



U.S. Department of Justice

Civil Rights Division

*Federal Coordination and Compliance Section
950 Pennsylvania Ave, NW-NWB
Washington, DC 20530*

April 03, 2013

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Honorable Glenn A. Grant, J.A.D.
Acting Administrative Director of the Courts
New Jersey Administrative Office of the Courts
Richard J. Hughes Justice Complex
P.O. Box 037
Trenton, NJ 08625

Re: Complaint No. 171-48-38
Federal Coordination and Compliance Section

Dear Judge Grant:

As discussed during our most recent telephone conferences, on February 4, 2014 and March 4, 2014, the purpose of this letter is to notify you that upon your signature below and return of this letter to my office — the Department of Justice (“DOJ”) Civil Rights Division is closing the above-referenced review.

To first briefly summarize where we have been: by letter dated February 4, 2013, the DOJ Civil Rights Division’s Federal Coordination and Compliance Section informed your office that DOJ was reviewing allegations of failure to provide appropriate language assistance services by the Monmouth and Mercer Vicinages for possible discrimination on the basis of national origin in violation of Title VI of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d to 2000d-7, (“Title VI”). While the Mercer Vicinage complaint was based on one allegation of a failure to provide interpreter services during a civil proceeding, the Monmouth Vicinage complaints alleged problems with the provision of interpreter and translation services in the Monmouth Vicinage. As we advised in that correspondence, the DOJ is responsible for investigating complaints of violations of Title VI, as well as other federal laws, made against recipients of federal financial assistance from DOJ. Rather than initiating a formal investigation at that time, we informed you of the allegations and offered to work with you to reach a productive and amicable resolution.

Over the last year, as memorialized in the various letters exchanged, we have received information from you on behalf of the New Jersey Judiciary that has permitted us to complete our review. Specifically, we learned that the Superior Court of New Jersey, Appellate Division, resolved the Mercer Vicinage complaint by remanding the underlying case to the trial court to address the failure to provide interpreter services. With respect to the Monmouth Vicinage, the New Jersey Judiciary provided information regarding the Vicinage’s actions, both in training and

practice, some of which were already underway, to supplement current New Jersey Judiciary policies with respect to interpreter services and to respond to concerns raised during the review. During our review, we discussed the following specific actions and initiatives in the Monmouth Vicinage:

1. Signage: the Monmouth Vicinage continually assesses the need for bilingual signage and maintains all bilingual signage in the courthouse, including (1) the directional maps it currently has in the courthouse in English and Spanish, (2) the color copies of maps on the walls near the two LCD displays which are in English and Spanish, (3) the rotating presentations displayed on both of the LCD screens in English and Spanish, (4) English and Spanish signs in the Central Fee Office, (5) the English and Spanish signage informing customers that interpreters are available and encouraging litigants to request to speak with the Trial Court Administrator or the Operations Manager if they are dissatisfied.
2. Emergency Exit Signage: the Monmouth Vicinage posted temporary emergency signs translated into Spanish near the emergency exit, which will remain in place, until the Vicinage is able to coordinate with the County to obtain permanent signs in accordance with N.J.S.A. 2B:6-1.b.
3. Assistance to LEP Court Users: the Monmouth Vicinage provides assistance to court users transacting business and makes interpreters available when requested.
4. Ombudsman Office: the Monmouth Vicinage maintains instructional signs in the Monmouth Vicinage Ombudsman's Office, on or near the touch-screen kiosk, to ensure that customers are aware that they can access information on the kiosk in English and in Spanish the Ombudsman's Office also maintains signs in Spanish informing customers that an interpreter can be called if needed.
5. Customer Service Training: the Monmouth Vicinage provides training of staff to ensure staff is aware of how to provide the best customer service to LEP litigants.
6. Tutorials in Spanish: the Monmouth Vicinage has revised its tutorial videos using the CAMTASIA software to ensure that the videos are accessible and in a format that will allow them to be more easily utilized by court users.
7. Landlord/Tenant and Small Claims Calendar Calls: the Monmouth Vicinage provides instructions in Spanish and interpreters at the landlord/tenant and small claims calendar calls.
8. Evacuation Procedures Pamphlet: the Monmouth Vicinage continues to provide its Evacuation Procedures Pamphlet for jurors and court users in English and Spanish, and is working with the County to display the procedures on the walls around the courthouse.
9. Provision of Interpreting Services in Holding Cells: In response to questions regarding whether the Public Defender or the New Jersey Judiciary provides interpreting services when an individual is in a holding cell in New Jersey, the Judiciary advised that it is conducting a statewide review of this issue consistent with its commitment to ensure that all defendants, including LEP individuals, understand their criminal court proceedings

and have meaningful access to the courts. Such review and any resulting policy development must take into account the potential ethical and attorney client privilege issues that would be inherent in such provision of interpreter services outside of a public court proceeding with all parties present. Further, the New Jersey Judiciary must ensure that any policy is consistent with the Judiciary's core values and its unique role as an impartial arbiter of disputes. Should an official statewide Judiciary policy result from this review, the New Jersey Judiciary will provide a draft for comment to the DOJ Civil Rights Division's Federal Coordination and Compliance Section.

10. Publication in Community Newspapers: Where appropriate, the Monmouth Vicinage advertises its services, as well as job and volunteer opportunities, in publications utilized and widely read by the Latino community.
11. Translations of Court Forms and Pleadings: the New Jersey Judiciary has translated more than 340 statewide *pro se* forms, kits and brochures in Spanish, and about 60 additional documents are in the process of being translated. The Judiciary will continue its commitment to the translation of commonly used forms to address the needs of LEP court users.
12. Sight Translations and Emergent Matters: as noted above, the Monmouth Vicinage staff continues to instruct customers who experience difficulty in completing court business because of their limited English proficiency that they may speak with the Trial Court Administrator or the Operations Manager regarding their issues. In cases where customers request sight translation of forms, the Monmouth Vicinage continues to provide sight translations in cases where the matter has been deemed an emergency by the Trial Court Administrator or the Operations Manager. The Monmouth Vicinage will continue to inform the public that sight translation will be provided for forms in emergent eviction, child custody, and domestic violence cases, and other emergent matters that are time-sensitive as determined by the Trial Court Administrator or the Operations Manager. To ensure efficiency and the productive utilization of court services by all litigants, the Trial Court Administrator or Operations Manager will continue to provide customers with a prompt determination as to whether a matter is an emergency, and therefore eligible for sight translation of forms.

Please sign the last page below and return this document to my office. Once received, this office will close our investigative file in this matter. Although we do not expect this to occur, should there be a complaint that the New Jersey Judiciary is not continuing any of the above described initiatives, the DOJ has the discretion to reopen this matter and assess the need for additional review and/or a formal investigation.

In addition to resolving the particular issues as described above, we are pleased that the New Jersey Judiciary is developing a visitation program to, among other things, address courthouse access for LEP individuals across the state. As my staff has discussed with yours, other state courts have found it useful to invite suggestions from members of the community on their language access efforts. We are available to provide technical assistance to you as you prepare for, implement, and analyze the results of these visits.

This letter does not constitute a finding that New Jersey Judiciary is or will be in full compliance with Title VI or other federal laws, nor does it address other potential claims of discrimination on the basis of national origin that may arise from the activities of the New Jersey Judiciary. Likewise, this letter does not constitute an admission by New Jersey Judiciary with regard to any specific allegation reviewed in this matter, nor a finding that New Jersey Judiciary is not or has not been in full compliance with Title VI or other federal laws.

The purpose of this letter, instead, is to memorialize (a) New Jersey Judiciary's continued commitment to compliance with the non-discrimination provisions of Title VI language access obligations as they relate to access to court proceedings and operations by LEP individuals; and (b) the status of DOJ's review of those complaints and its intent to close its review of those complaints.

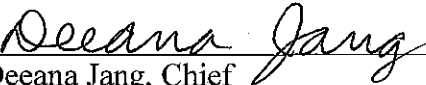
Please note that this letter does not affect any rights that the individual complainant(s) may have to file private lawsuits regarding the concerns raised in their complaints to the DOJ. We will retain the file for our records and take the information provided into account if we receive similar future allegations against the New Jersey Judiciary. While our file in this matter will be closed, we maintain the authority to contact the New Jersey Judiciary and ask for periodic updates as necessary, pursuant to Title VI and implementing regulations.

We are obligated to inform you that recipients may not intimidate, threaten, coerce, or engage in other discriminatory conduct against anyone who has either taken action or participated in an action to secure rights protected by the civil rights laws DOJ enforces. The protection against retaliation extends to recipient employees who provide information or otherwise cooperate with DOJ's review. Any individual who alleges such harassment or intimidation may file a complaint with DOJ. We would investigate such a complaint if the situation warrants. This is consistent with the New Jersey Judiciary's policy prohibiting retaliation against any person who complains about discrimination, files a discrimination complaint or who assists in the investigation of such complaints.

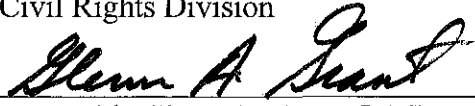
This letter, resolving alleged violations of Title VI, is a public document. Under the Freedom of Information Act, it may be necessary to release information and related correspondence and records shared by recipients and complainants upon request. In the event that we receive such a request, we will seek to protect, to the extent provided by law, personal information which, if released, could constitute an unwarranted invasion of privacy.

If you have any questions concerning this letter or any of its terms, please contact Special Legal Counsel Christine Stoneman, at (202) 616-6744 or Christine.Stoneman@usdoj.gov.

Sincerely,



Deeana Jang, Chief
Christine Stoneman, Special Legal Counsel
Ndiri Moses, Detail Attorney
Federal Coordination and Compliance Section
Department of Justice
Civil Rights Division



Honorable Glenn A. Grant, J.A.D.,
Acting Administrative Director of the Courts,
on behalf of the New Jersey Judiciary

Agreed to this 7th day of April, 2014