

Language Access Specialist Certification Program Policies and Procedures

Language Access Specialist (LAS) training and certification is a program of the New Mexico Center for Language Access (NMCLA). Language Access Specialists are trained to provide meaningful language access to court customers who are limited or non-English speaking and who are seeking information outside the courtroom.

As a result of this training, a court employee will have a strong ethical and professional foundation that will enable them to use their bilingual abilities to enhance language access within their court. Certified Language Access Specialists may also be eligible for a \$1.00 an hour salary increase.

BILINGUAL COMPENSATION POLICY & FORMS (See Pages 5-8)

PROCEDURES – PRIOR TO CERTIFICATION TRAINING

Required of the Court

1. Language Access Plans must be in place in all District, Metropolitan and Magistrate Courts by July 1, 2013. These plans must be reviewed and updated at least every two years by a Language Access Planning Team appointed by court leadership.
2. The court or division must identify as part of its formal Language Access Plan the need for Certified Language Access Specialists by language. The need should be established through the review of service data regarding the number of limited English proficient individuals receiving or requesting court services, both in and outside the courtroom, and demographic data for the court's jurisdiction.
3. Upon substantiating the need, the court may identify (from among current employees or through the hiring process when filling vacancies) bilingual employees to participate in the Language Access Specialist certification training program administered by the New Mexico Center for Language Access (NMCLA).
4. Prior to the LAS candidate submitting an application for admission to the New Mexico Center for Language Access, the court needs to establish the following:
 - a. Will the employee, if certified, have the flexibility to provide language access services both as part of their regular job duties and as needed beyond their unit or division?

- b. How will the training be paid for, i.e., will the employee pay for the training and be reimbursed for all or part of the cost, will the court pay NMCLA directly, will the employee seek an AOC scholarship if available and, if so, will the employee or court cover any costs beyond the scholarship award?
 - c. Will the employee be awarded the \$1.00 per hour wage incentive if certified?
 - d. Does the employee understand that the increase must be reauthorized every two years based on their completion of the required continuing education hours, the court's budget, and the needs as identified through the court's language access plan?
5. If the court has agreed to reimburse the employee or pay all or part of the training costs, the employee must complete the LAS Certification Training Reimbursement/Payment Request Form. (See Attachment - Form No. 3.09.A). The employee and the employee's immediate supervisor must sign this form prior to it being submitted to the appropriate Administrative Authority for approval. The Administrative Authority is the individual or designee authorized by Supreme Court decree with primary responsibility to supervise and coordinate the administration of a Judicial Entity. For District or Metropolitan Courts, the Administrative Authority is usually the CEO or his or her designee; for Magistrate Courts, the Administrative Authority is the Director of the AOC.

Required of the Employee (LAS Candidate)

1. Bilingual employees who are interested in language access specialist certification must contact their supervisor and/or court administrator prior to applying to NMCLA if they hope to have their training reimbursed by the court, apply for an AOC scholarship, and/or receive the \$1.00 per hour wage incentive upon successful completion of the training.
2. If a candidate does not begin the process by discussing their interest with court management, they must be aware that they may be ineligible for some or all of these benefits.
3. Once the candidate has received approval from their supervisor and/or court administrator and has identified an anticipated source of funding (scholarships are only awarded upon acceptance by NMCLA), they must complete the NMCLA online application process. The NMCLA application process includes the completion of a standard application form, submission of two essays, and the completion of an online interview. A candidate should plan to begin the application process **at least** one month prior to the course start date.
4. When the candidate has received notification of acceptance, the candidate must register on line and pay for the course or provide a Purchase Order number if the court is providing payment or the training is being paid via an AOC scholarship.
5. As soon as a candidate is accepted by NMCLA, candidates seeking an AOC scholarship to cover all or part of the training fees must complete and submit the [AOC Scholarship Application](#). (See Attachment - Form No. 3.09.B). In addition to

the AOC Scholarship Application, the application process includes a written statement regarding how the candidate will use the training to enhance language access within their court, notification of acceptance into the NMCLA LAS Certification Program, a copy of the candidates resume and work history and completion of page 3 of Form No. 3.09.B by both the candidates' supervisor and either the court manager, chief clerk, CEO, or Administrative Authority (in case the admin authority is a judge who writes a reference). References must confirm that the candidate, once certified, will be allowed to accept assignments to provide language access services even if these assignments are outside the individual's regularly assigned work duties.

6. Scholarship awards will be based on the following criteria:
 - a. Written statements of recommendation from the immediate supervisor and the court manager, chief clerk, CEO, or Administrative Authority, which include details of how the employee's certification will benefit the court's language access efforts, how the candidate was selected, and how the certification will integrate with the court's language access plan.
 - b. Language access needs in the court or service area where the applicant is employed, and demographics of the court's jurisdiction.
 - c. Number of currently certified LASs at the court (this will be considered in tandem with the demographics of the community, and #3 and #1 of the court's language access plan).
 - d. Recommendation of NMCLA regarding applicant's language skills.

PROCEDURES – POST COURSE COMPLETION/CERTIFICATION

Required of the Court:

1. Upon receipt of an employee's NMCLA Language Access Specialist Certification by his/her supervisor, forward the Certificate to the appropriate Human Resources office for filing in the employees file.
2. If the LAS is approved by the court for the \$1.00 per hour bilingual compensation, the court must complete the Bilingual Compensation Request Form. (See Attachment - Form No. 3.09.C). Once signed by the employee and supervisor, the form must be approved and signed by the Administrative Authority and then forwarded to the appropriate Human Resources office.
3. Complete and return the twice-yearly LAS evaluation document which will be sent to the Language Access Specialist's supervisor by AOC Language Access Services.
4. Bilingual compensation must be reauthorized every two years following the initial award. Upon receipt of notice from the AOC that the LAS has or has not participated in the required continuing education, complete the biennial Bilingual Compensation Reauthorization Form. (See Attachment - Form No. 3.09.D). Once signed by the employee and supervisor, the form must be approved and signed by

the Administrative Authority and then forwarded to the appropriate Human Resources office.

5. Bring problems, concerns, and other issues regarding the LAS Program to the attention of the AOC Language Access Services Program Manager in a timely manner.

Required of the Language Access Specialist:

1. Upon receipt of NMCLA LAS Certificate, submit a copy to the judicial entity.
2. If judicial entity reimbursement for training fees was previously agreed to, submit request for reimbursement in a timely manner within 30 days.
3. Complete and return AOC LAS Information form, which you will receive from AOC upon your certification.
4. Participate in at least two AOC-sponsored continuing education sessions per calendar year. Submit verification of attendance to supervisor, and to the appropriate Human Resources office for filing in the employees file.
5. Bring problems, concerns, and other issues regarding the LAS Program to the attention of the AOC Language Access Services Program Manager in a timely manner.

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Reference NMJBPR Part I Section 3.09

**CERTIFIED BILINGUAL COMPENSATION
POLICY**

Accompanying Forms: Bilingual Certification Training Reimbursement/Payment Request Form;
Bilingual Communication Additional Compensation Request Form

1. PURPOSE

To establish guidelines for the request, advanced approval and administration of the \$1.00 per hour bilingual compensation increases for employees with current bilingual certifications.

2. DEFINITIONS

A. Administrative Authority – Individual or designee with the primary responsibility to supervise and coordinate the administration of a Judicial Entity, or as designated by the Chief Judge and approved by the Supreme Court Order. (Ref: Administrative Authority, Appointing Authority and At-Will employee List policy.)

B. Employee - A person who holds a permanent or term position within the Judicial Branch, excluding a justice, judge of at-will employee.

3. ELIGIBILITY

The Administrative Authority must have approved the employee's advanced request to have their current bilingual certification recognized for additional pay. Current certification from the NM Center for Language Access or as a Certified Court Interpreter is required. If it is determined that bilingual certification is not required for the job, the request will be disapproved. If it is determined that upon job change that the certification is not required the employee's base pay shall be reduced before any job change transpires. Staff classified as Court Interpreters are not eligible.

4. PROCESS FOR APPROVAL OF COMPENSATION INCREASE

A. The employee has the obligation to provide the Administrative Authority with all information required to evaluate the increase in pay request. This shall include:

- (1) A completed Bilingual Communication Additional Compensation Request Form; and

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GENERAL PERSONNEL POLICY AND PROCEDURE**

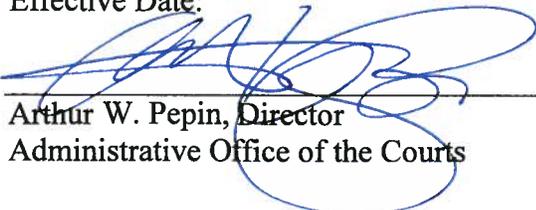
Reference NMJBPR Part I Section 3.09

- (2) a current and completed NM Center for Language Access Bilingual Certification; or
 - (3) a current and completed NM Certified Court Interpreter Certification.
- C. Upon final Administrative Authority approval, all associated documentation shall be forwarded to the appropriate judicial entity's human resources representative or designee who shall, at a minimum:
- (1) adjust the employee's hourly rate appropriately;
 - (2) maintain request and certification forms in the employee's personnel file; and
 - (3) annually track the employee's bilingual communication certification. Certification must be current at all times.

5. TRAINING REIMBURSEMENT/PAYMENT REQUEST

An employee initiating a request for payment of training associated with required certification must complete the Bilingual Certification Training Reimbursement/Payment Request Form. By approving this request the Administrative Authority is approving the employee's request to have their bilingual certification upon receipt recognized for additional pay, conditional upon obtaining and maintaining the employee's bilingual certification.

Effective Date:



Arthur W. Pepin, Director
Administrative Office of the Courts

10/6/10

Date

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GENERAL PERSONNEL POLICY AND PROCEDURE**

Reference NMJBPR Part I Section 3.09

**LANGUAGE ACCESS SPECIALIST CERTIFICATION TRAINING
REIMBURSEMENT/PAYMENT REQUEST FORM**

**Completed ONLY if Employee is Seeking Funds to Pay for Training
(Must Be Submitted and Approved PRIOR to Registering for Training)**

By signing this form the Administrative Authority is approving the employee's advanced request to have the cost of their language access specialist training paid or reimbursed by the court. Reimbursement or payment of training expenses does not guarantee that certification will be awarded or that, if awarded, the employee will be approved for additional bilingual compensation. Staff classified as Court Interpreters are not eligible for this training reimbursement or for the bilingual compensation.

Employee Name: _____

Judicial Entity: _____ **Job Title:** _____

Court Location: _____ **Certified Second Language:** _____

Certification to be achieved:

- **Language Access Specialist Certification**
- **Court Interpreter Certification**
- **Cost Paid by Judicial Entity in advance:** Yes _____ No _____
- **Cost Reimbursed to employee upon successful completion:** Yes _____ No _____
 - **Certification Training Total Cost:** _____
 - **Scholarship Received:** Yes _____ No _____ **Amount if Yes** _____
 - **Amount of Reimbursement Requested:** _____
 - **Training Dates:** _____
 - **Anticipated Completion Date:** _____

Please explain the condition and/or situation necessitating this request for payment of language access specialist training:

Employee Signature: _____ **Date** _____

Immediate Supervisor Signature: _____ **Date** _____

The information submitted on this form is true and accurate.

For Administrative Use Only

Amount to be reimbursed or paid in advance by the Judicial Entity: _____

As Administrative Authority, I have reviewed this request for payment for bilingual compensation.

_____ **Yes, I approve this request.** _____ **No, I disapprove this request.**

Administrative Authority Signature: _____ **Date** _____

cc: Employee Personnel File; Judicial Entity Human Resource Representative; Fiscal Division; Chief Judge

Administrative Office of the Courts

Supreme Court of New Mexico

Arthur W. Pepin, Director
Patrick Simpson, Deputy Director

237 Don Gaspar, Room 25
Santa Fe, NM 87501
(505) 827-4800
(505) 827-4824 (fax)
www.nmcourts.gov

Scholarship Application -Applicants Data- New Mexico Center for Language Access – Language Access Specialist

Date _____ Name _____

Address _____

Phone Numbers: Day _____ Evening _____ Mobile _____

Work E-Mail Address _____

Current Job Title _____

Court or Division _____ Worksite Location _____

How long have you been in your current position? _____

How long have you worked for the New Mexico Judiciary? _____

Language Abilities: Please indicate in addition to English, in what other languages you are fluent.

Date of NMCLA Interview: _____

Session Start Date _____

Scholarship Application
- References-
New Mexico Center for Language Access – Language Access Specialist

Please attach **written** statements from each of the following individuals. **They may choose to use the attached form (page 3 of this document).**

Your Immediate Supervisor:

Name _____
Phone _____
E-mail _____

The Court Executive Officer, Chief Clerk, or Director of your Court or Division:

Name _____
Phone _____
E-mail _____

Also, attach:

1. A written statement regarding why you are requesting this scholarship and how you will use the NMCLA Language Access Specialist Certificate to enhance language access at your workplace.
2. A copy of your notification of acceptance into the NMCLA Language Access Specialist Certification Program.
3. A copy of your resume and work history.

Signature: _____

Date Submitted: _____

RETURN this completed application and attachments at least two weeks before the session start date.

Pamela Sánchez
E-mail: aocpjs@nmcourts.gov
Fax: 505-827-4953
New Mexico Administrative Office of the Courts
237 Don Gaspar, Room 25
Santa Fe, New Mexico 87501

Scholarship Application
New Mexico Center for Language Access – Language Access Specialist
Supervisor/Court CEO Reference Form

Applicant's Name _____

Person Completing the Form:

Name _____ Title _____

Contact Info _____

Please respond to the following questions:

1. How long have you known the applicant and in what capacity?

2. Why are you recommending this applicant for Language Access Specialist Certification?

3. How do you see the applicant, once certified, providing language access services in your court?

4. Will you allow this employee, once certified, to assist others outside of his/her specific job responsibilities, as needed to ensure language access for court customers?

5. District/Metro Courts Only: Will you provide the \$1.00 per hour pay increase to this applicant once they have provided proof of LAS Certification?

6. Please provide any additional information you believe will be helpful to the Scholarship Award Committee.

Return to applicant for submission or send directly to: aocpjs@nmcourts.gov .

**NEW MEXICO JUDICIAL BRANCH
GENERAL PERSONNEL POLICY AND PROCEDURE**

Reference NMJBPR Part I Section 3.09

**BILINGUAL COMPENSATION REQUEST FORM
(To Be Completed Upon Award of Language Access Specialist Certification)**

Bilingual compensation shall not exceed \$1.00 per hour and may be awarded to employees who have successfully completed training and received certification as a Language Access Specialist through the NM Center for Language Access or those who are certified court interpreters working in another capacity within the NM Judiciary. Certification must be current at all times or compensation shall be removed. Upon job change bilingual compensation shall be assessed based on need and may be removed. Staff classified as Court Interpreters are not eligible.

Employee Name: _____

Judicial Entity: _____ **Job Title:** _____

Court Location: _____ **Language Other Than English:** _____

Please attach:

- **Language Access Specialist Certification**
 - **Certification Date** _____
(Certification expires two years from date of certification and may be renewed pending satisfactory completion of AOC continuing education requirements.)

- **Court Interpreter Certification**
 - **Certification Date** _____
(Continuing certification as a NM Court Interpreter requires compliance with AOC continuing education requirements.)

Employee Signature: _____ **Date** _____

Immediate Supervisor Signature: _____ **Date** _____

The information submitted on this form is true and accurate.

<i>For Administrative Use Only</i>	
Date Bilingual Compensation to begin: _____	Current Hourly Rate: _____ New Hourly Rate: _____
As Administrative Authority, I have reviewed this request for bilingual compensation. _____ Yes , I approve this request. _____ No , I disapprove this request. Administrative Authority Signature: _____ Date _____ Human Resources Representative: _____	

cc: Employee Personnel File; Judicial Entity Human Resource Representative; Fiscal Division; Chief Judge

**NEW MEXICO JUDICIAL BRANCH
GENERAL PERSONNEL POLICY AND PROCEDURE**

Reference NMJBPR Part I Section 3.09

BILINGUAL COMPENSATION REAUTHORIZATION FORM

Bilingual compensation shall not exceed \$1.00 per hour, and be reauthorized every two years following the initial award. Certification upon which the initial award was made (e.g., as a certified court interpreter or language access specialist) must remain current or compensation will be removed and/or not reauthorized. Upon job change bilingual compensation shall be reassessed and based upon current needs, may be removed. Staff classified as Court Interpreters* are not eligible for Bilingual Compensation.

Employee Name: _____

Judicial Entity/Location: _____

Job Title: _____

Bilingual Compensation Initially Authorized: _____

_____ **Reauthorize bilingual compensation: Based on information received from the Administrative Office of the Courts that the above named employee is current with all continuing education requirements and remains (check one) a ___ Certified Language Access Specialist or ___ Certified Court Interpreter* in good standing.**

_____ **Rescind bilingual compensation:**

Employee has changed positions	_____
Employee failed to maintain LAS Certification	_____
Services no longer needed by court	_____
Budgetary Considerations	_____
Other (explain) _____	_____

Employee Signature: _____ **Date** _____

Immediate Supervisor Signature: _____ **Date** _____

The information submitted on this form is true and accurate.

For Administrative Use Only

Date Bilingual Compensation Reauthorized: _____	Current Hourly Rate: _____ New Hourly Rate: _____
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As Administrative Authority, I have reviewed this request for reauthorization of bilingual compensation.

_____ **Yes**, I approve this request. _____ **No**, I disapprove this request.

Administrative Authority Signature: _____ Date _____

Human Resources Representative: _____

cc: Employee Personnel File; Judicial Entity Human Resource Representative; Fiscal Division; Chief Judge