



U.S. Department of Justice

Civil Rights Division

*Federal Coordination and Compliance Section
950 Pennsylvania Avenue, NW
Washington, DC 20530*

January 17, 2023

Sent Via Email and Postal Mail

Sandra A. Vujnovich
Judicial Administrator
Louisiana Supreme Court
400 Royal Street, Suite 1190
New Orleans, LA 70130-8101

Re: Complaint No. 171-32-17
Language Access in Louisiana Courts

Dear Administrator Vujnovich:

I am pleased to notify you that the U.S. Department of Justice, through the Federal Coordination and Compliance Section of the Civil Rights Division (DOJ), has determined that the Louisiana Supreme Court (LASC) fulfilled the terms of the May 13, 2019 memorandum of agreement (MOA).¹ That MOA resolved a DOJ review of the above-referenced complaint filed under Title VI of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d to 2000d-7, and its implementing regulations, 28 C.F.R. Part 42, Subpart C (together, Title VI). Through this letter, based on the Year 2 Progress Report LASC submitted on November 17, 2022, we are closing this matter. While DOJ is closing this matter, we look forward to continuing our collaborative and productive relationship. We appreciate LASC's leadership and engagement in implementing the MOA and its commitment to providing meaningful language access to all court users with limited English proficiency (LEP) in Louisiana.

LASC has made significant improvements in its policies, practices, and capacity to provide persons with LEP meaningful access to court proceedings and operations throughout the Louisiana court system. This progress is particularly notable within the context of Louisiana's decentralized court structure. DOJ also recognizes LASC's efforts to equip lower courts with the tools and training they need to provide meaningful language access to court users with LEP.²

¹ Memorandum of Agreement, <https://perma.cc/MBS9-ECDS>, (last visited Jan. 17, 2023).

² Louisiana Supreme Court, Office of Language Access, "Resources for Courts," <https://www.lasc.org/LanguageAccess?p=ResourcesCourts>, (last visited Jan. 17, 2023).

Accomplishments and Ongoing Work

LASC has achieved or facilitated a number of accomplishments, including, but not limited to, the following items:

1. Creation of an Office of Language Access (OLA);
2. Completion of a language access self-assessment of the Louisiana courts;
3. Adoption and publication of the first Language Access Plan for the Louisiana courts;³
4. Removal of text from Louisiana Code of Civil Procedure, Article 192.2, which previously authorized courts to assess persons with LEP for the cost of interpreters;⁴
5. Creation of a centralized complaint system that addresses concerns about retaliation and includes an online complaint form in Spanish, Vietnamese, Arabic, and Chinese;⁵
6. Establishment and maintenance of the Language Access Stakeholder Committee;
7. Creation of training modules for judiciary employees and other stakeholders;
8. Provision of quarterly language access communications to judges and court staff;
9. Creation of language access training protocols, presentations for judges and court personnel, and a language access article in the *Louisiana Bar Journal*;⁶
10. Provision of funding for translated materials for lower courts;
11. Adoption of language access plans by local courts;
12. Creation of a language access judicial bench card for judges and court staff;⁷
13. Appointment of local court Language Access Coordinators; and
14. Adoption of Louisiana Supreme Court rules in December 2022, applicable to all Louisiana courts, regarding language access.⁸ These rules include a requirement that judges appoint qualified interpreters for court proceedings upon a determination that a party in interest is a person with LEP.

Additionally, training modules listed above will soon be available to the general public on LASC's website. LASC also plans to translate additional court documents, identified by the Language Access Stakeholder Committee, into non-English languages. Furthermore, the Louisiana legislature recently urged and requested that the Louisiana State Law Institute examine whether current state law appropriately and adequately addresses interpreter qualifications.⁹

The diligent efforts of Brian Wiggins, LASC's current Language Access Coordinator, warrant special recognition. Mr. Wiggins developed a positive working relationship with DOJ and has kept the lines of communication open regarding MOA requirements. His work has expanded meaningful access to justice for persons with LEP in Louisiana's courts.

³ "Language Access Plan in Louisiana Courts," Approved by the Louisiana Supreme Court on September 1, 2020, <https://perma.cc/LUB6-JBEM>, (last visited Jan. 17, 2023).

⁴ Act No. 207, S.B. 113, Reg. Sess. (La. 2021) (amending La. Code Civ. Proc. Art. 192.2), <https://perma.cc/LJH5-JC3W>. (last visited Jan. 17, 2023).

⁵ Louisiana Supreme Court, Office of Language Access, "Language Access Complaints," <https://www.lasc.org/LanguageComplaints>, (last visited Jan. 17, 2023).

⁶ Brian P. Wiggins, "What Lawyers Should Know about Louisiana's New Language Access Plan," 69 La. Bar J. 282, 282-84 (December 2021 / January 2022), <https://perma.cc/V96M-X8V9>, (last visited Jan. 17, 2023).

⁷ Louisiana's Language Access Judicial Bench Card, <https://perma.cc/7YWN-UPEV>, (last visited Jan. 17, 2023).

⁸ Louisiana Supreme Court, Rules of the Supreme Court, Part G, Section 14, <https://perma.cc/T8VQ-HTAH>.

⁹ H.C.R. 71, Reg. Sess. (La. 2022), <https://perma.cc/G446-GJ5E>. (last visited Jan. 17, 2023).

Additional Information

This letter relates only to the matter referred to above. It does not address any other issues, complaints, or potential violations, nor does it affect the Court's continuing responsibility to comply with Title VI or other federal laws. This letter should not be construed as a finding that LASC or lower courts are in full compliance with Title VI or other federal laws, nor is it intended to address other potential claims of discrimination on the basis of race, color, or national origin in relation to the activities of LASC or lower courts. Further, this letter does not preclude DOJ from carrying out its duties under Title VI or any other law DOJ is authorized to enforce should a complaint be filed or any other information be presented that alleges noncompliance. Lastly, this letter does not affect any rights that any complainants may have to file a private lawsuit in a court of law.

We remind you that recipients of federal financial assistance may not intimidate, threaten, coerce, or engage in other discriminatory conduct against anyone who has either acted 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 or enforcement activities. 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 letter is a public document, and DOJ will publish it on its public websites. Under the Freedom of Information Act, it may be necessary to release information, related correspondence, and records shared by recipients and individuals upon request. If we receive such a request, we will seek to protect, to the extent provided by law, personal information that, if released, could constitute an unwarranted invasion of privacy.

Thank you for your cooperation in resolving this matter, and for your continuing efforts to further expand language access within Louisiana's courts. We have greatly appreciated our positive working relationship with the LASC and look forward to continuing that relationship into the future. While we are formally closing this matter, DOJ remains available to provide technical assistance. If you have any questions concerning this letter, please contact Michael Mulé at Michael.Mule@usdoj.gov, (202) 598-9232.

Sincerely,



Christine Stoneman
Chief
Federal Coordination and Compliance Section
Civil Rights Division

cc:

Lauren McHugh Rocha, Deputy Judicial Administrator/General Counsel, Louisiana Supreme Court

Brian Wiggins, Statewide Language Access Coordinator, Louisiana Supreme Court
Peter M. Mansfield, Chief, Civil Division, U.S. Attorney's Office, Eastern District of Louisiana
Lester Finkle, Federal Motor Carrier and Safety Administration, U.S. Department of
Transportation