



**SECOND JUDICIAL
DISTRICT COURT**

LANGUAGE ACCESS PLAN

&

**AMERICANS WITH
DISABILITIES ACT PLAN**

**SECOND JUDICIAL DISTRICT COURT
LANGUAGE ACCESS PLAN**

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I. DEFINITIONS

Definition of “Second Judicial District Court” and “the Court”:

“Second Judicial District Court” and “the Court,” as used throughout this plan, means the District Court located in the city of Albuquerque and county of Bernalillo, New Mexico. The Court operates at the following sites:

Downtown Courthouse
400 Lomas Blvd NW
Albuquerque, NM 87102

Children's Court
5100 2nd Street NW
Albuquerque, NM 87104

Judicial Supervision and Diversion Programs
Public Safety Building - 6th Floor
401 Roma NW
Albuquerque, NM 87102

UNM Mental Health Center
2600 Marble Ave NE
Albuquerque, NM 87106

II. LEGAL BASIS AND PURPOSE

This document serves as the plan for the Second Judicial District Court to provide to persons with limited English proficiency (“LEP”) services that are in compliance with Title VI of the Civil Rights Act of 1964 and Executive Order 13166. Language access services are further provided for in the New Mexico Constitution and in State Statute (*see* Section IV A).

The purpose of this plan is to provide a framework for the provision of timely and reasonable language assistance to LEP persons who come into contact with the Second Judicial District Court.

For a list of Second Judicial District Court language access planning (“LAP”) team members, *see Attachment A*.

III. NEEDS ASSESSMENT

A. Statewide by Language

The State of New Mexico provides court services to a wide range of people, including those who speak limited or no English and those who are deaf or hard-of-hearing.

According to the New Mexico Administrative Office of the Courts (“AOC”), the most frequently encountered languages in New Mexico's courts are:

- 1) Spanish

- 2) Navajo
- 3) American Sign Language (“ASL”)
- 4) Arabic
- 5) Vietnamese

In Fiscal Year 2023, interpretation was provided in New Mexico’s courts in a total of 67 different languages.

The Migration Policy Institute reports that 33% of New Mexicans speak a language other than English in the home. The number one language statewide is Spanish, with 25% of New Mexicans speaking Spanish in the home. Among those speaking Spanish in the home, 27% are Limited English Proficient.

B. Second Judicial District Court by Language

Demographic Data for Bernalillo County:

The Second Judicial District Court will make every effort to provide services to all LEP persons. For purposes of anticipating need, the following data shows the spoken (ie., not signed) languages other than English that are most frequently used in the Court's geographic area.

1) Modern Language Association Data:

The following information comes from the Modern Language Association (“MLA”). The MLA data indicates the percentage of county residents above the age of five who speak the language at home; it does not indicate proficiency or lack of proficiency in English.

The top five languages other than English in Bernalillo County are as follows:

- 1) Spanish 25.87%
- 2) Navajo 0.93%
- 3) “Other specified North American Indian languages” 0.67%
- 4) Vietnamese 0.49%
- 5) Chinese 0.45%

In addition to those top five languages, the MLA data lists 24 additional languages for Bernalillo County, each spoken by between 0.03% and 0.35% of the population. These listings can be accessed via the following web address: http://www.mla.org/map_data

2) Migration Policy Institute Data:

The following data comes from the Migration Policy Institute (“MPI”).

The MPI data indicates the percentage of county residents above the age of five who are classified as Limited English Proficient. MPI only lists a language if it is spoken by 5% or more of a county's total population or by 500 or more persons within a county, and if those speakers are also Limited English Proficient.

MPI lists the following LEP data for Bernalillo County:

- 45,600 Spanish-speaking LEP persons (7.3% of population)
- 2,300 Vietnamese-speaking LEP persons
- 1,200 Chinese-speaking LEP persons
- 800 Navajo-speaking LEP persons

The LAP team will update demographic data in this plan as it becomes available.

Courthouse Users:

The Second Judicial District Court also assesses its language needs on an ongoing basis based on what it identifies about courthouse users. This is achieved through two methods:

- 1) Tracking the use of interpreters in the courtroom.
- 2) Tracking encounters between staff and LEP persons in out-of-courtroom settings.

1) Courtroom interpreter use:

The Court Interpreter Supervisor (Rosa López-Gastón) is responsible for tracking courtroom interpreter statistics on an ongoing basis. The LAP team is responsible for ensuring data is updated in this plan annually.

During the most recent Fiscal Year (July 1, 2022 through June 30, 2023), there were a total of 3,498 courtroom interpreter assignments. The top five languages requested were:

1. Spanish (3,188 assignments)
2. ASL (64 assignments)
3. Arabic (54 assignments)
4. Navajo (36 assignments)
5. Vietnamese (30 assignments)

For languages and numbers of remaining assignments, *see Attachment B. Attachment B* additionally breaks down interpreter use by proceeding type.

2) Out-of-courtroom encounters:

The Court also tracks out-of-courtroom encounters with LEP individuals in every division that has contact with the public. The Court’s Language Access Specialists (“LASs”: *see* Section V) maintain a log of contacts with Spanish speakers. The Deputy Court Executive Officer is responsible for compiling the logs and updating data in this LAP annually.

During the most recent fiscal year (July 1, 2022 through June 30, 2023), Spanish out-of-courtroom encounters were as follows:

Month	Number of Contacts
July 2022	193
August 2022	206
September 2022	191
October 2022	163

November 2022	148
December 2022	156
January 2023	201
February 2023	180
March 2023	218
April 2023	251
May 2023	210
June 2023	256
Annual Total	2,303

In addition, the Court can track which languages are spoken by court users by means of Certified Languages International (“CLI”) records. CLI provides telephonic interpreting services in over 175 languages and is primarily used for out-of-courtroom needs (when no LAS is available.)

During the most recent fiscal year (July 1, 2021 through June 30, 2022), CLI usage was as follows:

Language	Number of CLI Calls FY23
Spanish	447
Thai	6
Kirundi	5
Bengali	3
Chinese Mandarin	2
Vietnamese	2
Italian	2
Arabic	1
Burmese	1
Korean	1
Navajo	1
Total – all languages	471

IV. LANGUAGE ASSISTANCE PROCEDURES AND RESOURCES INSIDE THE COURTROOM

A. Provision of Interpreters in the Courtroom

The provision of spoken language and signed language interpreters in court proceedings is based in New Mexico State Statute and the Constitution. The Constitution references language access in multiple sections, including Article II, Section 14 and Article VII, Section 3. In the Second Judicial District Court, interpreters will be provided, consistent with the Court Interpreter Standards of Practice and Payment Policies, at no cost to court customers, witnesses, jurors and other parties who need such assistance under the following circumstances:

- For a deaf or hard-of-hearing litigant, juror, observer (when an observer has submitted a request to the court prior to the proceeding), or witness in any type of court proceeding. Title II of the ADA requires

local and state courts to provide qualified signed language interpreters or other accommodation to ensure effective communication with deaf and hard-of-hearing individuals.

- For a non-English speaking person who is a principal party in interest or a witness in a criminal case.
- For a non-English speaking person who is a principal party in interest or a witness in a domestic violence case, domestic relations case, and/or Children's Court case, including court-ordered domestic relations mediation.
- For a non-English speaking person who is a principal party in interest in a civil case or that party's witness.
- For victims who are active case participants, i.e., testifying as a witness or when making a statement at sentencing.
- For any non-English speaking juror. A certified court interpreter shall be provided to petit and grand jurors, including jury orientation, voir dire, deliberations, and all portions of the trial.

It is the responsibility of the private attorney, Public Defender or District Attorney to provide qualified interpretation and translation services for pre-trial witness interviews, transcriptions and translations and for attorney/client communications during proceedings.

The AOC has issued Guidelines for audio recorded, video recorded or written materials in languages other than English pursuant to Rule 1-103(E)(8) NMRA. These Guidelines address circumstances in which interpreters may and may not be used to perform sight translation in the courtroom. For the AOC Memorandum dated July 22, 2016, *see*: "AOC Evidentiary Materials Guidelines" at <https://languageaccess.nmcourts.gov/rules-guidelines-memos-1>.

B. Determining the Need for an Interpreter in the Courtroom

The Second Judicial District Court may determine whether an LEP or deaf/hard-of-hearing court customer needs an interpreter for a court hearing or for jury duty in the following ways:

- Request for interpreter form which is available in a paper version, on the public internet, and on the intranet (the Court's internal website).
- Attorneys are aware of the need to contact the Court to request interpreters for criminal hearings and regularly do so via phone and email.
- To further improve communication with attorneys about the need for advance notice, the Deputy Court Executive Officer composed a letter explaining that the Court needs advance notice of interpreter required at each hearing in order to be able to successfully serve attorneys' LEP clients. The letter was sent out by the Chief Judge to the Bernalillo County Public Defender, Bernalillo County District Attorney and Albuquerque Bar Association; in addition, a notice was placed in the NM Bar Bulletin.
- The Metropolitan Jail intake sheet has an "interpreter needed" checkbox.
- The Judicial Supervision and Diversion Programs flag interpreter need. Judicial Specialists are responsible for flagging cases at first contact or contacting the Interpreter Supervisor.
- Language on the domestic violence petition inquires whether any party needs an interpreter.
- The jury questionnaire includes a request for interpreter.
- The Court has access to a multilingual interpreter needed check sheet/rights advisory for pro se clients, created by AOC. The sheet informs clients in 11 languages that they are entitled to an interpreter free of charge, and asks them to check the box by the language they need. The sheet is available to staff on the intranet and to the public in courtrooms and at clerk counters.

- At the Court's main facility in downtown Albuquerque, once the need has been identified through the above sources, the Judicial Specialists flag interpreter needs in the Court's case management system.

The need for a court interpreter may be identified prior to a court proceeding by the LEP or deaf/hard-of-hearing person or on the person's behalf by: the Court's counter staff, Self Help Center staff, Family Court Services staff, Trial Court Administrative Assistants, or Jury Division staff; or by the client/customer's advocate, family member or attorney; or by outside justice partners such as probation/parole officers, attorneys, social workers or correctional facilities. Also, the judge may determine that it is appropriate to provide an interpreter for a court matter.

The Second Judicial District Court displays signs in English, Spanish, Navajo and Vietnamese that state: "You have the right to an interpreter at no cost to you. If you cannot speak or understand English, or if you need an American sign language interpreter, please contact the clerk for assistance."

The Second Judicial District Court displays these signs at the following locations: near building entrances, at information desks, at clerk's windows, in the Domestic Violence Division, in the Self Help Division, outside every courtroom, on the Court's website, and on the Court's internal intranet. The Human Resources Division is responsible for ensuring signs are posted in all appropriate areas.

In a case where the Court is mandated to provide an interpreter, but one is not available at the time of the proceeding even after the Court has made all reasonable efforts to locate one, the case will be postponed and continued on a date when an interpreter can be provided.

C. Remote Interpreting

With the exception of jury trials and in compliance with Supreme Court rules and AOC policies, a remote interpreter may be used. Details to assist courts with telephone and video interpreting are posted at: <https://languageaccess.nmcourts.gov/rules-guidelines-memos-1>.

D. Court Interpreter Scheduling

The Second Judicial District Court schedules spoken and signed language interpreters for courtroom hearings in compliance with Supreme Court rules and AOC policies.

In the Second Judicial District Court, there are two full time Spanish interpreters on staff. The Court Interpreter Supervisor coordinates the scheduling of additional certified interpreters. For instructions to court employees on how to request an interpreter, *see Attachment C*.

V. LANGUAGE ASSISTANCE PROCEDURES AND RESOURCES OUTSIDE THE COURTROOM

The Second Judicial District Court is also responsible for taking reasonable steps to ensure that LEP individuals have meaningful access to services outside the courtroom. Language services outside the courtroom include routing, daily communications and interactions between court staff and LEP individuals as they request information, file documents, schedule appointments, and so on. In the Second Judicial District Court, LEP individuals may come in contact with court personnel via the

phone; the public information desks; the clerk's windows; the self-help center; or inquiries for directions in all divisions having publicly accessible offices.

Language Access Specialists are bilingual employees of the Court who have successfully completed training and continuing education through the New Mexico Center for Language Access. They are a category of employee specifically created by the NM Judiciary to ensure the delivery of meaningful language access services in out-of-courtroom settings. LASs are the primary staff members who are equipped and should be called on to handle out-of-courtroom needs. *Attachment D* details which divisions employed qualified LASs as of the latest revision of this plan. Information regarding locations and working hours of LASs is included in the Court Directory, and an LAS policy has been distributed to all staff.

To facilitate communication between LEP individuals and staff outside the courtroom, the Second Judicial District Court uses the following resources:

- Language Access Specialists and other bilingual employees, as detailed above.
- “I Speak” cards in over 60 languages, to identify the individual’s primary language. Employees have access to the cards in both hard and electronic copy.
- Multilingual signage throughout courthouse locations, as detailed in Section IV C.
- Telephonic interpreting services, which are available to provide assistance at every area that is accessible to the public. The telephonic interpreting services are provided in over 175 languages, through Certified Languages International. Employees have access to CLI instruction cards in both hard and electronic copy.
- Callers to the Court are served by a bilingual (English/Spanish) phone menu.
- Bilingual (English/Spanish) voicemail is set up in the Self Help Division and the Judicial Supervision and Diversion Programs. No other divisions have voicemail in any language.
- During office hours, if a phone call is received in Spanish, staff should consult the Court Directory and transfer the caller to an LAS. If a phone call is received in a language other than Spanish, staff should utilize CLI.
- Self Help Center services include Language Access Specialists, other bilingual staff and telephonic language assistance.
- A bilingual (English/Spanish) DVD for juveniles regarding their rights is available at JJC and screened before detention hearings.
- The Court provides interpreters at Family Court Clinic for custody and visitation matters.
- The Court provides interpreters for Children, Youth and Families Department abuse and neglect mediations.
- The Court provides interpreters for civil arbitrations.
- The Court provides interpreters for competency evaluations.
- For non-record specialty courts, the Court provides interpreters, including for legal assessments.
- Drug Court and Judicial Supervision and Diversion Programs have Language Access Specialists or Spanish-speaking staff.
- The AOC Memorandum, “Providing Interpreters for Court-Ordered Programs, Services or Events,” explains when the obligation to provide language access for programs, services or events falls on the court and when it falls on outside agencies. *See:* <https://languageaccess.nmcourts.gov/rules-guidelines-memos-1>.

VI. TRANSLATED RESOURCES (WRITTEN AND AUDIOVISUAL)

The Court understands the importance of having forms and documents professionally translated so that LEP individuals have greater access to needed information and services. Translation requests should be submitted to the AOC's vendor via an online portal. For further details, *see* "New Translation Portal Instructions" at <https://languageaccess.nmcourts.gov/rules-guidelines-memos-1>.

Currently, the following translated resources are available statewide:

- Supreme Court forms in bilingual format, available at <https://languageaccess.nmcourts.gov>: Spanish: Domestic Violence, Domestic Relations, Interpreter request, Adult Guardianship Spanish, Vietnamese, Chinese and Arabic: Landlord Tenant
- The website of the NM Judiciary at <https://nmcourts.gov>, including the Second Judicial District Court page, has been professionally translated into Spanish. The Court's webmaster is responsible for notifying the AOC Language Access Planning Consultant whenever updates are made in English so that AOC can make the corresponding updates on the Spanish mirror page.
- Resources posted on the AOC Language Access Services website at: <https://languageaccess.nmcourts.gov>. To help users who are LEP, blind/low-vision; low literacy/computer literacy or deaf/hard-of-hearing to navigate the site, an avatar is included. This virtual assistant speaks English, Spanish and Navajo and can respond to either written or verbal commands.
- Informational videos for Self Represented Litigants in ASL, Spanish and Navajo (with closed captioning) are posted throughout the Language Access Services website.
- Guardian and Conservator orientation program videos in Spanish are posted at: <https://adultguardianship.nmcourts.gov/videos-informativos-de-entrenamiento>
- A District Court Self Help Guide (Spanish and Navajo) is available on the Language Access Services website.
- Bilingual (English and Spanish) handouts from community partners such as Legal Aid NM, covering topics such as guardianship, foreclosure, and access to a legal helpline, available in the Self Help Center and the Domestic Violence Division.
- As the only state in the United States that seats LEP jurors, the New Mexico AOC provides the following materials (available at <https://jury.nmcourts.gov>). Spanish: juror questionnaire, qualification form, handbook, FAQs, creed, tips for after jury service, medical excuse form, orientation video open-captioned in Spanish. Navajo: juror questionnaire and qualification form.

VII. LANGUAGE ACCESS STAFFING

The Second Judicial District Court is an equal opportunity employer and recruits and hires/contracts with bilingual staff/contractors to serve its LEP constituents. Bilingual staff/contractors serve the Second Judicial District Court in the following capacities:

- Two certified court interpreters (Spanish) who serve as permanent employees of the Court.
- Certified court interpreters who serve the Court on an on-call basis, funded by AOC.
- Language Access Specialists, as detailed in Section V. At the discretion of the Court CEO, the Court provides compensation and incentives in the form of a \$1 per hour increase to employees who become certified as LASs.

- Other bilingual staff who are on call to assist with out-of-courtroom contacts from LEP individuals as needed.

VIII. JUDICIAL AND STAFF TRAINING

The New Mexico State Courts and the Second Judicial District Court are committed to providing language access training opportunities for all judicial officers and staff members. Training and learning opportunities currently offered by the New Mexico Supreme Court and the Second Judicial District Court will be expanded or continued as needed. These opportunities include:

Statewide Opportunities:

- Mandatory language access training for all new and continuing employees, using a language access training DVD developed by the New Mexico Judiciary and made available to all courts in October 2011. The DVD includes information on the legal basis for language access and goes into detail on procedures for providing services. A policy directive mandating the training was issued by the Supreme Court in the form of an Order in April 2011. A subsequent policy directive was issued by AOC in October 2011 in the form of a Language Access Training Policy. AOC distributed an accompanying training acknowledgment form which is to be signed by each employee and added to his or her personnel file after training has been completed.
- Scholarships and wage incentives (as available) to encourage the enrollment of current bilingual employees in the Language Access Specialist certificate program offered through the New Mexico Center for Language Access.
- A twice-yearly Language Access Specialist symposium, the benefits of which include a full year's worth of Continuing Education Units, as well as LAS webinars throughout the year. For schedule, see: <https://languageaccess.nmcourts.gov/language-access-specialist-interpret-training>.
- A Judges' Portal containing video content, guidelines and other resources on the following topics: Fundamentals; Tips for Interpreted Proceedings; Deaf and Hard of Hearing and LEP Jurors; Native Americans in our Courts. See: <https://nmcenterforlanguageaccess.org/cms/en/for-judges/welcome-to-the-judges-portal>
- Video Remote Interpreting training, available at: <https://languageaccess.nmcourts.gov/training-resources>
- Conferences, judicial conclaves, webinars and videos that include sessions dedicated to language access topics, delivered by AOC Language Access Services and its partner, the NM Center for Language Access.
- The AOC and national colleagues have developed the Language Access Basic Training (LABT), an interactive training program available online at: <http://www.nmcenterforlanguageaccess.org/lafund>. The training is geared toward all judicial employees, and also contains more intense modules of practice and skills assessment for bilingual employees. Training topics include Legal Basis; Ethics; Roles of Court Staff and Cultural Competency.

Second Judicial District Court Opportunities:

- The Second Judicial District Court conducted language access training for all employees (28 sessions in total) in 2012:

- ✓ In addition to screening the mandatory DVD, sessions included: explanation of the distinction between a certified court interpreter and an LAS; hands-on role play practice with CLI; Q&A sessions; and familiarization with the right to interpreter signs, “I Speak” cards, CLI instructions, and Supreme Court Order.
- ✓ Training acknowledgment forms were added to employees' personnel files and were also scanned and sent to AOC.
- ✓ Judges were notified about mandatory training and some judges attended the training sessions. The Human Resources Division distributed a copy of the DVD and a training acknowledgment form to the remaining judges.
- A Language Access Specialist policy/informational document and accompanying acknowledgment form was distributed to all employees in 2017.
- Future training content may include: continued instruction on the Court's language access policies, procedures and legal obligations; refresher on language access resources; refresher on the role of the LAS; instruction on serving the deaf and hard-of-hearing.
- It is the intention of the ADA/Language Access planning team to hold court-wide, hybrid ADA/language access training annually.
- New employees and judges receive language access orientation, in the form of the mandatory DVD, shortly after assuming their responsibilities. Additionally, the Human Resources Division conducts new employee orientations that include familiarizing employees with language access resources.

IX. FUNDING AND PROCUREMENT ISSUES

The New Mexico Supreme Court and Administrative Office of the Courts commit significant resources to the following language access efforts to benefit all state courts on a regular basis: signage; assistive listening/interpreting equipment; certified interpreter services for court proceedings for spoken and signed languages; training and certification of interpreters and Language Access Specialists; 24/7 telephonic interpreting available in 175 languages for out-of-courtroom communication with LEP individuals; and the development of related training materials for court personnel and language access service providers. The NM Judiciary will continue to support the Second Judicial District Court's language access efforts through these services and will work to identify new funding opportunities to support language access efforts across the judiciary and specific to the needs of the Second Judicial District Court, as identified through current or future language access planning efforts.

X. PUBLIC NOTIFICATION OF LAP AND SERVICES

The Second Judicial District Court understands the importance of communicating to the LEP and deaf/hard-of-hearing public that courthouses are accessible. In addition to using signage, “I Speak” cards, voicemail, DVDs, workshops, and written/audiovisual materials as detailed above, the Court undertakes the outreach measures detailed below.

The Court possesses an extensive database of community stakeholder organizations, whom it surveyed at the time this LAP was first being compiled to solicit community input.

The LAP team has developed an English/Spanish brochure informing the public of their rights to language access and the services available at the Court. This was made available at the Court and was also distributed to community organizations shortly after development. The Deputy Court Executive

Officer is responsible for ensuring copies of the brochure are available at the Court on an ongoing basis and will be updating the brochure in 2023.

Upon signature of each annual update of the LAP and ADA Plan, the Chief Judge, with the assistance of the Deputy Court Executive Officer, sends a notice to known local legal and community stakeholders, including a link to the plan. The notice is intended to advise the LEP and deaf/hard-of-hearing community that the Court is accessible and to familiarize them with the specific provisions of the Court's plan.

For distribution of this plan to the public and court employees, *see* ADA Plan, Section XIV.

XI. COMPLAINT PROCEDURE

The Second Judicial District Court has a complaint procedure for persons who feel their rights to language access have been violated. Should any individual wish to make a complaint, the attached complaint procedure and form will be provided to them by the LAP Coordinator. The procedure and form are available in English and Spanish and can be translated into additional languages as needed (*see Attachment E*).

XII. APPROVAL AND EVALUATION OF LAP

A. LAP Approval

The Second Judicial District Court's LAP is subject to approval by the Chief Judge and Court Executive Officer. Any future revisions to the plan will be submitted to the Chief Judge and Court Executive Officer for approval, and then forwarded to the AOC.

B. Annual Evaluation of LAP

Annually, or more frequently if needed, the Court's LAP team will review the effectiveness of the Court's LAP and update it as necessary. The evaluation will include identification of any problem areas and development of corrective action strategies. Elements of the evaluation will include:

- Number of LEP persons requesting court interpreters and out-of-courtroom language assistance.
- Assessment of current language needs to determine if additional services or materials should be provided.
- Assessment of whether language access procedures are operating smoothly.
- Identifying gaps in LAS coverage and suitable candidates to undergo LAS training.
- Assessment of whether court staff adequately understand LEP policies and procedures and how to carry them out.
- Review of feedback from court employee training sessions.
- Surveys to judges, employees, and community stakeholders and/or revisiting information obtained in earlier surveys, if deemed necessary.
- Ensuring that all time-sensitive references, rules or policies that are subject to change, and individuals mentioned in this plan are up-to-date.

C. Second Judicial District Court LAP Coordinator

Monica Baca
Deputy Court Executive Officer
Second Judicial District Court
400 Lomas Boulevard NW, Albuquerque, New Mexico 87102
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505-841-7607

D. AOC LAP Coordinator

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(505) 231-9229

E. Effective Date and Approval

See: Americans with Disabilities Act Plan signature page

**SECOND JUDICIAL DISTRICT COURT
ADA PLAN**

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I. LEGAL BASIS AND PURPOSE

The New Mexico Administrative Office of the Courts is committed to ensuring equal access to and full participation in court programs, court services, and court activities for qualified individuals with disabilities, including attorneys, litigants, defendants, probationers, witnesses, victims, potential jurors, and public observers of court proceedings.

The Americans with Disabilities Act of 1990 (ADA) was enacted to prohibit discrimination against people with disabilities. Under Title II of the ADA, no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of programs, services, or activities of a public entity. This prohibition applies to the New Mexico state courts as providers of public programs, services, and activities. Pursuant to the ADA, people with disabilities have an equal opportunity to access, use, and fully participate in court programs, services, and activities and not be discriminated against because of their disability.

A person is considered disabled for purposes of the ADA if he or she has a mental or physical impairment that substantially limits a major life activity. “Major life activities” include, but are not limited to: reading, communicating, performing manual tasks, seeing, hearing, standing, walking, breathing, and the operation of a major bodily function.

The ADA also protects people who have a record of such an impairment or who are regarded as having such an impairment, if being perceived as having a disability results in discrimination.

It is important to remember that not all disabilities are obvious. “Invisible disabilities,” such as psychological or cognitive conditions, can substantially limit a person’s ability to engage in major life activities.

Any individual with an interest in participating in or attending any proceeding before any court may make a request for an accommodation. This includes jurors, parties, attorneys, witnesses, and spectators.

Whenever reasonable, New Mexico Court policies, practices, or procedures must be modified to make court programs, court services, and court activities readily accessible to and usable by people with disabilities. This includes removing architectural barriers by altering existing facilities where feasible or relocating services to an ADA-accessible site.

The ADA also includes removing communication barriers by providing auxiliary aids and services that would allow a person with a disability to effectively represent a client, be a party in a lawsuit, testify as a witness, serve on a jury, observe a hearing or trial, or otherwise participate in all programs, services and activities. In providing reasonable accommodations, the New Mexico Courts give ADA Title II primary consideration to the accommodations requested by the person with a disability when reasonable and practicable. To ensure ADA effective communications with people who are deaf or hard of hearing, the New Mexico Courts provide sign language and oral interpreters, TTYs, or other appropriate auxiliary aids and services free of charge. The New Mexico Courts may also provide information in Braille and Large Print for people with visual disabilities as a reasonable accommodation request.

II. NEEDS ASSESSMENT

A. New Mexico Data

The Centers for Disease Control and Prevention publish the latest Disability and Health Data System (DHDS) on their website at:

<https://www.cdc.gov/ncbddd/disabilityandhealth/dhds/data-guide/status-and-types.html#status>.

DHDS is an online source of state level data on adults with disabilities. In the state of New Mexico 513,695 adults have a disability. This is equal to 30% or roughly 1 in 3 adults.

According to DHDS, in New Mexico the percentages of disabled individuals 18 years or older were reported in 2021 as follows:

- Cognitive Disability 14.6%
- Mobility Disability 13.6%
- Independent Living Disability 8.2%
- Hearing Disability 7.5%
- Vision Disability 5.8%
- Self-Care Disability 4.3%

Definitions:

- Cognitive: serious difficulty concentrating, remembering or making decisions.
- Hearing: serious difficulty hearing or deafness.
- Mobility: serious difficulty walking or climbing stairs.
- Vision: serious difficulty seeing or blindness.
- Self-care: difficulty dressing or bathing.
- Independent living: difficulty doing errands alone.

B. Second Judicial District Court Data

The Second Judicial District Court assesses its ADA accommodation needs on an ongoing basis based on what it identifies about courthouse users. This is achieved through two methods:

- 1) Tracking ADA Accommodations inside the courtroom.
- 2) Tracking encounters between staff and courthouse users needing an ADA accommodation outside of the courtroom.

1) ADA Accommodations in the Courtroom:

During the most recent Fiscal Year (July 1, 2022 through June 30, 2023), the following ADA accommodations were provided in the courtroom:

1. American Sign Language (ASL) = 64
2. Communication Access Real-Time Captioning (CART) = 1
3. Scribing Services = 75

2) ADA Accommodations for Out-of-Courtroom Contacts:

The Court also tracks out-of-courtroom encounters in every division that has contact with the public. The District’s ADA Coordinator maintains a log of contacts with court users needing ADA accommodations outside of the courtroom.

During the most recent fiscal year (July 1, 2022 through June 30, 2023), out-of-courtroom requests for an ADA accommodation were as follows:

Month	Number of Accommodation Requests
July 2022	0
August 2022	4
September 2022	4
October 2022	3
November 2022	1
December 2022	2
January 2023	3
February 2023	0
March 2023	4
April 2023	3
May 2023	3
June 2023	4

Ramon Maestas keeps a spreadsheet of all accommodations granted or denied by the Second Judicial District ADA Coordinator. The Clerk’s Office keeps track of ADA accommodation requests received in their office. The Statewide ADA Title II Coordinator’s Office is responsible for ensuring data received from the Second Judicial District is updated in this plan annually.

III. ADA COORDINATOR DUTIES

A. Duties of the AOC Office of the Statewide ADA Title II Coordinator

The Office of the Statewide ADA Title II Coordinator within the Administrative Office of the Courts provides resources, guidance and training to all judiciary employees. It also oversees the enforcement of the Act in each district and their programs and activities.

Among the duties of the Statewide ADA Title II Coordinator are to:

- Plan and coordinate compliance efforts.
- Develop and distribute notice about ADA Title II compliance.
- Respond to general inquiries from the public.
- Coordinate requests for auxiliary aids and services and reasonable modifications of policies, practices and procedures.
- Train staff, boards and commissions on ADA Title II requirements.
- Interact and consult with staff, boards and commissions on ADA Title II.

- Develop a grievance procedure.
- Investigate complaints.
- Conduct a self-evaluation.
- Develop a transition plan.
- Ensure districts are complying with all ADA Title II mandates.

Statewide ADA Title II Coordinator:

Peggy Cadwell

ADA@nmcourts.gov

(505) 414-5313

B. Duties of the Local ADA Coordinator

Among the duties of the local ADA Title II Coordinator are to:

- Manage all ADA Title II requests from the public. Receive requests for accommodations, communicate with the person making the request to clarify the nature of the accommodation needed, and facilitate implementation. Engage in the Interactive Process as needed and follow up on effectiveness of the accommodations. Collaborate with court staff and judicial officers to participate in the interactive process and assist with facilitating reasonable accommodations.
- Provide information about and arrange for the use of appropriate auxiliary aids and devices.
- Ensure ADA Title II-related signage and other information is in place and accurate.
- Suggest or assist in making modifications to court operations and practices to ensure that court programs and services are fully accessible.
- Ensure the District is complying with all ADA Title II mandates.
- Conduct investigations of all grievances, complaints, and provide all requested information to the Statewide ADA Title II Coordinator's Office.
- Cooperate with the Statewide ADA Title II Coordinator's Office by providing all requested information during an investigation.
- Maintain a record of filed grievances and results and share them with the Statewide ADA Title II Coordinator's Office.
- Maintain contact with staff and judges to ensure that services provided are effective.
- Conduct and participate in all activities related to the self-evaluation process and provide the results to the Office of the Statewide ADA Title II Coordinator.
- Maintain a record of all accommodations granted and denials.
- Maintain a record of grievances filed and results.

Court personnel who become aware of a need for an accommodation may consult with the ADA Title II Coordinator for their district for assistance. In turn, the local ADA Title II Coordinator may request additional assistance from the Statewide ADA Title II Coordinator.

Second Judicial District Court ADA Title II Coordinator:

Ramon J. Maestas, Deputy General Counsel

albdrxm@nmcourts.gov

(505) 222-4574

ADA Coordinator information has been provided via email to all employees and is posted on the Second Judicial District Court website.

If the Second Judicial District Court ADA Title II coordinator is not available, employees and the public can contact:

Alison Orona, General Counsel
albdag@nmcourts.gov
(505) 841-6754

IV. PROVISION OF ASL INTERPRETERS AND OTHER ACCOMMODATIONS

The provision of spoken language and signed language interpreters, and other communication access accommodations, in court proceedings is based in New Mexico State Statute and the Constitution. The Constitution references language access in multiple sections, including Article II, Section 14 and Article VII, Section 3.

Title II of the ADA requires courts to provide qualified sign language interpreters or other accommodations to ensure effective communication with deaf and hard-of-hearing individuals. Among other accommodations provided to ensure effective communication are: TTY, CART, or other appropriate auxiliary aids or services free of charge.

Interpreters will be provided at no cost to deaf or hard-of-hearing litigants, witnesses, jurors and observers (when an observer has submitted a request to the court prior to the proceeding) in any type of proceeding in the New Mexico courts.

V. TRANSLATED RESOURCES

The ADA Accommodation Request Form, ADA Complaint Form, ADA Grievance Procedure and ADA Notice of Rights are available in Spanish. Additionally, the ADA Accommodation Request Form and ADA Complaint Form are provided in a fillable PDF format in Spanish. These forms can be found at: <https://seconddistrictcourt.nmcourts.gov/inicio/solicitud-de-adaptaciones-de-la-ada>

Informational brochures in printed and electronic formats and public service announcements regarding scribing services have been translated into Spanish/Navajo. These resources can be found on the Judiciary's ADA webpage at: <https://www.nmcourts.gov/americans-with-disabilities-ada>

VI. RESOURCES IN ALTERNATIVE FORMATS

The New Mexico AOC provides an open-captioned orientation video for Deaf and hard-of-hearing jurors: https://jury.nmcourts.gov/wp-content/uploads/sites/38/2020/12/JuryOrientation_capt_eng.webm

Additional resources in alternative formats available from the Statewide ADA Title II Coordinator's Office include providing court forms and requested court information in Braille or large print, and fillable PDF forms.

The ADA Notice of Rights is available in ASL: a video is posted on the Statewide ADA Title II Coordinator's webpage.

Additionally, several videos and webinars regarding general information for court users, jurors, self-represented litigants, witnesses, scribing, Judicial employee training, and other informational videos are available in ASL on the NM AOC Language Access YouTube page:

<https://www.youtube.com/@nmaoclanguagelanguageaccessservice8616/videos>

and on the NM AOC Language Access webpage:

<https://languageaccess.nmcourts.gov/district-court-videos/>

VII. RESOURCES FOR JURORS

The AOC Jury Division provides captioning on its orientation video as an accommodation for Deaf and hard of hearing jurors:

<https://www.youtube.com/watch?v=enNQ0PSDWd0>

ADA resources available for jurors in the Second Judicial District include ASL Interpreters, CART services, and Assistive Listening Devices (ALD). Currently the Jury Division has four (4) ALD devices available for Jurors.

VIII. OUT-OF-COURTROOM CONTACTS

The Second Judicial District Court reports that the first point of contact for members of the public in the Court is the Sheriff's Department, who provides security. The security team is familiar with the questions that are permissible to ask regarding service animals:

- 1) Is the animal required because of a disability?
- 2) What task has the animal been trained to perform?

Service animal signage has been provided to the Downtown Courthouse and the Public Safety Building (which houses Second Judicial District Court Pretrial Services), and will be provided to the Children's Court for posting at the public points of entry, indicating service animals are allowed. The Second Judicial District Court has also purchased supplemental service animal signage to post at the Downtown Courthouse, Children's Court, and Public Safety Building. Additionally, the Statewide Title II Coordinator's Office has provided ADA Title II Bench Cards to be distributed to staff and the Sheriff's Department containing basic information about accommodation requests, regulations around service animals, and ADA Title II Coordinator contact details. More detailed specifications regarding service animals, including FAQ cards, were provided to the Second Judicial District Court in August 2023.

The Second Judicial District Court will begin displaying animal service signage on their informational television monitors located near each elevator.

The most frequent point of contact with Self Represented Litigants in the Second Judicial District Court is the Self Help Center, followed by the Information Desk.

In July 2023, the NM AOC added Video Remote Interpreting (VRI) through Certified Languages International (CLI), for interactions with court users requesting ASL interpretation outside of the courtroom. Information cards with detailed instructions for accessing the VRI service will be provided to the Second Judicial District Court.

The Self Help Center in the Second Judicial District Court has microphones that are used to assist in communicating with hard of hearing individuals.

IX. ASSISTED LISTENING DEVICES

The Second Judicial District Court currently utilizes four (4) ALDs in the Jury Division and has an additional fifty to sixty (50-60) devices for use in the Courthouse, with two (2) ALDs also available in Children's Court.

In addition to the ALD equipment, in August 2023 the Statewide ADA Title II Coordinator's Office purchased four (4) PocketTalker devices for the Second Judicial District Court Self Help Office, Clerk's Office, Children's Court, and Pretrial Services. An additional PocketTalker device is available for loan from the Office of the Statewide Title II Coordinator's Office as needed.

X. SCRIBING SERVICES

In 2018 the NM AOC, in collaboration with the National Center for State Courts and the State Justice Institute, launched a scribing pilot program in the Ninth and Second Judicial Districts. The scribing program assists court users who have signed a Statement of Need testifying that they need scribing help due to illiteracy, Limited English Proficiency or a disability. Court staff may read forms aloud and fill in the blanks on the litigant's behalf, using the exact words spoken by the litigant.

As a pilot site for the scribing program, the Second Judicial District utilized volunteer scribes with ReadWest, a local literacy nonprofit organization, to perform scribing duties alongside court staff for court users with disabilities, low literacy, limited English proficiency or limited computer access. After the scribing program was expanded throughout the entire Judiciary in 2022, the Second Judicial District Court began solely utilizing court staff as scribes, and currently has two (2) trained staff members in the Self-Help Division performing scribing duties. Currently, scribing sessions are scheduled in advance, and walk-ins are available for emergency filings. To further assist other New Mexico courts in launching their own scribing programs, the Second Judicial District Court Self Help Office has collaborated with the Statewide ADA Title II Coordinator's Office by inviting members of the Judiciary to observe their scribing sessions. The Court also participated in a panel discussion with the National Center for State Courts at the 2023 Court Language Access Coordinator's conference. Future collaboration between the Second Judicial District Court and Statewide ADA Title II Office will include a webinar regarding legal advice and legal information as it relates to scribing.

During the pilot phase, a Facilitation Guide, training videos, flyers, and brochures were developed to train all court staff and volunteers on the scribing process. Public outreach materials such as brochures, flyers, and public service announcements (PSAs) were produced in English, Spanish and Navajo. The Second Judicial District Court also advertises scribing services to the public on their informational television monitors near the elevators.

The leadership demonstrated by the Second Judicial District Court during the scribing pilot program contributed to its success, resulting in New Mexico Supreme Court Order No. 22-8500-036 dated November 9, 2022, implementing the scribing program throughout the Judiciary.

Scripting training modules for judiciary employees, PSAs in English, Spanish, and Navajo, and scripting explainer videos in English, Spanish and Navajo are available at the following link:
<https://www.youtube.com/@nmaoclanguagesservice8616/videos>

Scripting Statement of Need and Scripting Intake Forms have also been provided to all District ADA Coordinators and CEOs by the Statewide ADA Title II Coordinator's Office.

Additional training assistance with scripting is available to the Second Judicial District Court on request by contacting the Office of the Statewide ADA Title II Coordinator.

XI. LIVE CHAT DEVICES

In an effort to lead the way in augmenting accessibility for Deaf and hard-of-hearing court users, AOC has begun piloting the use of live chat UbiDuo devices. This technology enables live chat to take place between the court customer and staff, with each party typing into their respective station. Walk-in Deaf and hard of hearing court users who have not submitted advance notice of interpreter need can now converse immediately at the counter, eliminating the need to pass paper notes back and forth or to wait for an interpreter. Live chat devices have also been helpful in the provision of services to individuals with speech difficulties.

The following link provides training for staff on how to use the devices:
<https://www.youtube.com/watch?v=o2ceYxbGvAQ>

As of the latest revision of this plan, the Second Judicial District Court has two (2) UbiDuo devices, located in the Self Help Center and in the Court Interpreter Supervisor's Office. In August 2023, the Office of the Statewide ADA Title II Coordinator provided an additional UbiDuo device for the Second Judicial District Children's Court.

XII. JUDICIAL AND STAFF TRAINING

The Statewide ADA Title II Coordinator's Office offers regular training in partnership with the Southwest ADA Center, New Mexico Governor's Commission on Disability, Professor Bruce Adelson, Esq. and other disability organizations. The Statewide ADA Title II Coordinator notifies all judiciary employees of upcoming training via email. Training is offered to judiciary employees free of charge and is recorded and broadcast on the Language Access YouTube channel at:
<https://www.youtube.com/channel/UCAYCQWhNiJFAgPrXnB-wQQ>

The Statewide ADA Title II Coordinator's Office also holds regular in-person and virtual trainings and meetings with Judges, District ADA Coordinators and Judiciary staff, and offers the opportunity for District ADA Coordinators to enroll in the ADA Coordinator Training Certification Program (ACTCP) and attend the annual ADA National Symposium.

In 2022, the Second Judicial District Court hosted three training sessions led by the Southwest ADA Center on the basics of ADA, reaching a total of 100 employees. It is the intention of the ADA/ language access planning team to hold court-wide, hybrid ADA/ language access training annually. The Second Judicial District Court will also include ADA training in its new employee orientation.

Effective 2023, AOC Human Resources Department's new employee orientation training includes ADA Title I and ADA Title II compliance information, and the Statewide ADA Title II Coordinator's contact information.

Additional training assistance is available to the Second Judicial District Court on request by contacting the Statewide ADA Title II Coordinator's Office.

XIII. EMERGENCY PLAN AND EVACUATION

Under Title II of the ADA, public entities must ensure that emergency and evacuation plans for their facilities, activities and programs include emergency preparedness plans for people with disabilities.

To date, the Second Judicial District Court has provided in-person training with the courtroom bailiffs on evacuating jurors from the courtrooms. As of the current revision of this plan, the Second Judicial District Court is in the process of updating their emergency and evacuation plan for the Downtown Courthouse, Children's Court and Pretrial Services. The updated plan will include staff training on evacuation procedures for individuals with disabilities, providing exit signage in Braille, and creating dedicated "safe rooms" with a direct communication link to Sheriff Deputies. The updated training will be available for all employees on Google Classroom, and will also be shared with the Statewide ADA Title II Coordinator.

XIV. PUBLIC NOTICE

All public entities must provide information to the public, program participants, program beneficiaries, applicants and employees about the ADA and how it applies to the public entity.

An Americans with Disabilities Act page was created (in English and Spanish) and added to the New Mexico Courts website in October 2021. The page includes the Notice of Rights (in English, Spanish and ASL); the Request for Accommodations, Grievance Procedure and Complaint Forms (in English and Spanish); and contact information for the Statewide Title II ADA Coordinator.

<https://www.nmcourts.gov/americans-with-disabilities-ada>.

<https://www.nmcourts.gov/estadounidenses-con-discapacidades>.

The Second Judicial District Court displays ADA information prominently on its English and Spanish homepages at <https://seconddistrictcourt.nmcourts.gov> and <https://seconddistrictcourt.nmcourts.gov/inicio>, and has created its own Americans with Disabilities Act page, in English and Spanish. Included are the Notice of Rights; Request for Accommodations; Grievance Procedure; Complaint form and Second Judicial District Court Notice of Non Discrimination as well as contact information for the local ADA Title II Coordinator. The Second Judicial District has created an ADA email address, ADA.2nddistrictcourt@nmcourts.gov in order to keep track of any incoming email requests from the public.

In 2023, the AOC Title II Statewide Coordinator’s Office began working with the AOC Judicial Information Division (JID) to incorporate detailed language on all Notice of Hearing documents for the District, Magistrate and Metropolitan Courts regarding ADA Title II and contact information for the courts in regards to ADA accommodation requests.

A hard copy of the Second Judicial District Court's LAP/ADA Plan (in English and Spanish) shall be kept at the public information desk. Copies are also viewable at the public access computer kiosks, via a shortcut link. Copies of the plan will be provided to the public on request, in English, Spanish or alternative formats. In addition, the Second Judicial District Court posts the plan at <https://seconddistrictcourt.nmcourts.gov/home/court-administration/language-access-plan> and AOC posts the plan at <https://languageaccess.nmcourts.gov/language-access-plans>. The plan is also accessible to court staff and judges on the Court's internal intranet.

XV. GRIEVANCE PROCEDURE

The Second Judicial District Court ADA Grievance Procedure is attached to this plan and also posted on the court’s website in English and Spanish:
<https://seconddistrictcourt.nmcourts.gov/request-reasonable-accommodation>.

XVI. APPROVAL AND EVALUATION OF ADA PLAN

A. ADA Plan Approval

The Second Judicial District Court's ADA plan is subject to approval by the Chief Judge and Court Executive Officer. Any future revisions to the plan will be submitted to the Chief Judge and Court Executive Officer for approval, and then forwarded to the AOC.

B. Annual Evaluation

Annually, or more frequently if needed, the Court will review the effectiveness of its ADA plan and update it as necessary.

C. Second Judicial District Court ADA Coordinator

Second Judicial District Court ADA Coordinator:
Ramon J. Maestas, Deputy General Counsel
albdrxm@nmcourts.gov
(505) 222-4574

D. Statewide ADA Coordinator

Peggy Cadwell
New Mexico Administrative Office of the Courts
111 Lomas Blvd. NW Suite 300 Albuquerque, NM 87102
ADA@nmcourts.gov
(505) 414-5313

**LANGUAGE ACCESS PLAN &
AMERICANS WITH DISABILITIES ACT PLAN
SIGNATURE PAGE**


A. Effective Date:

LAP original effective date: July 20, 2012

ADA plan original effective date: July 31, 2022

Latest revision of LAP and ADA plan: September 20, 2023

B. Approved By:

Honorable Marie Ward, Chief Judge:  Date: 10/3/2023

Katina Watson, Court Executive Officer:  Date: 10/2/2023

ATTACHMENTS

LANGUAGE ACCESS PLAN:

- A) **Members of the Second Judicial District Court LAP/ADA Planning Team**
- B) **Interpreter Statistics Fiscal Year 2023**
- C) **Certified Languages International Phone Service Usage Fiscal Year 2023**
- D) **Interpreter Scheduling Instructions**
- E) **Language Access Specialist Directory**
- F) **Language Access Complaint Procedure and Form**

ADA PLAN:

- 1) **Notice of Rights**
- 2) **Request for Accommodations**
- 3) **Grievance Procedure**
- 4) **Complaint Form**

Second Judicial District Court
LAP/ADA Committee 2023

Name	Title	Division
Alma H. Lerma	Paralegal	Self-Help/Dispute Resolution
Alejandra Cordova*	Leadworker	Judicial Supervision and Diversion
Argelia Barraza*	Administrative Assistant	Children's Court
Ramon Maestas	ADA Coordinator/Deputy General Counsel	Court Administration
Elissia Torres	Judicial Specialist	Information Desk
Luke Tessman	Program Manager	Jury
Monica Baca	Deputy Court Executive Officer	Court Administration Clerk's
Erick Aguilar*	Judicial Specialist	Criminal Division
Rosa Lopez Gaston	Interpreter Supervisor	Court Interpreters
Sherree Jones	Court Operations Human Resource Manager	Human Resources
Larry Mora	Program Manager	Purchasing
Steven Sierra	Program Manager	Domestic Violence
Megan Kalm	Attorney Associate	Criminal Division
Gabe Nimms	Court Programs and Operations Mgr	Judicial Supervision and Diversion
Timothy Reed	Clinical Director	Court Clinic
Venessa Glance*	Judicial Specialist Supervisor	Children's Court
Wendy Basgall	Attorney Senior	Elder and Disability Court
Monica Rodriguez	Deputy Court Executive Officer	Court Administration

*Language Access Specialist

**New Mexico Second Judicial District Court
Spanish Language Interpreter Cases for Fiscal Year 2023**

Type of Proceeding	Number of Cases		TOTAL
	Jul. – Dec. '22	Jan. – Jun. '23	Jul. '22 – Jun. '23
Criminal Proceedings	382	425	807
Arraignments	67	65	132
Grand Jury/Preliminary Hearings	25	32	57
Criminal Jury Trial	18	105	123
Juvenile Justice Center	125	126	251
Child Support	58	112	170
Domestic Violence	300	291	591
Domestic Relations	272	280	552
Court Clinic	51	30	81
Civil Proceedings	72	108	180
Civil Jury Trial	24	0	24
Guardianship Orientation	2	15	17
Foreclosure Settlement	8	12	20
LEP Jurors	85	45	130
Mental Health/ Competency Hearings	11	17	28
Arbitrations/Mediation	9	16	25
TOTALS	1509	1679	3188
	3188		

New Mexico Second Judicial District Court LOTS Interpreter Cases for Fiscal Year 2023

Languages	Number of Cases		TOTAL
	Jul. – Dec. '22	Jan. – Jun. '23	Jul. '22 – Jun. '23
American Sign Language	21	43	64
Arabic	21	33	54
Bengali	0	3	3
CART	1	0	1
Chinese	7	14	21
CLI – Navajo	1	0	1
CLI – Thai	1	0	1
Dari	9	6	15
Farsi	1	4	5
French	7	3	10
Japanese	1	4	5
Kinyarwanda	1	0	1
Kirundi	0	1	1
Korean	0	1	1
Lao	0	4	4
Navajo	22	14	36
Polish	1	8	9
Romanian	6	8	14
Russian	0	1	1
Swahili	5	15	20
Tagalog	5	0	5
Thai	2	1	3
Urdu	2	0	2
Vietnamese	12	18	30
Zuni	1	2	3
TOTAL	127	183	310

Scheduling an Interpreter for a Hearing at NM Second District Court

COURT INTERPRETATION DIVISION:

Rosa López-Gastón
Court Interpreter Supervisor
505.841.7471

There is voicemail, but no interpreter requests will be accepted through voicemail.

E-MAIL ADDRESS FOR INTERPRETER REQUESTS:

sjdcinterpreterrequest@nmcourts.gov

2ND LOOK FILLABLE INTERPRETER REQUEST FORM

- Log in to 2nd Look
- Under “This Site” [left margin], click on “Court Interpreters”
- “Court Interpreter Request Form” [right margin] is a fillable form that will automatically be sent to the new court interpreter request address: sjdcinterpreterrequest@nmcourts.gov
- You will receive an e-mail message confirming receipt.

SCANNED INTERPRETER REQUESTS

- Send to: sjdcinterpreterrequest@nmcourts.gov.
- You will receive an e-mail message confirming receipt.

NEED AN INTERPRETER AT THE LAST MINUTE:

- Call 841.7471. If no one answers, use Google Hangouts.
- Use Google Hangouts to send a message to: albdlog@nmcourts.gov.

PRINTED INTERPRETER REQUESTS

- Court interpreter slot in the mailroom in the Purchasing Division, directly above of the Fiscal Services Division slot.

LAS Name and Facility	July	August	September	October	November	December	January	February	March	April	May	June	Total
Downtown	12	7	20	6		13	21	13	9	55	15	51	222
Luz Maria Garcia	4	31	20	11	11	15	10	16	7	20	11	21	177
Alma Lerma	32	12	17	9	21	34	43	30	51	40	23	40	352
Gabriela Saldivar	16	12					Did not recertify						28
Erick Augilar	7	14	6	10	9	8	7	14	10	31	13	27	156
Cathy Guzman	8	8	13	12	15	11	5	4	3	4	10		93
Nohemi Archibeque	22	11	16	8	14	4	16	3	22	6	22	5	149
Fernando Solano	Certified	6	4	4	2	4	4	5					29
Morayma Marquez de Molina			Certified	3	0	1	7	4	4	6	21	5	51
Downtown Contacts	101	101	96	63	72	90	113	89	106	162	115	149	1206
JJC	July	August	September	October	November	December	January	February	March	April	May	June	Total
Argelia Barraza	15	11	12	9	9	8	9	7	4	10	12	7	113
Venessa Glance	12	10	9	11	9	8	10	12	11	13	15	14	134
Veronica Ortega	0	0	3	4	0	3	4	3	7	2	3	5	34
JJC Contacts	27	21	24	24	18	19	23	22	22	25	30	26	281
PSB	July	August	September	October	November	December	January	February	March	April	May	June	Total
Gloria Perea	19	31	25	35	23	17	27	28	35	24	24	23	311
Alejandra Cordova	25	28	22	20	18	16	15	20	20	19	21	32	256
Dora Rubio	6	9	10	7	6	5	11	10	18	6	7	8	103
Coral Mendez-Flores	15	16	14	14	11	9	12	7	14	9	10	15	146
Karla Rios-Moreno								4	3	6	3	3	
PSB Contacts	65	84	71	76	58	47	65	69	90	64	65	81	816
Total SJDC LAS Contacts	193	206	191	163	148	156	201	180	218	251	210	256	2303

Second Judicial District Language Access Plan Attachment E – Complaint Procedure & Form

Should a court client/customer feel that his/her rights to meaningful language access have not been met by the Court, the following procedure may be followed to register a complaint:

1. The person with the complaint (the complainant) should contact the Second Judicial District Court Language Access Plan (LAP) Coordinator to report the complaint by completing and submitting the attached Complaint Form, or by telephone.

Contact information:

Monica Baca, Deputy CEO, Second Judicial District Court, 400 Lomas Boulevard NW, Albuquerque, New Mexico 87102; albdmyb@nmcourts.gov, (505) 841-7607.

2. If the complainant does not believe that their concerns have been adequately addressed or resolved with the Second Judicial District Court LAP Coordinator, the complainant should contact the NM Administrative Office of the Courts (AOC) Statewide Language Access Coordinator, Language Access Services.

Contact information:

Freda Valdez, Statewide Language Access Program Manager, New Mexico Administrative Office of the Courts; 111 Lomas Blvd. NW, Albuquerque NM 87102; aocfev@nmcourts.gov; (505) 231-9229.

3. The complainant may also, at any time in this process, contact the United States Department of Justice.

Contact information:

Federal Coordination and Compliance Section, Civil Rights Division, United States Department of Justice, 950 Pennsylvania Avenue NW, Washington, D.C. 20530; 1-888-TITLE-06 (1-888-848-5306) (Voice / TTY).

**Second Judicial District Language Access Plan
Attachment E – Complaint Procedure & Form**

**Second Judicial District Court
Language Access Complaint Form**

The following information is necessary to assist us in processing your complaint. Should you require assistance in completing this form, please contact us at:

Second Judicial District Court – Monica Baca, LAP Coordinator
400 Lomas Boulevard NW, Albuquerque, New Mexico 87102,
albdmyb@nmcourts.gov, (505) 841-7607

Please complete and return this form to:

Second Judicial District Court – Monica Baca, LAP Coordinator
400 Lomas Boulevard NW, Albuquerque, New Mexico 87102,
albdmyb@nmcourts.gov, (505) 841-7607
Fax: (505) 841-7446 (marked Attention: Monica Baca)

1. Name of person filing complaint (the complainant):
2. Complainant's Address:
3. Complainant's Contact Information: Home Phone: Work Phone: Mobile Phone: E-mail:
4. If you are filing on behalf of another person, please include your name, address, phone number, and relation to the complainant: Name: Address: Phone: E-mail: Relationship to Complainant:
5. Please describe, in your own words, in what way you believe that your rights to language access were not met and whom you believe was responsible. Please use the back of this form or additional pages as needed.

**Second Judicial District Language Access Plan
Attachment E – Complaint Procedure & Form**

6. Please indicate the date/s when the above occurred:

7. Please sign below:

Signature _____
Date Signed _____

Return this form to:

Second Judicial District Court – Monica Baca, LAP Coordinator
400 Lomas Boulevard NW, Albuquerque, New Mexico 87102,
albdmyb@nmcourts.gov, (505) 841-7607
Fax: (505) 841-7446 (marked Attention: Monica Baca)

Americans with Disabilities Act Notice of Rights

The New Mexico Administrative Office of the Courts is committed to ensuring equal access to and full participation in court programs, court services, and court activities for qualified individuals with disabilities, including attorneys, litigants, defendants, probationers, witnesses, victims, potential jurors, and public observers of court proceedings.

What is the American with Disabilities Act?

The Americans with Disabilities Act of 1990 (ADA) was enacted to prohibit discrimination against people with disabilities. Under Title II of the ADA, no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of programs, services, or activities of a public entity. This prohibition applies to the New Mexico state courts as providers of public programs, services, and activities. Pursuant to the ADA, people with disabilities have an equal opportunity to access, use, and fully participate in court programs, services, and activities and not be discriminated against because of their disability.

Who is considered a person with a disability under the ADA?

According to the ADA, a person with a disability has a physical, mental, or communication disability that substantially limits one or more major life activities such as:

caring for oneself,
performing manual tasks,
walking,
seeing,
hearing,
speaking,
breathing,
learning,
and working.

An ADA-disability may also restrict the person's way of doing things and/or where and for how long the person can do a certain activity or function.

If I have a disability, what do the courts have to do to help me access the courts?

Whenever reasonable, New Mexico Court policies, practices, or procedures must be modified to make court programs, court services, and court activities readily accessible to and useable by people with disabilities. This includes removing architectural barriers by altering existing facilities where feasible or relocating services to an ADA-accessible site.

The ADA also includes removing communication barriers by providing auxiliary aids and services that would allow a person with a disability to effectively represent a client, be a party in a lawsuit, testify as a witness, serve on a jury, observe a hearing or trial, or otherwise participate in all programs, services and activities. In providing reasonable accommodations, the New Mexico Courts give ADA Title II primary consideration to the accommodations requested by the person with a disability when reasonable and practicable. To ensure ADA effective communications with people who are deaf or hard of hearing, the New Mexico Courts provide sign language and oral interpreters, TTYs, or other appropriate auxiliary aids and services free of charge. The New Mexico Courts may also provide information in Braille and Large Print for people with visual disabilities as a reasonable accommodation request.

How do I request an accommodation?

ADA accommodation requests should be submitted to the local Chief Executive Officer, ADA Coordinator for the District or their designees as soon as possible.

Reasonable notice must be given for the New Mexico Courts to consider an accommodation request without causing undue disruption to court proceedings. If the request concerns a particular court proceeding, the request should be made as soon as possible, preferably as soon as the person needing accommodation receives notice of the proceeding to allow consideration of the request and to arrange for a potential reasonable accommodation.

How do decisions about accommodations get made?

Once the request for accommodation has been received, the district's Chief Executive Officer, the District's ADA Coordinator or their designees will review the request and engage in an interactive process with the requestor to evaluate and provide a reasonable accommodation. The Statewide ADA Coordinator will be available for consultation as requested.

Every effort shall be made to meet the specific needs of the individual, and Primary Consideration will be given to the aid or service requested. However, if that aid or service results in an undue burden for the court or fundamental alteration of the court proceeding, program, service, or activity, the New Mexico Courts may suggest an equally effective accommodation. In providing reasonable accommodations, New Mexico Courts are not required by the ADA to make modifications that would fundamentally alter the affected service or program or cause undue financial or administrative burden.

The Chief Executive Officer, ADA Coordinator for the district or their designees, will notify the requestor whether the request has been approved or denied. If the request has been approved, the accommodation will be provided at no charge to the requestor. If the party requesting accommodation disagrees with the decision, a grievance may be filed.

ADA ACCOMMODATION REQUEST FORM

The _____ Court is committed to its policy of providing equal access to the Court consistent with the Americans with Disabilities Act of 1990 (“ADA”), as amended, and all other applicable state and federal laws. If you have a disability that may restrict your ability to meaningfully participate in Court proceedings, programs, activities, or services, we will provide you with reasonable and appropriate accommodations at no cost to you. If you need assistance with or an accommodation for completing this form because of disability or limited English proficiency, please contact us at: _____

Please provide us with the following information:

Today’s date: _____

Your First Name: _____

Your Middle Initial: _____

Your Last Name: _____

Your Home Address: _____

City, State and Zip Code: _____

Your Phone Number: _____ Home ____ Cell Phone _____

Your Email Address: _____

Your Court Case Number: _____

ADA ACCOMMODATION REQUEST FORM

Date and Time: _____

What specific accommodation are you requesting?

Please provide any additional information that might be useful in the ADA Coordinator's review of your accommodation request:

ADA Grievance Procedure

The ADA grievance procedure may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in court proceedings, the provision of services, or programs and activities of the New Mexico Courts. To file a grievance, complete the Grievance Form below. Alternative means of filing a grievance will be made available upon request for an ADA accommodation or an accommodation for limited English proficiency pursuant to Title VI of the Civil Rights Act of 1964. The grievance should be submitted by the requestor and/or his/her designee as soon as possible but not later than thirty (30) calendar days after the alleged discrimination occurred to:

Peggy Cadwell
Statewide ADA Title II Coordinator
New Mexico Administrative Office of the Courts
ADA@nmcourts.gov
(505) 414-5313

Within fifteen (15) calendar days after the receipt of the grievance, the Statewide ADA Coordinator will meet with the requestor to discuss the alleged discrimination and possible resolution.

Within thirty (30) calendar days after this meeting, the Statewide ADA Coordinator will respond in writing and, where appropriate, in a format accessible to the requester, such as large print, Braille, audio or accessible video tape. The response will explain the position of the New Mexico Courts and offer options for substantive resolution of the grievance.

In the event the grievance cannot be resolved by the Statewide ADA Coordinator, further appeal may be made to the Administrative Director of the Courts. The requestor shall submit their appeal to the Administrative Director of the Courts within fifteen (15) calendar days of receiving the written decision by the Statewide ADA Coordinator.

Upon receipt of the appeal, the Administrative Director of the Courts will review the alleged discrimination as well as the proposed resolution and within thirty (30) calendar days, provide the requestor with a written decision. All grievances received by the Statewide ADA Coordinator and the corresponding responses to the grievances shall be maintained by the Administrative Office of the Courts for a minimum period of three years.

Applicable federal statutes and regulations: Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination by federally funded organizations on the basis of disability in the delivery of services and employment practices (29 U.S.C. § 794) and 28 C.F.R. Part 42, Subpart G; Title II of the Americans with Disabilities Act of 1990, which prohibits discrimination on the basis of disability in the delivery of services and employment practices (42 U.S.C. § 12132) and 28 C.F.R. Part 35

Americans with Disabilities Act Complaint Form

For Staff Completion Only

Date Received: ____/____/____

Received by: _____

Date of Resolution: _____

Please complete all boxes and sections on the information form. Print or type all entries.

PERSON MAKING THE COMPLAINT:

Last Name: _____

First Name: _____

M.I: _____

Address: _____

Your Home/Cell phone: (____) ____-_____

Your Work number: (____) ____-_____

Email Address:

What is the best way to contact you? Home Phone Cell Phone Work
Phone Mail Email Other: _____

What is the best time to contact you? _____

Check: Yes ____ No ____: I require an accommodation for filing and resolving my complaint. Please contact me at the phone numbers and email addresses I listed to make accommodation arrangements.

DETAILS OF COMPLAINT

Date of Incident: ____/____/____

Court

Location _____

Identify the person and/or division in the Court

Please describe the concern in your own words. Use the back of the form if additional space is needed. Attach any letters or other documentation that detail the issues. Please be as specific as possible, including all names and dates.

DESIRED RESOLUTION

In your opinion, what action should be taken by the Court to resolve this matter?

HOW YOUR COMPLAINT IS HANDLED

The vision of the New Mexico Courts is to be an efficient and fair forum built on a foundation of integrity and administered by a team committed to efficient, timely, and innovative services. To this end, any complaint received by the Court will be processed in a timely manner. Complaints are processed in the order that they are received or by degree of severity. Each complaint is reviewed and investigated by a supervisor or designee. The outcome of the investigation or resolution will be disclosed to the person making the complaint.

FOR STAFF COMPLETION ONLY:

Investigation Date: ____/____/____

Resolution Date: ____/____/____

Complainant contacted and informed of resolution Yes/ No

Date Contacted: _____

Reason complainant not contacted:
