta de Language Line. Nos comunicaremos con un intérprete por teléfono para que podamos hablar con usted hoy.







# Interpretation Services Available

**English Translation:** Point to your language. An interpreter will be called. The interpreter is provided at no cost to you.

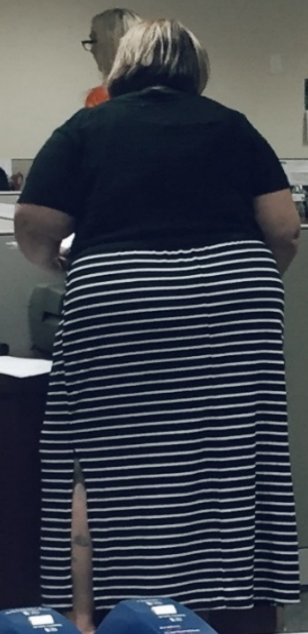
<p><b>Arabic</b> <span style="float: right;">عربي </span></p> <p>أشر إلى لغتك. وسوف يتم جلب مترجم فوري لك. سيتم تأمين المترجم الفوري مجاناً.</p>	<p><b>Korean</b> <span style="float: right;">한국어 </span></p> <p>귀하께서 사용하는 언어를 지적하시면 해당 언어 통역 서비스를 무료로 제공해 드립니다.</p>
<p><b>Burmese</b> <span style="float: right;">မြန်မာ </span></p> <p>သင့်ဘာသာစကားကို ညွှန်ပြပါ။ စကားပြန် ခေါ်ပေးပါမယ်။ သင့်အတွက် စကားပြန် အခမဲ့ ပေးပါမယ်။</p>	<p><b>Mandarin</b> <span style="float: right;">國語 </span></p> <p>請指認您的語言，以便為您提供免費的口譯服務。</p>
<p><b>Cantonese</b> <span style="float: right;">廣東話 </span></p> <p>請指認您的語言，以便為您提供免費的傳譯服務。</p>	<p><b>Polish</b> <span style="float: right;">Polski </span></p> <p>Proszę wskazać swój język i wezwiemy tłumacza. Tłumacza zapewnimy bezpłatnie.</p>
<p><b>Farsi</b> <span style="float: right;">فارسي </span></p> <p>به زبان موردنظر اشاره کنید. ما برای شما مترجم می آوریم. این کار هیچ هزینه ای برای شما نخواهد داشت.</p>	<p><b>Portuguese</b> <span style="float: right;">Português </span></p> <p>Indique o seu idioma. Um intérprete será chamado. A interpretação é fornecida sem qualquer custo para você.</p>

# CRIMINAL/JUVENILE DEPARTMENT

## Interpretation Services Available

Language: An interpreter will be called. The interpreter is provided at no cost to you.

<b>Arabic</b> العربية	<b>Korean</b> 한국어
<b>Chinese</b> 普通话	<b>Mandarin</b> 普通话
<b>English</b> English	<b>Polish</b> Polski
<b>French</b> Français	<b>Portuguese</b> Português
<b>German</b> Deutsch	<b>Punjabi</b> ਪੰਜਾਬੀ
<b>Hmong</b> Hmoob	<b>Russian</b> Русский
<b>Italian</b> Italiano	<b>Somali</b> Af Soomaali
<b>Japanese</b> 日本語	<b>Spanish</b> Español
<b>Khmer</b> ខ្មែរ	<b>Tagalog</b> Tagalog
<b>Laotian</b> ລາວ	<b>Thai</b> ไทย
<b>Malay</b> Melayu	<b>Vietnamese</b> Tiếng Việt





# Language Access Tools and Resources – Staff Interpreters

- Anne Arundel District and Circuit courts
- Baltimore City District and Circuit courts
- Baltimore County District and Circuit courts
- Howard County District and Circuit courts
- Frederick County District and Circuit courts
- Montgomery County District and Circuit courts
- Prince George's District and Circuit courts



the court where their proceeding is scheduled to take place. To request a sign language interpreter, a Request for Accommodations by Persons with Disabilities (CC-DC49) should be submitted to the court.

### **How to Work Effectively with an Interpreter**

- If you are communicating with the LEP individual through an interpreter, speak slowly so that the interpreter can maintain the conversation.
- Speak directly to the LEP individual in the first person. Do not say: “Ask him if he understands...”
- Do not ask the interpreter to explain rules or procedures to the LEP individual. Do not use acronyms or abbreviations that may present a challenge for the interpreter. Fully state the name for which the acronym or abbreviation stand.
- Do not ask the interpreter to perform extra duties other than interpreting your statements to the LEP individual.
- If you do not understand the LEP individual’s responses through the interpreter, rephrase the question or statement.
- Be patient when using an interpreter. Interpreted conversations take longer.

### **How to Locate an Interpreter**

- Each courthouse has a Court Interpreter Coordinator who schedules interpreters for court proceedings. Contact the Clerk or Court Administrator’s Office.
- If you do not know who schedules interpreters in your court, call the Administrative Office of

# Language Access Tools and Resources - Registry Interpreters

- Each courthouse has an interpreter coordinator
- Interpreter Request Form (CC-DCA 041) must be filled out and submitted to the court (no later than 30 days)
- The Court Interpreter Registry has 460 interpreters in 65 languages
- Registry interpreters work as freelance interpreters.
- Registry interpreters are screened, tested, and trained by the AOC

# Language Access Tools and Resources - Language Portals

- <http://mdcourts.gov/index.html>
- Top languages: Spanish, Chinese, French, Korean, and Russian
- Translated court forms and brochures
- The Judiciary does not translate case-specific documents or evidence
- Translation Policy:  
<http://www.courts.state.md.us/interpreter/translationservices.html>



# Language Access Tools and Resources - THANK YOU!

Contact the Court Interpreter Program (CIP) staff:

Ksenia Boitsova, CIP Administrator:

Phone: (410) 260-3569

E-mail: [Ksenia.Boitsova@mdcourts.gov](mailto:Ksenia.Boitsova@mdcourts.gov)

Lorena Sevilla Somoza, CIP Specialist:

Phone: (410) 260-1576

E-mail: [lorena.sevillasomoza@mdcourts.gov](mailto:lorena.sevillasomoza@mdcourts.gov)

## Language Access Online Resources

**Court Language Services** [For the public]. Find information here about the Maryland Court Interpreter Program and how court users can get the language help they need.

<https://mdcourts.gov/courts/courtlanguageservices>

**Request for Spoken Language Interpreter.** Use this form to request a court interpreter for a court proceeding or event.

<https://mdcourts.gov/sites/default/files/import/courtforms/joint/ccdc041.pdf>

**Court Related Events for Which a Court Appointed Interpreter May Be Provided.** The Maryland Judiciary provides interpreters for a number of court-ordered or court-referred services.

<https://mdcourts.gov/sites/default/files/import/courts/pdfs/interpretersforctrelatedevents.pdf>

**Request for ADA Accommodation.** Use this form to request an accommodation, including an ASL or CDI interpreter.

<https://mdcourts.gov/sites/default/files/court-forms/courtforms/joint/ccdc049.pdf/ccdc049.pdf>

**Foreign Language Portals** [English, Spanish, French, Russian, Korean, Chinese]. The Maryland Judiciary's Language Portals provide core web content, an introductory video, and links to translated forms, brochures and additional web material in the target language. These portals make it easier for individuals to find all the material available in their preferred language.

<https://mdcourts.gov/courtlanguage>

**Interpreter Feedback.** To provide feedback on the Maryland Court Interpreter Program, please follow the procedure outlined below. The procedure includes a link to the Interpreter Services Feedback Form and describes how complaints about interpreters are handled.

<https://mdcourts.gov/sites/default/files/import/courts/pdfs/interpretercomplaintprocedure.pdf>

**Maryland Judiciary Translation Services.** The Access to Justice Department of the Maryland Administrative Office of the Courts provides translation services for the courts. We can translate court forms, brochures, signage and other documents for use by the general public. For information on how to get material translated, see the link below.

<https://mdcourts.gov/interpreter/translationservices>

**Court Forms** (some translated into Chinese, French, Korean, Russian, and Spanish). The Maryland Judiciary provides hundreds of court forms in a bilingual format in each of our priority languages. Obtain them from the Language Portals or find them here by selecting the appropriate “language filter.”

<https://mdcourts.gov/courtforms?forms%5B0%5D=languages%3A59>

#### **Brochures.**

*Do You Need a Court Interpreter? (available in Chinese, French, Korean, Russian, and Spanish)*

<https://mdcourts.gov/court-forms/forms/do-you-need-court-interpreter>

*Court Interpreters: A Guide for Legal Professionals [How to Work Effectively with Interpreters]*

<https://www.mdcourts.gov/sites/default/files/import/accesstojustice/pdfs/interpretersguideforlegalprofessionals.pdf>

**Court Interpreter Program** [For Courts & Interpreters]. This site provides detailed information about the Court Interpreter Program for potential interpreters, Registry interpreters, and court staff. The site includes information on how to become a Registry interpreter. Password protected sections of the site provide detailed information for interpreter coordinators and interpreters.

<https://mdcourts.gov/interpreter>

**Court Interpreter Release List** [Public]. The Maryland Judiciary makes its list of Registry interpreters and their contact information available for use by other agencies outside the Maryland courts. The interpreters listed have given approval for their names to be released.

<https://mdcourts.gov/sites/default/files/import/interpreter/pdfs/interpreterlistnoncourt.pdf>

# WORKING WITH COURT INTERPRETERS

## Limited English Proficiency (LEP):

LEP means the inability to adequately hear, understand or communicate effectively in English in a court proceeding.

## Evaluate the Need for an Interpreter:

Presume a bona fide need when a representation is made by an attorney or by a pro se litigant that a party or witness is LEP and requests an interpreter. A *voir dire* for determining fluency/understanding of the non-English speaker asks probing questions, such as:

- “Please tell the Court your name and address”
- “Do you understand why you are in court today?”
- “Do you feel comfortable proceeding in English or would you like to request a court interpreter?”

## Appointment of an Interpreter:

- The Maryland Judiciary provides court interpreters for hearings and proceedings conducted in court, as well as certain court-related services and events, at no cost, for individuals who are parties and witnesses in civil, criminal, and juvenile proceedings.
- In most cases, a request will have been made to the court for an interpreter in advance and an interpreter will already be assigned to the case. Parties in the case only need to submit a single interpreter request form. Once the request is received, the court will assign an interpreter for ALL proceedings at which the party is expected to appear. Other interested parties (victims and witnesses) must submit a new interpreter request form for each proceeding.
- If an interpreter has not been requested and if the court determines that the person needs an interpreter to communicate with their attorney, understand English testimony, or be understood in English, then the court should advise of the right to a qualified interpreter.
- The Clerk’s or Court Administrator’s Office staff will make arrangements for a court interpreter selected from the Court Interpreter Registry. In rare instances, when no interpreters from the Registry are available, a reputable interpretation company may be contacted to procure a qualified interpreter.
- For assistance, please contact the Court Interpreter Program staff at (410) 260-1291.

## Interpreter Qualifications:

- Only court-appointed interpreters can serve as official interpreters in the courtroom.
- Attorneys or their clients’ family members or friends cannot serve as official court interpreters.
- Judges and court personnel should never function as court interpreters.
- **The Court Interpreter Registry lists certified and qualified interpreters. Certified interpreters must be contacted first when procuring interpreting services. Qualified interpreters can only be contacted if no certified interpreters are available.**
- A certified or qualified interpreter is readily able to: communicate with the LEP individual and interpret without omissions or additions, conserving the meaning, tone, and style of the original statement, including dialect, slang, and specialized vocabulary.
- If you are unsure about an interpreter’s qualifications, ask a few questions to make a determination.
  - “Are you a certified or an qualified interpreter for the Maryland Courts?”
  - “Are you familiar with the Maryland Code of Conduct for Court Interpreters? What are its main points?” (See **Rule 1-333, Court Interpreters**, Maryland Rules of Procedure.) Court interpreters should know the Canons contained in this Code. The 11 Canons are: (1) Accuracy and Completeness, (2) Representation of Qualifications, (3) Impartiality/Avoid Conflicts of Interest, (4) Professional Demeanor, (5) Confidentiality, (6) Restriction of Public Comment, (7) Scope of Practice, (8) Assess/Report Impediments, (9) Duty to Report Ethical Violations, (10) Professional Development, and (11) Compliance.
- When you are assured that the interpreter is qualified to interpret, administer the Interpreter’s Oath.

## The Interpreter’s Oath:

“Do you solemnly swear or affirm under the penalties of perjury to interpret accurately, completely and impartially and to refrain from knowingly disclosing confidential or privileged information obtained while serving in the proceeding?”

**OVER**



## Maximizing Communication in Interpreted Proceedings:

### **The Judge Should:**

- Instruct all parties as to the role of the interpreter.
- Keep the courtroom as quiet as possible, allow only one person to speak at a time, and ensure the interpreter can see and hear the proceedings.
- Instruct all participants to speak loudly and clearly, and speak directly to the party or witness, not to the interpreter.
- Instruct parties to pause when the length of an utterance becomes too long during consecutive interpretation (witness testimony).
- Allow appropriate interpreter tools (language dictionaries, note taking, and wireless equipment).
- Allow interpreters to briefly converse with the non-English speaker to ensure understanding of dialect and pronunciation differences.
- Should not ask the interpreter to explain or restate anything said by the party and do not allow attorneys to ask that of an interpreter. Interpreters cannot act as advocates or advisers. The judge should instruct the parties, attorneys, and jurors on the role of the interpreter. Judges and attorneys should observe interpreters to make sure all statements are interpreted.
- Provide rest breaks as needed, since interpreter accuracy declines significantly after 30 minutes of continuous interpretation.
- Should be aware that two interpreters must be assigned for trials and proceedings longer than three hours.

### **The Interpreter Should:**

- Interpret in the first person and address the court in the third person (as “the interpreter”), to keep a clear record.
- Request permission from the judge to correct mistakes, check dictionaries, and request clarification if a phrase or word is not understood.
- Be as unobtrusive and professional as possible.
- Bring any impediments to performance to the judge’s attention immediately.

### **Suggestions:**

#### **Clarifying the Interpreter’s Role to a Witness:**

“I want you to understand the role of the interpreter. The interpreter is here only to interpret the proceedings. The interpreter will say only what is said in your language and will not add, omit, or summarize anything. The interpreter will say in English everything that you say in your language, so do not say anything you do not want everyone to hear. If you do not understand a question that was asked, request clarification from the person who asked it. Do not ask the interpreter. You are giving testimony to this court; therefore please speak directly to the attorney or to me (the court). Do not ask the interpreter for advice. Speak in a loud clear voice. If you do not understand the interpreter please tell me. If you need the interpreter to repeat, please make your request to me, not to the interpreter. Please wait until the entire statement has been interpreted before you answer. Do you have any questions?”

### **Jury Instructions:**

“This court seeks a fair trial for all regardless of the language they speak and regardless of how well they may or may not speak English. Bias against or for persons who have little or no proficiency in English is not allowed. Therefore, do not allow the fact that the party requires an interpreter to influence you in any way. Some of you may know the foreign language used in the proceedings. It is important that all jurors consider the same evidence. Therefore, **you must base your decision on the evidence presented in the English interpretation**”

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Access to Justice Department, Administrative Office of the Courts  
Phone Number (410) 260-1291 or (410) 260-3569  
Court Interpreter Program Website: - <http://www.courts.state.md.us/interpreter/index.html>