

Language Access Plan of Burlington Municipal Court

Reviewed January 2026

I. PURPOSE

This LAP sets forth the Burlington Municipal Court policy and procedures for the provision of timely language access services that ensure access for all limited English proficient (LEP), deaf, hard of hearing, and deaf-blind (D/HH/DB) individuals who come in contact with Burlington Municipal Court services and programs. Language access services include both interpretation and translation services for LEP and D/HH/DB individuals.

II. COURT POLICY REGARDING LANGUAGE ACCESS SERVICES

Under Washington state law (RCW 2.42 and 2.43), Title VI of the Civil Rights Act of 1964 (Title VI), the Omnibus Crime Control and Safe Streets Act of 1968 (Safe Streets Act), the Americans with Disabilities Act (ADA), and the regulations implementing these federal laws, Washington courts are required to provide language access services to all LEP and D/HH/DB individuals in civil and criminal court proceedings and in all court-managed services and programs and to develop a written language access plan pursuant to RCW 2.43.090.

It is the policy of Burlington Municipal Court to provide spoken language interpreter services at no cost to LEP parties, witnesses, victims, and others with an interest (e.g., parents, legal guardians, custodians) in all court proceedings and operations, both civil and criminal, other than when it is the responsibility of other government bodies pursuant to state law. It is also the policy of this court to provide sign language interpreting services at no cost to persons who are D/HH/DB as required under applicable state and federal statutes and regulations.

Burlington Municipal Court will provide accessible information to LEP and D/HH/DB persons on how to request these language assistance services and vital documents as part of its notice to the public about its language access services.

Although D/HH/DB individuals are covered under the ADA and RCW 2.42 rather than Title VI and the Safe Streets Act, this plan covers language access services for both D/HH/DB and LEP individuals.

III. DATA COLLECTION AND NEEDS ASSESSMENT

The Court Administrator for Burlington Municipal Court will periodically review data regarding the language needs of its community from sources such as the following:

- Language Exchange (contracted vendor).
- Public Defender's Office.
- Prosecuting Attorney's Office.

This data will be analyzed annually to determine whether the court's allocation of language access resources is appropriate.

The Burlington Municipal Court will make every effort to track requests for language access services by using data entry in the Court's Case Management System and reviewing invoices by vendors who provide interpretation services.

In addition to mechanisms discussed under the identification of language needs section below, the Burlington Municipal Court will track this internal data in an online portal, Interpreter Intelligence, provided by The Language Network. On a yearly basis, the court will analyze the data collected to identify whether services requested are in fact provided, assist in the allocation of language access resources, and identify gaps in the provision of services to address future needs.

A. Identified Current Needs

The most current language need identification efforts undertaken by Burlington Municipal Court shows the following non-English languages, whether spoken or signed, that are most frequently used in our **geographic area**:

- Spanish
- Mixteco (both Alto and Bajo)
- Russian
- Ukrainian
- Chinese (Mandarin and Cantonese)
- Marshallese
- Punjabi
- Tagalog
- Triqui
- Vietnamese

The most current language need identification efforts undertaken by Burlington Municipal Court shows the following foreign or sign languages that are most frequently used in our **court community**:

- Spanish
- Mixtec
- Russian
- Ukrainian
- Chinese (Mandarin and Cantonese)
- Punjabi
- Marshallese

B. Identified Future Needs

Burlington Municipal Court has identified the following emerging and/or additional languages among court users in the area for which resources will be needed in the future:

- Vietnamese and Triqui

IV. LANGUAGE ASSISTANCE IDENTIFICATION AND RESOURCES

A. Designated Language Access Office

The Burlington Municipal Court has designated the Burlington Municipal Court Administrator as the person responsible for overseeing language access services. Municipal Court uses the online portal to coordinate interpretation services. Requests for interpreters and other language access services may be addressed to the Burlington Municipal Court.

The Municipal Court Administrator will receive and track language assistance requests; submit portal requests for interpreters as needed for court hearings; secure an interpreter by phone when needed to communicate.

The Municipal Court Administrator will address gaps in interpreter services by conducting outreach as needed; provide information to assist LEP and D/HH/DB individuals to secure language access services; assist court staff with securing language access services; and answer questions from LEP and D/HH/DB individuals, and the public at large, regarding the court's available language access services. This includes the court's language access resources such as translated materials, interpreter rosters, language identification cards, and other resources identified in this Plan.

LEP and D/HH/DB individuals, attorneys, justice partners, government agencies, and any other entities in need of language access services for court programs or activities—or to acquire such services or information for themselves or their clients—may contact:

Burlington Municipal Court Administrator
311 Cedar Street, Burlington WA 98233
marinam@burlingtonwa.gov

B. Identification of Language Access Needs and Notice of Availability

LEP and D/HH/DB, individuals may come in contact with court personnel via the phone, TTY / TDD, in-person, or through other means. In addition, there are various points of contact within Burlington Municipal Court where LEP individuals or persons who are D/HH/DB will be in contact with court staff. Sometimes people who need language access services, including translated documents, will not request these services because they do not realize that such services are available at no charge, or because they do not recognize the level of English-language proficiency or communication ability needed to effectively participate in the court program, court proceeding, or court services. The first step in providing language access services is to enable LEP individuals or persons who are D/HH/DB to properly identify their language needs.

As a first step towards ensuring that LEP and D/HH/DB individuals are able to properly identify their language needs and to request language access and assistance services, Burlington Municipal Court has a legal obligation to provide accessible notice to the public of an individual's right to spoken and sign language interpreter services and to be provided vital documents in translated form whenever necessary to access court proceedings and court-managed programs.

1. Identifying Language Needs at Points of Access

Burlington Municipal Court will identify language access needs at all points of contact with the court, such as the following:

- Telephone calls to court staff.
- Burlington Municipal Court Clerk's Office.
- Courtrooms at Burlington Municipal Court.

To ensure the earliest possible identification of the need for language access services, the Burlington Municipal Court has established internal protocols with the various justice partners which routinely interact with this court in order for these partners to communicate to the appropriate court staff the needs of LEP or D/HH/DB participants who will be coming into contact with the court. While justice partners themselves may be under a separate legal obligation to provide language access services to their clients, the court will be notified of any services that fall under the responsibility of the court as early as possible so services may be provided in a timely and efficient manner. Examples of justice partners to be notified include:

- Jail staff.
- Domestic violence victim's advocate.
- Attorney/public defender.
- Law enforcement.

2. Notice of the Availability of Language Access Services

In order to facilitate the ability of LEP and D/HH/DB individuals to request their need for language access services, the Burlington Municipal Court shall provide notice of the availability of language access services translated into Washington State's most frequently used languages that states:

"You may have the right to a court-appointed interpreter in a court case. Please ask someone at the court information desk."

The Burlington Municipal Court displays this notice on its website and at the following locations:

- Municipal Court Clerk's Office.

Additionally, Burlington Municipal Court has a Spanish and English request forms on its website and in the clerk's office to request an interpreter.

When it appears that an individual has difficulty communicating due to a language barrier, Burlington Municipal Court staff must inform the LEP or D/HH/DB person of his or her right to have language access services provided by the courts at no cost to them, even if the LEP or D/HH/DB person has not made a request for the language access services.

V. LANGUAGE ACCESS SERVICES

Once the Burlington Municipal Court staff has determined interpreter services are required for an LEP or D/HH/DB individual, court staff have access to the following procedures for securing an interpreter.

A. Language Access Services Inside the Court Room

1. Appointment of a Certified, Registered, or Qualified Interpreter for In-Court Proceedings

The person responsible for appointing or securing the assistance of an interpreter at the Burlington Municipal Court will comply with the following order of preference in appointing an interpreter in RCW 2.43.030:

An in-person Certified or Registered interpreter who has been credentialed by the Administrative Office of the Courts shall be appointed, whenever possible, unless good cause is found and noted by the appointing authority. "Good cause" includes, but is not limited to, a determination that:

- (i) Given the totality of the circumstances, including the nature of the proceeding and the potential penalty or consequences involved, the services of an in-person credentialed interpreter are not reasonably available to the appointing authority; or
- (ii) The current list of credentialed interpreters maintained by the Administrative Office of the Courts does not include an interpreter in the language spoken by the LEP. RCW 2.43.030(2)

If good cause is found for using an interpreter who is not credentialed by the Administrative Office of the Courts, the appointing authority shall make a preliminary determination that the proposed interpreter is able to interpret accurately all communications to and from such person in that particular proceeding. The appointing authority shall satisfy itself on the record that the proposed interpreter:

- Is capable of communicating effectively with the court or agency and the person for who the interpreter would interpret; and
- Has read, understands, and will abide by the code of ethics for language interpreters established by court rules.

In the event no in-person interpreter is available locally, the court or designated authority will weigh the need for moving forward with the proceeding against any possible negative consequences to the LEP or D/HH/DB person's ability to effectively participate in the proceedings through the use of a remote interpreter, as may be allowed by Washington court rule or law. When evidentiary matters are before the court, the court shall reschedule the hearing until an in-person interpreter is available, whether located in-state or out-of-state, and be made present at the hearing.

Burlington Municipal Court will NOT appoint as interpreters anyone with a potential conflict of interest in the case, including the following: minors; friends and family of the LEP or D/HH/DB person; advocates and attorneys; justice partner bilingual staff; or anyone deemed unqualified after voir dire by the court.

2. Practices in the Appointment and Use of Interpreters

In appointing interpreters, staff at Burlington Municipal Court will ensure that the interpreter and the LEP or D/HH/DB participant can effectively communicate. It is also the practice of Burlington Municipal Court to:

Make a determination of the appropriate number of interpreters that may be required for the proceeding. When the proper administration of justice so requires the court will appoint multiple or separate interpreters. The court will take into account the anticipated length of interpreted proceedings to determine appropriate interpreter scheduling. Such consideration is generally applicable in longer hearings. The assignment of multiple interpreters is a quality assurance provision to help ensure accuracy. Consistent with GR 11.4, the court will assign interpreters as indicated below:

Spoken language	Signed Language	Assign
More than 1 hr. Simultaneous	More than 1 hr.	2 interpreters
More than 2 hr. Consecutive	n/a	2 interpreters
When a team of interpreters is not readily available and good cause is found on the record to proceed with one interpreter, the interpreter is to be provided a 10 minute break after every 20 minutes of interpreting.		

For long hearing sessions or trials, appoint a team of two interpreters or if no second interpreter is available, allow the interpreter to have frequent breaks to avoid interpreting fatigue, ensure accuracy, and avoid subsequent errors.

Only allow an LEP or D/HH/DB person to waive his or her right to the assistance of an interpreter if the waiver is knowing, voluntary, and on the record. The waiver of an interpreter may be rejected by the court or later revoked by the person.

Require interpreters to provide sight translations for documents related to the court proceedings.

Prohibit interpreters from assisting LEP or D/HH/DB with entering information on court forms without the involvement of court staff in the completion of such forms.

Provide sign language interpreters for jurors who are D/HH/DB when such persons are called and selected for jury service.

3. Calendaring and Scheduling of Interpreters for In-court and Out-of-court Contacts

Burlington Municipal Court will provide interpreter services in a timely manner. In order to provide high quality language access services in an efficient manner, Burlington Municipal Court employs the following practices:

- Batching of matters for which an interpreter for a specific language is needed so long as this does not cause unnecessary delays in access and loss of remedies available to litigants.
- Coordinating calendars so an interpreter may be available for several matters in the same court location on the same day.

4. Remote Interpreting

For short, non-evidentiary hearings, the Burlington Municipal Court uses the following remote interpreting technologies:

- Telephonic interpreting agencies.

The policy or practice of the court with regard to the use of remote interpreting services is as follows:

- Telephonic interpreting use will be consistent with GR 11.3 and will be used with caution. Generally, in-person interpreters are preferred.
- Telephonic interpreting will be a last resort for courtroom proceedings and reserved for brief non-evidentiary proceedings such as continuances, given that non-verbal cues – not visible when on the telephone – are critical for communication. Telephonic interpreting can be particularly problematic in some circumstances such as for individuals who are deaf or hard of hearing, the elderly, those struggling with mental illness, quiet or nonverbally communicative individuals, and others.

B. Language Services Outside the Courtroom

The Burlington Municipal Court is responsible for taking reasonable steps to ensure that LEP, deaf and hearing impaired individuals have meaningful access to services outside the courtroom. It is the practice of the court to provide interpreters for court-managed services, programs and operations consistent with state and federal language access mandates. In compliance with such mandates, the court shall provide language access services at:

- Anger management class (where court mandated).
- Information counters.
- Mandatory mediation.
- Probation offices.
- Programs required by a judgment and sentence.

The court, in compliance with federal and state civil rights laws and regulations, shall provide the most appropriate language access service for these programs and services,

including qualified interpreters, bilingual staff, and translated materials and information. When the most appropriate language access service is the appointment of a qualified interpreter, the court shall follow the guidelines described for the appointment of interpreters.

As noted in the policy interpretation section earlier, RCW 2.42 requires that courts provide interpreters for persons who are D/HH/DB when they are required to attend court ordered-programs or services. In addition to the provision of qualified interpreters in all proceedings where required, court's bilingual staff may assist with language needs outside of court proceedings. Bilingual staff shall be trained to understand their role, how it differs from the role of an interpreter, and that staff are only used for basic communications.

C. Translated Forms and Documents

Burlington Municipal Court relies on translated general pattern forms provided by the AOC as well as some translated local forms. When translated forms are not available, this court may:

- Have an in-person interpreter sight translate the form.
- Use telephonic interpreting.
- Provide information regarding the content of the form using bilingual staff.
- Refer LEP party to a community resource.

D. Providing Emergency Information to LEP Court Customers

The Burlington Municipal Court is responsible for taking reasonable steps to ensure that LEP and D/HH/DB individuals have meaningful access to emergency information should an emergency situation arise. The court provides such information in the following ways:

- There are universally understood emergency signs located in strategic places throughout the courthouse building and emergency exits are clearly marked.

VI. TRAINING

Burlington Municipal Court is committed to providing training for all judicial and court staff members who come in contact with LEP and D/HH/DB individuals in order to ensure the successful delivery of language access services. The court will provide staff training on all requirements in this Language Access Plan. Additional training opportunities will include:

- Role of an interpreter and modes of interpreting.
- Courtroom management when interpreters are used.
- Use of remote technologies for interpreting.

Resources and information regarding language access services, policies and procedures and tools for providing language assistance (such as bench cards, language identification guides, brochures, etc.) are available at the Municipal Court Clerk's office as well as the website for Municipal Court.

VII. COMPLAINT PROCESS FOR NON-COMPLIANCE

A. Complaints

This specific complaint process is designed to bring to the attention of the local court allegations filed by LEP or D/HH/DB parties that the local court is out of compliance with its own Language Access Plan, any applicable federal statutes or regulations, state statutory provisions, such as RCW 2.42 or 2.43 and/or any applicable state or local court rules. This is an informal process. The local court complaint rules are as follows:

1. Local Court Complaint Process

(i) Complainant is required to state his or her complaint in writing. Complainant is urged to be specific when stating the facts underlying his or her complaint.

(ii) Complainant shall submit their complaint to the Court Administrator electronically, by mail or in person at:

*Burlington Municipal Court
311 Cedar Street
Burlington, WA 98233*

Email address: bcourts@burlingtonwa.gov

The Presiding Judge shall promptly review the complaint and take such remedial action as the Presiding Judge deems appropriate.

The Court Administrator shall provide the Complainant with a copy of the Presiding Judge's response within twenty (20) days of Complainant's initial filing.

2. Complaint Filed with the Court Interpreter Commission

Complaints filed with the Interpreter Commission should be sent to:

*Washington State Interpreter Commission
c/o Interpreter Commission Staff
Administrative Office of the Courts
PO Box 41170
Olympia, WA 98504-1170*

Or contact:

James Wells
AOC Language Access Program Supervisor
James.wells@courts.wa.gov

VIII. PUBLIC NOTIFICATION AND EVALUATION OF LAP

A. LAP Approval & Notification

LAP has been approved by the Presiding Judge, and a copy has been forwarded to Washington State's Administrative Office of the Courts Interpreter Program Coordinator. Any revisions to the Plan are to be submitted to the Presiding Judge for approval, and then forwarded to the Interpreter Program Coordinator. Copies of Burlington Municipal Court LAP shall be provided upon request. In addition, the court shall post its LAP on its own website at:

[Burlington Municipal Court | Burlington, WA - Official Website](#)

B. Outreach and Communication of Plan

The Burlington Municipal Court shall inform the public of the existence of the LAP and to this end, the court will:

- Collaborate with local bar associations, justice partners and other relevant organizations to ensure distribution of information.
- Translate vital outreach materials into the following languages:
 - Spanish

C. Annual Evaluation of the LAP

Burlington Municipal Court will review its LAP annually to determine whether changes are needed.

This review will take into consideration the number of interpreters requested by language in the courts and the identification of emerging changes in the languages spoken or signed within the court's local population as identified by any informational means or by other methods.

Any revisions made to the plan will be communicated to all court personnel, and an updated version of the plan will be posted on the court's web site. In addition, the Burlington Municipal Court will submit to the AOC a copy of any updated information contained in this LAP within 60 days of its approval by the Presiding Judge.

D. Ideas for Future Improvements in Language Access

Burlington Municipal Court will identify any challenges or trends our court is experiencing with providing language access services, sourcing of interpreters, document translation tasks, and website information that is accessible to LEP and D/HH/DB individuals.

Identify and implement changes or improvements identified by our court to improve language access services that are within the scope of this LAP.

Approval

This plan has been reviewed by the following person(s) at the court, and is approved to be submitted to the AOC, as indicated in RCW 2.43.090:

Name	Title	Contact Information
Paul Nielsen	Presiding Judge	districtcourt@co.skagit.wa.us
Marina Martinez	Court Administrator	marinam@burlingtonwa.gov

Date

February 2, 2026