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NEBRASKA JUDICIAL BRANCH PROGRAM AND PROJECT QUICK LOOK

Nebraska Judicial Branch Language Access Program

A trusted, collaborative, and respected catalyst for and provider of professional language interpreters and translators in Nebraska State Courts and Probation Services, ensuring the public's constitutional right of equal access to justice regardless of the language spoken.

Origin & Authorization

Nebraska Revised Statutes §§ 25-2401 to 25-2407 (Interpreters in Court Proceedings)
Nebraska Revised Statutes §§ 20-150 to 20-159 (Interpreters for Deaf and Hard of Hearing)
Nebraska Court Rules §§ 6-701 et seq. (Rules on Interpreters in Courts)

Program Overview

It is the declared policy of the State of Nebraska that the constitutional rights of persons unable to communicate in the English language cannot be fully protected unless interpreters are available to assist such persons in legal proceedings. The Judicial Branch Language Access Program provides for the recruitment, testing, training and certification of interpreters and coordinates the appointment of qualified interpreters across the state to avoid injustice and to facilitate the communication of limited English proficient participants in Nebraska courts and probation services.

Priorities

Facilitate access to Nebraska State Courts and Probation Services regardless of the language spoken and provide uniform language access across the state of Nebraska.

» Identifying Limited English Proficient (LEP) Communities Who Need Assistance

- U.S. Census Bureau data shows 180,422 Nebraskans over the age of 5 speak a language other than English at home. That is 10.5438% of Nebraska's total over age 5 population. Of that subset, 81,310 speak English less than very well. That is 4.7517% of Nebraska's total over age 5 population.
- In the 2014-15 academic year, there were 18,658 English Language Learners reported in the state. That is 5.97% of Nebraska's K-12 students.

» Meeting the Needs of LEP Individuals

- In FY 2015, Nebraska funded 25,343 interpreter services for individuals engaging with the courts and probation offices, an increase of nearly 10.5% from the previous fiscal year. While 89% of interpreter services were provided in Spanish, 6 of Nebraska's 12 judicial districts used interpreter services in more than 10 languages. In total, speakers of 42 languages and dialects were provided equal access in courtrooms, probation offices, and public presentations through the services of 127 individual interpreters.
- The Nebraska Language Access Program continues to recruit, test, and train interpreters across the state being ever-vigilant in our efforts to uphold and practice high standards of performance and compliance with legal, policy, and ethical rules providing language access.

Priorities

- In the event a Nebraska interpreter is unavailable to assist, LanguageLine telephone interpreter services are available at any time via a toll free number. Usage is billed in one-minute increments and rounded up to the next highest whole minute. Charges begin when the interpreter comes on the line and end when the call concludes.

» Assessing Language Access in Nebraska Courts

- In 2015, the Chief Justice’s Leadership Committee on Limited English Proficient Litigants in Court surveyed judges, court staff, and probation offices regarding their experiences with LEP litigants and interpreters. Of the 234 respondents to the 10-question survey, 74.79%, indicated approximately 0-25% of caseload requires interpreter services.

» Ongoing Plan for Language Access

- Interpreter Continuing Education: A high value is placed on rigorous and active continuing education, with requirements codified in court rules and the Nebraska Code of Professional Responsibility for Court Interpreters. Our goal is to ensure that interpreters who serve in Nebraska state courts and probation offices meet the ethical principles of integrity and professionalism.
- Video conferencing resources for remote interpretation: The need for continuous improvement and innovation drives the review of the WebEx video conferencing system by the Administrative Office of the Courts and likely end users as we seek a replacement for current technology that is no longer supported by the system vendor.

Accomplishments

- Legislature funded a full-time Statewide Language Access Coordinator position, and that position was filled in October 2015.
- Revised and improved interpreter training program and testing schedule ready for Spring 2016 implementation.
- On Call Interpreter Outlook calendar developed and implemented November 2015, improving scheduling and allowing users with nebraska.gov email addresses “view only” access from their desktop.

Looking Forward

Translation Services: Funds for additional translation of vital documents into foreign languages have not been identified at this time.

- In fulfillment of the vision and goals of the Judicial Branch Language Access Plan of 2014, the Administrative Office of the Courts has increased its efforts to provide document translation to the courts and probation services. However, there is no specific provision in the governing statutes or rules regarding translation, and to date, no state funds have been allocated for this specific function.

Continued recruitment, certification and development of court interpreters, particularly in languages other than Spanish.

Contacts

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References

Nebraska Judicial Branch Language Access Plan: supremecourt.nebraska.gov > Publications and Reports