

Justice Department Reaches Agreement with Colorado State Courts to Remove Language Barriers

WASHINGTON - The Justice Department today announced it has reached an agreement with officials of the Colorado Judicial Department to ensure that limited English proficient (LEP) individuals seeking services throughout Colorado's state court system will have access to timely and competent language assistance.

The agreement resolves a Justice Department investigation of a complaint alleging that the Colorado Judicial Department, which receives federal funding, was not in compliance with Title VI of the Civil Rights Act of 1964, and the nondiscrimination provisions of the Omnibus Crime Control and Safe Streets Act of 1968. These two acts prohibit discrimination on the basis of race, color, national origin, sex or religion by recipients of federal assistance.

"Justice cannot be served without access and effective communication. This agreement shows that, even in tough economic times, this core principle can and must be attained," said Perez. "I thank Chief Justice Michael L. Bender, State Court Administrator Gerald Marroney, and their staff for working cooperatively with the Justice Department to bring down barriers to justice."

As part of the agreement with the Justice Department, Colorado's Chief Justice has issued a comprehensive directive that provides for free and competent interpreter services in all criminal and civil proceedings, as well as court operations. Colorado state court officials consulted with judges, administrators, and community experts to shape a directive that is an example for all courts subject to civil rights laws that require meaningful access to court proceedings and other court operations, at no charge to LEP individuals.

In addition, the Colorado Judicial Department, in consultation with DOJ, will develop state and local language access plans addressing both oral interpretation and the translation of vital written documents. An existing Court Interpreter Oversight Committee will be expanded to include a Colorado Legal Services attorney, a prosecutor, a public defender, an advocate representing the interests of the language minority populations in Colorado, and other members, all of whom shall have relevant experience in court language access issues. This committee will have the opportunity to provide feedback on the directive, the state and district plans, and implementation efforts.

Under the terms of the agreement signed today, the Justice Department will monitor Colorado's compliance for a period of at least three years.

On August 17, 2010, Thomas E. Perez, Assistant Attorney General for the Civil Rights Division, issued a [letter to chief justices and administrators of state courts](#) clarifying the obligation of courts that receive federal financial assistance to provide oral interpretation, written translation and other language services to people who are LEP. [The letter](#) provided state courts additional guidance regarding the longstanding requirement to provide meaningful access, free of charge, to their programs and services for LEP persons through the provision of language

services, pursuant to the prohibition against national origin discrimination contained in Title VI and the Safe Streets Act.

The Civil Rights Division's [Federal Coordination and Compliance Section](#) investigated this matter as part of its Courts Language Access Initiative. This multi-pronged initiative focuses on enforcement, technical assistance, outreach, resource identification, and policy efforts to ensure meaningful access to courts receiving federal financial assistance.

For more information about Title VI and the Safe Streets Act, or to obtain copies of the Assistant Attorney General's letter, visit www.lep.gov.