



DIVERSITY & INCLUSION REPORT

LANGUAGE ACCESS & ADA SERVICES

Annual Report
2022 Issue II

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ARTHUR W. PEPIN

Director, NM Administrative Office of the Courts



The year 2022 saw Diversity and Inclusion become a new department within the Court Services Division, with ADA Services added to the Division's ongoing excellent work in Language Access Services (LAS), which has been one of the AOC's most active and successful efforts.

To increase the pool of interpreter candidates, LAS now provides full scholarships for those seeking certification training. LAS also has taken a robust approach to interpreter outreach: Deputy Director Paula Couselo was the guest speaker at the naturalization ceremony of 123 new citizens from 30 countries in October. Additionally, LAS made a presentation about court interpreting to 206 students at the Tierra Encantada School in Santa Fe and is working with the school to build this into their curriculum and create an internship. LAS also provides continuing education and training for Language Access Specialists, who are court employees certified to communicate with customers in Spanish.

ADA Services has become an area of robust growth under the guidance of ADA Coordinator Peggy Cadwell. During 2022, ADA Services developed the first Statewide ADA Report and Strategic Plan and went live with the ADA web page and avatar on the Judiciary website.

ADA Services works with courts to provide accommodations for qualifying individuals with disabilities. Evidence of the success of these efforts is the Supreme Court's recent order requiring all districts to add scribing services as soon as ADA Services can train court personnel to assist in the completion of forms.

I encourage everyone to read this excellent report and know that the Diversity and Inclusion Department of Court Services has a focused dedication to improving court access for the entire New Mexico community.

- *Arthur W. Pepin*

PAULA COUSELO-FINDIKOGLU

Deputy Director, Court Services Division



The Diversity and Inclusion Department turned one this summer. As you will read in this report, our Department has launched several new initiatives that aim to include and represent the diverse communities across our state to advance equal access for all.

This year, I had the great fortune to participate in the inaugural Diversity, Equity and Inclusion national convening presented by the Blueprint for Racial Justice, National Center for State Courts. As I was traveling back from the conference reflecting on the sessions, I kept thinking about my journey as an immigrant woman. And a few memories of my childhood in Argentina crossed my mind, but one that stuck with me was the evening when my parents took me to Plaza de Mayo to celebrate the return of democracy to Argentina. The crowds covered every inch of the Plaza chanting with tears in their eyes. At the time little did I know that when I moved to the US many years later, I would get to put the education and experience I had gained in Argentina to use in public service, and that I would find in the work that I do in access to justice in NM, the truest expression of myself.

But the true strength of our Department lies in our team's incredible talent and resilience, its shared values of service and social justice, and their commitment to walking untraveled paths, for as George Dei said: "Inclusion is not bringing people into what already exists; it is making a new space, a better space for everyone."

- *Paula Couselo-Findikoglu*

Welcome

BERNICE RAMOS

Senior Statewide Program Manager, Language Access Services



NMAOC Language Access Services (LAS) continues to work diligently to serve the needs of the New Mexico Judiciary. As the courts began to hold more in-person hearings, LAS filled approximately 2,000 more interpreter jobs than last year.

Recruitment of interpreters remains at the top of our priority list, to keep up with the demand for services. LAS now offers free tuition for our Justice System Interpreter program, as well as increased hands-on training to prepare for the examinations. We offer free monthly trainings to our interpreters to assist them in remaining compliant with CEUs. We are also entering our fourth year of providing tuition-free Language Access Specialist

training for our bilingual judicial employees.

We welcomed Freda Valdez as the new Statewide Language Access Services Coordinator. LAS Program Manager. Joshua Kahawai was invited to present at the Judiciary Interpreters and Translators Conference held in Florida, and several members of our team attended the Ecourts conference in Nevada.

You will read about our many other projects throughout this report. Some highlights included resuming our annual Language Access Plan meetings with the courts and working with the Supreme Court's civic education program to provide livestreaming and interpretation services in English, Spanish, and ASL. I am honored to work with such a dedicated and dynamic team who works tirelessly to ensure the LEP population who have contact with the NM Judiciary receive equal access to justice.

- *Bernice Ramos*

PEGGY CADWELL

Statewide ADA Title II Coordinator



I can't help but feel enormously proud of the amount and quality of work that has been accomplished by the Office of the Statewide ADA Title II Coordinator this year. We have created an extensive library of training and resources that remain available to all employees on our Language Access YouTube channel. We have strengthened our relationships with the agencies that represent people with disabilities in New Mexico. We have begun to implement localized ADA plans in New Mexico's judicial districts, along with designating an ADA Coordinator for every district. We have been able to provide accommodations for so many, including Scribing services, Braille, Transliteration, ASL interpretation and CART services.

This year also saw the culmination of years of work on the Scribing program. I believe the positive impact of the program is already being felt: not only by those who are in need of Scribing services to advance their cases in court, but by every employee who is able to provide this much needed assistance. I would like to recognize the employees at the Second and Ninth Judicial Districts, and the volunteers whose enthusiasm for this work is simply contagious. I would also like to thank our Supreme Court Justices for their unwavering support of this initiative. Our Justices truly believe in the importance of making our courts' programs, services and activities accessible to New Mexicans. It is a pleasure to work with a Supreme Court that understands and works towards advancing ADA initiatives.

I would also like to thank our AOC Director Artie Pepin, and Deputy Director of Court Services Paula Couselo-Findikoglu for their continued commitment to making the judiciary a better, more accessible space.

- *Peggy Cadwell*

About Our Programs

DIVERSITY AND INCLUSION DEPARTMENT

The needs of people with Limited English Proficiency, low literacy and disabilities often intertwine. With time, the need to create a department that would address these overlapping needs in our community became increasingly apparent. With this in mind, the Diversity and Inclusion Department was created in the Administrative Office of the Courts in 2021. The Department encompasses Language Access and ADA Services and accommodates individuals with varying needs.

The Diversity and Inclusion Department strives to make the New Mexico State Courts and programs accessible to all in a diversified manner because there is no easy, one-size-fits-all solution.



"Inclusion is not bringing people into what already exists; it is making a new space, a better space for everyone."

- George Dei

LANGUAGE ACCESS SERVICES

Language Access Services (LAS) 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 New Mexico State Courts.



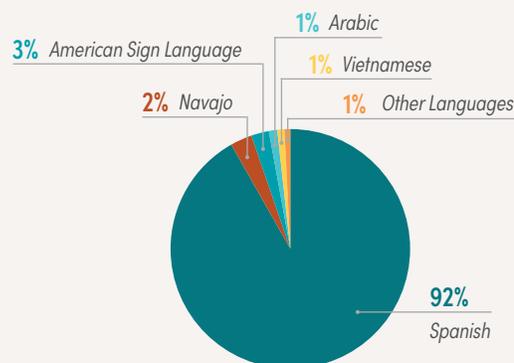
New Mexico's Language Access Services program is a recognized national leader, **ranked #1 in the nation** in the 2020 Justice Index rankings published by the National Center for Access to Justice.

STATEWIDE ADA TITLE II COORDINATOR OFFICE

The Americans with Disabilities Act (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 and their programs and activities; and overseeing courts' compliance with all ADA Title II requirements under the law.

The Statewide ADA Office works with the courts in order to provide proper accommodations for qualifying individuals with disabilities. These accommodations included free-of-charge auxiliary aids such as assistive listening devices, court documents in Braille, transcription of documents into audio, Computer Assisted Real Time Translation (CART) services, scribing services, and oral transliteration services. The Office funds ASL interpreters at no cost to litigants or the public.

Jobs by language in Fiscal Year 22



Strategic Planning

LANGUAGE ACCESS AND ADA PLANNING

On the road again! This year AOC LAS resumed travel to judicial districts throughout the state to hold language access planning (LAP) meetings with teams of key court employees. ADA planning was added this year as a new, overlapping initiative, to strengthen and document ADA service delivery.



I began this work in 2011 and had collaborated with each judicial district to create a localized Language Access Plan by 2012. Prior to the pandemic, I would visit with each district's LAP team annually to inform them of language access developments at the statewide level, learn about current needs in their district, and ensure the LAP was kept up-to-date. These in-person meetings had to go on hold in early 2020 and have finally resumed – with social distancing precautions – this year. It is immensely refreshing to see everyone face-to-face again!

Our scope of work has expanded this year to include creating a localized ADA plan to pair with each LAP. Statewide ADA Title II Coordinator Peggy Cadwell facilitates the ADA portion of these meetings, ensuring that courts across the state are delivering, documenting and publicizing their ADA services in a consistent manner. Our visits are an invaluable opportunity to get to know the local ADA Coordinators and LAP team, and to ensure that channels of communication remain open.

“

“Accessibility is an issue that affects everybody. The thought and care that the Language Access and ADA team puts into making sure every person has the same opportunities to access justice is truly humbling.”

- Jodie Schwebel, CEO, Eleventh Judicial District

If we haven't visited your court yet, you'll be hearing from us in the near future! Language Access Services and the ADA Office are grateful for the warm welcome we receive on our visits and the commitment that employees display toward this vital work.

- Pip Lustgarten, AOC Language Access Planning Consultant



The LAP/ADA plan for each judicial district can be viewed at: languageaccess.nmcourts.gov/language-access-plans

ADA STRATEGIC PLAN

This year, the Office of the Statewide ADA Title II Coordinator completed the New Mexico Judiciary's ADA Report and Strategic Plan. This foundational document serves as the Office's blueprint to strengthen and expand ADA initiatives through 2027. It summarizes the results of the first year of the implementation of the Office and outlines its strategic objectives moving forward.

Key components of the plan include:

- Program infrastructure and support to the courts
 - Including needs assessment, coordinator network and roles, training, and interpreter credentialing and professional development.
- Service delivery and support to the public
 - Encompassing ASL interpretation and additional accommodations, scribing services, resources for jurors and self represented litigants, accessible videos, community engagement, public notice and grievance procedure.
- Strategic planning 2023 – 2027
 - Addressing capacity building, court access impact, program implementation and sustainability, community outreach, self-evaluation and transition plan.



Read about these initiatives in detail throughout this Diversity and Inclusion Annual Report!

Scribing Services

New Mexico's court scribing efforts began in 2013 thanks to the dedication of the statewide Literacy Challenges Working Group. The Group created an initial mechanism to enable staff to read aloud and scribe on behalf of individuals who are unable to fill out forms due to disability, LEP or low literacy. Subsequently, NM AOC introduced a scribing pilot program in the Ninth Judicial District Courts (Clovis and Portales) in 2018. A short time later, the Self-Help Center at Albuquerque's Second Judicial District Court joined the pilot, with the assistance of volunteers from the ReadWest adult literacy program.

The scribing pilot has demonstrated a consistently high need for services in both pilot locations. Staff and volunteers are highly enthusiastic about being able to impact their communities in this way, and you will hear their voices on these pages.

In 2020, AOC received a grant from the State Justice Institute that enabled us to collaborate with the National Center for State Courts to help expand our scribing services through the development of training materials, as well as infographic resources in multiple languages. This year saw this valuable collaboration come to fruition, and you can view these excellent resources here:



<https://www.youtube.com/channel/UCAYCQWhtNjFAGPrXnB-wQQ>

On November 9, 2022 the New Mexico Supreme Court issued an Order authorizing the expansion of the scribing pilot program to any court in the state wishing to opt in. As we stand poised to expand the program statewide, we would like to take the opportunity to showcase the employees at the Ninth and Second Judicial District Courts, together with the ReadWest staff and volunteers who have been providing these invaluable services. They have truly made a difference in the lives of those who needed help with court forms in order to move their cases forward. These staff and volunteers are to thank for the success of the scribing pilot program, and the lessons learned in the Ninth and Second Districts will help guarantee the success of the program in its next phase. The Diversity and Inclusion Department extends our heartfelt thanks to you all!



"It can be challenging and frustrating for people to navigate court processes that are unfamiliar to them. The scribing program further expands access to justice in New Mexico for people without a lawyer."

- Hon. C. Shannon Bacon,
Chief Justice, NM Supreme Court

Where it all began! Voices from the Ninth Judicial District



them that there is no need to be nervous, and that our (fantastic) jury office is going to take good care of them. Scribing is an awesome service and I'm happy to provide it to our jurors.

- Sarina Hernandez, Curry County Magistrate Court

As a domestic clerk and the only language access specialist in our office, I work primarily with self-represented litigants. The scribing pilot program has enabled me to provide better service for litigants with literacy problems, non-English speakers, people who lack access to technology, or other issues that complicate the legal process. This provides a better, less stressful court experience for those we help and for us as court staff. This program is long overdue and I cannot imagine not having it.

- Mary Díaz Rodríguez, Roosevelt County District Court

I am a Jury Clerk in the Ninth and have had the pleasure of working in my position a little over a year now. I really enjoy what I do! When we summon jurors every three months there are many folks who don't have access to a computer, the internet, or just flat out prefer pen and paper. I think Scribing services alleviate much anxiety of already nervous jurors, especially the elderly. I love when I hear the relief in their voices, and when they come in and serve afterwards it's the best feeling to put a voice to a face. I find that for the most part if I've scribed for someone they have a better outlook on the whole idea of serving. I'm able to reassure

Scribing Services

I am a court manager in the Ninth Judicial District. The scribing program has made helping self-represented litigants to navigate the legal system much easier for both the litigants and court staff. It eases the stress of many court processes by allowing us to help litigants who would otherwise be left to figure it out on their own. This has improved juror turnout, expedited case processing, and has improved community relations. The scribing program is indispensable.

- **Rita Herrera**, Roosevelt County District Court

I am the Jury Clerk for the Ninth Judicial District Court in Curry County. The Jury Office is very fortunate to have the Scribing Program. Most of the focus in the Jury Office with regard to scribing is for prospective jurors in person or via telephone for English and Spanish speakers. We have been scribing for jurors who have learning disabilities, are illiterate, who are medically challenged, who have transportation issues, who do not have access to the internet or working devices, who do not know how to use a computer to submit the juror questionnaires and qualification forms online, and who do not have a friend or family member able to help them with the submission process.

While scribing for jurors with limited education or learning disabilities, we have been able to explain the jury selection process and their role as a juror. Many have said that they were scared of jury duty before because they did not want anyone to know or to think that they were dumb. After the explanation, many have said they could do it. The Scribing program is definitely an asset to the Court and our community.

- **Isabell Walla**, Curry County District Court

Scribing at one of NM's busiest courts



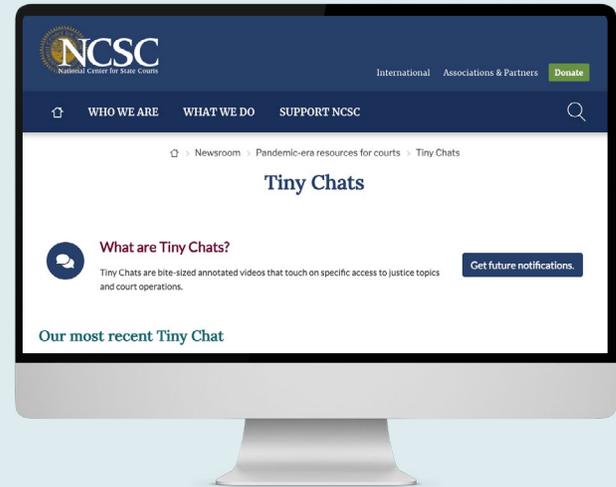
My name is Elizabeth Garcia and I am a Judicial Specialist II in the Self-help Division of the Second Judicial District Court (SJDC). I am currently in charge of the Scribing pilot program here at the SJDC. I coordinate a video session between the pro se litigant and ReadWest, which assists the pro se litigant in filling out their paperwork. ReadWest is an accredited certified affiliate of ProLiteracy that provides literacy services to people who are in need of increasing their literacy skills, have a disability, or are unable to speak, read or write in English. During the session, the ReadWest liaison participates via video Google Meets and the pro se litigant and myself attend in person: these sessions last between 3 and 4 hours. The ReadWest liaison and I work together to get the pro se litigant's paperwork filled out and filed the same day.

Generally, I receive between two and three calls a week from people needing the service and I usually coordinate one scribing session per week.

Every person I have helped so far has been very appreciative of the service. I truly believe the Scribing program is greatly needed, not just here at the SJDC but statewide as well. As of right now, I am the only person taking appointments on behalf of the program and I hope to get additional help and resources in the future, so we can expand. I want to thank Peggy Cadwell for helping to make the Scribing program available to the public and ensuring I have everything I need to make this service possible.

- **Elizabeth Garcia**, Second Judicial District Court

Ninth Judicial Court Executive Officer Kevin Spears and AOC's Paula Couselo-Findikoglu were recently invited to appear on an episode of the National Center for State Courts' *Tiny Chats* web series, highlighting New Mexico's Scribing program.



"If there's a need in the community, it's our responsibility to do what we can to address it."

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

Scribing Services

Our valued partner: ReadWest Literacy



ReadWest Adult Literacy Center is a nonprofit located in Rio Rancho that provides free literacy tutoring and classes to adults. New Mexico is currently next to last in our nation's education ranking, making adult literacy programs necessary. One in five New Mexicans read and write at or below a fifth grade level. Adult literacy is essential to reading and filling out court documents.

Adult literacy isn't funded as well as adult education or children's education; however, the pandemic taught us how important it is to educate the parents to continue education for generations to come. It takes a ton of courage for adults to ask for help and sometimes asking comes with a stigma or leaves the client feeling embarrassed or ashamed. Engaging with the court system has opened the door for many more adults to get help with their reading and writing skills.

ReadWest is supplying and coordinating the trained basic literacy and ESL tutors to provide scribing help to illiterate and limited English individuals who are filling out court forms. Court staff is legally unable to help complete the forms. The volunteer program assists by acting as scribes for the illiterate and limited English applicants.

- **Cyndy Ratliff**, ReadWest Executive Director



We had two different orientation sessions prior to going "live." One was held at ReadWest headquarters and the other at the Second Judicial Court in downtown Albuquerque. I did a few sessions at the courthouse and had a few interesting encounters with clients in person. One challenging client was hard of hearing and we managed to struggle through together and we both learned what resources were available for people with hearing challenges.

Now with the sessions online and virtual, I feel that we are able to accomplish much more in a shorter time and have a real positive impact for the client. I am very enthused that this program goes a long way toward creating a more "level playing field" for clients of the court

who may have been underserved prior to this program's inception. I have great faith in the idea of "the blind lady of justice."

I feel strongly that this program is just beginning and can be used throughout the Court systems of the whole United States. I am also super proud that New Mexico is a STRONG leader in innovative programs that make our state judicial system one to be copied and envied.

I look forward to the Court Scribe Program getting better and better and helping clients see the "blind lady of justice" is here for all to avail themselves of.

- **Doug Rhodes**, ReadWest volunteer

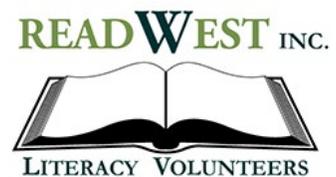


I am very enthused that this program goes a long way toward creating a more 'level playing field' for clients of the court who may have been underserved.

I enjoy doing something to help others in the community who are in need. Working as a scribe, I've come to realize there are many reasons why people might need help filling out legal forms. I've seen the forms. I'm a well-educated English speaker, and honestly, I would have some questions about what was being asked for on some of the forms. When English is not your native language, it would be very difficult. Some people have physical disabilities which make filling out a form impossible without help. Some people just need a helping hand to guide them through the process.

I think this is a great program and I hope it can continue. Not everyone can afford to hire a lawyer to do all this paperwork for them, and everyone deserves a level playing ground when it comes to presenting their case before a judge.

- **Kate Clarke**, ReadWest volunteer



Scribing Services

A service recipient's perspective



This interviewee received scribing services at the Second Judicial District Court in October 2022, with the assistance of a staff member, volunteer and telephonic interpreter. The interview has been translated from the original Spanish.

Q: How many times did you try to file your paperwork with the court before today?

A: I tried twice, but whenever I would come in, it would turn out that I had filled out the paperwork incorrectly.

Q: Do you have someone who could help you fill out this paperwork?

A: I do not have anyone who could have helped me.

Q: How did you find out about the availability of these services?

A: I went to get help at a local community agency, and I came to the courthouse with them. While we were here, we found out that someone here could help me with these forms.

Q: How long have you been wanting to file for divorce?

A: It has taken me so many years. We got separated in 2004. I am so grateful to the court staff for helping me with this. This is the only way I can move forward with my life.



I am so grateful to the court staff for helping me with this. This is the only way I can move forward with my life.

GET HELP FILLING OUT COURT FORMS

OBTENER AYUDA PARA RELLENAR LOS FORMULARIOS JUDICIALES



Do you have trouble reading or writing? Do you have difficulty filling out forms? We have a program to help you fill out your court papers. To schedule an appointment, talk to the court clerk or scan the code below.

¿Tiene problemas para leer o escribir? ¿Tiene dificultades para rellenar formularios? Tenemos un programa para ayudarlo a rellenar sus documentos judiciales. Para concertar una cita, hable con el secretario del tribunal o escanee el código que aparece a continuación.

Get help in person or online
Obtener ayuda en persona o en línea

Get help in your language
Obtener ayuda en su idioma

Volunteers cannot give legal advice
Los voluntarios no pueden proporcionar asesoramiento jurídico

ENGLISH ESPAÑOL DINÉ

MORE INFORMATION
MÁS INFORMACIÓN



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



NEED HELP IN COURT?

THE NEW MEXICO COURTS HAVE MANY PROGRAMS AND SERVICES TO HELP YOU.



Self-Help Centers

Self-help centers have lawyers and paralegals available to help you. Self-help staff can:

- Help you find and fill out court forms
- Give legal information (explain legal processes and terms)
- Help you locate other resources or a lawyer

Self-help staff cannot give you legal advice (tell you what to do or say).

Court Navigators

Court navigators can give you information about the courthouse, court forms, and steps in a case. They can also:

- Help you organize your documents for your court hearing
- Come with you to your hearing to help you understand the outcome and next steps to take

Court navigators are not practicing attorneys and cannot give you legal advice (tell you what to do or say).



Scribing Services

Do you have trouble reading or writing? Scribes can help you read and fill out your court forms. A scribe can:

- Read the court form aloud and help you understand it
- Write down the answers you give
- Read your answers back to you

Scribes cannot give you legal advice (tell you what to do or say).

Also ask about: Help in person or online Help in your language



Not all programs and services available at all courts. Check with your local court for more information.

Language Access in Broader Context

THE TRADITION OF MULTILINGUALISM IN NEW MEXICO

by Rob Martinez, New Mexico State Historian



New Mexico has always been multilingual. Multilingualism is a New Mexican tradition. It is also an American tradition. English may have been the primary language of the thirteen colonies, but German was also spoken. French too. Native peoples on the eastern seaboard had their own languages as well.

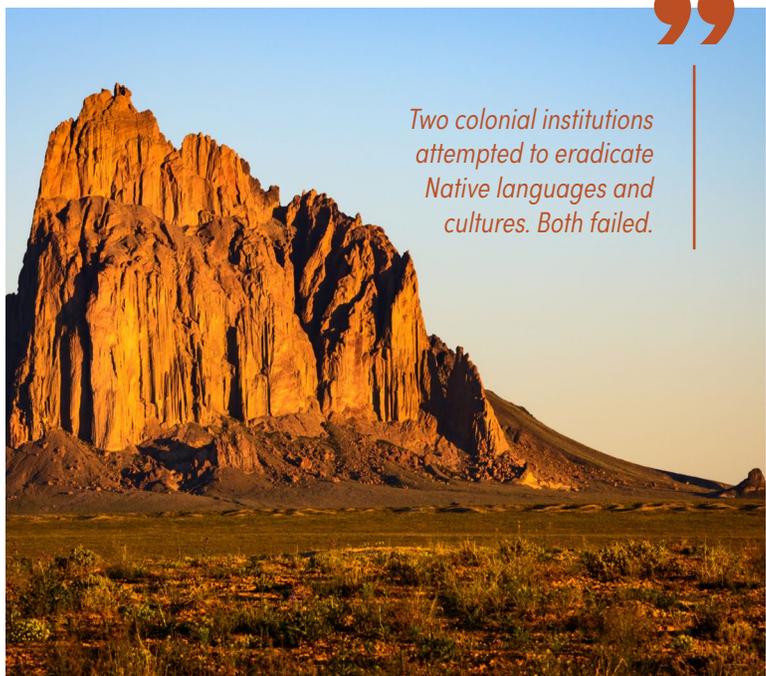
The Puebloan people are the first New Mexicans, natives of the region for thousands of years. By the 16th century, each Puebloan region and community had evolved a unique language. Six languages, to be exact. Tiwa, Tewa, Towa, Keres, Tompiro, and Piro. In other words, before any outsiders arrived in New Mexico, it was already multilingual.

Apache immigrants to the area spoke Athabaskan. Navajo peoples brought Diné, a language related to Athabaskan. Comanche warriors spoke an Uto-Aztecan language. All still found in New Mexico.

In the 16th century, Spanish speakers arrived as soldiers and colonists to New Mexico. The Spanish language is loaded with multilingualism, rooted in vulgar Latin, but also shot through with Arabic. The Spanish brought to New Mexico was already cross referenced with Nahuatl words from Mexican Indians, who were also colonists, soldiers and servants of the Spanish expeditions to New Mexico.

The 18th century in New Mexico was a violent blending of these different peoples. Captives in all directions, Native, Hispanic, Puebloan resulted in a vibrant mixing of bloodlines and languages. By the 19th century, New Mexican Spanish was a patois of Old Spanish, Nahuatl, Mexican, Puebloan and Genízaro pronunciation and vocabulary. In other words, a dialect of the local common people that reflects a diverse multicultural and multilingual history.

In the 1760s, an outbreak of “sorcery” at the pueblo of Abiquiu in northern New Mexico illustrates the challenges of multilingualism in that town. Ultimately, a lawyer for the Inquisition in Mexico City diagnosed the case as one where the local priest was not versed in the languages of the Genízaro peoples who inhabited that place, admonishing him and mandating priests in New Mexico be better versed in the many languages of the Native people of the region.



By the time of the arrival of the Americans in the 1820s to New Mexico, there had been French speakers here for over a century, two such colonists arriving in 1693 with the Vargas campaign, then two generations later French trappers coming from the east and settling in the Taos area. English was introduced by Americans. Just as the Camino Real transported Spanish and Mexican linguistic elements to New Mexico through the centuries, so too did the Santa Fe Trail bring the sounds of Virginia, Texas and Missouri to the New Mexicans.

Two colonial institutions attempted to eradicate Native languages and cultures: the Catholic missions of the Franciscans and the boarding schools of the Americans. Both failed. English is the primary language of New Mexico, but so is Spanish and all the various Native languages. Recent times have witnessed Asian and Middle Eastern immigrants coming to New Mexico. Their linguistic contributions will only enhance New Mexico’s already diverse linguistic landscape.

Juries Reflecting Communities

In every Annual Report, we highlight and interview LEP jurors, because New Mexico is a trailblazer in this area. Seating LEP jurors is a state constitutional requirement, and LAS is proudly dedicated to guaranteeing this right for LEP New Mexicans. We strongly believe that juries help preserve democracy by ensuring that through community engagement, citizens from all walks of life have a say in running their country.

“

“Would a jury truly be representative of the community in Farmington if Navajo-speaking citizens were excluded because they are not able to follow the proceedings in English? Would a jury truly represent the community in Anthony or Las Cruces if Spanish-speaking citizens were excluded because they are not able to understand English? Our State Constitution says NO.”

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

Se necesitan jurados.



Responda al llamado.

www.nmcourts.gov/jury

Seating jurors who need an accommodation under the ADA is a requirement at the federal level. In this year's report, we are featuring a juror who received an ADA accommodation.



David DiSanti served as a juror on a civil case at the Second Judicial District Court in Albuquerque for three days in April 2022. The Court and the Statewide ADA Coordinator Office ensured Mr. DiSanti could complete his service by securing the loan of a Magnilink Zip device from the Governor's Commission on Disability, NM Technology Assistance Program. The Magnilink is a portable video magnifier that magnifies text as well as offering features such as text-to-speech, autofocus, reading mode and distance mode.

Q: Please tell us a bit about your background.

I've been working at Kirtland Airforce Base in financial management since 1980. I am legally blind and need assistive equipment software and hardware to do my job.

Q: Did you have any concerns when you received your jury summons?

It was my first time on a jury and I was fine with it. I've had an office job all this time, and a lot of the situations are the same. I talked to the court and told them what I would need and they had it, so I wasn't concerned at all.

Q: What type of accommodation did the court provide for you?

I needed to be able to read exhibits and evidence and they provided a portable device. I hadn't heard of the Magnilink but I use other similar things myself.

Q: If the equipment had not been provided, what would have happened?

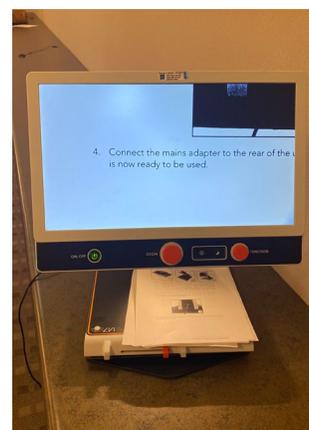
I would have requested to bring my own, but my portable is not as good. This case didn't require a lot of reading, but it might have been a different story with a different case.

Q: Was the court helpful in meeting your needs?

The judge was very helpful and was concerned about whether they would need to repeat, or to print things larger. And it's not just the machine: you have to get around. The Jury Division got us from place to place: I had to get from the deliberation room, and out for lunch. They provided about three different people as guides.

Q: What else would you like to tell us about your jury duty experience?

The staff were very professional, very helpful, and got me where I was supposed to go. They set it all up: I didn't have to worry about the machine, I just had to switch it on. I told them what I needed the equipment to be able to do and they took that information and got me exactly what I needed, no back and forth. For anyone needing assistance with any type of disability, the Second Judicial Court is excellent.



National Presence of NM Judiciary

MULTILINGUAL FORMS

This year, Language Access Services continued to expand the availability of translated forms. Identifying and responding to the pressing needs of our communities, we released Landlord-Tenant forms in Spanish, Vietnamese, Chinese, and Arabic and collaborated with Alternative Dispute Resolution to make the Eviction Prevention and Diversion forms available in Spanish, Navajo and Vietnamese.

These new resources are in addition to the existing Spanish translations of the Domestic Violence, Domestic Relations, Adult Guardianship/Conservatorship and Interpreter forms. All forms are in bilingual format (English and second language) and may be completed in a language other than English.

Our current forms offerings – and in particular accepting forms completed in a language other than English – are the culmination of nearly a decade of research, collaboration, pilot programs and funding commitment. Sincere thanks are due to the Supreme Court, the NM Judicial Translation Project Team, and AOC leadership for getting us here.

Next step on the path? We hope to expand the Family Court Services and Child Support translation pilot that has been running for several years in the First Judicial District to the entire state. Watch this space!



Looking for multilingual forms? <https://languageaccess.nmcourts.gov>

NCSC FORMS CAMP

This summer, the National Center for State Courts (NCSC) hosted “Forms Camp” for court/AOC employees and legal services providers across the nation. These interactive webinars were billed by NCSC as “strategies on how to improve state court forms from national subject matter experts.”

On July 27, NM AOC’s Paula Couselo and Peggy Cadwell led an interactive webinar for the series, titled *Accommodating Litigants with Limited English Proficiency, Low Literacy and People with Disabilities*. The presentation detailed the legal obligations of the courts to provide equal access; New Mexico’s process for efficiently translating pleadings completed in another language; our scribing pilot program, and the path that led to our now exemplary forms initiative and Child Support translation pilot that has been running for several years in the First Judicial District to the entire state. Watch this space!



NAJIT CONFERENCE

In June of this year, I had the honor of presenting at the 43rd Annual National Association of Judiciary Interpreters and Translators (NAJIT) Conference in Fort Lauderdale, Florida. I presented alongside my colleagues from Arizona and Pennsylvania on our individual Language Access programs to provide a better understanding of the complexities of language access in each state. It was a great learning experience not only for the attendees but for the entire panel as well.

- **Joshua Kahawai**, LAS Program Manager



NASJE CONFERENCE

In October 2022, the National Association of State Judicial Educators (NASJE) held its annual conference in New Orleans, the theme of which was *Judicial Education and All That Jazz: Mastering Innovation and Adaptability in Changing Times*.

Paula Couselo has the honor of serving as co-Chair of NASJE’s Diversity, Fairness and Access Committee. At the conference, Paula and her co-Chair delivered a presentation on *Sensitive Topics: Curriculum Development and Delivery*.

Community Outreach

TIERRA ENCANTADA SCHOOL PRESENTATION

On December 1, 2022, the Diversity and Inclusion Department of the Court Services Division visited the Tierra Encantada Charter School (“TECS”) in Santa Fe. During the visit, Court Services Division Deputy Director, Paula Couselo-Findikoglu, and our new Statewide Language Access Services Coordinator, Freda Valdez, presented on court interpreting as a career path and the role of court interpreters in attaining a just and fair legal system for all. Language Access Coordinator, Laura Chávez, provided Spanish simultaneous interpretation of the class to four students.



Over 160 students ages 14 to 18 participated in the class. The students asked a lot of excellent questions and were truly engaged, contributing to a meaningful discussion throughout the interactive presentation.



About 60% of participants reported having Spanish as their first language and also reported having interpreted for a family member or friend at a doctor’s office, Motor Vehicle Division, Social Security Administration and other venues. At the beginning of the presentation, students were asked how valuable they thought their language skills were when it came to their future career path. Most students responded “somewhat valuable”. Students were asked if they had changed the way they felt about the value of their language skills at the end of the presentation, and the answer was a resounding yes!

“Los estudiantes de Tierra Encantada han aprendido sobre las funciones de la corte. Una función fundamental de los tribunales en la sociedad es garantizar que se haga justicia de manera justa. La gran mayoría de los estudiantes han reconocido este aspecto, ya que tiene un valor importante en la sociedad.”

“The students from Tierra Encantada have learned the duties of the courts. One fundamental role of the courts in our society is to guarantee that justice is done in a just manner. The majority of the students have recognized this concept, given the importance of this function to our society.”

– Eva De Andrés Presa, Student Achievement Coordinator



“Being an interpreter opens many opportunities for you.”

– Stephanie M., TECS Student

“Es un trabajo muy importante y difícil. No solo para el estado de NM sino para todo el mundo.”

“It is a very important and difficult job. Not only for the state of NM but also for the whole world.”

– TECS Student

“Everyone should have equal rights to justice. Interpreters help them no matter the race, religion, etc. NO EXCLUSION.”

– Karen Deras, TECS Student

“Having had the opportunity to talk to the youth that will shape our communities was an experience like no other. These young adults were so receptive to the information that we were able to share with them. Becoming an interpreter requires a certain foundation that the majority of these students already possess (over 60% having reported that Spanish is their first language, and were already interpreting for their parents and family members) and because of that they were the perfect group to start giving them ideas on a career path. I was lucky to have had this opportunity, and I am excited to continue reaching out to our youth.”

– Freda Valdez, Statewide Language Access Services Coordinator

Community Outreach

TIERRA ENCANTADA SCHOOL PRESENTATION, CONT.

The mission of Tierra Encantada Charter School is to empower students as citizen scholars within a dual language environment through a rigorous learning curriculum, which will prepare students for post-secondary success. The school has a high number of LEP and bilingual students and utilizes the “Crew” method. Crew teachers aim to support and create a solid relationship with their students by spending time with the same group of students throughout their high school years to promote trust and shared understandings, and encourage students to become Crew, not passengers.



With this effort, the Diversity and Inclusion Department intends to motivate bilingual high school students to explore career opportunities in court interpreting and other areas in the justice system. The department looks forward to continuing this collaboration with Tierra Encantada!

“La comunidad educativa de TECS se ha visto beneficiada hoy con la presentación interactiva que ustedes han brindado a nuestros estudiantes. Ellos han podido establecer la importancia que tienen de ser bilingües desde pequeños, aportando sus conocimientos en bien de su comunidad. Muchas gracias por hacer posible este encuentro tan beneficioso para nuestros estudiantes, exponenciando sus capacidades como estudiantes bilingües y futuros ciudadanos responsables, útiles y comprometidos con su comunidad.”

“The learning community of TECS has been benefited today by the interactive presentation that you have offered our students. They have been able to establish the importance of being bilingual since childhood, and using their knowledge to help their community. Thank you very much for making this event so beneficial for our students, highlighting their skills as bilingual students, helpful, committed future responsible citizens of their community.”

- Claudia Condado, Spanish Teacher

NATURALIZATION CEREMONY

On October 14 of this year, 123 applicants from 30 different countries took their oath to become a US citizen at the Albuquerque Convention Center. Paula Couselo-Findikoglu was the guest keynote speaker at their Naturalization Ceremony, which was presided by the Honorable J. Kea Riggs. It was a beautiful and memorable event filled with smiles and a few tears for everyone present (there were approximately 400 attendees between the applicants and their family and friends).

Ms. Couselo-Findikoglu spoke of her own journey as an immigrant and how that fueled her passion for the work she does today in diversity and accessibility. She explained to the new citizens that they are all now eligible to serve on a jury, regardless of English proficiency, and how important their service would be in achieving true community representation. She further encouraged the bilingual attendees to consider a career in court interpreting.

Language Access Services had an exhibitor table at the event. Freda Valdez and Joshua Kahawai did a fantastic job engaging with attendees and garnered a lot of interest in the court interpreter program. Special thanks to Bernice Ramos, Mateo Page and Adrianna Harris for the table giveaways: they were all very well received! The coloring books were a total hit, as you can see from the pictures on this page!



Community Outreach

SUPREME COURT CIVICS EDUCATION INITIATIVE

For the second consecutive year, Language Access Services provided support to the New Mexico Supreme Court's civics education initiative, the Rule of Law program. Per Justice David Thomson, "the goal is to help young people better understand the role of the court system and the rule of law in our constitutional democracy."

The Supreme Court heard oral arguments in Las Cruces on April 1, 2022 and LAS provided simultaneous interpretation via livestream. In addition to this being one of the very few times in its history that the Supreme Court has heard oral arguments outside of Santa Fe, this was the first time oral arguments were livestreamed simultaneously in English, Spanish, and ASL, with all the livestream interpreters appearing from a remote location. High school and college students were invited to sit in on the hearing.

LAS also provided extensive translation of learning material for Justice Thomson's discussion with students at Organ Mountain High School in Las Cruces. We provided Spanish interpreters for the Justice's visit to Organ Mountain High School, as well as Spanish and ASL interpreters for spectators in the courtroom observing the oral arguments.



ADA COMMUNITY STAKEHOLDERS

To better understand the disability community's needs and broaden the resources available to the courts to meet such needs, the ADA Office has been working with the New Mexico Governor's Commission on Disability, the Southwest ADA Center, the New Mexico Commission for the Blind, Brain Injury Alliance of New Mexico, UNM's Center for Development and Disability, and other local disability entities and experts who provide services and education to the general public. Engagement with stakeholders and community organizations has translated into the development of continuous training and an extensive library of resources available to the courts.



As an Affiliate with the Southwest ADA Center, which is part of the federally funded ADA National Network, it has been my privilege to provide ongoing ADA policy and procedure development, technical assistance, and training to the various New Mexico courts since 2018. In particular, it has been a true

honor to work in partnership with Peggy Cadwell, AOC Statewide ADA Title II Coordinator, to bring vital ADA civil rights training and technical assistance to the courts. Through the *Judiciary and the ADA: Disability Relevance in the Court System* project, Peggy and I have been able to offer ADA best practices to address various disability related access situations and challenges. I am continually impressed with the how court staff from all over New Mexico are eager to create collective access for court users with disabilities where their access needs are acknowledged, welcomed, and respected.

- Julie Ballinger, Southwest ADA Center



The New Mexico Technology Assistance Program (NMTAP) of the Governor's Commission on Disability had the pleasure to present on July 22, 2022 to the New Mexico Judiciary on *Assistive Technology Devices as Accommodations*. The training was provided remotely to 30 participants on what accommodations are

available to individuals with disabilities during court cases. Equipment shown included visual magnifiers, assistive listening devices, reading pens, and apps that provide text-to-speech. This was a great collaborative event for both organizations as it allowed the staff to learn about the many possibilities for accommodations during court cases and how to access these devices through NMTAP with a short turnaround time. It also allowed NMTAP to make connections with an organization that can benefit from the knowledge and use of assistive technology for their consumers. We have already been contacted by several attendees of that training to inquire about more information regarding assistive technology. We look forward to continuing this collaborative effort going forward by providing more trainings and short-term device trials for consumers during court cases.

- Jesse Armijo, New Mexico Technology Assistance Program

ADA TRAINING FOR THE JUDICIARY

The Office of the Statewide ADA Coordinator has offered a robust training program throughout 2022, led by an ever-expanding roster of experts in the field. Sessions are held remotely, during the lunch hour and free of charge, to encourage maximum attendance from New Mexico judges and court staff. It has also been our pleasure this year to welcome attendees from across the nation.

This year's offerings were as follows:

What You Need to Know About the ADA Grievance Procedure, Notice of Rights, and Other Requirements
Instructor: Julie Ballinger, Southwest ADA Center

Autism Informational Session
Instructor: Lisa Kalberg, UNM Center for Development and Disability

Who Is Protected Under the ADA and Disability Inquiries and Documentation
Instructor: Julie Ballinger, Southwest ADA Center

ADA Evaluation and Transition Planning – Do It Now!
Instructor: Julie Ballinger, Southwest ADA Center

Informational session on Traumatic Brain Injury
Instructor: Dr. Mark Pedrotty, UNM Health Sciences Center

Informational session on Emergency Preparedness
Instructor: Lisa McNiven, NM Governor's Commission on Disability

Drug Courts, Medical Marijuana, Opioid Use Disorder, and the ADA
Instructor: Prof. Bruce Adelson, Esq., Federal Compliance Consulting LLC; Adjunct Professor of Law, University of

Pittsburgh School of Law; Instructor of Family Medicine, Georgetown University School of Medicine

The ADA Coordinator Training Certification Program: the How and Why
Instructor: Jeminie Shell, NM Governor's Commission on Disability

Deaf/Hard of Hearing Individuals at the Courthouse
Instructor: Kim Corwin, ASL SC:L Interpreter

Responding to Court Disability Related Difficult Situations and Challenges
Instructor: Julie Ballinger, Southwest ADA Center

Jurors and the Americans with Disabilities Act
Instructor: Prof. Bruce Adelson, Esq.

Assistive Technology Devices as Accommodations
Instructor: Jesse Armijo, NM Technology Assistance Program

Support Person as an ADA accommodation
Instructor: Julie Ballinger, Southwest ADA Center

Service Animals and Title II of the ADA
Instructor: Jeminie Shell, NM Governor's Commission on Disability



Want to catch up on these great offerings? All sessions are recorded and posted on the New Mexico Language Access YouTube channel at: www.youtube.com/channel/UCAyCQWhtNjFAGPrXnB-wQQ

JUSTICE SYSTEM INTERPRETER LIVE SESSION

Due to the COVID restrictions in place since 2020, LAS had been unable to hold our Live Session portion of the Justice System Interpreter (JSI) Program. We were delighted to resume our weekend JSI Live Session Training on October 28 and 29, 2022, at the State Bar of New Mexico in Albuquerque. Former, current and potential JSI students were invited to attend.



The Live Session training of the JSI Program is an essential and useful tool for the students' success in preparing to take the written and oral interpreter exams to become a certified New Mexico Court Interpreter. The training included a mock trial to assist the students in familiarizing themselves with a courtroom setting. The mock trial portion gave the students hands-on practice in court interpreting and the opportunity to interpret both simultaneously and consecutively.

Trainings

ASL INTERPRETER TRAINING

In order to increase the pool of ASL interpreters and improve the skill set of existing interpreters, the Statewide ADA Office provided two free legal Continuing Education workshops for certified ASL interpreters in 2022, led by Professor Carla Mathers and Rebecca De Santis. Prof. Mathers is a Washington, D.C. based interpreter and attorney who is nationally eminent in the area of ASL in the legal system. Rebecca De Santis is a Qualified Mental Health Interpreter based in New Mexico.

January 14 - 16, 2022

Forensic Evals: Intersection of Mental Health and ASL Legal Interpreting

Instructors: Carla Mathers, Esq. SC:L and Rebecca DeSantis, NIC, QMHI

This three day training provided a blend of theory and practice. Participants discussed legal definitions related to competency evaluations, strategies for effective interpreting during an evaluation, and how to work with mental health clinicians.

September 24 - 25, 2022

The Proceedings Interpreter for the Deaf Juror

Instructor: Carla Mathers, Esq. SC:L

This seminar discussed the background and history of Deaf jurors and the current industry standards and business practices for ASL interpreters hired to work jury duty. The seminar addressed the perception of jury duty from the court's perspective, the consumer's perspective, and the ethical challenges presented. The class further explored the interpreter's role, function, and duties as a jury duty interpreter, and specific preparation strategies.



LOCAL ADA COORDINATORS

The Office of the Statewide ADA Title II Coordinator has been instrumental in the creation of a statewide network of ADA Coordinators who function at a local level and are responsible for the provision of Title II accommodations and the development and implementation of the program in their courts. The ADA Office has been able to increase the number of local coordinators from three in 2021 to fourteen in 2022.

This year, we sponsored four employees to undergo the ADA Coordinator Training Certification through the University of Missouri. The participating Coordinators are from the Third, Sixth, Seventh and Twelfth Judicial Districts. We also sponsored two additional employees to attend the Annual Symposium offered by the Great Lakes ADA Center.



The Statewide ADA Office will sponsor one employee from every district to obtain the certification! Contact Peggy Cadwell at ADA@nmcourts.gov

MUNICIPAL JUDGES TRAINING

In Spring 2022, LAS provided training to the New Mexico Municipal Judges' training in Ruidoso. Haggerman Municipal Judge Maria Ordoñez, who is a certified Language Access Specialist, co-presented with Bernice Ramos, LAS Senior Statewide Program Manager.

Language Access Specialists

IN THE FIELD: LANGUAGE ACCESS SPECIALISTS

Language Access Specialists (LASs) are bilingual court employees who have undergone training through the New Mexico Center for Language Access to equip them to deliver meaningful language access services in out-of-courtroom settings. New Mexico pioneered this innovative certification and the model has since been adopted by other states.

Welcome, new LASs! 27 individuals obtained their certification in Fiscal Year 22, bringing the total number of LASs working throughout our courts to 158. For the third straight year, Language Access Services continued to provide full scholarships to all judicial employees wishing to undertake the certification program.

AOC Language Access Services deeply appreciates the commitment these employees in the field demonstrate to serving their local communities. Our LASs are often the first point of contact for a Limited English Proficient individual facing the challenge of navigating a foreign court system, so their impact on accessibility is vital.

Language Access Specialists must maintain their certification with Continuing Education credits each year. Our annual LAS Symposium offers a year's worth of credits, along with the opportunity to connect with peers from every corner of the state. This year's LAS Symposium was held on October 21, 2022.



Become an LAS!

<https://nmcenterforlanguageaccess.org/cms/en/training/language-access-specialist-certification>



We asked Symposium attendees:

What impact do you think your job as an LAS has on your community?

"I believe we have a huge impact: how can we provide justice if a person doesn't understand? It provides Spanish speakers a voice in our community."

- Aron Realyvazquez, Bernalillo County Metropolitan Court

"The impact is huge on those who have language barriers, it brings smiles to faces when they see that you can understand them and relay their message."

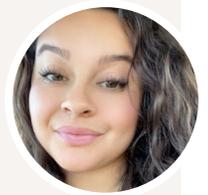
- Heather Aragon, Fourth Judicial District Court

"A positive impact that allows Navajo speaking parties to feel confident to ask questions and to effectively communicate with the Court."

- Charlene Henry, Eleventh Judicial District Court

"I live in a small town where there are a lot of Spanish speakers and when they come into the court and know that there is someone that speaks Spanish they become more comfortable with their situation, knowing that they have someone that can help them and listen."

- Janis Baca, Fourth Judicial District Court



LASs OUT AND ABOUT!



On November 16, 2022 an "Ask-a-Lawyer" event was held at the Clovis Civic Center for self represented litigants from the Ninth and Tenth Judicial Districts. An estimated 40 people attended, of whom about one-quarter were LEP Spanish speakers. Our LASs were at the ready to assist! They interpreted between attorneys and litigants, as well as helping attendees with their paperwork.

I felt honored to be able to be the bridge between the attorney and the non-English speakers. I believe they felt "heard" and "understood". It was great to be a part of helping others during their time of need. My favorite part of being an LAS is being able to be of service to help Spanish speakers feel more secure about communicating their needs in their own language.

- Elpidia Solís, Deputy Clerk, Texico Municipal Court

Interpreter Tributes

Each year we take this opportunity to highlight one of the many extraordinary interpreters working throughout our state courts. Our sincere appreciation to each and every one of you for your skill and service! This year we are featuring American Sign Language interpreter Megan Goldberg.

I am honored to be highlighted in this year's Annual Report. These past few years I have completely dedicated my time to better understanding the court processes and serving the Deaf and Hard of Hearing communities of New Mexico the best I can. By taking a variety of continuing educational trainings, working with my amazing interpreter teams, and working closely with an attorney needing transliteration services this past year, I now feel confident in the courts and know that I am providing excellent language access services. I enjoy my time here as well! I have learned so much working with the AOC team of language access coordinators and am very proud of the work we have accomplished this year as a team. Thank you for your support. I look forward to continuing to work and grow together as a team for years to come.

- **Megan Goldberg**



Megan Goldberg is an excellent asset to our coordinators and courts across the state. She always goes above and beyond to help find coverage for ASL assignments. As an interpreter herself she is professional and communicative about any issues that arise to help us better serve our community.

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

I have attended ASL training sessions with Megan. She has made them fun and easy to follow. She has also assisted the southeast region with ASL interpreters. She, and a teammate if needed, are ready and prepared to assist the courts. Thank you, Megan, for your professionalism and hard work for the ASL participants in the state of NM.

- **Janie Hernandez, SE Region Coordinator**

Megan has assisted me mainly when I have covered the NE region. She has been very helpful and flexible with last minute requests from the court. She has gone out of her way to help and make sure that the consumers that need her services receive those services.

- **Pedro Chavez, Seventh & Eleventh Judicial Districts Coordinator**

Megan takes pride in what she does and her ability to assist others. She will go the extra mile to ensure that consumers

are properly served with no additional expectations. Also, her approachable and warm personality is a plus. For these reasons and more, Megan is highly regarded by the AOC.

- **Eileen Spoonhoward, NE Region Coordinator**

I truly appreciate the dedication that Megan has for her work as an ASL interpreter. This year, Megan helped us provide Transliteration services for a party as well as ASL interpretation. Megan's strong work ethic and dedication are commendable.

- **Peggy Cadwell, Statewide Title II ADA Coordinator**

On numerous occasions, Megan has gone above and beyond to assist us with last minute interpreter requests, and she will do everything on her end to shuffle things around to make it work. Thank you, Megan, for making our jobs a little easier at times. Your hard work, ethics and professionalism never go unnoticed.

- **Freda Valdez, Statewide Language Access Coordinator**

Megan has always been professional, courteous and helpful. If she's not available to respond to a request, she makes sure that someone else will do it. She puts care and dedication into her work, treating the deaf parties with the utmost respect.

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



BON VOYAGE AND THANK YOU

Leticia Martínez, a Spanish language interpreter working in the Southeast Region, has announced her retirement. Leticia first obtained an interpreter certification in the early 1980s while working as a teacher. After a 32 year teaching career, she was drawn to court interpreting for NM AOC. Sincere thanks from the entire Language Access Services team and wishing you a fabulous retirement!

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<https://languageaccess.nmcourts.gov>



<https://nmcenterforlanguageaccess.org>



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