

Best Practices – Superior Court Language Access Complaints

1. **Complainant submits complaint form, which is forwarded to appropriate designated person**

A complaint form should be immediately forwarded to the court's designated Language Access Representative and/or Language Access Office. The complaint form may be turned in anywhere in the courthouse and should be promptly forwarded to the appropriate designated Language Access Representative. Organization-wide training will be key.

2. **Notification that complaint was received**

The court's Language Access Representative and/or Language Access Office should respond (if contact information is provided) to complainant immediately (no later than 10 days) by letter or email, acknowledging that the complaint was received. Included with the model complaint form is sample language to immediately respond to complaints via email or letter. **Note:** Courts that already have language access complaint systems in place have found that it is best to immediately respond to and resolve any court user complaints regarding language access services provided by the court.

3. **Complaints submitted to wrong department or entity**

If the form was submitted to the wrong department or entity (e.g., the form is submitted to the Superior Court but it's a complaint regarding Judicial Council forms that should be forwarded to the Judicial Council), complainant should be informed as soon as possible and the complaint form should be forwarded to the proper entity for response and resolution.

4. **Notification to appropriate office or department, if necessary**

The court's Language Access Representative and/or Language Access Office should immediately forward the complaint to the proper superior court department, office, or staff in charge of the subject of the complaint.

5. **Priority given to complaints regarding denial of a court interpreter**

Priority should be given to immediately address any court user complaints regarding denial of a court interpreter. Courts may determine that other language access complaints are of lesser priority, but it is important to immediately respond to all court user complaints and promptly address complaints at all stages, including providing the court user with information regarding the resolution of his or her complaint.

6. **Review by appropriate office or department**

The appropriate superior court office or department will investigate the complaint, and contact the complainant if necessary to gather more information. The office or department will then respond to the Language Access Representative and/or Language Access Office regarding resolution of the complaint or additional steps needed to address the complaint. This step should be completed within 90 days of receiving the complaint.

7. Notification to person submitting complaint of outcome

The Court’s Language Access Representative and/or Language Access Office should send a letter or email to complainant explaining the resolution of the complaint, or actions that will be taken toward addressing the complaint. The court should send this notice within 10 days of receiving the information from the relevant office or department.

8. Dissatisfaction with final action

If a complainant is dissatisfied with the final action taken on his or her complaint, within 90 days, he or she may submit a written statement to the Language Access Representative indicating that he or she is dissatisfied with the outcome of the complaint. The statement should be brief and indicate the reasons why the complainant is dissatisfied. For example, the statement should indicate why the complainant disagrees with the notice of final action or believes that he or she did not receive a satisfactory explanation in the notice of final action. If available, courts may want to have a different staff member review the statement, notice of final action, and the original complaint submitted by a complainant, to confirm that the complaint has been resolved properly, and/or whether any other action is needed. If appropriate, courts should promptly respond by phone or writing to any follow-up statement submitted by a complainant after receipt of notice of final action.

For internal review and for purposes of analyzing trends in complaints, a drop-down menu of complaint categories could be used by courts to track complaints. The list would include:

- LEP court user requested interpreter and it was not provided.
- Court did not offer or provide interpreter on its own.
- The interpreter did not interpret correctly. Name of interpreter: ____ Badge #: ____
- The interpreter did not speak user’s language. Name of interpreter: ____ Badge #: ____ Language: _____
- The interpreter behaved unethically or unprofessionally. Name of interpreter: ____ Badge #: ____
- The form was not translated into user’s language. Form #: _____ Language: _____
- The translated form contained errors. Form # _____ Language: _____
- The court did not provide translations of the other (non-form) documents user requested. Documents: _____ Language: _____
- The translations (of non-form documents) were wrong/had errors. Documents: _____ Language: _____
- The court did not have staff that spoke user’s language. Location: _____ Language: _____
- The employees that spoke user’s language did not speak or write it well enough for user to understand. Location: _____ Language: _____

- The court user was not able to use court services, programs or activities due to a language barrier. Location: _____ Program/Service/Activity: _____
Language: _____
- Other (please explain): _____.

Courts may also want to have clear designation for issues/complaints within Judicial Council's purview, such as Judicial Council forms, the Judicial Council Online Self-Help Center, and other Judicial Council web information, as well as ensure that complaints regarding specific certified or registered interpreters are forwarded to the Judicial Council staff for review per procedures to be developed by the Court Interpreters Advisory Panel (CIAP).

Courts, especially those with several court locations, may also want to have a drop-down menu for court locations, so data can be gathered per location to facilitate assessment of training needs in particular courthouses or departments.