

Justice Speaks 2007 Convenient Sample Preliminary Findings: Developing the Case for Enhanced Interpretation Resources

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Need

There is a paucity of formal data on the need for court interpretation services in New York. Data indicate that nationally 8.4% of U.S. residents have limited English proficiency. Furthermore, in New York State, more than one if four adults (27%) are foreign-born and a similar percentage (28%) speak a language other than English at home.

In order to develop a preliminary understanding of the need for interpretation services and the delivery of these services, Justice Speaks undertook a survey in New York City to provide initial findings on language access in the courts.

Methodology

The Justice Speaks survey used a convenient sample methodology. Survey participants were drawn from a Criminal, Family, or Housing court in four different boroughs at the clerk's office, lobby, main floor, or waiting room. Utilizing a consecutive sampling approach, for an hour from 9-10 a.m. on April 18, April 19, April 20, and April 24, 2007, each person who had a case in one of the above locations was asked to respond to the questions on the survey. In total, 171 surveys were collected.

Key Findings

The results demonstrate a deep need for legal and interpreting services in New York City:

- More than $\frac{3}{4}$ of respondents (77%) did not have a lawyer;
- More than $\frac{1}{4}$ of respondents (26%) did not feel comfortable understanding and speaking English;
- Of the respondents who did not feel proficient in English, 93% did not bring someone to interpret for them; and,
- Of the respondents who did not feel proficient in English, 40% did not know that the court could provide an interpreter.

The kind of cases participants named for their reasons for being at court reflect issues that have serious, often life-long, impact including child support (19%) as well as child custody (6%).

The following notes by survey administrators reflect comments made by respondents:

Availability of interpreters

- Assisting another person with a case. The person he is assisting speaks primarily Spanish. He is the person who normally comes to court with her; and,
- Says more interpreters are needed. There is only one who has too many Spanish [cases] and is not always available.

Quality of interpreters

- Primary language French, but doesn't matter. Feels that translators aren't that good. System already biased against black men;
- Interpreters 'not faithful' – sometimes not understand, sometimes lazy; and,
- Spanish primary language. Has used translators in past and found them good.

Access to interpreters

- Social worker with ACS said most of her clients know they can get an interpreter. She wouldn't know if interpreters are good because she doesn't speak Spanish; and,
- Venezuelan – [whose] sister [is] Spanish-speaking. Half of what judge says gets translated. She's not allowed to translate because court provides interpreter.

Conclusions

This preliminary data shows the need for additional, formal research into the need for interpreters in New York. Surveys with greater and random samples would help to provide data to develop sound policies and procedures.

Furthermore, the data point to a concerning lack of representation in our justice system as well as a significant segment of court users who not only are limited English proficient but do not know an interpreter is available. In addition, comments point to a continuing need to ensure proper testing, training, and grievance procedures.

For more information

To get more information on the survey and the *Justice Speaks* Task Force, contact either of the *Justice Speaks* Task Force co-chairs listed below.

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