

Standing Committee on Fairness and Access to the District of Columbia Courts

June 2014

Report to the 26th Annual Meeting of the National Consortium on Racial and Ethnic Fairness in the Courts in Cody/Heart Mountain, Wyoming

The Standing Committee on Fairness and Access to the District of Columbia Courts (*Standing Committee*) is a permanent entity that exists to enhance equal justice for all in the courts. Specifically, the *Standing Committee* addresses racial, ethnic, and gender issues that jeopardize access to justice. The *Standing Committee* also enhances access to justice for court users with disabilities by initiating and overseeing the removal of architectural barriers. This report highlights the *Standing Committee's* activities since the annual report to the National Consortium in March 2013.

Winding Down the 25th Annual Meeting and the Kick Off of the 2014 Meeting

The District of Columbia Courts extend its thanks to the National Consortium on Racial and Ethnic Fairness in the Courts (*National Consortium*) members who were able to participate in the 25th annual meeting, in Washington, DC. Based upon comments and the evaluations, the education program was well-received.

Following the 2013 annual meeting, the *National Consortium* selected the Heart Mountain Wyoming Foundation as the host of the 2014 annual meeting. The *Standing Committee* met with Shirley Ann Higuchi, Esq. to discuss its experience with planning the annual meeting and to provide support. In October 2013 the *Standing Committee* attended the kickoff reception for the 2014 annual meeting. The event was hosted by Ms. Higuchi's former firm, Epstein Becker Green, and she was recognized for her work with the Heart Mountain Wyoming Foundation.

D.C. Courts Strategic Plan Incorporates Access to Justice as a Key Priority

Under the D.C. Courts' 2013 – 2017 *Strategic Plan* the courts will ensure access to services for all by studying the feasibility of creating a public service center; establishing community based service centers, training court personnel to accommodate the unique needs of special populations, promoting access to legal services for litigants without attorneys, helping the public better understand court processes by using plain language, and ensuring language access.

Procedural Fairness for *Pro Se* Litigants

Last year we reported that the *Standing Committee* oversaw the production of a video that was used as a teaching tool in a judicial training. The video has several scenarios that frequently arise in court proceedings with *pro se* litigants. The video is now being used as part of the orientation for new judges and magistrate judges.

Court Workforce Profile and Affirmative Action Planning

The *Standing Committee* reviewed reports prepared by the Human Resources Division that analyzed the race, ethnicity, and gender of non-judicial staff of the D.C. Courts and collaborated with the development of programmatic objectives to ensure a diverse and fair workforce for the next three years. There were no areas where protected classes (or others) were significantly underutilized in the various job categories.

Language Access

The *Standing Committee* made recommendations aimed at improving the understandability of signage in the courthouse and on courtroom doors. Participation in language access outreach efforts continues.

The Coordinator of Interpretive Services was designated as the Language Access Coordinator and the person responsible for updating the D.C. Courts' Language Access Plan and ensuring that it meets the standards established by the U.S. Department of Justice. Language access is not new to the D.C. Courts. The first edition of the *Court Interpreter Manual for Judges and Court Interpreters* was published in 1986 and the Office of Court Interpretive Services was established in 1995. There were 9,024 interpretation events in the D.C. Courts in Fiscal Year 2013 involving 41 languages and 3,146 cases. The most frequently occurring languages other than English in the D.C. Courts, in order of frequency, are Spanish, American Sign Language (ASL), Amharic, French, Korean, Tigrinya, and Mandarin. There are 36 officially designated Bilingual (Spanish) positions in the trial court. The employees of the D.C. Courts speak at least 22 different languages.

Deaf Access Issues

The *Standing Committee* participated in the training, *The Cultural Misconceptions about Deaf People and the Challenges for the Courts*, which was developed and conducted by Carla Mathers, Esq. The presenter provided insight into Deaf Culture and focused on issues that arise when deaf participants appear before the court. For example, deaf people have different degrees of deafness hence the preferred form of communications among them falls along a spectrum. By way of another example, for deaf people whose first language is ASL, English is their second language and this influences their comprehension of written English as well as their ability to express themselves in writing.

Outreach to the African Immigrant Community

The *Standing Committee* continues to oversee the distribution of fact sheets and information brochures that have been translated to Amharic, Oromo, Tigrinya, French, Swahili, and Arabic. The Standing Committee has recommended making a priority the translation to Amharic and Tigrinya "short orders" such as the acknowledgement of paternity order form.

Implicit Bias Training

Judges and senior staff have participated in implicit bias training and training for mid-level managers and first line supervisors is being planned.

New Initiatives

The *Standing Committee* is exploring an effort to ensure that basic information about the DC Courts is available in "plain language." Another area of exploration is training for the courtroom deputy clerks so that they will know how to pronounce correctly the names of persons who are recent immigrants.