



DIVERSITY & INCLUSION REPORT

LANGUAGE ACCESS & ADA SERVICES

Annual Report
2021 Issue I

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Welcome

ARTHUR W. PEPIN

Director, NM Administrative Office of the Courts



The Language Access Services (LAS) program has again provided outstanding access to New Mexico courts in 2021. LAS continues to provide court interpreters in all languages at all levels of the New Mexico Judiciary. This includes providing interpreter services for jurors, which is a practice unique to New Mexico. In 2021, the pandemic accelerated use of video remote interpreting (VRI) by which interpreters provide services from home, or from a local courthouse, or from a different state to courts LAS has equipped to support VRI. LAS tracks the interpreters' work and makes payment through an electronic system customized by LAS for New Mexico. Swift adaptation by LAS to the unexpected, disruptive new dynamic imposed by the pandemic exemplifies the great work of the LAS program.

In many ways, LAS expanded court access during 2021. While LAS continued to provide interpreters for the deaf and hard of hearing through American Sign Language (ASL) interpreters, LAS also worked with the ASL community to produce a series of videos on a range of topics that greatly expand the accessibility of courts to deaf, hard of hearing, and New Mexicans with disabilities.

This year, the New Mexico Judicial Translation Project (NMJTPT) provided timely translation of domestic violence and domestic relations forms submitted to courts in languages other than English. In addition, NMJTPT translated self-help materials, videos, program manuals, signs and other written materials submitted to LAS by the courts.

This year also saw LAS extend the reach of court access by fostering Diversity and Inclusion in the courts through work on compliance with the Americans with Disabilities Act (ADA). Peggy Caldwell was hired as the first ADA Title II Coordinator. She is a certified ADA Coordinator. Ms. Caldwell has already surveyed the courts about ADA issues, implemented notices and forms relating to ADA rights and accommodations, and provided training across a variety of ADA issues. ADA also undertook an innovative pilot program to provide scribing services for self-represented litigants who are unable to read or complete forms due to disability, low literacy, or limited English proficiency. Collaborating with courts in Bernalillo, Curry, and Roosevelt counties, ADA works with community volunteers and interpreters to support access to the courts by these individuals. A grant from the State Justice Institute will help expand this program and ADA is working with courts to make the services accessible online. Ms. Caldwell is at the center of efforts to make New Mexico's courts inclusive and barrier-free to all people.



Swift adaptation by LAS to the unexpected, disruptive new dynamic imposed by the pandemic exemplifies the great work of the LAS program.

In 2021, LAS made the transition from the dynamic leadership of Paula Couselo-Findikoglu to Bernice Ramos, as Paula was promoted to be the Deputy Director of the Court Services Division at AOC. Ms. Ramos has a long history of court leadership accomplishments and is continuing the exceptional service provided by LAS to courts throughout New Mexico. Recently, the National Center for Access to Justice ranked the NM LAS program as #1 out of 52 programs (all states as well as Washington DC and Puerto Rico). The New Mexico LAS program is a national leader in providing access to courts through extensive language access services as well as innovative, groundbreaking initiatives.

- *Arthur W. Pepin*

Welcome

PAULA COUSELO-FINDIKOGLU

Deputy Director, Court Services Division



Looking back at my years in language access, I learned that the needs of people with limited English proficiency, low literacy and people with disabilities intertwine more than we think, and that a specific communication access service or technology -or their combination- can meet several needs in different populations.

The use of technology is vital these days and even more so now during Covid times. We strive to utilize technologies to make our services and training more effective, efficient and accessible. However, we also need to be cognizant of the digital divide in our state. Many New Mexicans do not have access to the internet or a computer, with large disparities across counties and income levels.

Moving forward is something our dedicated language access team continues to accomplish despite the multi-faceted challenges that this pandemic has posed on all of us and our families. Now more than ever, we need to be creative to continue to make our courts and programs accessible to all in a diversified manner because there is no easy one-size-fits-all solution. This translates into increased effort on our part and, sometimes, the need for additional resources.

We have the great fortune to be receiving technical assistance from the National Center for State Courts to further develop our scribing program. Scribing services allow individuals who are not able to read and write the English language (for a variety of reasons) to fill out forms and access court systems. I cannot thank enough the staff and leadership of the Ninth Judicial District Courts and the Self-Help Center in the Second Judicial District Court for their participation in our project, and for the work their staff do everyday to accommodate court users, as it has a direct impact on our communities.

With time the need to create a department that would address these overlapping needs of our communities in terms of language, disability and literacy became more and more apparent. We began 2021 with the creation of the Diversity and Inclusion Department, which covers Language Access and the ADA services. We continue to work collaboratively with our courts, community advocacy organizations, tribal members and language professionals to improve court access at all points of contact.

This year we welcome Bernice Ramos as the Senior Statewide Program Manager for Language Access. Bernice received the Distinguished Bar Service Non-Lawyer Award in 2021. She began her legal career in 1996 as a paralegal in Las Cruces. In 2001, she moved to the Judiciary where she served in several different capacities and committees. She became Court Manager of the Doña Ana Magistrate Court in 2008, and joined the AOC this past summer.

We also welcome Peggy Cadwell as the Statewide ADA Title II Coordinator. Peggy is a Certified Spanish Court Interpreter and ADA Coordinator. Peggy knows our community's diverse needs first hand, as she has been an interpreter for over 25 years. She joined the judiciary in 2001 and served as a Language Access Coordinator between 2011 and the summer of this year.

I hope this report gives you an insight into our programs and I remain grateful for the opportunity to serve our community.

- *Paula Couzelo-Findikoglu*



Now more than ever, we need to be creative to continue to make our courts and programs accessible to all in a diversified manner because there is no easy one-size-fits-all solution.

Welcome

BERNICE RAMOS

Senior Statewide Program Manager, Language Access Services



I joined the LAS Team in June 2021. Many of you may know me from my various roles over the last 21 years within the Judiciary. Outside of work, I enjoy spending time with my husband, our four children, and Abby, our bulldog.

During this past year NMAOC Language Access Services continued to lead the nation in innovative processes to serve the public, our judges and court staff. Our program continues to offer tuition-free Language Access Specialist Training and added 30 new Language Access Specialists in 2021. In addition to our Spanish, Navajo, Keres and Polish LASs, we now have an LAS certified in Thai.

We continue to use video remote interpreting for all hearings except jury trials or very complex cases. In March we implemented live streaming of Supreme Court oral arguments using Clara Connect. We are beginning to pilot our Clara Connect Video Remote Interpreting Application with the Doña Ana Magistrate Circuit Court in Anthony.

I am excited and honored to join such a dedicated and innovative group of professionals. I look forward to working with the courts and continuing the pioneering work that Paula Couselo-Findikoglu and the LAS Team have developed and implemented.

- *Bernice Ramos*

PEGGY CADWELL

Statewide ADA Title II Coordinator



This year I hung up my interpreter hat and took on the new responsibility of heading the Statewide ADA Title II Coordinator Office. The office serves as a resource for professional support to judges and staff. I am in the process of implementing a system that will help serve the courts through training; developing and implementing ADA policies; ensuring that courts have adequate access to current assistive technology, and building strong working relationships with the disability community and their commissions.

We have developed an ADA page on the Judiciary's website that contains our Notice of Rights, Grievance Procedure, and Request for Accommodations and

Complaint Forms in English and Spanish. We have started a series of training with the Southwest ADA Center, our local ADA affiliate, for all Judiciary employees that includes basic training on ADA Title II requirements and policies.

NMAOC was awarded a grant from the State Justice Institute that allowed us to receive technical assistance from the National Center for State Courts in order to develop online training modules and resources that will assist courts with recruiting volunteers and training both staff and volunteers to provide scribing services. The progress of this project is truly remarkable and it has allowed the Judiciary to expand access to a large pocket of our population.

All these achievements and more would not be possible without the unwavering support of the NMAOC Director, Artie Pepin, and NMAOC Deputy Director of Court Services, Paula Couselo-Findikoglu, whose efforts have been key to the success of this initiative. New Mexico is a leader in the national arena when it comes to access to justice. I am proud to be part of this endeavor and thank all Judiciary employees for all their hard work and assistance in making this a priority. I invite you to join our continued efforts and thank you in advance.

- *Peggy Cadwell*



Fun and free! Judicial employees can learn American Sign Language (ASL) during the lunch hour. Reach out to me for details.

Language Access Services

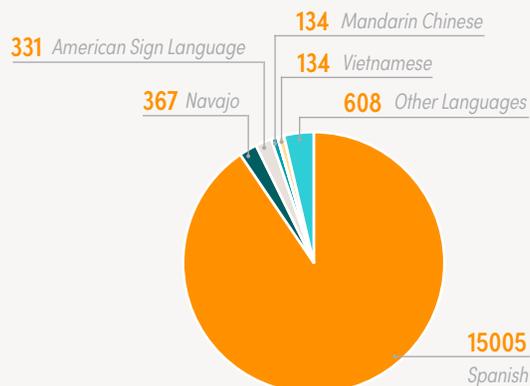
WHO WE ARE

Language Access Services (LAS), in the NM Administrative Office of the Courts, coordinates and funds court interpreting and other communication access services to ensure equal access to the state courts for people with Limited English Proficiency (LEP), as well as Deaf and hard of hearing individuals. The program recruits, trains, and qualifies courtroom interpreters, as well as bilingual court staff to provide services outside the courtroom. LAS also offers training for judges and court employees, extensive translation services, assistive listening devices, signage, and a wide range of technologies to support the NM State Courts.

WHOM WE SERVE

In Fiscal Year 2021, Language Access Services and the ADA program completed a total of 16,579 courtroom interpretation jobs. 90% of interpreter need was for Spanish, followed by Navajo and American Sign Language at approximately 2% each, and Vietnamese and Mandarin Chinese at around 1% each. In total, AOC provided interpretation in 59 different languages.

Total Number of Jobs per Language in Fiscal Year 21



To learn more about languages spoken by New Mexico residents, visit: <https://languageaccess.nmcourts.gov/language-data-for-new-mexico>

RECOGNITION FOR OUR PROGRAM

Number 1 in the Nation

It is with immense pride that we share with our readers that this year, **New Mexico was ranked #1 in the nation for language access in the justice system!**

In the 2020 Justice Index rankings by the National Center for Access to Justice (NCAJ), **New Mexico scored 89.31 out of 100 for its language access services and practices.** National Center for Access to Justice noted in its findings that "New Mexico pioneered the Language Access Specialist qualification, and has since helped spread the concept to other states."



<https://ncaj.org/state-rankings/2020/language-access>



CELEBRATING DIVERSITY, ADVANCING EQUALITY

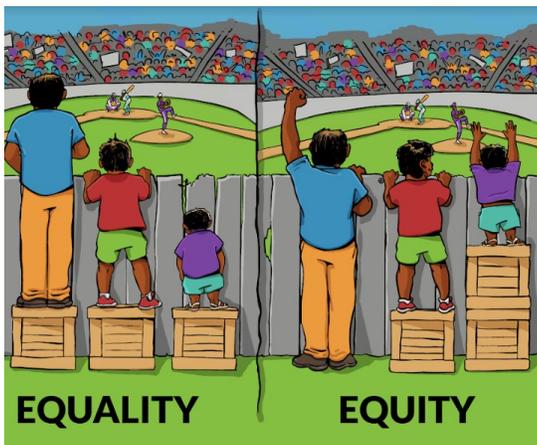
State Bar of New Mexico 2021 Annual Awards

The State Bar of New Mexico Annual Awards recognize those who have distinguished themselves or who have made exemplary contributions to the State Bar or legal profession in the past year.

AOC Language Access Services was a 2021 nominee for the Outstanding Legal Program Award, for its extraordinary work supporting access to justice throughout New Mexico by providing court interpreters in all languages at all levels and translation services to the New Mexico Judiciary.

New Statewide ADA Office

ABOUT THE ADA COORDINATOR OFFICE



The Statewide ADA Title II Coordinator Office was created in 2021 to serve as a resource of professional support to all courts, judges and staff. The ADA Office serves the courts by providing training; developing and implementing policies; ensuring that courts have access to current assistive technology; developing strong working relationships with the disability community and their commissions in New Mexico; ensuring all persons with disabilities receive full and equal access to the courts, its programs and activities; and overseeing courts' compliance with all ADA Title II requirements under the law.

Peggy Cadwell has served as the Statewide ADA Coordinator since June 2021. Peggy began her career with the courts in 1999 as a staff interpreter at the Bernalillo County Metropolitan Court, subsequently transitioning to AOC as a Language Access Coordinator. **We interviewed Peggy about her latest role:**

Q. What is your vision for the ADA program?

A. To bring New Mexico to the forefront of compliance and ensure that we create access for all court participants in the most integrated way possible. In terms of structural development: making sure we have in place procedures that will enable us to continue complying with the ADA. I look forward to developing educational opportunities and strengthening our knowledge of some of the disabilities in our community, and how they affect New Mexicans in their everyday lives.

Q. How is this work different from or similar to your work with Language Access Services?

They really intertwine, but the accommodations aspect of the ADA process requires more interaction with the party, to try to understand their specific needs in order to provide the accommodation that addresses the precise barriers they are facing. In that sense, the process is a little more in-depth.

Q. Why do you personally feel passionate about this area?

The courthouses belong to everyone in our communities and it is our responsibility to create the kind of access that makes New Mexicans' lives easier, especially at a time when they could be facing some really difficult issues in their lives. And also because the things that impact members of our community will affect the future of our state.

Q. Is there anything you'd like to add?

I want to emphasize that we're here to help, by building a uniform statewide structure that's going to impact everyone in a positive way. When you make efforts to create accessibility for one person it really creates accessibility for everyone, and that's something all of us might need someday.



Visit the new ADA webpage! <https://www.nmcourts.gov/americans-with-disabilities-ada>

The ADA Office created the following forms this year: Notice of Rights, Request for Accommodations, Grievance Procedure, and Complaint Form. The forms are available in English and Spanish on the ADA webpage. Additionally, these forms are being adapted to be court-specific, and posted on the District Court webpages. We would like to take this opportunity to recognize and thank all of the District and Metropolitan Court staff who have stepped up to be ADA Coordinators for their commitment.

In Fiscal Year 2021, American Sign Language (ASL) interpreters were used in the New Mexico courts a total of 331 times; remote CART (captioning) services were used 33 times; combined ASL/Spanish interpretation was needed on two occasions, and a Deaf Interpreter was needed on one occasion.



"The interpreter services provided to me as requested have been very beneficial and helpful in assisting me to still do my hearings as needed. I am very glad for the assistance, and Megan has done a great job in interpreting."

**- Arthur Bustos, Attorney at Law,
Las Vegas NM**

New Statewide ADA Office

LIVE-CHAT DEVICES

In an effort to lead the way in augmenting accessibility for Deaf and hard of hearing court users, AOC began piloting the use of live-chat UbiDuo devices in our courts in 2019, and in 2020 provided 11 additional courts with the UbiDuo. 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. During the pandemic in 2020 and 2021, the Doña Ana Magistrate Court put this equipment to use in another way.

The Court made the UbiDuo available for use by the Defense Attorney and his/her client, which allowed them to communicate and keep their communication confidential, all while maintaining the six foot distance.

UbiDuo units are available for those courts who would like one! Contact Peggy Cadwell at: ADA@nmcourts.gov.



"We received our UbiDuo in October and are excited to use it to communicate with our Deaf, hard of hearing, and non-verbal customers. Our Center for Self-Help and Dispute Resolution here at the Second is committed to ensuring that all members of the public receive quality assistance, and the UbiDuo will help us do just that."

- Aja Brooks, Director, Center for Self-Help and Dispute Resolution, Second Judicial District Court

SCRIBING PROGRAM

Thanks to a grant from the State Justice Institute, AOC has been able to start expanding our scribing program beyond the initial pilot sites of the Ninth Judicial District Court in Clovis/Portales and the Second Judicial District Court in Albuquerque. Under the scribing program, court staff and volunteers read and scribe for Self Represented Litigants (SRLs) who are unable to complete forms due to disability, illiteracy or Limited English Proficiency. Currently, these services are being provided via a remote platform.

The grant funding has allowed AOC (with Peggy Cadwell spearheading the initiative) to secure technical assistance from the National Center for State Courts to expand the initiative. NCSC is producing online training modules, as well as volunteer recruitment literature. Further, NCSC is developing multilingual communication materials for SRLs, in accessible audio, video, and online formats. The work of Jacquie Ring and Danielle Reier has proven crucial in advancing this project. Their continued dedication and commitment to the project has made a remarkable difference that, without a doubt, will have a lasting positive impact on how we continue to provide scribing services in the future.

"The Language Access Services Section of the National Center for State Courts (NCSC) is thrilled to support the NM AOC in its efforts to expand its scribing program. Completing court forms can be an intimidating and stressful experience and can be especially challenging for court users with limited English proficiency, low literacy, or cognitive impairments. New Mexico's scribing program is a truly innovative initiative to assist such self-represented court users with the help they need in filling out court forms. NCSC is excited to contribute to the growth of this program through recruitment, training, and community outreach efforts that will help to ensure that interested courts across the state can launch scribing programs and that individuals in need will know about the scribing services available."

- Jacquie Ring and Danielle Reier, Language Access Services Section, NCSC

New Statewide ADA Office

ADA TRAININGS

New Judges Training

This year we began a new educational journey. We started by sponsoring a training for new judges: *The Americans with Disabilities Act in the Courtroom*, led by Professor Bruce Adelson from Federal Compliance Consulting LLC. Professor Adelson is a former U.S. Department of Justice Senior Trial Attorney. He is a faculty member in the Department of Family Medicine at Georgetown University School of Medicine, where he teaches organizational culture, implicit bias, civil rights and cultural awareness. Professor Adelson has also taught at Harvard University, Cornell University, Auburn University, The Johns Hopkins University School of Public Health, and University of Baltimore School of Law. The session was an interactive discussion of real life cases from courtrooms around the country and covered a variety of topics for judges, including: ADA Basics; current legal cases; ADA best practice approaches; disability awareness; state and local government obligations; Video Remote Interpreting, and requirements under federal law.

Judicial Employee Training

We have also launched a series of basic training in partnership with the Southwest ADA center, titled *The Judiciary and the ADA: Disability Relevance in the Court System*. Open to all staff and judges, the series is designed to ensure that the judicial system institutes best practices that comply with the Americans with Disabilities Act for court users with disabilities in all aspects of court activities and programs. The training series covered the ADA Title II state and local program access requirements and how compliance will eliminate stigma and discrimination toward individuals with disabilities, leading to fair and equal access to the court system. The following topics were part of this series that ran from September to November 2021:

- ADA and the Courts – Brief Overview of Title II State and Local Government Requirements
- The Court and ADA Policy Modifications/Accommodations
- The Court and ADA Effective Communication
- The ADA and Service Animals

American Sign Language (ASL) Trainings

We were thrilled to be able to bring back Carla Mathers once again this year, for a free virtual seminar. Ms. Mathers is a Washington, D.C.-based interpreter and attorney who is nationally eminent in the area of American Sign Language in the legal system. *Foundations of ASL Court Interpreting* took place September 17-19, 2021 and was attended by around 25 New Mexico ASL certified hearing interpreters and Deaf Interpreters.

Language Access and ADA Coordinators participated in an ASL training with Kim Corwin in September. Mr. Corwin is a certified ASL interpreter who holds a RID IC/TC and CT, CI certification. He interprets in the courts, and has worked with Albuquerque Public Schools as a coordinator and interpreter. The session helped participants understand the perspective of the ASL consumer in our courts, how to better serve their needs, and the different forms of accommodations available.

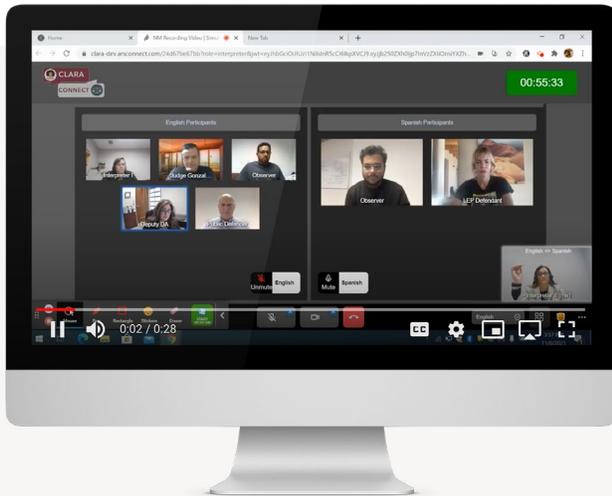
Our very popular ASL classes for staff were held again this year, taught by Megan Goldberg and Nixo Lanning. We had two separate five week sessions: one starting in June and one in September. The interactive online classes are a way to teach the basics of ASL to court staff, and to educate them about Deaf culture.



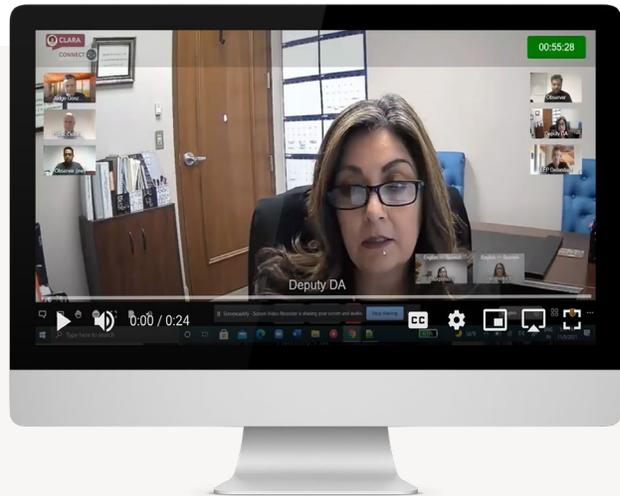
Mathers training

Clara Connect & Kiosks

Remote Interpreting through Clara Connect



Interpreter View



LEP View

Clara Connect is a video conferencing and interpreting custom application developed by AOC Language Access Services. This web-based video conferencing and simultaneous interpreting platform is currently being piloted in the Third Judicial District, Doña Ana Magistrate Court-Anthony Circuit Court, with plans to expand to the entire Judiciary. This platform improves the capability for video remote interpreting for all courts, with the ability to utilize both simultaneous and consecutive interpretation. During the pandemic, Clara Connect has been used to livestream Supreme Court hearings.

Clara Self-Service Court Kiosks Keep Getting Smarter and Smarter

2021 was a break-out year for the NM Judiciary Clara Self-Service Kiosk pilot program. The first of these kiosks was launched at the start of 2020 at the Santa Fe First Judicial District Court. The onset of the pandemic posed a significant challenge, as the courts had to accommodate the need for social distancing, mask wearing and remote services. The Language Access team worked with Advanced Robot Solutions to adjust the kiosk platform accordingly.

At the start of 2021, much court activity was happening remotely because of COVID-19. As the year progressed, courthouse traffic started to increase. Taos and Roswell District Courts joined the Clara kiosk pilot. Courthouse visitors talk with Clara and touch the kiosk screen to find their way in the courthouse, look up and find the courtroom for their hearing, ask Clara questions regarding self-represented litigation, find necessary court forms, and other functions.



Language Access Services works collaboratively with the Help Desk staff in Taos to tailor the kiosk to the court's specific needs to serve their community. The court received the 2021 Pro Bono Committee Award for the outstanding service their Help Desk provides to self-represented litigants. They expanded the hours of service, and adapted to COVID-19 challenges and the barriers of a remote and rural area by offering telephonic and virtual Legal Fairs, Family Law Clinics and Pro Bono Consultations.

Clara Connect & Kiosks

NEW CENTRALIZED KIOSK DASHBOARD

For the kiosk to properly connect via the telepresence module, there needs to be a way for the kiosk to know who to connect to, and if that person is not available, move onto and find the next available court staff to help the court visitor. So this year, we built the Clara Connect centralized dashboard, which connects all the deployed kiosks to NM Judiciary staff statewide, so as to provide optimal service.



Clara Will Soon Be Speaking Spanish

One of the big value propositions of the Clara self-service kiosk is its ability to communicate and speak in multiple languages. As part of the Clara kiosk deployment, the platform is first built in English. Once the platform is deployed in the courts as it is now, final modifications are made to the English platform based on user feedback. As there are now kiosks in courts, and people are going to courts, the platform is now being translated to Spanish. For Spanish speaking kiosk users, the text on the screen will be in Spanish, and everything Clara says to the court visitor will be said in Spanish.

There's Power in Data

A big part of this new kiosk master dashboard is the data analytics module. Everything that is said to Clara and the kiosk, and every touch of the kiosk during a user session, is recorded. This information is a powerful tool that helps Language Access Services to continually improve the court visitor's experience. By knowing what questions are asked, when they are asked, and how they are asked, we can make adjustments to the kiosk's user interface, as well as within the court.

Progressing in Leaps and Bounds!

2021 was the year of furthering the kiosk build-out, deploying it in its first courts and getting valuable user feedback. We are engaged in an interactive collaborative process with the courts to ensure each kiosk meets each court's localized, specific needs. The goal is that when court visitors start coming back to court at pre-pandemic levels, Clara kiosks will be ready to serve in a smart, friendly and helpful way, better serving visitors and assisting court staff at the same time.



Translation News

Thanks and Best Wishes to Weldon Neff



The NM Judicial Translation Project Team (NMJTPT) is a statewide group that has been working on policy issues around written translation, with the goal of expanding translation services in New Mexico courts, since 2013. It is thanks to the efforts of the NMJTPT that Domestic Violence and Domestic Relations forms are available in bilingual format and that victims of domestic violence can complete these vital forms in their own language. Weldon Neff, CEO of the Eleventh Judicial District Court, has served as NMJTPT Chair since day one. Weldon will be retiring in 2022, and we would like to take this opportunity to thank him for his outstanding commitment and to honor his impactful work.

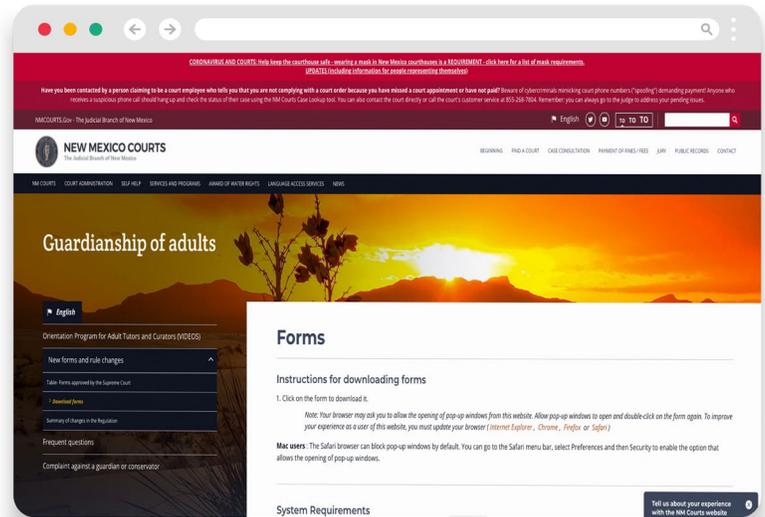
Just Launched! Spanish Adult Guardianship and Conservatorship Forms

Adult Guardianship and Conservatorship cases involve adults who have been adjudicated as incapacitated. Often, family members are appointed to serve as a Guardian or Conservator for the protected person. Guardians and Conservators are required by law to submit reports to the court, and protected persons have the right to file grievances. The new forms – which are now available in Spanish and may be completed in languages other than English – will improve LEP parties' ability to comply with their legal obligations and will help protect their rights.

 The forms can be accessed at:
<https://adultguardianship.nmcourts.gov/formularios>

LAS also assisted the AOC Adult Guardianship Attorney, Patricia Galindo, with English captioning and Spanish translation of the excellent series of in-depth videos she produced this year. Check out the Adult Guardian and Conservator Orientation Program videos at:

 <https://adultguardianship.nmcourts.gov/informational-training-videos>



Welcome, New Translators!

AOC LAS was excited to bring onboard a new translation vendor in October 2021. Prisma International were selected for their capacity to expand our offerings in languages other than Spanish, create transcriptions and dubbings of video/audio, and deliver rapid turnaround times as our program continues to grow. Translation needs in the New Mexico courts have increased exponentially in recent years, as have our efforts to produce accessible media as an alternative to written documents.



"The Prisma team is very excited for the opportunity to build on the great work that the NM AOC Language Access Services team has already put in place. New Mexico's LAS is nationally recognized as the leader in language access and awareness, and we believe that together we can take it even further. It's particularly exciting to be working with a team that embraces technology and tools as a way to make LAS's services faster, better and easier for the people of New Mexico."

- James Romano, CEO & Taylor Weeden, Project Manager, Prisma

 Friendly reminder for court staff! The address of the portal for uploading your requests for written translations is now lex.prisma.com

LEP Jurors

Reflecting the Diversity of Our Communities

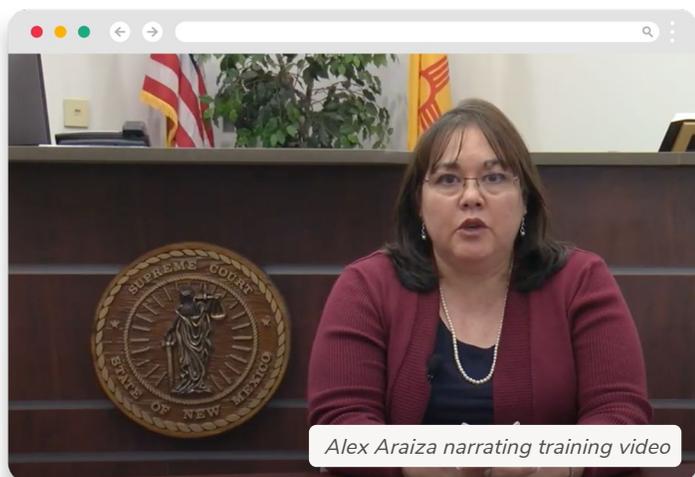
New Mexico is unique among all states in having a constitutional provision that guarantees the right of LEP individuals to serve on juries, and it is a tradition of which we are extremely proud. In the words of recently retired Supreme Court Justice Edward Chávez:

“Our state’s commitment to permitting non-English-speaking citizens to serve on juries dates back to the early territorial days. In 1881 the Territorial Supreme Court noted that for over twenty years, juries in New Mexico had both Spanish- and English-speaking members. In fact, during that time the population of Spanish-speaking citizens in New Mexico was very large, ‘and in certain counties the English speaking citizens possessing the qualifications of jurors, can be counted by tens instead of hundreds.’

The common law practice of allowing non-English-speaking citizens to serve on juries became a state constitutional right when the New Mexico Constitution was adopted on January 21, 1911. The right to sit upon a jury was included with the right to vote and to hold public office.

Juries should truly reflect the diversity of our communities. A person who is not proficient with the English language can be sued, can sue, can be the victim of a crime and can be accused of a crime. Citizens have a community responsibility to further our free society by promoting safety and security in our country, but they also have a responsibility to free an accused when the evidence presented at trial does not support a guilty verdict beyond a reasonable doubt. All adult citizens should participate, because above all, justice requires an unapologetic and undaunted courage to exercise one’s moral genius. All people, no matter their station in life or their ability to speak and understand the English language, have that moral genius.”

As part of AOC’s commitment to ensuring LEP jurors can serve, we provide specialized training for our court interpreters. This year, AOC Coordinators Alex Araiza and Anabel Vela created a series of professionally-recorded training videos with standards of practice for working with LEP jurors.



The training is broken into six modules addressing all aspects of the trial:

- 1 Interpreters Are Officers of the Court
- 2 Video Remote Interpreting
- 3 Interpreter Equipment
- 4 Team Interpreting
- 5 Jury Deliberations
- 6 How to Handle Audio, Video and Written Material



The series is available to all interpreters who work with LEP jurors in jury trials at the following URL:
nmcenterforlanguageaccess.org/cms/en/training/interpreter-lep-jury-trial-training

LEP Jurors (cont.) & High School Program

JUROR INTERVIEW



Cristina Aguirre of Anthony, NM served on a Grand Jury in Las Cruces for three months in 2021. Cristina's first language is Spanish, and AOC Coordinators Alex Araiza and Anabel Vela interviewed her for this report regarding her experience as an LEP juror. The interview is translated from the original Spanish.

Alex: Can you please start by telling me about when you came in?

Cristina: Look, when I came in to jury, when they told me I was going to stay for Grand Jury, I was very scared. Because I understand a little bit of English, but when it's about me trying to communicate, I forget everything and everything gets mixed up, and I knew it was very, very important to be a member of the jury and that people were depending on that decision.

So I didn't feel so sure about being there. When they assigned someone to interpret for me, and when I see them and they're so reliable, then I felt really, really secure when I came here. Every time I came into the jury room and my interpreter was already there, I felt very calm. And I felt reassured that I could participate and I knew they were telling me everything the way things were, and I understood them with such clearness that I was very, very comfortable, very happy. I can't thank you enough for the way I was helped all that time because it was several months and they never missed: they were always there. I would get there and I felt like my heart was relieved when I would see them.

Anabel: So this helped you to enjoy the experience, to make it a positive experience?

Cristina: Exactly, exactly, because at first I felt so scared, but afterwards I would enjoy being there. It was something that was a beautiful experience for me.

Alex: Did you feel included in the group?

Cristina: Yes, I felt part of the group, as a matter of fact it was like... everything that was being said they were always interpreting at the same time, so I felt very, very comfortable.

Anabel: Aside from feeling comfortable with the interpreters, how did the group make you feel?

Cristina: I always felt accepted, because the decision of everybody was always important. And the fact of being able to participate, each one of us, I felt that it was important that I participate also.

HIGH SCHOOL EDUCATIONAL PROGRAM

This year, Supreme Court Justice David K. Thomson spearheaded an interactive educational program for New Mexico high school students on the role of the judicial system in our democracy. On March 3, 2021, students from throughout the state were invited to attend live oral arguments before the Supreme Court. The hearing was conducted via livestream due to COVID restrictions, and the livestream was archived to allow teachers to incorporate it into their class schedules.

AOC LAS was honored to be able to contribute to this initiative by rendering it accessible to Spanish-speaking students. LAS provided Spanish simultaneous interpretation of the oral arguments and translation of related documents. Huge thanks to Coordinators Freda Valdez and Peggy Cadwell for recording this tricky piece of simultaneous interpretation!



Freda Valdez interpreting SC hearing

Freda and Peggy also provided consecutive interpreting for a Question & Answer session with Justice Thomson at El Camino Real High School, which allowed Spanish-speaking students to have equal participation in the event.



The Spanish recording and student materials may be found at: <https://supremecourt.nmcourts.gov/inicio/state-v-adams>

Language Access Specialists

LAS GROWTH CONTINUES

Language Access Specialists (LASs) are a category of employee specifically created by the New Mexico Judiciary to ensure the delivery of meaningful language access services in out-of-courtroom settings.

Congratulations to the 30 new LASs who became certified this year! This brings the total number of LASs in New Mexico to 140 individuals, working in five different languages.



New Mexico's LAS program has won awards in the past and was lauded in this year's Justice Index published by the National Center for Access to Justice: "New Mexico pioneered the Language Access Specialist qualification, and has since helped spread the concept to other states." This year, our counterparts in both Maryland and Pennsylvania reached out to us on the topic, and we were delighted to deliver presentations to their staff on how to build a successful Language Access Specialist program.

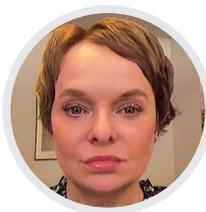
The Annual LAS Symposium was held on October 22, 2021. For the second year in a row, the Symposium was held remotely. Participants reported that they liked this format because it gave them the opportunity to attend, without needing to travel. Each webinar had between 14 to 30 attendees. This year's webinars included a session with AOC Coordinator Laura Chávez, who provided participants with tips on how to increase their terminology, including resources. The second session was with AOC Coordinator Fabiola Tortajada, who taught attendees new criminal law terminology and provided them with glossaries. The third session, *Ethical Dilemmas with AOC Statewide Coordinator Margarita Araiza-Johnston*, examined different scenarios that could occur and appropriate responses. The final webinar of the Symposium, *The Brief Basics of ADA Title II - Providing Quality Services to Customers with Disabilities with Julie Ballinger*, was informative and educational.

LANGUAGES OTHER THAN SPANISH

In this year's report, we are shining a spotlight on the contributions and cultures of our LASs who speak languages other than Spanish.

My role as a LAS fills a critical need to address instances where there can be a disconnect in communication caused by a language barrier. As a Native Keres speaker from Kewa Pueblo, I can assist other Keres speakers who have questions about an already confusing and often intimidating legal system. There are six or seven Keres speaking tribes within the State of New Mexico and as an LAS, I can interpret judicial procedures or questions for individuals whose primary or preferred language is not English. A majority of the LAS participants are Spanish speakers. I enjoy and respect all languages and I hope this program continues.

- **Zelda Abeita**, NM Supreme Court



I believe that the Language Access Program is an essential part of equal access to justice for all. I really appreciate the fact that the NM Judiciary is able to provide this service to individuals who need help with languages other than Spanish. As a native Polish speaker, I was able to serve those needing translation and interpretation in Polish from different parts of New Mexico. I was not surprised

that eventually this language is needed, as immigrants from Poland are present all over the world, including New Mexico.

I think Polish cuisine might be the most recognizable part of my culture here, especially pierogies or bigos (hunter's stew) which (before COVID-19) I would bring for our building's Holiday Potluck.

- **Agnes Szuber Wozniak**, NM Supreme Court



As a certified LAS in the Navajo language, I am fortunate to assist Navajo speaking parties outside the courtroom. Customers are appreciative that District Court has a Navajo speaking LAS to assist them so they do not have to rely on family members to interpret for them.

Most recently, I assisted a Navajo couple in reviewing their will they are preparing so that the family will be prepared for the future. The couple felt confident that their will is to their satisfaction and understanding and that their final wishes are exactly as written. I am thankful for the opportunity from the District Court and the AOC to be able to become a certified LAS and continue my yearly educational trainings to maintain my certification. I know the Navajo speaking customers appreciate the services available to them from the court.

- **Charlene Henry**, Eleventh Judicial District Court

AOC is also delighted to announce that we were able to certify a **Thai-speaking LAS** around time of going to press! **Suteera Baker** is based at the Third Judicial District Court in Las Cruces.

Staff News & Interpreter Tributes

WELCOME, NEW COORDINATORS!

AOC LAS was able to expand our team of Language Access Coordinators in 2021, creating two additional positions. **Laura Chávez** coordinates interpreter requests for the courts in Roswell, Artesia and Carlsbad; **Pedro Chavez** serves as Coordinator for the Seventh and Eleventh Judicial Districts.



Laura Chávez

I obtained my state interpreter certification in 2010. Before joining the AOC as a Language Access Coordinator I clerked in federal and state courts, was a contract interpreter in New Mexico and Michigan, and served as a staff interpreter at Bernalillo County Metropolitan Court. Throughout the years since my certification, it has

been my pleasure to work with colleagues from across the state and benefit from the knowledge that so many of them have been willing to share with me.

I am grateful for this new opportunity to continue to serve the Judiciary in this new role as our program continues to grow, and to grow and explore innovative approaches to providing language access for all.



Pedro Chavez

Pedro graduated from the University of New Mexico with a Bachelor's degree in Spanish and Criminology in 2014. Before starting his interpreting career, he was a legal assistant for a small law firm in Albuquerque. He began his interpreting career in 2017 as a Justice System Interpreter and earned his state certification in the fall of 2019. Pedro worked as

a freelance interpreter for almost four years until his recent hire (summer of 2021) as a Language Access Coordinator with the Language Access Services team.

"I am very grateful for this opportunity and also very excited to be a part of this great team. The support provided by this group is amazing and I look forward to improving in my career and to providing these vital services to our community".

INTERPRETER SPOTLIGHT



The LAS team extends sincere thanks to each and every one of the interpreters working throughout the New Mexico courts. This year we are featuring a Justice System Interpreter, Alfonso Gustave, who is based in Las Cruces and works all over the state.

"When I began interpreting in 2005, I did not know that interpreting was something that could be done as a profession. I was working at an Outback Steakhouse, and I was the only line cook who could communicate effectively between the Spanish-speaking staff and the English-speaking managers. It was one of my restaurant managers who informed me that interpreting was a viable career option.

In 2009, I started college and I graduated Summa Cum Laude with a degree in Spanish from The University of Texas at El Paso. The most important information I learned there was from my interpreting professor, Carolina Duran. She taught the class how important it is for a legal interpreter to be as faithful as possible to the original message, including mistakes, pauses, mood, and hesitations.

After my education I began working at an interpreting call center called Cyracom and I enrolled in the Justice System Interpreter Program. With time and practice, I found that I was able to keep up with fast speakers, I could handle longer utterances, and most importantly, I learned to stay calm and focused when the parties on the line were getting angry with each other. With a little bit of time and practice, I was ranked the number one interpreter in a call center of approximately 150 interpreters.

The JSI program was essential for me as well. I do not think I could have succeeded without having completed the JSI Program. I am positive that my success as an interpreter is a direct result of combining the skills that I learned at Cyracom with the practical legal knowledge I acquired in the JSI program.

I am very happy to be in the place where I am now because when I started interpreting, I had a job where I would interpret instructions between managers and employees; now I have a profession where I facilitate communication between court personnel and Spanish speakers. This is of the utmost importance, as justice cannot truly happen when someone in a legal proceeding is unable to understand what is being said."

- Alfonso Gustave

Interpreter Tributes (cont.)

ALFONSO TRIBUTES FROM COORDINATORS

I have known Alfonso Gustave since the start of his Court Interpreting career back in July of 2017 when he enrolled in the Justice System Interpreting Certificate Program. Mr. Gustave completed the program in January of 2018. Since then, I have had the pleasure of guiding him through the certification process to include the written and oral exams while acting in my capacity as the examination administrator. Since then, Mr. Gustave has been actively interpreting in the courts with great professionalism and a sense of urgency.

- **Joshua Kahawai**, Program Manager

Alfonso Gustave has come in as a JSI and hit the ground running. This man is going to make a wonderful certified interpreter. He has been working hard on accepting job assignments to improve his skills. I look forward to working with him for years to come.

- **Janie Hernandez**, SE Region Coordinator

Alfonso is quick to reply to requests and checks in and out for every assignment, as he is supposed to. I appreciate his hard work and look forward to continuing working with him and getting to know him.

- **Eileen Spoonhoward**, NE Region Coordinator

Alfonso Gustave is an exemplary model for the type of interpreter that the Language Access program has worked to develop for our state courts. Currently Alfonso is a JSI, who works in many if not all of our regions and is praised by judges and staff for his professional demeanor. Alfonso is a pleasure to work with and never shies away from a task, which is evidenced by his willingness to help out on a moment's notice.

- **Laura Chávez**, Roswell, Artesia & Carlsbad Coordinator

I have worked with Alfonso for a little over a year, and from the beginning I was impressed by his professionalism. When I assign a job to Alfonso, I know I do not have to worry about anything. He is punctual, attentive, and very professional while on assignments. He has the sense of urgency needed to juggle working in the courts as an interpreter. I have received feedback from judges who had nothing but very impressive things to say about Alfonso and what a pleasure it was having him interpret. I can always count on him to deliver. We are lucky to have someone like him.

- **Freda Valdez**, Thirteenth Judicial District Coordinator

Alfonso is always a pleasure to work with. He is professionalism personified. His communication skills are superb. He always ensures that the client's needs are met and that he is doing the best job that he can.

- **Margarita Araiza-Johnston**, Statewide Language Access Services Coordinator

I've known Alfonso Gustave for many years; he has always strived to become a better professional. He has always shown team spirit, ready to lend a hand when it's needed. He is respectful and very pleasant to work with.

- **Fabiola Tortajada**, Twelfth Judicial District Coordinator

Whenever I have contacted Alfonso for an assignment, it has been a very pleasant experience. Alfonso is very professional and courteous; he is also very receptive when being called at the last minute. This makes things so much easier when coordinating.

- **Anabel Vela**, Third Judicial District Court Coordinator

IN MEMORIAM: INTERPRETER PHILIP HUTSELL



Mr. Phil Hutsell was a wonderful, wonderful man. He was a kind man. When I first met him he was living in Roswell, and I worked with him for many years when I was with Judge Clingman's office. He was always prompt and professional.

He truly was a gentleman... a very professional gentleman. This profession lost a very good interpreter. This man truly went the extra mile.

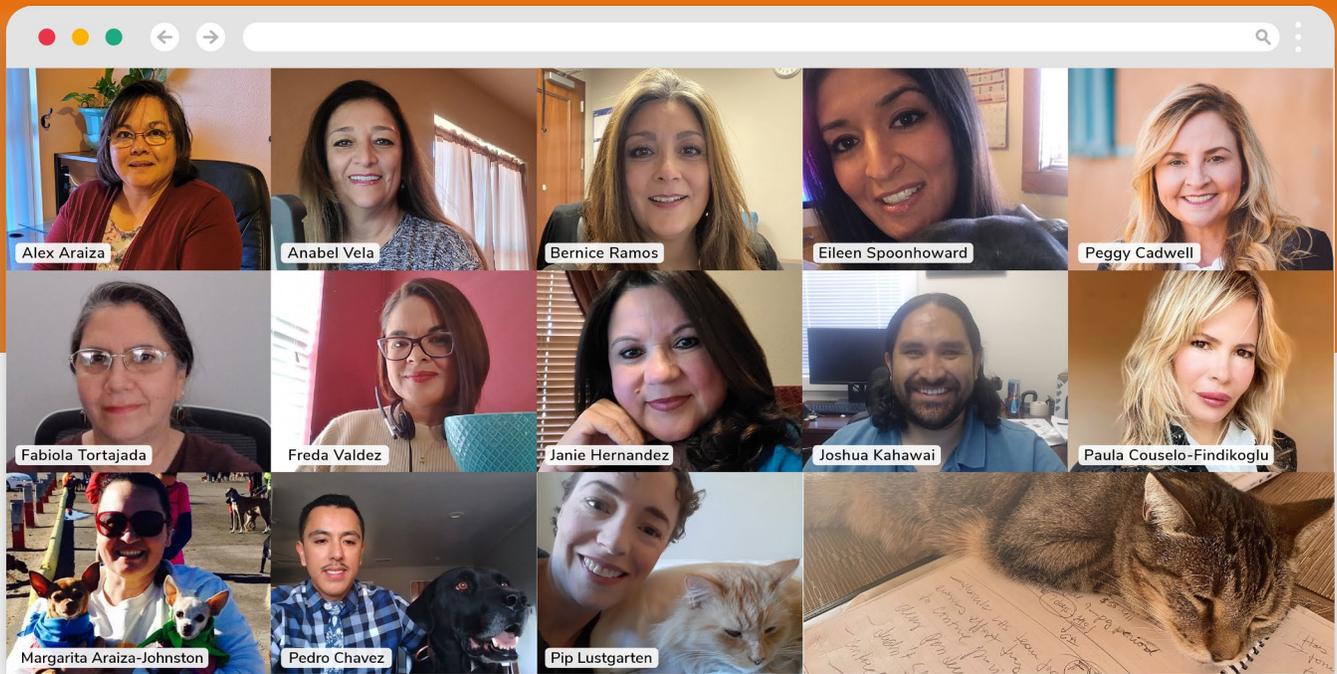
- **Janie Hernandez**, SE Region Coordinator

Phil blessed so many people with his skill and kindness. I had the great privilege of meeting him many years ago; he was one of our first NMCLA graduates! He always showed great professionalism, thoughtfulness and kindness.

Praying that his family will find comfort in their memories of him and in the knowledge that others will miss him too.

- **Paula Couselo-Findikoglu**, Deputy Director, Court Services Division

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<https://languageaccess.nmcourts.gov>



<https://nmcenterforlanguageaccess.org>



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