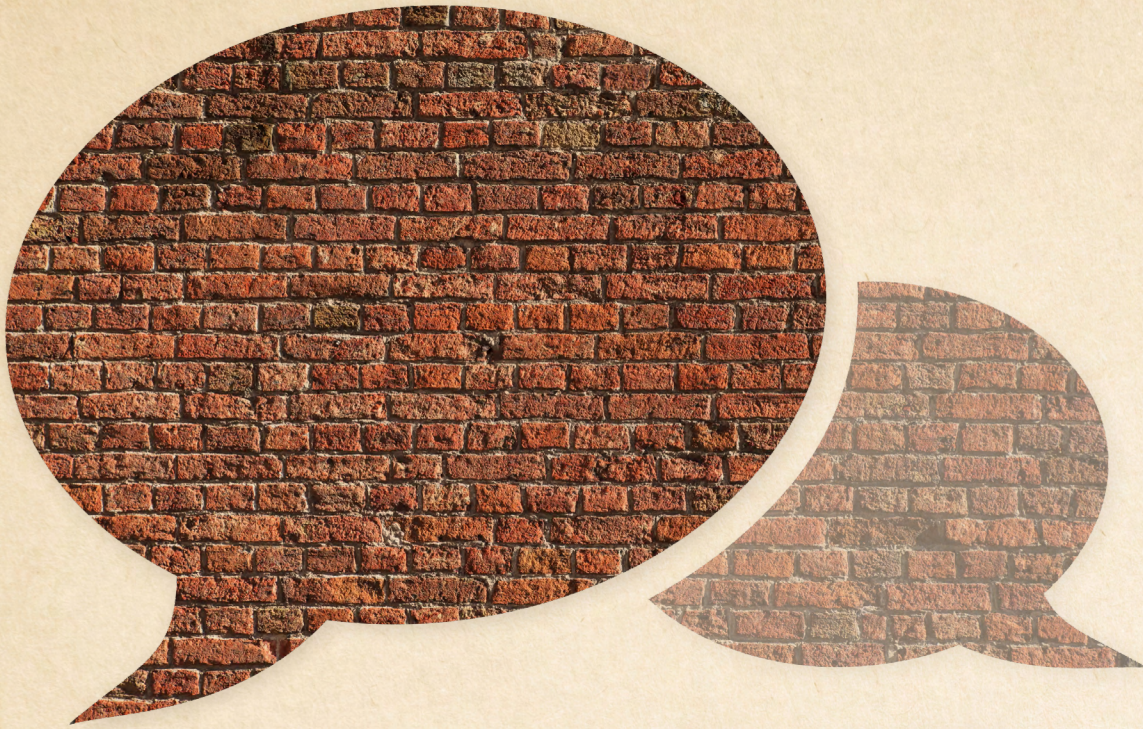




Justice Disrupted

Improving Language Access at
the Massachusetts Trial Courts

AUTHORS:

Miriam Berro Krugman, MPP, MBA
Iris Eileen Coloma-Gaines, Esq.

The Courts Language Access Working Group of
the Massachusetts Language Access Coalition

OCTOBER 2025



**Massachusetts
Appleseed**
Center for Law & Justice

MLRI MASSACHUSETTS
LAW REFORM
INSTITUTE



Contents

Acknowledgements	3
Executive Summary	4
Who We Are	5
Language Access Landscape	6
Setting the Scene	6
History of Language Access Efforts in Courts Nationwide	7
History of Language Access Efforts in Massachusetts	9
The Status of Language Access in the Courts Today	10
Moving Forward	13
Research Methods	13
Our Research Ethos	13
Focus Groups	13
Survey of Attorneys and Advocates	14
Court Watching	15
Key Findings	16
Coordination Inconsistencies and Challenges with the Court to Access Language Services	16
Difficulty Navigating the Courthouse	17
Lack of Translated Documents	18
Disparities in the Provision of Court Interpretation	19
Limited Cultural Responsiveness Among Court Staff	20
Gaps in Language Access Beyond Spanish	21
Language Request Processes Are Unclear and Inaccessible	22
Summary of Findings	23
Recommendations	24
The Court's Current Efforts to Improve Language Access	24
1) Implement More Self-Help Tools in Multiple Languages	25
2) Make Standby Interpreters Available	25
3) Assess Language Needs of Communities In Each Court's Jurisdiction	26
4) Increase the Number of Multilingual Help Desks	26
5) Post More Multilingual Signage In Courthouses	27
6) Train Court Staff on Cultural Responsiveness	27
7) Appoint Dedicated Staff to Oversee Process of Language Access Requests	28
8) Make Use of Visual Aids to Assist Court Users	28
9) Translate Essential Court Documents	29
The Road Ahead	30
Appendices	31
Appendix A. Interview Guide for Focus Groups	31
Appendix B. Advocate and Attorney Survey Questions	34
Appendix C. Court Watch Survey for Court Watchers to Fill Out After Court Observation	40
Appendix D. Printed Hard Copy Survey for Court Watchers to Bring to Court	47
Endnotes	50



Acknowledgements

Thank you to everyone who contributed to making this report a reality:

- **Nelson Mullins Riley & Scarborough LLP**
- **Bloomberg LP**
- **Organizations that we partnered with to host focus groups:**
 - La Colaborativa
 - Viability Deaf and Hard of Hearing Independent Living Services Program
- **Focus group participants**
- **Advocate and attorney survey respondents**
- **Court watchers**
- **Volunteers:**
 - Annery Miranda, Esq.
 - Catherine Yackira
 - Greta L. Yauch
- **CLAWG Organizations and Members:**
 - Massachusetts Appleseed Center for Law and Justice - Miriam Berro Krugman, MBA, MPP, Nadia Romanazzi, Deborah Silva, Esq. (through December 2024)
 - Massachusetts Law Reform Institute - Iris Coloma-Gaines, Esq., Jamie Sabino, Esq., Anne Sheldon, Esq.
 - Disability Law Center - Alison Fondo, Esq.
 - Community Legal Aid - Ines Kenney, Esq.
 - Greater Boston Legal Services - Crystal Ye, Esq.
 - The Justice Center of Southeast Massachusetts – Laura Camara, Esq. (through June 2025)
- **Interns and legal fellows with Massachusetts Appleseed Center for Law and Justice and Massachusetts Law Reform Institute:**
 - Katherine Cressey
 - Shania John
 - Harry Parks
 - Rylie Robsinson
 - Rachel Tisevich
 - Katie Wilberding

Executive Summary



PURPOSE

This report provides information on the state of language access in the Massachusetts Trial Courts, using a community-centered approach. We embarked on the research for this report in 2023 to ensure continued improvements to language access for court users. By engaging impacted court users, attorneys, and advocates, we compiled our findings to help inform changes at the Court to improve language access and consequently, the court user experience for everyone.



BACKGROUND

Language access has been a longstanding issue across the United States, including in Massachusetts. When it comes to the court system in particular, there are so many barriers for court users who are limited English proficient (LEP) or Deaf and hard of hearing (D/HH). For everyone to have equal access to justice within our legal system, the Court must provide those who are better served in a language other than English with interpretation and translation services. Our research reveals when court users have and do not have access to language services, where their access to justice is lacking, and changes the Court can implement to address these shortfalls.



KEY FINDINGS

Through our qualitative research, we identified the following key themes and findings:

- There are inconsistencies and challenges when coordinating language services with the Court.
- It is difficult to navigate the courthouse given insufficient multilingual signage.
- There is a lack of translated documents for LEP court users.
- Given that there are not enough court interpreters, court users often must rely on nonprofessionals to interpret or wait days, weeks, or months for this service.
- Court staff have limited cultural responsiveness skills.
- There are significant gaps in language access in languages other than Spanish.
- Language request processes are unclear and inaccessible.



RECOMMENDATIONS

1. Implement more self-help tools in multiple languages
2. Make standby interpreters available
3. Assess language needs of communities in each court's jurisdiction
4. Increase the number of multilingual help desks
5. Post more multilingual signage in courthouses
6. Train court staff on cultural responsiveness
7. Appoint dedicated staff to oversee process of language access requests
8. Make use of visual aids to assist court users
9. Translate essential court documents



Who We Are

The Massachusetts Language Access Coalition (LAC) is a group of advocates committed to protecting the rights of all Massachusetts residents. In particular, we promote equal access to justice and public services regardless of one's ability to read, write, speak, or understand English. The LAC works to improve language access services in the Massachusetts legal system and within state agencies. We do so by identifying and reducing systemic barriers that limited English proficient (LEP) and Deaf and hard of hearing (D/HH) individuals face through advocacy and collaboration.

LEP court users have historically encountered language barriers at the Massachusetts Trial Courts. These realities were only exacerbated when courts shifted to virtual operation during the COVID-19 pandemic. In the summer of 2020, legal services advocates across the state contacted the LAC with reports that LEP users were unable to access the courts. These reports prompted several meetings between the LAC and court staff members from the Court's Language Access Advisory Committee (LAAC). The LAAC was a group of external and internal stakeholders working together to improve language access in the courts. The LAC made recommendations to the LAAC for short-term solutions to address immediate barriers that LEP court users were experiencing in the system. Although the LAAC was receptive to the recommendations, the issues were not entirely addressed.

In addition to the problems brought about by the pandemic, there has also been a shortage of interpreters at the courts for various reasons.¹ The Office of Language Access (OLA) has since increased the number of interpreters, but more are needed.²

The Courts and Language Access Working Group (CLAWG) was established as part of the LAC with

the goal of increasing access to justice for LEP and D/HH communities by improving language access services, such as interpretation and document translation, in the Massachusetts Trial Courts. Because the Court's work with the LAAC seemingly ended, CLAWG began the research for this report to ensure that language access issues continued to be addressed for court users. CLAWG is made up of LAC members from various legal and social justice nonprofit organizations, including:

- **Massachusetts Appleseed Center for Law and Justice**, a nonprofit organization that promotes equal rights and opportunities for Massachusetts residents by engaging in research, collaboration, and advocacy to address systemic issues.
- **Massachusetts Law Reform Institute**, a nonprofit anti-poverty law and policy center which works to dismantle structural barriers that perpetuate poverty and racial inequities by advancing equitable laws and policies for low-income communities.
- **Disability Law Center**, a private nonprofit responsible for providing protection and advocacy for the rights of Massachusetts residents with disabilities.
- **Community Legal Aid**, a free civil legal aid provider serving five counties in Central and Western Massachusetts.
- **Greater Boston Legal Services**, a free civil legal assistance provider for low-income residents of the Greater Boston region.
- **The Justice Center of Southeast Massachusetts**, a subsidiary of South Coastal Counties Legal Services, which provides free civil legal services to southeastern Massachusetts, Cape Cod, and the islands.



Language Access Landscape

SETTING THE SCENE

As of 2023, about 10% of Massachusetts residents over age five (670,000) are limited English proficient (LEP).³ The Massachusetts Trial Court's Office of Language Access (OLA) generally has over 60 languages available for interpretation on its list, indicating the wide variety of languages spoken across the Commonwealth.⁴ Additionally, an estimated 20% of Massachusetts residents (1.4 million) are Deaf or hard of hearing (D/HH).⁵ Via the Fifth, Sixth, and Fourteenth Amendments, the U.S. Constitution guarantees LEP and D/HH individuals equal access to the court system, which includes state courts, regardless of their primary language. This is further stipulated in Title VI of the Civil Rights Act of 1964. The Massachusetts court system is also beholden to the Standards and Procedures of the Office of Language Access of 2009 and 2021, which strengthen LEP and D/HH individuals' rights to language access services.⁶

While the Massachusetts court system is obligated to provide language access services to LEP and D/HH court users, the availability and quality of these services vary from court to court. Massachusetts' score reflects this on the National Center for Access to Justice's (NACJ) Justice Index. Although Massachusetts is ranked highly when compared to other states, its overall score is substandard: only 67.9 out of 100, or a D letter grade.⁷ Without access to accurate translation and interpretation, LEP and D/HH individuals face greater difficulties when interacting with the court system, compared with their English-speaking and hearing peers. Thus, the Commonwealth has considerable room to grow with regard to increasing access to language services for all its residents.

Across the country, LEP and D/HH litigants continue to face significant hurdles to gaining equal footing in court proceedings compared to their English-speaking and hearing counterparts. For example, after an LEP defendant was denied an interpreter during her trial, the Georgia Supreme Court vacated her 10-year prison sentence. The Court found that the lower court's sentence violated the Fifth and Fourteenth Amendments of the U.S. Constitution, as well as the Sixth Amendment's rights of criminal defendants to 1) confront witnesses, 2) be present at their trial, and 3) receive effective assistance of counsel. The Court reasoned that failure to provide the defendant an interpreter strained her ability to understand the testimony for and against her, know her option to plead guilty, and communicate with her counsel effectively.⁸

In this landscape review, we examine the history of language access efforts nationwide, discuss the current status of language access at the state level, and outline best practices that Massachusetts courts can adopt to enhance their language access services further.

HISTORY OF LANGUAGE ACCESS EFFORTS IN COURTS NATIONWIDE

Modern language access initiatives are based on Title VI. Title VI prohibits recipients of federal funds, including state courts, from discriminating on the basis of race, color, or national origin.⁹ This means that state courts must provide LEP and D/HH individuals “meaningful access” to their programs.¹⁰ LEP individuals’ constitutional right to an interpreter during criminal proceedings is also well established.¹¹ In addition, courts must comply with section 504 of the Rehabilitation Act of 1973 and Title III of the Americans with Disabilities Act of 1990 (ADA), which prohibit discrimination against individuals with disabilities. These acts require state and local courts to facilitate an understanding of court proceedings by providing qualified interpreters and other listening aids or accommodations to D/HH individuals free of charge.¹²

One of the foundational court cases for language access policy is *Lau v. Nichols* (1974).¹³ In this case, the U.S. Supreme Court reviewed whether Chinese students who could not speak English were deprived of equal education opportunities when their school system failed to provide English language courses.¹⁴ The Court held that the school system, which received “large amounts of federal financial assistance,” but did not offer these courses, violated section 601 of the Civil Rights Act of 1964.¹⁵ Thus, the school system denied the students a “meaningful opportunity” to participate.¹⁶ In reaching its decision, the Court relied on the Department of Health, Education, and Welfare’s 1970 guidance that required “school districts that were federally funded ‘to rectify the language deficiency in order to open’ the instruction to students who had ‘linguistic deficiencies.’”¹⁷ This decision confirmed that the Civil Rights Act of 1964 requires recipients of federal funding, including state courts, to deliver appropriate language access services.

The Department of Justice (DOJ) has also worked to make language access services more widely available. In 2002, the DOJ issued “Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons” (DOJ Guidance).¹⁸ This DOJ Guidance directed federally funded recipients to provide quality oral and written language access services, such as interpretation and translation, to LEP individuals engaged in their programs.¹⁹ It also instructed recipients of funds to draft, maintain, and operationalize a written language assistance plan.²⁰

Also in the early 2000s, the National Association of the Deaf (NAD) Law and Advocacy Center collaborated with the DOJ and other entities to reach settlement agreements with two Texas jurisdictions: Harris County and the City of Houston. The settlement required the applicable court systems to provide interpreters, listening tools, and transcription services upon “reasonable notice,” “where necessary for individuals with hearing impairments to effectively participate in court proceedings.”²¹ It also required the court systems to designate an ADA Coordinator, install visual fire alarms, post an ADA fact sheet, and provide other notices of legal rights.²² These settlements became “models for police, city jail, and municipal courts providing effective communication with people who are deaf or hard of hearing.”²³

In connection with its Courts Language Access Initiative, the DOJ wrote a letter in 2010 to state court chief justices and administrators. The letter voiced concerns over states’ compliance with the DOJ’s language access guidance in the courts and provided further instruction on best practices.²⁴ The DOJ identified the following key areas of concern:

- Quality interpretation services are not available for all services provided by courts
- Interpreter costs are charged to court users
- Language access services are only available in courtrooms
- LEP individuals are not assured effective communication with court-appointed or supervised personnel²⁵

Broadly, the DOJ's 2010 letter advised state court systems to treat language access costs as a "basic and essential operating expense."²⁶ The letter outlined several factors that the DOJ would analyze in determining a state court's compliance with federal law relative to language access:

- The extent to which the courts' current language access deficiencies were caused by a lack of funds, as opposed to a lack of effort
- The extent to which other essential court operations are being restricted or defunded
- The extent to which the court system has secured additional revenues from fees, fines, grants, or other sources, and has increased efficiency through collaboration, technology, or other means
- Whether the court system has adopted an implementation plan to move promptly towards full compliance with language access requirements
- How badly LEP individuals are impacted by the lack of sufficient language access services²⁷

Following the issuance of the 2010 letter, the DOJ's Civil Rights Division worked with state and local courts, along with other stakeholders, to provide resources for LEP and D/HH individuals. They enforced Title VI through investigations, voluntary compliance, and other engagement methods such as letters of finding.²⁸

Across the country, LEP and D/HH litigants continue to face significant hurdles to gaining equal footing in court proceedings compared to their English-speaking and hearing counterparts.

In 2014, for instance, the New Jersey Judiciary signed a resolution letter committing to certain language access initiatives. These initiatives included a) translating over 340 statewide pro se forms and brochures, b) sight translation in emergent and time-sensitive matters, and c) the advertisement of these services in publications widely read by the local Latino community.²⁹

Similarly, the Rhode Island Judiciary agreed to make several changes in 2014. These included a) implementing a system for designated staff qualified to provide bilingual service to court users, b) posting signage in six languages throughout each courthouse, and c) developing new e-filing requirements to better capture interpreter needs data.³⁰

Finally, in 2016, Kentucky courts agreed to ensure equal access for LEP individuals by a) creating and implementing a complaint system translated into a dozen languages, b) training court personnel, and c) improving the quality and efficiency of interpretation and translation services.³¹ Kentucky entered into a 12-month monitoring phase as a condition of the agreement.³²

A group of national organizations including the State Justice Institute (SJI), the National Center for State Courts (NCSC), the Conference of Chief Justices (CCJ), and the Conference of State Court Administrators (COSCA) led another initiative to improve language access in 2011. This group launched an effort to assist states with language access compliance challenges. The project consisted of an initial assessment of court compliance with language access obligations, a national summit, and the publication of the *National Call to Action*.³³ This publication outlined nine action steps, which included identifying the need for language assistance; establishing and maintaining oversight; implementing and monitoring procedures; training and educating court staff and stakeholders; training and certifying interpreters; enhancing collaboration and information sharing; utilizing remote interpretation technology; ensuring compliance with legal requirements; and exploring strategies to obtain funding.³⁴



In 2017, the NCSC published a follow-up report³⁵ which found the following:

[T]here has been significant improvement and growth of language access programs and initiatives throughout the country. Over the past 5 years [2012 – 2017], we have seen a demonstrable increase in activities and programs geared toward improving language access services. The majority of states, territories, and D.C. have developed language access plans, implemented interpreter training and certification programs, established oversight through commissions and coordinators, conducted trainings for judges and staff, and have explored technology options.³⁶

These improvements were confirmed by the surveyed jurisdictions themselves: 93% reported progress made. Respondents indicated areas of improvement such as increased awareness of language access issues, trainings surrounding language access, and greater understanding of policies and mandates.³⁷ It is important to note that these improvements were based solely on self-reporting, which raises questions about their reliability.

While the state of language access services improved during this time period, the NCSC also documented several challenges. These included insufficient funding, demand for language services in low incidence languages, growing demand for language access services overall, and securing certified or qualified interpreters.³⁸ Looking forward, the NCSC laid out a five-year plan of initiatives, including a focus on “the more efficient use of qualified interpreters through technology, increased collaboration among states for information and resource sharing, as well as regional and national efforts to recruit, train, and share interpreters across a wide range of languages.”³⁹

HISTORY OF LANGUAGE ACCESS EFFORTS IN MASSACHUSETTS

Over the past few decades, Massachusetts has implemented various laws and procedures related to the improvement of language access in the courts, leading to the establishment of government organizations and resources explicitly dedicated to this issue.

Recognizing the correlation between accurate interpretation and a fair trial in 1986, Massachusetts General Laws chapter 221C established the right of LEP individuals to a qualified or certified interpreter during court proceedings.⁴⁰ Additionally, Section 7 of this statute established the Office of Court Interpreter Services (OCIS), which was responsible for the certification, training, and management of court interpreters.⁴¹ In 1988, the OCIS also developed the *Code of Professional Conduct for Court Interpreters of the Trial Court*, which has been revised several times to reflect changes in interpreter services and protocols over the years.⁴²

In the summer of 2013, Massachusetts Trial Court Chief Justice Paula Carey formed a Language Access Advisory Committee (LAAC) to develop a comprehensive language access plan.⁴³ In December 2014, the Massachusetts Trial Court Language Access Plan was published. This plan outlined key actions to improve language access in the courts, including recommendations to increase the number of full-time staff interpreters (from 22), establish a protocol for notifying the court of language needs, and ensure language access for court-mandated programs.⁴⁴

Then, in 2021, the Chief Justice of the Trial Court promulgated the *Standards and Procedures of the Office of Language Access*, intended to provide court interpreters, judges, attorneys, and other court personnel with the

Despite these improvements to language access services in the courts, concerns persist about whether the needs of LEP individuals are being fully addressed.

necessary information to provide quality interpretation services in the Massachusetts Trial Court.⁴⁵ Notably, the document also renamed the OCIS to the Office of Language Access (OLA). OLA now employs 175 interpreters, 40 of whom are full-time, nearly doubling the number of full-time interpreters since 2014.⁴⁶ Additionally, OLA has introduced new language access services, such as LanguageLine, a service that provides phone interpretation to fill any gaps that in-person interpreters cannot address. The shift in court proceedings during the COVID-19 pandemic also forced interpretation services to adapt, and led to the expansion of virtual interpretation services.

Despite these improvements to language access services in the courts, concerns persist about whether the needs of LEP individuals are being fully addressed. While OLA employs 175 interpreters, there are an estimated 670,000 LEP speakers over the age of five in Massachusetts, suggesting that current capacity is not sufficient to meet the demand.⁴⁷

THE STATUS OF LANGUAGE ACCESS IN THE COURTS TODAY

State and Federal Language Access Requirements

Under Title VI⁴⁸ and the ADA, state courts must provide adequate language access services to their constituents.⁴⁹

The DOJ is one of the primary investigative and enforcement bodies for recipients of federal funding, like state courts, that are subject to Title VI. It ensures that these courts comply with their obligations under Title VI and the ADA to provide LEP and D/HH individuals with equal access to justice.⁵⁰ When courts fail to provide adequate interpretation or other language access services, the DOJ may investigate and work with those courts to implement meaningful policy changes that ensure compliance with their language access obligations.⁵¹ Also, the DOJ, in collaboration with the American Bar Association (ABA), issued Standards for Language Access in Courts to help court systems design and implement language access systems to address continued gaps in language services for LEP and D/HH individuals.⁵² Many states also issue their own language access plans for their courts to follow.⁵³ The National Center for Access to Justice (NCAJ) monitors state court language access performance nationwide. It issued the following findings in 2016:

[In a one-year period] more than half of all state courts trained their court staff who interacted with the public on how to communicate with LEP individuals; 78% of state courts had a statute, rule, or other policy in place that requires courts to provide interpreters for all criminal and civil court proceedings; and over 80% of states had a process in place to certify their court interpreters.⁵⁴

Nevertheless, continued complaints about insufficient language access services across the country highlight an ongoing need for state court systems to modernize and implement effective language access plans.⁵⁵

Best Practices for Courts to Implement

Best practice resources and strategies are widely available to state courts. One strategy is to study the success that certain courts have had with their language access plans. Various entities have published detailed action plans to provide meaningful and functional language access in American court systems, including the ABA⁵⁶ and the NCAJ.⁵⁷ The NCAJ's Language Access Justice Index studied courts across the nation and scored states' level of access to justice, including their language access services.⁵⁸ As part of this study, the NCAJ compiled 35 best practices⁵⁹ that each state court system can implement to ensure successful language access in their court proceedings. We highlight those most pertinent to the scope of this report below:

1. Create and maintain a Language Access Plan that requires courts to perform periodic needs assessments and consistently monitor and evaluate their language access services. Language access services must be provided when they are not unreasonably costly and must be available to connect the Court to the public at key points of contact. In addition, judges and staff must be trained to work with LEP individuals.
2. Maintain a Language Services Office with the mission of providing language access services in the court system.
3. Provide a process for litigants to file and obtain a prompt resolution of complaints regarding language access services, including the denial of, unavailability of, or delay in the provision of services.
4. Update court procedural rules and other policies to ensure compliance with Title VI, other laws, and executive orders concerning language access.
5. Require all judges and court staff to receive training on language access services, requirements, and mandates at least once every three years.
6. Provide all judges and court staff with bench and desk cards that describe the language access services available, how to access them, and the applicable rules and guidelines for providing these services.
7. Provide interpreter services or the assistance of authorized bilingual staff at key points of contact in the court system other than courtrooms, including self-help centers, clerk's counters, court-annexed alternative dispute resolution, and all court-controlled services.
8. Require judges and court staff to offer language access services at the request of a party, when the judge or court staff are unable to understand the person, or if the person does not appear to be fluent in English.
9. Ensure that all necessary documents are translated according to protocols that ensure quality.
10. Require certified interpreters for litigants, witnesses, and others with key interests (e.g., parent/guardians) who have limited English proficiency.
11. Make the availability of language access services at no charge abundantly clear through signs, notices, brochures, publications, and online resources.
12. Offer "I speak . . ." cards in all languages identified through the needs assessment as potential user languages (not limited to the most commonly spoken languages).
13. In all notices, explain how to file a complaint about low quality language access services in the most commonly spoken languages.
14. Outfit all courtrooms with remote interpreter technology.
15. Ensure that bilingual court staff are qualified to provide direct language assistance to those who need it.

New Strategies to Expand Language Access in the Courts

Looking forward, courts are leaning into technology to expand access to interpreters, translation services, and other language resources.⁶⁰ Artificial intelligence (AI) can likely assist courts with language access efforts in the future.⁶¹ Courts are taking care not to rely too heavily on technology, especially when translating vital documents, as best practice is still to have those translated by a human.⁶² Courts are also working on cross-state collaborations, leveraging funding sources, and coordinating efforts to recruit, train, and share interpreters in multiple languages.⁶³

For example, in 2023, California “launch[ed] remote hearings resources for court users on the California Courts Self-Help Guide, with videos and guides available in English and Spanish.” The state also held virtual trainings and bootcamps for interpreters and conducted Bilingual Interpreting Examinations at various locations with expanded capacity, among other language access efforts.⁶⁴

In 2022, New York instituted a new Office of Language Access to facilitate its language access policy.⁶⁵ Consistent with state law adopted that year, that office ensures that key government communications are translated into the 12 most prevalent languages in the state.⁶⁶ In addition, each New York state agency appoints a language access coordinator who reports to the Office of Language Access and ensures the agency is complying with the law.⁶⁷

New Mexico has a program called “Clara Connect,” which utilizes AI-backed self-help kiosks in courthouses.⁶⁸ The kiosks feature an AI-generated avatar named Clara who can communicate with patrons in any language.⁶⁹ Additionally, New Mexico is addressing the interpreter and translator shortage by promoting interpretation and translation services at naturalization ceremonies, and providing scholarships for training to achieve certification as an interpreter or translator.⁷⁰

Louisiana is focusing on remote interpreter training and acclimating courts to virtual interpretation systems.⁷¹ A centralized interpreter program through Louisiana’s central court is in early stages of development.⁷²

With respect to D/HH individuals, the NAD issued a guidance letter in 2021 directed to state and local courts. It described best practices for compliance with language access obligations.⁷³ It explained that regardless of a D/HH individual’s role in court proceedings, they are entitled to auxiliary aids and services, including “qualified sign language interpreters...cued speech transliterators, tactile interpreters, Certified Deaf Interpreters (CDIs), captioning of audio-visual materials, and text-based services such as Communication Access Realtime Transcription (CART).”⁷⁴

The sharing of best practices and pitfalls among state court systems will contribute to the improvement of language access efforts. However, courts will need to find strategies that work best for their own unique constituents and communities.⁷⁵

MOVING FORWARD

As the linguistic diversity in Massachusetts continues to increase, it is critical that the Massachusetts Trial Courts continue to improve language access for all court users. There is still work to be done to ensure compliance with applicable federal and state laws and regulations. It is clear that the Court is committed to making the court experience easier for court users, and our recommendations will help to operationalize this intention. Language access is access to justice. The Court must elevate its commitment and prioritize its efforts so all court users alike can truly access justice.



Research Methods

OUR RESEARCH ETHOS

The organizations involved in the Courts Language Access Working Group (CLAWG) believe that research should be grounded in the communities we serve. For this project, we ensured that our research methods were community-centered and prioritized qualitative data. When research relies exclusively or predominantly on quantitative data, it often overlooks the context and nuance behind those data points, resulting in a superficial understanding of the issue or community at hand. As such, we formulated a research ethos that prioritizes qualitative methods, allowing us to focus on the subjective experiences, attitudes, and feelings of community members who are impacted by language access issues in the courts, and attorneys and advocates who work with limited English proficient (LEP) and Deaf and hard of hearing (D/HH) individuals in court.

While we utilized quantitative data and methods throughout the research process, the subsequent quantitative findings support the qualitative ones. Our qualitative methods focused on gathering information from two key community groups: 1) court users who are LEP or D/HH, and 2) attorneys and advocates who work with court users who are LEP or D/HH.

To collect data, stories, and direct experiences from court users who are LEP and D/HH, we conducted focus groups facilitated by a native speaker in the preferred language of the specific group. Next, we designed a

qualitative survey for attorneys and advocates who work with LEP and D/HH court users. Finally, to gather more data on the prevalence of language access practices and daily occurrences in court, we recruited volunteers to participate in court observation sessions, and fill out an accompanying survey. Below, we outline the three research methods employed in this project to provide a deeper understanding of our approach.

FOCUS GROUPS

We facilitated two focus groups to explore the firsthand experiences and language access barriers court users faced when interacting with the court system. Engaging participants with lived experience was essential for two reasons: 1) to develop a comprehensive understanding of how courts and court users communicate, and 2) to ensure that those directly impacted by language barriers informed the content and recommendations of this report.

Of the two focus groups, one was organized for Spanish-speaking court users and the other for D/HH court users. Using the strong relationships we had with trusted community-centered organizations, La Colaborativa, Viability Deaf and Hard of Hearing Independent Living Services Program, and others, we asked each partner to recruit participants who had recent experience navigating the court system.

Each focus group was conducted by a facilitator whose native language was the preferred language of each respective group. We also had a native-speaking notetaker in attendance at the focus group for Spanish-speaking court users, and a notetaker present at the focus group for D/HH court users. Each facilitator led a discussion using a semi-structured approach, meaning there was a list of questions to be used as a guide,⁷⁶ with flexibility to veer off based on participant responses. We designed the interview guide to elicit insights on the following:

- Participants' experiences before attending court, including how they were notified to appear before the Court and if/how they learned about available language services.
- The quality and accessibility of interpretation and translation services, including whether the court provided such services.
- Experiences with language access services during court proceedings, such as whether official court proceedings for their case occurred with or without the provision of an interpreter.
- Participants' overall perceptions of their court experience(s) and confidence in the court's ability to provide language access services.

Each focus group lasted approximately one hour, and participants received a \$25 Visa gift card as compensation for their time and insights. In total, 20 individuals participated across both focus groups, representing a range of court experiences and jurisdictions. These focus groups took place in June and September of 2024.

Throughout the report, we reference direct quotes, stories, and experiences from various focus group participants. We have changed their names to protect their identities.

SURVEY OF ATTORNEYS AND ADVOCATES

We designed a survey for attorneys and advocates who work with court users who are LEP and D/HH. Our goal in employing this research method was to understand, from the perspective of those working with impacted court users, the barriers to accessing language services in the courts. By engaging attorneys and advocates through this survey, we were able to

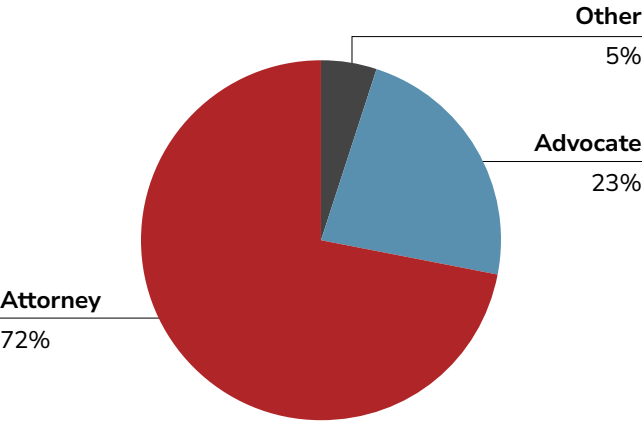
confirm and develop our findings from a broad base of people with varying experiences and degrees of familiarity with the court system.

The survey included questions to help us understand the respondents' experiences accessing and advocating for language services on behalf of their LEP and D/HH clients. Below is a selection of questions in the survey:⁷⁷

- How easy is it to find information on the availability of language services for court users on the Court's website?
- On average, how often have your *first* requests for interpretation been fulfilled (meaning the interpreter appeared in Court at the agreed upon time, and then interpreted for the proceeding)?
- After the court proceedings, did your clients receive court documents in their preferred language (in person, by mail, or via email)?
- Did the Clerk's Office offer LanguageLine, video, remote, or in-person interpretation services?

We disseminated the survey by forwarding it to listserve composed of statewide legal services advocates who routinely provide court representation. As a result, we received 137 complete responses to our survey between July and September of 2024. 72% of respondents were attorneys, 23% were advocates, and the remaining 5% were observers, service providers, or held other roles. The majority of respondents worked in Middlesex, Essex, Worcester, Suffolk, and Norfolk counties.

CHART 1: Breakdown of attorney and advocate survey participant roles





COURT WATCHING

We implemented a court watch program to gather data on the prevalence of language access resources and practices throughout the court experience. Additionally, we gained insights on the treatment of LEP and D/HH people in the courtroom. For the purposes of this project, court watching involved noting the presence and use of language access resources in the day-to-day operations of a courthouse, both inside and outside the courtroom. To collect data from these court watch sessions, we designed a printed hard copy survey⁷⁸ for court watchers to bring to court to note their observations, and an online survey⁷⁹ with a mix of closed- and open-ended questions for them to fill out after their session. The goal of the survey was to gather information on:

- The accessibility of general court information, including:
 - Translation of courthouse directory, docket information, signage, and self-help tools
 - Presence of multilingual staff, especially clerks
- Courtroom procedures, including:
 - Clerk announcement regarding availability of language access services
 - Request for interpreter
- The provision of language access, including:
 - The court's use of people who appear multilingual in the courtroom to replace professional interpreters
 - Interpretation delays
 - Modality of interpretation (in-person or virtual)
- Court staff treatment of LEP or D/HH court users

We undertook the court watch component of our data collection to build on and clarify our findings from the focus groups and attorney and advocate survey. Court watching sessions occurred in January and February of 2025.

To recruit volunteers for the court watch survey, we reached out to pre-law student organizations and pre-law career advisors at 11 universities, including Tufts, Harvard, Northeastern, and Boston College. This outreach extended to 24 organizations within these universities, such as Future Leaders in Law at Harvard, the Pre-Law Society at Tufts, and the Diversity in Law Association at Boston University.

In addition to conducting outreach at universities, our team was invited by the Career Advising Department at Tufts to present on the court watch project and how to volunteer. We also reached out to the Americorps Legal Advocates of Massachusetts coordinator, who shared the opportunity with corps members.

The court watching was crucial to our overall data collection: it grounded the project in everyday court interactions and experiences. Additionally, many of the court watch volunteers were visiting courthouses for the first time. This gave our data a unique perspective, as many LEP and D/HH litigants who face language access challenges are also infrequent court users.



Key Findings

We gleaned several key findings from all three data collection methods: focus groups, a survey of attorneys and advocates, and court watching. The various sources of data helped inform our wide range of findings, and oftentimes, the same themes emerged across different collection methods.

Several jarring statistics regarding court users' confidence in the courts underlie our findings. Nine out of ten of participants in the focus group for Spanish speakers said they had no confidence in the courts given their serious trouble accessing language services. Additionally, half the participants in the focus group for Deaf and hard of hearing individuals felt similarly, having no confidence in the courts to help them via their preferred communication method.

Below, we detail the following findings:

- Coordination inconsistencies and challenges with the Court to access language services
- Difficulty navigating the courthouse
- Lack of translated documents
- Disparities in the provision of court interpretation
- Limited cultural responsiveness among court staff
- Gaps in language access beyond Spanish
- Language request processes are unclear and inaccessible

COORDINATION INCONSISTENCIES AND CHALLENGES WITH THE COURT TO ACCESS LANGUAGE SERVICES

The ability of court users and their attorneys to schedule interpreters with ease is essential for providing language access to limited English proficient (LEP) and Deaf and Hard of Hearing (D/HH) litigants. Survey responses from attorneys and advocates revealed a significant discrepancy between the ease of scheduling an interpreter, and the actual interpretation outcome and experience on the court date. Two thirds of survey respondents reported positive experiences with interpreter professionalism and reliability. However, many shared frustrations with logistical breakdowns that often left LEP and D/HH clients vulnerable and unsupported when trying to access services on the day of their hearing.

On average, survey respondents noted that interpreter requests were fulfilled only about half the time. Wait times spanned from an hour (with the most prevalent response being two to three hours) to multiple days or even weeks. In several instances, hearings were postponed or took place without interpretation. This placed pressure on survey respondents' clients to proceed with their case and go in front of a judge or engage in mediation in English, despite their discomfort or limited proficiency. When asked what happened after requesting an interpreter in their cases, 62% of survey respondents reported postponements due to a lack of an interpreter, while 36% said that cases simply trudged forward without interpretation. Finally, almost half (45%) of the survey respondents noted that the interpreter never showed up.

“One time the client was at court the entire day and had to come [the] next day because the interpreter never showed up.” – *Survey respondent*

A particularly troubling trend emerged from our analysis: LEP litigants were often told their court event would be delayed unless they waived their right to an interpreter—a practice that is intimidating to court users and undermines equitable access to justice. Several respondents emphasized that interpreter availability varies

A particularly troubling trend emerged from our analysis: LEP litigants were often told their court event would be delayed unless they waived their right to an interpreter—a practice that is intimidating to court users and undermines equitable access to justice.

depending on the court location, with relatively more reliable access in Clerk's Offices compared to courtrooms or Court Service Centers. In fact, two thirds of respondents said that the presence of bilingual or multilingual court staff reduced wait times for LEP and D/HH court users in the Clerk's Offices. Their clients did not need to wait as long to speak with Court staff, but at times “they have to wait a while if the interpreters are busy with other clients,” calling attention to the need for more multilingual staff in the Clerk's Office. The most common languages spoken by these court staff were Spanish and Portuguese.

These findings highlight a systemic failure to ensure consistent and timely interpretation, especially in spaces where legal outcomes are determined in real time and can have long-term consequences.

DIFFICULTY NAVIGATING THE COURTHOUSE

A major theme that arose across our data collection was the challenge of navigating the courthouse, which is already a distressing place for court users, regardless of their preferred language. We found that this stems from a lack of signage in both English and other languages. While over half of the court watchers observed multi-language signage, especially in high-traffic areas like the lobby and hallways, the courtrooms themselves had minimal to no signage. The most common language of signage, apart from English, was Spanish.

Participants across focus groups and court watching reported that court environments can be confusing for LEP individuals due to inadequate signage and limited multilingual navigation information. Some participants from the Spanish focus group reported having a difficult time finding the correct courtrooms, even when they asked court staff for help. This demonstrates the importance of multi-language signage to aid court users who are LEP, which would also make navigating the courthouse easier for all court users.



Court watchers overwhelmingly pointed out a global lack of signage throughout several courthouses, which led to confusion about how to get to the correct courtroom.

- One court watcher noted that “there was not much signage, even in English, so it was not very clear where to go or what to do.”
- “I think I would’ve found it difficult to determine what room to go to if I had not been able to speak English. I had to speak to multiple court officials and was redirected multiple times... the rooms are not clearly marked even in English, let alone in another language.”

Apart from signage, we also gained insight into self-help tools and help desks in courthouses through our data collection. Our analysis of court watch survey responses demonstrates that information from these sources is generally available, and often in multiple languages. 63% of court watchers reported that self-help tools were available in the courthouse, with the majority stating that they were user-friendly. Similarly, 75% of court watchers stated that they were able to find a help desk easily. A few said the signage and brochures at help desks and information centers were multilingual, with some offering assistance in up to ten languages. Court watchers generally found informational brochures to be accessible, with many translated into multiple languages. All that being said, our research did not get into the user experience of these tools. Therefore, the Court must look into this further; we will address this issue in our recommendations.

To make courthouses more approachable and navigable for court users, the overall lack of signage and the need for multilingual signage must be addressed. Courts should continue to make information easily accessible via self-help tools, help desks, and translated documents, all available in multiple languages.

LACK OF TRANSLATED DOCUMENTS

Court documents convey vital information, including details about a specific case, the date an individual needs to appear in court, and other relevant details about court proceedings. When LEP or D/HH individuals do not receive these documents in their preferred language or manner, they may be unable to fully understand their case.

We acknowledge that the Court cannot send translated initial documents to a party since there is no way of knowing the court user’s preferred language. This is true unless the court user is the plaintiff and has indicated their language preference to the court.

One advocate shared: “The speed of court does not lend itself to accurate translating [read: interpreting]... It is very rare that a translation [read: interpretation] happens word for word from language to language... I am often *astounded* [by] how little the person understood about what happened to them in court.”

Participants across all three data collection methods cited the lack of accurately translated legal or court documents as a looming problem. For instance, participants in the survey of advocates and attorneys and focus groups reported that court users rarely received documents in their preferred language. 88% of the survey respondents shared that after court proceedings, their clients never received court documents in their preferred language.

One respondent described that for clients who cannot read English, “the Court does not provide translated documents...If they have to sign something, the interpreter reads the form to them before they sign, or even just summarizes the form with the help of a probation officer.”

During the focus group with Spanish speakers, many participants reported that the availability of document translation was lacking, with some only receiving documents from the Court in English. Similarly, court watchers observed this too, with 95% of volunteers saying they did not see an option to access court docket information in a language besides English.

DISPARITIES IN THE PROVISION OF COURT INTERPRETATION

Interpretation is a cornerstone of language access in the legal system. Therefore, court interpreters play a key role in ensuring that court users who are LEP or D/HH receive real-time interpretation, allowing them to understand what is happening during their court proceedings.

Interpretation Not Provided by the Court

Despite the important role interpreters play, the Court often fails to provide them. One survey respondent shared that a judge “claimed the Court did their diligence to obtain [an interpreter], but there ‘aren’t enough interpreters’ and EBDC (East Brookfield District Court) is just ‘too far’ of a distance for interpreters to travel.” This is not an anomaly; these scenarios are all too common in various courthouses across the Commonwealth.

Reliance on Nonprofessional Interpreters

When the Court does not provide an interpreter, court users are often forced to use nonprofessional interpreters. In the focus group organized for Spanish-speaking court users, participants reported that they recruited their family and friends to interpret, due to the lack of professional court interpreters available. In fact, during this focus group, a participant discussed having to “look for an interpreter at Dunkin Donuts to help.”

Court watchers observed this too, with 38% reporting that they witnessed court officials, such as courtroom clerks and judges, attempting to recruit someone in the courtroom to interpret for an LEP litigant. One of these recruited individuals was the son of the LEP litigant and another who was recruited “felt as if they had to [interpret] because the judge requested it”, and they “did not feel comfortable interpreting.”

The focus group for D/HH court users echoed similar experiences, with participants having to rely on family members and friends to both interpret and help the individual understand what was being disclosed in court. However, this occurred not solely because the Court could not provide an interpreter, but because, as one participant noted,

“some people feel more comfortable with family members interpreting for them compared to professionals.” In this circumstance, the participant described, “the family member interpreted and a professional was there to monitor the process.”

Court Interpreters Are “Stretched Incredibly Thin”

Even when the Court provides interpreters, survey respondents, focus group participants, and court watchers alike reported an insufficient number of qualified interpreters, leading to court delays and inadequate language access across the board.

Interpreters Are Overloaded

On average, survey respondents noted that scheduling interpreters is somewhat easy, but depending on the language and timing, the outcome may not be appropriate (e.g. no interpreter shows up). Respondents noted positive experiences communicating with the Court to schedule interpretation services and appreciated when interpreters were readily available in the courthouse. They also mentioned that interpreters often act professionally and are punctual some of the time.

That being said, survey respondents made clear that interpreters, even when scheduled ahead of time, were “stretched incredibly thin” and “usually juggling multiple cases.” One respondent said, “I would say depending on the day, getting the interpreter to help could be extremely difficult.” Another shared, “ASL interpreters for legal matters are very scarce, and it can take months to schedule.” In the focus group for D/HH court users, these same issues arose regarding having no ASL interpreter, leading to court delays.

Many court watchers also noticed that interpreters had very full plates. One volunteer said, “The recruited interpreter agreed to provide language interpretation and translation services. However, she asked the judge at one point if it was possible to sit while she interpreted because she was exhaust[ed] from standing and interpreting all day for other court sessions...” This anecdote illustrates the long hours and numerous cases that interpreters work on every day. The current state of interpretation in Massachusetts courts highlights the need for improvement in specific areas to ensure access for every court user who needs an interpreter.

Court Delays: Interpretation Issues as a Bottleneck

We found that the lack of enough qualified interpreters leads to significant delays in court proceedings. 77% of court watchers noted delays in court proceedings due to the absence of an interpreter. A survey respondent shared that their clients have “often been told that the court event would have to be postponed unless they agreed to proceed in English because an interpreter was not available.” This is unacceptable when a court user’s preferred language is one other than English and they need interpretation services to fully participate in their case. In the focus group for D/HH court users, respondents said that their court dates had been postponed due to the Court’s failure to provide ASL interpreters and CART services.

One participant, Tommy, said his court date was postponed twice. Once because the Court failed to provide an ASL interpreter, and again because a CART service provider canceled at the last minute.

Another participant, Amelia, reported waiting more than four days to get an ASL interpreter.

These delays caused significant inconvenience and postponement of justice for court users. In general, all three data sources indicate a systemic strain on interpreter availability, negatively impacting LEP and D/HH court users' access to appropriate and necessary language services. Ultimately, it is the Court's responsibility to provide interpretation services to every court user who needs them.

LIMITED CULTURAL RESPONSIVENESS AMONG COURT STAFF

Participants involved in all three data collection methods reported a lack of cultural responsiveness⁸⁰ among court staff with whom they interacted.

In the focus group for Spanish-speaking court users, a majority of participants described feeling discriminated against, afraid, and disillusioned because of their limited English proficiency. Maya described her experience as

Participants involved in all three data collection methods reported a lack of cultural responsiveness among court staff with whom they interacted.

feeling like others were trying to blame her for her limited English proficiency. Alejandra felt insulted that a Spanish-speaking court staff person told her she should have gone to school to learn English. These egregious and overwhelmingly negative experiences of Spanish-speaking court users depict the unacceptable discrimination faced by LEP court users. Like all other court users, LEP and D/HH court users have either been summoned to court or they have initiated litigation against someone for being wronged. Both situations are intimidating and frightening for any court user. And based on our research, LEP and D/HH court users experience further harm when they are in court seeking justice.

Surveyed advocates and attorneys highlighted that some court staff question whether clients “really” need interpretation. Respondents also mentioned that court staff show their class-based biases. For example, one respondent noted that some interpreters or staff “come from a higher social class than the clients and sometimes show disdain” toward them. This disconnect was apparent to both survey respondents and court watchers.

Court watch volunteers also observed problematic behaviors from court officials that reflected a lack of cultural responsiveness. Specifically, one respondent reported an observation that demonstrates a lack of cultural responsiveness by a judge:

In an attempt to communicate with the LEP litigant, [the] judge said “un minuto” (Spanish) to silence the litigant. The litigant did not speak Spanish...they were provided with a Portuguese interpreter but the litigant did not speak Portuguese. Finally, they resolved this issue by providing a Cape Verdean Creole interpreter, which is the language the LEP litigant spoke.

Whereas the above observation was made during a hearing, another court watcher noted that the “worst interactions that [I] saw between court officials and litigants were not in the courtroom, but in the court offices.” These numerous stories and experiences exemplify the fact that cultural responsiveness needs to improve among all levels and types of court staff for the benefit of court users with language access needs.

GAPS IN LANGUAGE ACCESS BEYOND SPANISH

While Spanish is a commonly spoken language throughout Massachusetts, we found that a plethora of other languages are spoken by court users as well, and language services for them are simply unavailable. Survey responses from attorneys, advocates, and court watchers revealed significant access barriers for speakers of low incidence languages such as Ukrainian, Cambodian, K'iche, Farsi, and Cameroon Pidgin, to name a few.⁸¹ Respondents stressed an urgent need for both more interpreters and more multilingual signage to serve these communities equitably.

TABLE 1: Languages spoken by clients of respondents to the attorney and advocate survey

Language	% of Clients
Spanish	96.1%
Portuguese (Brazilian Dialect)	71.3%
Haitian Creole	55.0%
Other*	41.1%
Cape Verdean Creole	37.2%
American Sign Language	31.8%
Vietnamese	26.4%
Chinese (Cantonese)	21.7%

*Other category includes languages such as, but not limited to: Greek, Russian, Arabic, Ukrainian, Khmer, Quechua, Hindi, Bengali, Dari, Tagalog, Pashtu, and Aramaic.

A recurring concern among survey respondents was the lack of qualified interpreters for these languages, which directly impacts the accuracy and reliability of interpretation during court proceedings. In some cases, limited interpreter availability has forced courts to rely on ad hoc solutions, raising serious questions about due process and language justice.

“ASL interpreters for legal matters are very scarce, and it can take months to schedule. I have received a great deal of resistance when I ask for 2 interpreters during trial (1 for my client and a separate 1 for witnesses), which is necessary so that I can actually communicate with my client during trial proceedings. This is resistance from both the Court and the interpreter’s [sic] office, despite the fact that the guidelines published by the interpreter’s [sic] office say that there should be 2 interpreters present in those circumstances.”

Court watchers further reported that multilingual signage remains overwhelmingly focused on Spanish, with little to no representation of other common languages in Massachusetts, such as Portuguese, Haitian Creole, Chinese, or Arabic. This reinforces the marginalization of other commonly spoken language groups in the state, reducing their ability to independently navigate court spaces or access basic information without relying on untrained intermediaries.

These gaps underscore the need for a more inclusive language access infrastructure—one that recognizes the full spectrum of linguistic diversity in Massachusetts and ensures equal access regardless of language spoken.

LANGUAGE REQUEST PROCESSES ARE UNCLEAR AND INACCESSIBLE

While all individuals have the right to interpretation services, and many, the right to translation, focus group participants described that the language request processes are unclear and inaccessible. This issue is something 68% of court watchers also noted. These court watchers reported that courtroom clerks did not announce the availability of language access resources, interpretation or translation services, or accommodations for LEP or D/HH individuals. For court watchers who did observe courtroom clerks announcing the availability of such resources, services, and accommodations, only 17% said that the announcement was made in a language other than English.

Even when individuals are made aware of their rights and language services are made available to them, participants across focus groups noted that the process for requesting language services was unclear. For instance, none of the participants in the focus group for D/HH court users knew who to contact to request accommodations.

For LEP court users, many noted barriers communicating with court staff, including a lack of interpretation over the phone and in the courtroom for announcements. Spanish-speaking court users specifically discussed the barriers and difficulty faced with phone calls to the court. These court users also reported that court staff often answered in English, and either did not provide an interpreter or made the participants wait a significant amount of time for interpretation services. In fact, three participants shared having to wait hours on the phone to receive assistance. Another participant echoed this experience, sharing that he had difficulty understanding court procedures when his calls were only answered in English.

Despite having a right to language services, many court users are unaware of this fact. Even when they learn they have the right to these services, they still face difficulty understanding and actually accessing them. This is because often, this process is not conducted or publicized anywhere in a court user's preferred language or mode of communication.

As a result, LEP and D/HH court users are left in the dark about how to access language access in the courts. The Office of Language Access (OLA) does have a complaint form on its website for LEP and D/HH court users to report issues related to: accessing interpretation and translation services, interpreter professionalism, punctuality, etc., and positive or negative experiences with translated documents. However, the form is not easily found on OLA's website and, glaringly, is only available in English.

SUMMARY OF FINDINGS

Generally, both LEP and D/HH court users face difficulties navigating the courthouse, courtroom, and general court proceedings for a number of key reasons:

- 1** Court users are not made aware of their rights to language services and support.
- 2** Even when individuals are made aware of these rights, the process for obtaining support is unclear and inaccessible.
- 3** The Court's limited resources lead to a lack of interpretation and translation services, cultural responsiveness training, and general ability to meet the needs of LEP and D/HH court users. This puts the burden of providing these services onto the court user, creating a lack of trust and respect between court users and court staff and officials, and negatively impacts a court user's case and court proceedings.
- 4** When language services are offered, they do not always address the needs of speakers of low incidence languages.
- 5** Finally, LEP and D/HH court users have no access to OLA's complaint procedure.

To address these key findings, the next section offers several recommendations to help eliminate ongoing language access barriers in courts across the Commonwealth.



Recommendations

THE COURT'S CURRENT EFFORTS TO IMPROVE LANGUAGE ACCESS

We acknowledge the Court's progress on language access over the past several years through intentional efforts to better access to justice for limited English proficient (LEP) and Deaf and hard of hearing (D/HH) court users. In 2023, the Court underwent a reorganization of offices, creating and hiring for the new position of Chief Access, Diversity, and Fairness Officer, which oversees, among other offices, the Office of Language Access (OLA) and the newly created Office of Access to Justice and User Experience. The latter has an external focus working to enhance the court user experience.

In October 2024, there were administration shifts at OLA. New personnel at OLA have been reviewing the past administration's policies and processes and are looking to make logistical policy fixes to increase efficiency. They are also working to help court staff better access and use language access resources to communicate with and provide access to LEP and D/HH court users. OLA plans to conduct research to determine how to improve language access within courthouses to make the court experience easier for all litigants. The new OLA administration is also working with the National Center for State Courts to develop an independent interpreter court certification program for Massachusetts, which will aid in the recruitment of interpreters. Furthermore, OLA is implementing onboarding and training processes for all staff to know how to interact with interpreters.

Finally, the Court is conducting a pilot using machine translation for court staff to use with LEP court users in transactional conversations outside of the courtroom. The Court is aware of the shortcomings of machine translation and plans to use it only in the context of LEP court users entering the courthouse, and not to explain any rights or case issues.

It is clear the Court is committed to language access. We applaud the Court for its efforts and offer the following set of recommendations to further improve and logistically implement practices that will expand language access across the Commonwealth's court system.

1 Implement More Self-Help Tools in Multiple Languages

RECOMMENDATION #1: *Implement more self-help tools rooted in the concepts detailed in the Plain Language Act and its accompanying guidelines. Conspicuously place the tools so that LEP court users can easily learn how to get to where they need to be in the courthouse on the day of their visit.*

Court is a daunting experience for most, and this is especially true for those who are better served in a language other than English. LEP court users would benefit from conspicuously placed self-help tools in multiple languages throughout courthouses. The tools would be most useful if the English language versions were drafted using plain language and then translated into LEP court users' preferred languages. The Plain Language Act of 2010 and its accompanying guidelines detail best practices for plain language writing.⁸²

The tools should be simple and easy to read and understand. We recommend that the tools assist LEP court users with how to physically navigate the courthouse, rather than provide any substantive information. For the tools to be effective and successful, substantive issues should be reserved for in-person interactions when LEP court users have the opportunity to ask clarifying questions.

2 Make Standby Interpreters Available

RECOMMENDATION #2: *Strive for the industry standard of team interpreting for both LEP and D/HH court users. In the interim, designate a team of interpreters to be “on call,” readily available to stand in when anticipated need for interpretation on a given day is more than expected or when assigned interpreters cannot appear. This will reduce wait times and result in enhanced interpretation for court users.*

To reduce long wait times of hours to days, focus group participants suggested the Court provide standby interpreters for court proceedings. The National Association of Judiciary Interpreters and Translators (NAJIT) recommends team interpreting to ensure accuracy and reduce fatigue.⁸³ The use of one interpreter to provide services for LEP users in court on a particular day is less than optimal. Having two interpreters for each proceeding reduces wait times since interpreters would be alternating and the proceeding would not have to adjourn to allow much needed breaks for interpreters. NAJIT recommends breaks every 30 minutes.⁸⁴ “Team interpreting is the industry standard and the long-standing practice of The Registry of Interpreters for the Deaf (RID).”⁸⁵

We recognize NAJIT's recommendation as one that would require more funding than the Court may currently have allocated for language access. This industry standard can be a goal for the Court to strive toward when more funding is available. Short of team interpreting, we recommend the Court have a team of interpreters “on call” available to fill in for assigned interpreters who are unable to appear. The “on call” interpreters would serve as alternates if an assigned interpreter does not appear. This means that these interpreters would be immediately available, either in-person or virtually, as soon as they are needed. This strategy would be helpful when there is an increased need for interpreters due to a prolonged hearing or trial, or in the case of unscheduled court proceedings, such as restraining orders and the like.

The importance of in-person interpretation whenever possible cannot be underestimated because the quality of in-person interpretation is much better. There may be times where video interpretation is needed, but it is a back-up option. Finally, interpretation by phone should be a last resort and used only if no other options are available.

3 Assess Language Needs of Communities In Each Court's Jurisdiction

RECOMMENDATION #3: *Lead a biennial community needs assessment to understand which languages are most prevalent in each region of Massachusetts.⁸⁶ Accordingly, make language access services available in those languages to better serve all court users in Massachusetts.*

To effectively address gaps in language access services, particularly beyond Spanish, it is crucial that courts in different counties of Massachusetts conduct assessments of the language and communications needs of the communities they serve. This ensures that translation, interpretation, and other language services are responsive to the most commonly spoken languages within each jurisdiction, even if they are considered low incidence languages at the state level.

In addition to maintaining robust Spanish language access services, the Court should prioritize hiring and making available qualified interpreters for other prevalent languages identified by the community needs assessment. Languages such as Haitian Creole, Portuguese, Cambodian, K'iche, Cape Verdean Creole, and Cameroon Pidgin came up as some for which court users faced barriers accessing language services, emphasizing the importance of tailoring language services according to the linguistic diversity within each region of Massachusetts.

We also suggest that the Court reassess language needs periodically to ensure that language access services remain aligned with shifting population trends and emerging community needs, fostering equitable access to justice for all.

4 Increase the Number of Multilingual Help Desks

RECOMMENDATION #4: *Increase the use of help desks across courts in Massachusetts that serve court users in multiple languages to increase access and improve the court user experience.*

Adding help desks that serve court users in multiple languages would provide more information to those who need it. As we have made clear, it is best practice to serve people in their preferred language. For court users who may be intimidated by going to court, having access to a help desk where a friendly person can orient them to where they need to go, in their preferred language, could improve their overall court experience.

The Court has already instituted pilots at various courthouses like the Brooke Courthouse and Lowell Judicial Center that involve greeters at help desks with access to machine translation for non-substantive communications with LEP court users. We urge the Court to implement more help desks across courthouses to improve access to information in multiple languages. Help desks should be clearly visible as soon as a court user goes through the security check, so they can get the assistance they need upon entering the courthouse. The Court must include and center LEP and D/HH court users in the formulation and implementation of help desks to ensure that they accurately serve the needs of those who will use them.

5 Post More Multilingual Signage In Courthouses

RECOMMENDATION #5: *Add more multilingual signage throughout courthouses, in accordance with the top five languages spoken in each jurisdiction.*

Clear, visible signage in multiple languages is a critical and low-cost step toward improving accessibility for LEP and D/HH court users. Many courthouses currently lack directional signage, posted rights information, or instructions about available services and how to access them in languages beyond English. This creates unnecessary confusion and can discourage LEP and D/HH individuals from seeking assistance or fully participating in their legal proceedings.

We recommend that Trial Court departments conduct a multilingual signage audit to identify current gaps and prioritize high-traffic areas—such as entry points, help desks, and courtrooms—for immediate updates. Signage should include visual symbols, be written using plain language, and be in the top five languages spoken in the jurisdiction of each respective Massachusetts court. We also recommend posting consistent and abundant signage throughout the courthouse about the right to a free interpreter and how to request one. Other signage best practices have been established and provide helpful guidance.⁸⁷

These changes are essential not only for legal compliance under Title VI of the Civil Rights Act of 1964, but also for promoting equity, dignity, and full access to justice for everyone interacting with the Massachusetts courts.

6 Train Court Staff on Cultural Responsiveness

RECOMMENDATION #6: *Inform LEP and D/HH court users of their right to free interpretation. Train all court staff on how to work with interpreters and be culturally responsive to all court users, either on a quarterly or semiannual basis.*

For the Court to be accessible, court users need to have accurate information about their right to interpretation at no cost to them and how to request this service. The information needs to be available in LEP court users' preferred languages.

The provision of interpretation is only effective insofar as the English-speaking court staffer or judge is trained on how to interact with interpreters when communicating with an LEP court user. It is imperative that all court staff, including security officers, clerks, and judges, receive skills training on how to work with interpreters on a semiannual or quarterly basis. Such training should include the need for the English speakers to speak slowly and clearly using short sentences, make frequent pauses to give the interpreter time to interpret, repeat words when necessary, and avoid using slang, jargon, or acronyms. Most importantly, all court staff and officials must be trained on how to be culturally responsive to LEP and D/HH court users. Court staff need training on how to work with D/HH court users, as well as interpreters who work with D/HH individuals. Cultural responsiveness training should underscore the importance of court staff listening to the needs of court users, rather than making determinations on whether someone needs an interpreter or other language services. Court staff cannot question the language assistance needs of a court user.

When asking an LEP court user what their preferred language is, one can also ask what language the person speaks at home, and then ask which language they would like the interpreter to speak. However, a D/HH person must always be asked what type of interpretation they would prefer. Some D/HH community members prefer to only use American Sign Language, while others prefer CART (Communication Access Realtime Translation). As a result, the question to pose to a D/HH person is to simply ask what their preferred method of communication is.

7 Appoint Dedicated Staff to Oversee Process of Language Access Requests

RECOMMENDATION #7: *To minimize delays in access to justice for LEP and D/HH court users, establish and draft a written protocol on how advocates and court users can request interpretation for court proceedings. Train court staff on this protocol and designate specific staff members to be responsible for ensuring interpretation. Translate the protocol into multiple languages and publicize.*

Many advocates who completed surveys reported that, despite their requests to the courts for interpreters to appear at a court proceeding, interpreters failed to do so. As a result, litigants' cases would not be heard and cases would be continued to a future date. This delayed justice for these court users. The Court's failure to provide access to justice to a court user on the day they appear could be a life or death situation, such as a case of a litigant trying to obtain a restraining order because of domestic violence.

While the process for requesting interpreters is somewhat accessible and understandable to attorneys and advocates, it is not known to court users. Importantly, the process breaks down after interpretation is requested in the clerk's office. It appears that staff in the clerks' offices are not clear on who is responsible for managing interpretation and translation requests.

Thus, a protocol for interpreter requests needs to be established and memorialized. Staff in clerks' offices should be trained on the protocol on a periodic basis. Further, a minimum of two staff people should be designated as responsible for confirming interpreter attendance in writing a week before a scheduled proceeding, and once again the day before. Lastly, this protocol and process should be made available to the public in multiple languages.

It is critical that all staff know the protocol and how to access interpretation in the clerks' offices when an LEP or D/HH person contacts the office be it in person, by telephone, written correspondence, or through the Court's website.

8 Make Use of Visual Aids to Assist Court Users

RECOMMENDATION #8: *Assess when and where visual aids would be useful and helpful to court users. Develop visual aids in plain language and in multiple languages with captions to create access for all court users.*

Visual aids are a useful and effective means of communicating complex information in simple terms. We recommend the Court employ visual aids in multiple languages for the LEP community. Informational videos in various languages with captioning for the D/HH community would be another vehicle available to court users. Visual aids may be especially helpful for court users who are not literate in English or in their preferred language. Information must be presented simply and in plain language. Visuals can include litigants' right to a free interpreter and how to request one from the court, services like Lawyer for the Day, and how to reach legal services offices.

RECOMMENDATION #9: *Send Babel Notices with all summons so court users know they need to have these documents translated. Translate the Language Access Complaint Form, court orders, and critical documents to provide true access to justice for LEP and D/HH court users.*

Providing court documents in a court user's preferred language affords them access to justice. To that end, we recommend sending Babel Notices with all summons, especially those pertaining to child custody and parenting time (including child welfare and guardianship cases), divorce, domestic violence, and eviction. A Babel Notice is a general form stating that it is important to have the accompanying documents translated, and what actions must be taken.⁸⁸

Additionally, it is imperative that the Court translate the following documents:

- Language access complaint form: LEP and D/HH court users need to be able access, use, and understand this form in their preferred language.
- Court orders: Individuals must be able to understand what the Court is ordering them to do, for example, instructions on a restraining order.
- Critical documents that can have life-changing consequences: Court users need to have access to information in critical documents, such as guardian ad litem reports.

When the Court has translated documents, it has taken a very long time to do so. It is important that the Court translate documents in a timely manner to ensure that court users receive important information when they need it.



The Road Ahead

As the linguistic diversity in Massachusetts continues to increase, it is critical that the Massachusetts Trial Courts continue to improve language access for all court users. There is still work to be done to ensure compliance with applicable federal and state laws and regulations. It is clear that the Court is committed to making the court experience easier for court users, and our recommendations will help to operationalize this intention. Language access is access to justice. The Court must elevate its commitment and prioritize its efforts so all court users alike can truly access justice.



Appendix A

INTERVIEW GUIDE FOR FOCUS GROUPS

Introduction

Good evening. Thank you for being here tonight. We are here because we are interested in hearing about your experiences in the courts as a **[insert language]** speaker. We will be asking you some simple questions about what happened when you went to court, either in person or via the computer. Whenever we talk about court, it can be either in person or on the computer, so please specify how you attended court.

We have a notetaker here tonight who will write down information you say along with your first name. We will be writing a report to include your experiences. We want to show that report to the court so they can work on improving language access. However, when we write the report, we will change all names. Your name will not appear in any public materials.

Sticky Note Activity

Note: facilitator and notetaker offer to help anyone who may have trouble reading and writing

- What is one word/feeling to describe your court experience?
- What happened because of your lack of access to language services in court?
- Do you feel confident that the courts can help you in your preferred language?
- What kind of case were you in court for? For example, divorce, custody, criminal matters, eviction, etc.
 - *Write categories on large sticky note for each type of case, and have participants put one sticky note for each of their cases*
- How would you rank your confidence in the court?
 - *Create a scale for participants to rank their confidence level*
 - *5-point scale: Not confident (1), Slightly confident (2), Moderately confident (3), Very confident (4), Extremely confident (5)*

Warmup Round

- Let's go around and share our first names and the city where we attended court.
- Did you know you had the right to have an interpreter in court?
- Did you receive any documents, like letters or notices, in the mail from the court before or after your court date?
 - Were they in your preferred language?
 - Was there instruction in your preferred language telling you to translate them?
- Did you understand the outcome of what happened in court? (outcome rather than reasoning of the final decision)

Before Going to Court

1. How did you find out you needed to go to court?
 - a. *Notetaker: memorialize who helped this person translate court docs, e.g., child, friend, agency*
 - b. *PROBE: Did you have to pay to get the documents translated? If so, how much?*
2. Did the person/organization that helped you translate the document charge you? If so, how much were you charged?
3. Once you realized you had to go to court, what steps did you take to make sure you would understand the proceedings?
4. What was your experience communicating with the court employees?
 - a. Did the person you spoke with from the court speak your preferred language?
 - i. *PROBE: If not, did the person from the court call an interpreter (by telephone or in person) to communicate with you?*
 - ii. *PROBE: If not, were you asked to bring your own interpreter, such as a family member or friend?*
5. How did you learn what language services were available to you?
 - a. When were you asked about your language preferences? Before you came to court? Before attending court on the computer? At the Clerk's Office?
6. What was your experience using Lawyer for the Day Services (free lawyers who sit at a table outside of the courtroom who can help you with your court case only on that day)?
 - a. *PROBE: If you used these services, did the lawyer speak your preferred language? If they did not, did they provide you with an interpreter?*

Interpretation

Facilitator - give interpretation definition: In this case, interpretation is when someone orally translates what is being said into your preferred language, all in real time.

7. What was your experience when calling the court?
 - a. *PROBE: Did someone from the court who speaks your preferred language talk with you?*
 - b. *PROBE: Did the person on the phone provide an interpreter to speak with you?*
 - c. *PROBE: Were you told there was no interpreter available?*
 - d. *PROBE: Were you told to call back with someone who speaks English?*
 - e. *PROBE: Did the person hang up the phone without helping you in your preferred language?*
8. What was the process of finding an interpreter like?
 - a. Was it difficult?
 - b. Was it easy?
 - c. Was the interpreter provided by the court?
 - d. Were you told you had to wait for an interpreter to go before the judge?
 - i. *PROBE: If you did, how long did you wait for them to arrive (in person or virtually)*
 - ii. *PROBE: Did you have to come back to court another day because interpretation wasn't available?*
 - e. Were you ever offered interpreter-over-the-phone services in the clerk's office or courtroom?
9. After you knew you needed to go to court and were able to secure an interpreter, were you able to understand them? How did you feel during your interactions with them?
 - a. *PROBE: Did they give you advice about your case?*

- b. *PROBE: Did you know the interpreter from the community? E.g, church, etc.*
- i. *NOTE: If anyone says yes to this question, we should ask if they spoke up/tried to speak up about the fact that they knew the interpreter and what was done, e.g., rescheduled due to conflict or proceeded despite conflict.*

Translation

Facilitator—give translation definition: In this case, translation is when a document or text is changed from one language to your preferred language.

- 10. Did you receive any court documents in your preferred language?
- 11. What did you do to have the court documents in English translated?
 - a. Was it difficult?
 - b. Was it easy?
- 12. Did you ever have to translate a court document on your own (like using Google Translate)? How did it feel to have to translate a court document?

Court Proceedings

- 13. If you attended court on the computer/virtually, what was your experience understanding what was going on?
 - a. *PROBE: Did someone speak to you in your preferred language (staff person or interpreter)?*
 - b. *PROBE: Was there any information on the screen in your preferred language? Did it make sense?*
 - c. *PROBE: Did you ever have to go through with the proceeding without an interpreter, whether in the courtroom or on the computer?*
- 14. When you were in court, what was your experience with signage in your preferred language
 - a. *PROBE: Did you see any signs in your preferred language? If so, did you understand them?*
- 15. For those of you that have been to court several times, how did your experiences regarding access to language services differ each time?

In Closing

- 16. What went well during your court experience regarding language services?
- 17. What would you change about your court experience regarding language services?
- 18. How did it feel to go to court as someone whose preferred language is not English?



Appendix B

ADVOCATE AND ATTORNEY SURVEY QUESTIONS

We administered this survey in Qualtrics, an online survey software, and programmed it so certain questions would not appear unless prompted by respondents' specific answers. We have included all survey questions below.

About This Survey

Thank you for participating in this survey. The Language Access Coalition is conducting a research project regarding language accessibility for Limited English Proficient (LEP) and Deaf and Hard of Hearing (D/HH) individuals in the Massachusetts State Courts. We're seeking your responses to learn more about the experiences of LEP and D/HH court users you've worked with or observed. Please be as specific as you can when answering these questions. Your responses should reflect the experiences of your LEP and D/HH clients collectively, but when making comments, feel free to share stories specific to individual clients. It should take you about 20 minutes to complete. Your personal information (name, title, etc.) will be kept confidential. Thank you for your time.

Introduction

Please answer all the survey questions **within the timeframe of 2020 to the present, regarding LEP and D/HH clients you've worked with or observed.**

1. Name
2. Email
3. What is your role as it relates to language access? (Select all that apply)
 - a. Advocate
 - b. Attorney
 - c. Social service provider
 - d. Interpreter
 - e. Other – [insert box to type role in]
4. What languages do your clients speak? (Select all that apply)
 - a. American Sign Language
 - b. Cape Verdean Creole
 - c. Chinese (Cantonese)
 - d. Haitian Creole
 - e. Portuguese (Brazilian Dialect)
 - f. Spanish
 - g. Vietnamese
 - h. Other (please elaborate)

5. What region(s) of MA do you work in?

- a. Barnstable
- b. Berkshire
- c. Bristol
- d. Dukes
- e. Essex
- f. Franklin
- g. Hampden
- h. Hampshire
- i. Middlesex
- j. Nantucket
- k. Norfolk
- l. Plymouth
- m. Suffolk
- n. Worcester

6. Which types of Courts do you work in?

- a. Superior - Criminal
- b. Superior - Civil
- c. District - Criminal
- d. District - Civil
- e. Probate and Family
- f. Housing
- g. Juvenile
- h. Small Claims Court
- i. Boston Municipal Court

Process

- 7. How easy is it to find information on the availability of language services for court users on the Court's website?
 - a. Likert scale (Extremely difficult, Somewhat difficult, Neither easy nor difficult, Somewhat easy, Extremely easy, N/A)
- 8. What do you find to be the most *difficult* when interacting with the Court on behalf of an LEP client? E.g. scheduling an interpreter, receiving translated documents from the Court, or communicating with the Court about an interpreter's service.
- 9. What do you find to be *easiest or most accessible* when interacting with the Court on behalf of an LEP client? E.g. scheduling an interpreter, receiving translated documents from the Court, or communicating with the Court about an interpreter's services.
- 10. If your client brought you a court summons, was it accompanied by a Babel Notice (an insert in their preferred language that they had the right to an interpreter/where or how to get one)?
 - a. Yes, No, N/A
- 11. Is there anything else you'd like to share regarding the topics in this section?

Interpretation

12. On average, how often have your FIRST requests for interpretation been fulfilled (meaning the interpreter appeared in Court at the agreed upon time, and then interpreted for the proceeding)?
 - a. Likert scale (Never, Sometimes, About half the time, Most of the time, Always, N/A)
13. What was the process of getting an interpreter for your clients?
14. Have you requested an interpreter and... (select all that apply)
 - a. The interpreter did not show up/was very late and your client's hearing proceeded anyways
 - b. The interpreter did not show up/was very late and the hearing was postponed
 - c. The interpreter never appeared
 - d. Other
15. What is the longest amount of time you've had to wait for an interpreter in Court?
16. How many times have you requested an interpreter for your clients, and one was not made available to them?
 - a. Options in ranges: 0-4, 5-9, 10-14, 15-19, 20+
17. Rate the overall quality/satisfaction with interpretation and services from the Court (interpreter's timeliness, quality of interpretation, etc.)
 - a. Likert scale (Extremely dissatisfied, Somewhat dissatisfied, Neither satisfied nor dissatisfied, Somewhat satisfied, Extremely satisfied, N/A)
18. Was there ever a time when someone from the Court told you or your client that there was no interpreter available, or that your client was not eligible to get an interpreter?
 - a. Yes
 - b. No
 - c. N/A
19. If so, please elaborate.
20. On average, how easy or difficult is it to request interpretation services through the Court, whether via telephone or online via MassCourts?
 - a. Likert scale (Extremely difficult, Somewhat difficult, Neither easy nor difficult, Somewhat easy, Extremely easy, N/A)
21. Is there anything else you'd like to share on this topic?
22. Were you or any of your LEP or D/HH clients ever offered interpreter services through LanguageLine, i.e., telephone language service provider?
 - a. Yes
 - b. No
 - c. N/A
- 22a. If so, what was this experience like? Were the services offered adequate? Were the services timely or did your client have to wait a long time to get an interpreter?

23. Have you and your clients been able to access the court interpreter outside of the courtroom, for example, in the courthouse hallway?
- a. Yes
 - b. No
 - c. N/A
- 23a. If applicable, please elaborate. What did you do if the court interpreter refused to interpret for you and your client to communicate outside of the courtroom?
24. Have you ever had concerns about the interpreter's quality, professionalism, and/or competency, e.g. did the interpreter ever go beyond their role, like advising the client on legal matters or giving their opinion?
- a. Yes
 - b. No
 - c. N/A
 - d. If so, please elaborate.
25. Have you witnessed interpreters inaccurately interpret what an LEP court user was saying to a judge, clerk, or other court employee? This could include presuming inaccurate or shorter than what was said originally. Please share any stories related to self-represented litigants, e.g., when waiting in Clerk's line or sitting in the tribunal.
26. Is there anything else you'd like to share regarding interpretation services provided by the Court?

Translation

27. Quality/satisfaction with translation from the Court (quality of documents translated, timeliness, etc.)
- a. Likert scale (Extremely dissatisfied, Somewhat dissatisfied, Neither satisfied nor dissatisfied, Somewhat satisfied, Extremely satisfied, N/A)
 - b. Is there anything else you'd like to share on this topic?
28. For any clients you worked with who spoke a "low incidence language" (a language that is spoken by a small number of MA residents) or American Sign Language, was a document ever sight translated (interpreted live to them on the spot)?
- a. Yes
 - b. No
 - c. N/A
- 28A. If so, did they understand the sight translation?
- a. Yes
 - b. No
29. After the court proceedings, did your clients receive (in person, by mail, or via email) court documents in their preferred language?
- a. Yes
 - b. No
 - c. N/A

30. If you have gone to Court to file a restraining order, complaint, etc. on behalf of your client, were you ever offered translated documents once you informed the Court your client was LEP?

- a. Yes
- b. No
- c. N/A

31. Did you know that the Court has some translated documents available on their website?

- a. Yes
- b. No
- c. N/A

31a. If you have tried to access these documents, how easy or difficult was it to find them?

32. Is there anything else you'd like to share regarding translation services provided by the Court?

Filing Complaints

33. Do you know how to make a complaint to the Court about interpretation or translation?

- a. Yes
- b. No
- c. N/A

34. Have you ever filed a complaint with the Court about interpretation or translation?

- a. Yes
- b. No

35. What was the complaint filing process like? I.e., level of difficulty and finding out how to do so?

36. What was the outcome of your complaint filing? E.g. The Office of Language Access (OLA) never replied, resolved with assistance from OLA, OLA got involved but it never got resolved, etc).

Clerk's Office

37. When you arrived at the courthouse, was there a sign saying your client had the right to access an interpreter or ask the clerk for an interpreter?

- a. Yes
- b. unsure
- c. No
- d. N/A

38. If there was a sign, was it...

- a. Available in languages other than English?
(Yes, No, N/A)
- b. Available in your client's language?
(Yes, No, N/A)
- c. Easy to spot (Yes, No, N/A)

39. Did you notice any “I Speak” posters in the Clerk’s Office? (these are posters with the words “I Speak” repeated in various languages for the court user to point to their language to inform the Court of their preferred language).
- a. Yes, always
 - b. Yes, some of the time
 - c. Unsure
 - d. No
 - e. N/A
40. Did the Clerk’s Office offer LanguageLine, video, remote, or in-person interpretation services?
- a. Yes
 - b. No
 - c. N/A
41. Was there a bilingual or multilingual staff member or interpreter present in the Clerk’s Office?
- a. Yes
 - b. No
 - c. N/A
42. What languages were available when Court staff spoke several languages?
43. How long did your client need to wait to speak with them?
44. Did your client understand them?
- a. Yes
 - b. No
45. Is there anything else you’d like to share regarding the Clerk’s Office as it relates to language access?
46. What has been your experience with language access for your clients in the Court Service Centers?
47. Is there anything else you would like to share (whether positive or negative) about your experience with language access in the MA courts?
48. Optional: Please share your name and email address so we can follow up if needed. Your personal information will be kept confidential.



Appendix C

COURT WATCH SURVEY FOR COURT WATCHERS TO FILL OUT AFTER COURT WATCH

We administered this survey in Qualtrics, an online survey software, and programmed it so certain questions would not appear unless prompted by respondents' specific answers. We have included all survey questions below.

Basic Court Watch Information

1. Name
2. Email
3. Date of Court Watch (m/d/y)
4. Courthouse Name
5. Type of Court (Multiple Choice Feature)
 - a. Housing
 - b. Probate and Family
 - c. Boston Municipal - Small Claims
6. Length of Court Watch (from time entered courthouse to time left courthouse)
 - a. Less than an hour
 - b. 1-2 hours
 - c. 2-3 hours
 - d. 3-4 hours
 - e. 4+ hours
7. Approximate arrival and departure time from court (i.e., 8:30 am-1 p.m.)

Courthouse Hallways, Clerk's Office, Help Desk, Self-Help Centers

8. Record any instances of multi-language signage in the courthouse, i.e., security check, hallways, elevators, clerk's office, courtroom, etc. Please include the content and location of signage, the number of languages displayed, and which languages are displayed, if you know.
9. Did you see any self-help tools available? I.e., Digital touch screens for users to find information.
 - a. Yes
 - b. No
10. What were these tools?
11. Where were they places? Were they easily accessible?

12. Were the tools available in languages other than English?

- a. Yes
- b. No

13. Were the tools user-friendly?

- a. Yes
- b. No
- c. Other (please elaborate)

14. Did you find a help desk that was easy to find?

- a. Yes
- b. No

15. How did you access court docket information for the day?

16. Did you see an option to access court docket information in a language besides English?

- a. Yes
- b. No

17. Please add any other observations about the courthouse hallways, clerk, help desks, or self-help tools.

Courtroom Procedures

18. Did the courtroom clerk announce the availability of language access resources, interpretation/translation services, or accommodations for LEP or deaf/hard-of-hearing people?

- a. Yes
- b. No

19. What was the content of the courtroom clerk's announcement about language access?

20. When was this announcement made?

21. Was the announcement made more than one time? If so, when was it made in relation to the first announcement?

- a. Yes
- b. No

22. Was the announcement made in a language besides English

- a. Yes
- b. No

LEP Litigants in the Courtroom

23. Did you observe any LEP person (litigant or witness) during your court watch?

- a. Yes
- b. No

24. How many LEP litigants did you observe during your court watch?

- a. 1
- b. 2
- c. 3
- d. 4
- e. 5
- f. More than 5 (Please specify)

LEP Litigant Accompaniment/Interpreter Recruitment

25. To your knowledge, were any LEP litigants accompanied to court by another person?

- a. Yes
- b. No
- c. Other (please specify)

26. If you know what was the relation of the other person to the LEP litigant (i.e. Friend or family member)? Were they an adult or a minor? Tip: Those coming to court with LEP litigants will often identify themselves as being there to help the litigant with interpretation. They usually make this statement when the litigant's name is called.

27. If you know, did the person accompanying the LEP litigant interpret or translate for the LEP litigant? Please elaborate.

28. Did court officials attempt to recruit anyone in the courtroom to provide language interpretation/translation services for an LEP litigant?

- a. Yes
- b. No

29. Which court official? Please include their title.

30. What was the relation, if any, of the recruited person to the LEP litigant, if you know? 27. Did the recruited person agree to refuse to provide language interpretation/translation services to the LEP litigant? Please elaborate.

Interpretation Delays

31. Did you notice any delays in court proceedings due to the absence of/need to call an interpreter?

- a. Yes
- b. No

32. How did court officials react to the request for interpretation services?

33. On average, how long were the delays? Tip: These delays may go past the time you're in court, so you might need to write something like "I was in court for 4 hours and the interpreter didn't arrive while I was present."

34. How did court officials react to the request for interpretation services and the need to delay the proceedings?

Interpreters

35. How many interpreters were utilized by the court during your court watch?
- a. 0
 - b. 1
 - c. 2
 - d. 3
 - e. 4 or more
36. If you know, which languages were provided by interpreters?
37. How many interpreters appeared before the court in-person?
- a. 0
 - b. 1
 - c. 2
 - d. 3
 - e. 4 or more
38. How many interpreters appeared before the court virtually?
- a. 0
 - b. 1
 - c. 2
 - d. 3
 - e. 4 or more
39. How did interpreters appear virtually?
- a. Zoom
 - b. Telephone
 - c. Other (please specify)
40. What was the Zoom display setup, if you know?
- a. Large TV screen and camera set up
 - b. Laptop or other personal electronic device oriented toward LEP litigant
 - c. Other, please specify
41. What technology was used for telephone interpretation, if you know?
- a. Conference phone connected to courtroom sound system
 - b. Courtroom phone on speaker mode
 - c. Cellphone of court staff
 - d. Other, please specify
42. How did court officials treat LEP litigants after they requested language assistance? Consider this in relation to non-LEP litigants.
43. Which court official
- a. Judge
 - b. Courtroom clerk
 - c. Court officer
 - d. Other (please specify)

44. If you noticed a difference between how these court officials treated LEP vs. non-LEP litigants, please elaborate.

Deaf or Hard-of-Hearing Litigants in the Courtroom

45. Did you observe any deaf or hard-of-hearing (D/HH) person (litigant or witness) during your court watch, if you were able to tell?

- a. Yes
- b. No

46. How many D/HH litigants did you observe during your court watch?

- a. 1
- b. 2
- c. 3
- d. 4
- e. 5
- f. More than 5 (please specify)

47. What kinds of auxiliary aid services did they use, if you know?

- a. ASL interpretation?
- b. CART (Communication Access Realtime Translation)?
- c. Other (please specify)]

D/HH Litigant Accompaniment/Interpreter Recruitment

48. To your knowledge, were any D/HH litigants accompanied to court by another person?

- a. Yes
- b. No

49. If you know, what was the relation of the other person to the D/HH litigant i.e. friend or family member? Were they an adult or a minor? (Tip: Those coming to court with D/HH litigants will often identify themselves as being there to help the litigant with interpretation. They usually make this statement when the litigant's name is called.)

50. Did the person accompanying the D/HH litigant interpret or provide some other auxiliary aid services for the D/HH litigant? Please elaborate.

51. Did court officials (please specify their title) attempt to recruit any person in the courtroom to provide auxiliary aid services for a D/HH litigant?

- a. Yes
- b. No

52. What was the relation, if any, of the recruited person and the D/HH litigant, if you know?

53. Did the recruited person agree or refuse to provide auxiliary aid services to the D/HH litigant? Please elaborate.

Interpretation Delays

54. Did you notice any delays in court proceedings due to the absence of/need to call for auxiliary aid services?
- a. Yes
 - b. No
55. How did court officials react to the request for auxiliary aid services?
56. On average, how long were the delays? Tip: These delays may go past the time you're in court, so you might need to write something like "I was in court for 3 hours and the interpreter didn't arrive while I was present."
57. How did court officials react to the request for auxiliary aid services and the need to delay the proceedings?

Interpreters

58. How many ASL interpreters/auxiliary aid providers did you observe being utilized by the court during your court watch?
- a. 0
 - b. 1
 - c. 2
 - d. 3
 - e. 4 or more
59. If you know, what kinds of auxiliary aid services were provided? I.e, American Sign Language interpretation, CART (Communication Access Realtime Translation), etc.
60. How many ASL interpreters/auxiliary aid providers appeared before the court in-person? (multiple choice)
- a. 0
 - b. 1
 - c. 2
 - d. 3
 - e. 4 or more
61. How many ASL interpreters/auxiliary aid providers appeared before the court virtually? (multiple choice)
- a. 0
 - b. 1
 - c. 2
 - d. 3
 - e. 4 or more
62. What was the display set up on Zoom, if you know?
- a. Large TV screen and camera set up
 - b. Laptop or other personal electronic device oriented toward D/HH litigant
 - c. Other, please specify

Court Staff Behavior

63. How did court officials treat D/HH litigants after they requested auxiliary aid services? Consider this in relation to non-D/HH litigants
64. Please identify the specific court official (their title) when recording your observations.
65. Which court official? (multiple choice)
- a. Judge
 - b. Courtroom clerk
 - c. Court officer
 - d. Other (please specify)
66. How did court officials treat D/HH litigants in court proceedings via auxiliary aid services? Consider this in relation to non-D/HH litigants.
67. Which court official? (multiple choice)
- a. Judge
 - b. Courtroom clerk
 - c. Court officer
 - d. Other (please specify)
68. If you noticed a difference between how these court officials treated D/HH vs. non-D/HH litigants, please elaborate.
69. Please share anything else you observed that was not addressed in the survey.



Appendix D

PRINTED HARD COPY SURVEY FOR COURT WATCHERS TO BRING TO COURT OBSERVATION

Watchers to Bring to Court Observation

We asked court watch volunteers to bring this printed version of the survey to court to write out their observations while physically in the building. Soon after, they filled out the online survey that allowed us to get more detailed information and analyze the survey results.

Basic Court Watch Information

1. Name:
2. Date of Court Watch:
3. Courthouse Name:
4. Type of Court (Housing, Probate and Family, or Boston Municipal - Small Claims):
5. Length of Court Watch:
6. Arrival and Departure Time:

Hallways, Clerk's Office, Help Desk, Self-Help Centers

7. Please record any instances or observations of multi-language signage or self-help tools. Note what the tools were, and if they were available in languages other than English, user-friendly, and easily accessible.
8. Please record your experience accessing court docket information. How did you access court docket information for the day and did you see an option to access that information in a language besides English?

Courtroom Procedures

9. Did the courtroom clerk announce the availability of language access resources, interpretation/translation services, or accommodations for LEP or deaf/hard of hearing persons? Note the content of the announcement, when it was made, if the announcement was made in a language besides English and if it was made more than once.

Limited English Proficient (LEP) Litigants in the Courtroom

If you did not observe any LEP litigants during your court watch, please skip this section and move on to the **Deaf or Hard of Hearing Litigants in the Courtroom** section.

10. How many LEP litigants did you observe during your court watch? (If possible, note the languages spoken by any of the LEP litigants)

11. Were any LEP litigants accompanied to court by another person? If you can, please note the relation to the litigant, if they were an adult or minor, and whether or not they interpreted/translated for the LEP litigant.

12. Did court officials attempt to recruit anyone in the courtroom to provide language interpretation/translation services for an LEP litigant? Note which court official and if the recruited person agreed or refused to provide language interpretation/translation services to the LEP litigant.

13. Note any delays in court proceedings due to the absence of/need to call an interpreter, the length of any delays, and how court officials responded to the request for interpretation services and the need to delay proceedings.

14. How many interpreters were utilized by the court during your court watch? Note: languages provided, if the interpreters appeared virtually vs. in-person, the number that appeared virtually or in-person, and the technology used during the interpretation.

15. Note how and which court officials treated LEP litigants after they requested language assistance and during court proceedings via interpretation. Share observations if you noticed a difference between how court officials treated LEP vs. non-LEP litigants.

Deaf or Hard of Hearing (D/HH) Litigants in the Courtroom

If you did not observe any Deaf or Hard of Hearing litigants during your court watch, please skip this section and move on to the **Additional Observations** section.

16. How many D/HH litigants did you observe during your court watch? (If you know, note what kinds of auxiliary aid services they used; i.e. American Sign Language (ASL) interpretation, CART (Communication Access Realtime Translation), etc.)
17. Were any D/HH litigants accompanied to court by another person? If you can, please note the relation to the litigant, if they were an adult or minor, and whether or not they interpreted or provided some other auxiliary aid services for the D/HH litigant.
18. Did court officials attempt to recruit anyone in the courtroom to provide auxiliary aid services for a D/HH litigant? Note which court official and if the recruited person agreed or refused to provide auxiliary aid services to the D/HH litigant.
19. Note any delays in court proceedings due to the absence of/need to call for auxiliary aid services, the length of any delays, and how court officials responded to the request for auxiliary aid services and the need to delay proceedings.
20. How many ASL interpreters/auxiliary aid providers were utilized by the court during your court watch? Note: what kinds of auxiliary aid services were provided, if the auxiliary aid services provider appeared virtually vs. in-person, the number that appeared virtually or in-person, and the technology used during the provision of auxiliary aid services.
21. Note how and which court officials treated D/HH litigants after they requested auxiliary aid services and during court proceedings via interpretation/auxiliary aid services. Share observations if you noticed a difference between how court officials treated D/HH vs. non-D/HH litigants.

Additional Observations

Note anything else you observed that was not addressed in the survey.

Endnotes

Some of the web pages we reference are no longer accessible as the federal government has removed them. These sites housed valuable information we used in this report.

- ¹ Ivy Scott, “Culture of Fear and Control ‘Ruining’ Services at the State Court’s Language Interpreters Office, Staff Say,” *The Boston Globe*, July 30, 2023, <https://www.bostonglobe.com/2023/07/30/metro/culture-fear-control-ruining-services-state-courts-language-interpreters-office-staff-say/?event=event12>.
- ² *FY 2024 Annual Report on the State of the Massachusetts Court System* (Massachusetts Court System, Commonwealth of Massachusetts, June 30, 2024), <https://www.mass.gov/doc/fy2024-annual-report-of-the-court-system/download>.
- ³ “State Demographics Data - Massachusetts, Migration Policy Institute, 2023, <https://www.migrationpolicy.org/data/state-profiles/state/language/MA>.
- ⁴ “Facts about the Trial Court Office of Language Access,” Mass.gov, accessed August 8, 2024, <https://web.archive.org/web/20250418041057/https://www.mass.gov/info-details/facts-about-the-trial-court-office-of-language-access>.
- ⁵ “Massachusetts Commission for the Deaf and Hard of Hearing (MCDHH) Language Access Plan,” Mass.gov, accessed April 28, 2025, https://www.mass.gov/doc/mcdhh-language-access-plan-pdf/download?_ga=2.265705736.661885106.1745853398-2005571124.1723643540&_gl=1*k6dhxe*_ga*MjAwN-TU3MTEyNC4xNzIzNjQw*_ga_MCLPEGW7WM*MTc0NTg-1MzUzMi4xLjEuMTc0NTg1MzU0NC4wLjAuMA.
- ⁶ *Standards and Procedures of the Office of Language Access* (Committee for the Administration of Interpreters for the Trial Court, Commonwealth of Massachusetts, August 5, 2024), <https://www.mass.gov/doc/standards-and-procedures-of-the-office-of-language-access/download>.
- ⁷ “Language Access,” National Center for Access to Justice, accessed August 8, 2024, <https://ncaj.org/state-rankings/justice-index/language-access>.
- ⁸ “Court Rules That Defendants With Limited English Proficiency Have A Constitutional Right To Court Interpreters,” *American Civil Liberties Union* (blog), accessed August 8, 2024, <https://www.aclu.org/press-releases/court-rules-defendants-limited-english-proficiency-have-constitutional-right-court>.
- ⁹ Jacob Hofstetter, Margie McHugh, and Anna O’Toole, *A Framework for Language Access: Key Features of U.S. State and Local Language Access Laws and Policies* (Migration Policy Institute, October 2021), https://www.migrationpolicy.org/sites/default/files/publications/language-access-2021_final.pdf; 42 U.S.C. § 2000d; 28 C.F.R. Part 42 Subsection C.
- ¹⁰ Jacob Hofstetter, Margie McHugh, and Anna O’Toole, *A Framework for Language Access: Key Features of U.S. State and Local Language Access Laws and Policies* (Migration Policy Institute, October 2021), https://www.migrationpolicy.org/sites/default/files/publications/language-access-2021_final.pdf; U.S. Department of Justice, “DOJ Final LEP Guidance Signed 6-12-02,” U.S. Department of Justice, August 6, 2015.
- ¹¹ *Language Access in State Courts* (U.S. Department of Justice, Civil Rights Division, September 2016), <https://www.justice.gov/crt/file/892036/dl>.
- ¹² “Courts,” National Association of the Deaf, accessed August 8, 2024, <https://www.nad.org/resources/justice/courts/>; “Guide to Disability Rights Laws,” ADA.gov, August 8, 2024, <https://www.ada.gov/resources/disability-rights-guide/>. While federal courts are not subject to the ADA, Judicial Conference of the Administrative Office of the United States Courts policy provides that all federal courts will “provide reasonable accommodations to persons with communications disabilities,” which tracks the requirement in the ADA with respect to D/HH court participants.
- ¹³ *Lau v. Nichols*, 414 U.S. 563 (1974).
- ¹⁴ *Id.* at p. 564.
- ¹⁵ *Id.* at p. 566.
- ¹⁶ *Id.* at 566, 568–69.
- ¹⁷ *Id.* at p. 567 (citing 35 Fed.Reg. 11595 and 45 CFR 80.3(b)).
- ¹⁸ The U.S. Department of Justice (DOJ) initially published draft guidance on January 16, 2001. See 66 FR 3834. After public comment, DOJ republished the guidance for public comment on January 18, 2002. See 67 FR 2671. DOJ then published revised guidance for public comment on April 18, 2002. See 67 FR 19237. DOJ adopted final guidance on June 12, 2002. This guidance was then rescinded when Executive Order (“E.O.”) 14224, *Designating English as the Official Language of the United States* was signed on March 1, 2025. DOJ, “DOJ Final LEP Guidance Signed 6-12-02,” U.S. Department of Justice, August 6, 2015, 67 Fed. Reg. 41,455 (June 18, 2002) (“DOJ Guidance”). DOJ, “Notice of Rescission of Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons,” U.S. Department of Justice, FR Doc. 2025-06366 (April 14, 2025).
- ¹⁹ *Id.* at § VI.
- ²⁰ *Id.* at § VII.
- ²¹ See, e.g., Settlement Agreement Between the United States of America, Rashad Gordon, Michael Edwards, and the City of Houston, Texas (2000), <https://archive.ada.gov/houston.htm>.
- ²² *Id.*
- ²³ “Courts,” National Association of the Deaf, accessed August 8, 2024, <https://www.nad.org/resources/justice/courts/>.
- ²⁴ Letter from U.S. Department of Justice, Civil Rights Division to Chief Justice/State Court Administrators, August 16, 2010, <https://www.justice.gov/crt/limited-english-proficiency>; see also U.S. Department of Justice, Civil Rights Division, *Language Access in State Courts* (citing cases).
- ²⁵ *Id.* at 2-3.
- ²⁶ *Id.* at 3.
- ²⁷ *Id.* at 4.
- ²⁸ “Statement of the Issue,” National Center for State Courts, June 23, 2022, <https://web.archive.org/web/20250422010532/https://www.ncsc.org/consulting-and-research/areas-of-expertise/interpreter-info/called-to-action/statement-of-the-issue>.
- ²⁹ “Department of Justice and New Jersey Judiciary Collaborate to Ensure Provision of Language Assistance Services in Courts,” U.S. Department of Justice, April 9, 2014, <https://www.justice.gov/opa/pr/department-justice-and-new-jersey-judiciary-collaborate-ensure-provision-language-assistance>.
- ³⁰ “Justice Department Closes Case after Rhode Island Judiciary Reforms Provide Equal Access for Individuals with Limited English Proficiency,” U.S. Department of Justice, April 21, 2016, <https://www.justice.gov/opa/pr/justice-department-closes-case-after-rhode-island-judiciary-reforms-provide-equal-access>.

- ³¹ *Language Access in State Courts* (U.S. Department of Justice, Civil Rights Division, September 2016), <https://www.justice.gov/crt/file/892036/dl>.
- ³² *Id.*
- ³³ “Statement of the Issue,” National Center for State Courts, June 23, 2022, <https://web.archive.org/web/20250422010532/https://www.ncsc.org/consulting-and-research/areas-of-expertise/interpreter-info/called-to-action/statement-of-the-issue>.
- ³⁴ “The National Call to Action Publication & 9 Action Steps,” National Center for State Courts, June 23, 2022, <https://web.archive.org/web/20250422004929/https://www.ncsc.org/consulting-and-research/areas-of-expertise/interpreter-info/called-to-action/summit-and-call-to-action/the-national-call-to-action-publication-and-9-action-steps>.
- ³⁵ “Language Access: Called to Action,” National Center for State Courts, June 23, 2022, <https://web.archive.org/web/20250316035500/https://www.ncsc.org/consulting-and-research/areas-of-expertise/interpreter-info/called-to-action>.
- ³⁶ “Innovative Programs and Initiatives at the State and Local Level - Listed by State,” National Center for State Courts, June 23, 2022, <https://web.archive.org/web/20250123103944/https://www.ncsc.org/consulting-and-research/areas-of-expertise/interpreter-info/called-to-action/responses-to-the-call-to-action/innovative-programs-and-initiatives>.
- ³⁷ “Overview of Improvements,” National Center for State Courts, June 23, 2022, <https://web.archive.org/web/20240513142210/https://www.ncsc.org/consulting-and-research/areas-of-expertise/interpreter-info/called-to-action/innovative-programs-and-survey-results/overview-of-improvements>.
- ³⁸ “Most Significant Challenges,” National Center for State Courts, June 23, 2022, <https://web.archive.org/web/20250123113804/https://www.ncsc.org/consulting-and-research/areas-of-expertise/interpreter-info/called-to-action/needs-and-challenges/most-significant-challenges>.
- ³⁹ “The Future of Language Access in the State Courts,” National Center for State Courts, June 23, 2022, <https://web.archive.org/web/20250421231656/https://www.ncsc.org/consulting-and-research/areas-of-expertise/interpreter-info/called-to-action/the-future-of-language-access-in-the-state-courts>.
- ⁴⁰ *Mass. Gen. Laws ch. 221C* (2023), <https://malegislature.gov/laws/generallaws/partii/titlei/chapter221c>.
- ⁴¹ *Massachusetts Trial Court Language Access Plan* (Massachusetts Trial Court, 2014), <https://www.masslegalservices.org/system/files/library/Massachusetts%20Trial%20Court%20Language%20Access%20Plan%202014.pdf>.
- ⁴² *Standards and Procedures of the Office of Language Access* (Committee for the Administration of Interpreters for the Trial Court, Commonwealth of Massachusetts, August 5, 2024), <https://www.mass.gov/doc/standards-and-procedures-of-the-office-of-language-access/download>.
- ⁴³ *Access to Justice Initiatives in the Trial Court: 2009-2014* (Massachusetts Trial Court, June 5, 2014), <https://www.mass.gov/doc/access-to-justice-in-the-trial-court-2009-2014/download>.
- ⁴⁴ *Massachusetts Trial Court Language Access Plan* (Massachusetts Trial Court, 2014), <https://www.masslegalservices.org/system/files/library/Massachusetts%20Trial%20Court%20Language%20Access%20Plan%202014.pdf>.
- ⁴⁵ *Standards and Procedures of the Office of Language Access* (Committee for the Administration of Interpreters for the Trial Court, Commonwealth of Massachusetts, August 5, 2024), <https://www.mass.gov/doc/standards-and-procedures-of-the-office-of-language-access/download>.
- ⁴⁶ “Facts About the Trial Court Office of Language Access,” Massachusetts Trial Court, <https://web.archive.org/web/20250418041057/https://www.mass.gov/info-details/facts-about-the-trial-court-office-of-language-access>.
- ⁴⁷ “State Demographics Data - Massachusetts,” Migration Policy Institute, 2023, <https://www.migrationpolicy.org/data/state-profiles/state/language/MA>.
- ⁴⁸ *Language Access in State Courts* (U.S. Department of Justice, Civil Rights Division, September 2016), <https://www.justice.gov/crt/file/892036/dl> Laura, K. Abel, *Language Access in the Federal Courts* (National Center for Access to Justice, November 1, 2013), <https://ncaj.org/sites/default/files/2021-03/abel-ncaj-language-access-federal-courts.pdf>.
- ⁴⁹ “Communication Access in State and Local Courts,” National Association of the Deaf, accessed August 8, 2024, <https://www.nad.org/resources/justice/courts/communication-access-in-state-and-local-courts/>.
- ⁵⁰ *Language Access in State Courts* (U.S. Department of Justice, Civil Rights Division, September 2016), <https://www.justice.gov/crt/file/892036/dl>.
- ⁵¹ *Id.*
- ⁵² *Id.*
- ⁵³ “Language Access,” National Center for Access to Justice, accessed August 8, 2024, <https://ncaj.org/state-rankings/justice-index/language-access>.
- ⁵⁴ *Language Access in State Courts* (U.S. Department of Justice, Civil Rights Division, September 2016), <https://www.justice.gov/crt/file/892036/dl>.
- ⁵⁵ *Id.*
- ⁵⁶ American Bar Association and American Bar Association, eds., *American Bar Association Standards for Language Access in Courts* (American Bar Association, Standing Committee on Legal Aid and Indigent Defendants, 2012).
- ⁵⁷ “Language Access,” National Center for Access to Justice, accessed August 8, 2024, <https://ncaj.org/tools-for-justice/language-access-project>.
- ⁵⁸ *Language Access, Benchmarks: Weights and Trends* (National Center for Access to Justice), <https://dev-ncaj.pantheonsite.io/state-rankings/justice-index/language-access>.
- ⁵⁹ *Id.*
- ⁶⁰ “The Future of Language Access in the State Courts,” National Center for State Courts, <https://web.archive.org/web/20250421231656/https://www.ncsc.org/consulting-and-research/areas-of-expertise/interpreter-info/called-to-action/the-future-of-language-access-in-the-state-courts>.
- ⁶¹ “Answering the Call - Celebrating a Decade Advancing Language Access in State Courts,” National Center for State Courts (webinar), 2023, <https://vimeo.com/879431920>.
- ⁶² *Id.*
- ⁶³ *Id.*
- ⁶⁴ *Language Access Metrics Report* (Judicial Council of California, 2024), <https://languageaccess.courts.ca.gov/sites/default/files/partners/default/2024-04/lap-metrics-report-2024-spring.pdf>.
- ⁶⁵ Andrew Warner, “New York Launches Office of Language Access to Support State’s Language Policy,” *Multilingual*, October 5, 2022, <https://multilingual.com/new-york-office-language-access/>.
- ⁶⁶ *Id.*
- ⁶⁷ *Id.*

⁶⁸ “Answering the Call - Celebrating a Decade Advancing Language Access in State Courts,” National Center for State Courts (webinar), 2023, <https://vimeo.com/879431920>.

⁶⁹ *Id.*; see also Los Alamos Reporter, *New Mexico Ranked #1 in Nation for Language Access in Justice System*, June 15, 2021, <https://losalamosreporter.com/2021/06/15/new-mexico-ranked-1-in-nation-for-language-access-in-justice-system/>.

⁷⁰ *Id.*

⁷¹ *Id.*

⁷² *Id.*

⁷³ “Letter,” National Association of the Deaf, June 23, 2020, <https://www.nad.org/wp-content/uploads/2020/06/Courts-June-23-2020.pdf>.

⁷⁴ *Id.* at 2.

⁷⁵ “Celebrating 10 Years of Progress in Language Access Services,” National Center for State Courts, November 1, 2023, <https://web.archive.org/web/20250421225753/https://www.ncsc.org/newsroom/at-the-center/2023/celebrating-10-years-of-progress-in-language-access-services>.

⁷⁶ See *Appendix A* for the Interview Guide used during focus groups.

⁷⁷ See *Appendix B* for the full list of questions in the Advocate and Attorney Survey.

⁷⁸ See *Appendix D* for the printed hard copy we asked court watchers to bring with them and fill out during their observations to inform their responses on the Court Watch Survey.

⁷⁹ See *Appendix C* for the Court Watch Survey.

⁸⁰ “Cultural Responsiveness,” ASHA Practice Portal, American Speech-Language-Hearing Association, <https://www.asha.org/practice-portal/professional-issues/cultural-responsiveness/>.

⁸¹ In FY 2024 the Court added 11 full-time and nine per diem interpreters for six languages, including Spanish, Portuguese, Haitian Creole, Cape Verdean Creole, Albanian, and Farsi. *FY 2024 Annual Report on the State of the Massachusetts Court System* (Massachusetts Court System, Commonwealth of Massachusetts, June 30, 2024), p. 24, <https://www.mass.gov/doc/fy2024-annual-report-of-the-court-system/download>.

⁸² An act to enhance citizen access to Government information and services by establishing that Government documents issued to the public must be written clearly, and for other purposes. Public Law 111-274; <https://www.plainlanguage.gov/guidelines/>.

⁸³ Gladys Segal and, Teresa C. Salazar, *Team Interpreting In Court-Related Proceedings* (National Association of Judiciary Interpreters & Translators, May 2020), <https://najit.org/wp-content/uploads/2016/09/Team-Interpreting-5.2020.pdf>.

⁸⁴ *Id.*

⁸⁵ *Id.* at p. 2.

⁸⁶ Governor Healey’s Executive Order 615 requires agency language access plans to be updated every two years. See Executive Order 615, <https://www.mass.gov/executive-orders/no-615-promoting-access-to-government-services-and-information-by-identifying-and-minimizing-language-access-barriers>.

⁸⁷ Alejandra Garcia, Emily LaGratta, Hope Lochridge, and Mark Goodner, *If Walls Could Talk: Can Better Court Signs Help Build Public Trust?* (Center for Court Innovation and Texas Municipal Courts Education Center, August 17, 2019), https://www.innovatingjustice.org/wp-content/uploads/2019/08/if_walls_could_talk.pdf.

⁸⁸ Example of Department of Labor Babel Notice: <https://www.dol.gov/sites/dolgov/files/OASAM/legacy/files/Babel-Notice-Samples-UI.pdf>