



NINTH JUDICIAL DISTRICT

LANGUAGE ACCESS PLAN & AMERICANS WITH DISABILITIES ACT PLAN

**NINTH JUDICIAL DISTRICT
LANGUAGE ACCESS PLAN
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I. DEFINITIONS

Definition of “Ninth Judicial District” and “the Courts”:

“Ninth Judicial District” and “the Courts,” as used throughout this plan, means all the District and Magistrate courts located in New Mexico's Ninth Judicial District, namely: Curry County District Court in Clovis, Roosevelt County District Court in Portales, Curry County Magistrate Court in Clovis, and Roosevelt County Magistrate Court in Portales.

For a list of language access planning team members from these courts, *see Attachment A*.

II. LEGAL BASIS AND PURPOSE

This document serves as the plan for the Ninth Judicial District to provide to persons with limited English proficiency (LEP) services that are in compliance with Title VI of the Civil Rights Act of 1964 and Executive Order 13166.¹ Language access services are further provided for in the New Mexico Constitution and in State Statute (*see* Section IV A).

The purpose of this plan is to provide a framework for the provision of timely and reasonable language assistance to LEP persons who come into contact with the Ninth Judicial District.

III. NEEDS ASSESSMENT

A. Statewide by Language

The State of New Mexico provides court services to a wide range of people, including those who speak limited or no English and those who are deaf or hard-of-hearing.

According to the New Mexico Administrative Office of the Courts (AOC), the most frequently encountered languages in New Mexico's courts in FY 2024-2025 were::

1. Spanish
2. American Sign Language (ASL)
3. Navajo
4. Arabic
5. Vietnamese

In Fiscal Year2025, interpretation was provided in New Mexico’s courts in a total of 87 different languages.

The Migration Policy Institute reports that 33% of New Mexicans speak a language other than English in the home. The number one language statewide is Spanish, with 25% of New

¹ Executive Order 13166 was rescinded on March 1, 2025. On April 8, 2025, the New Mexico Supreme Court reaffirmed its commitment to provide language services for people who don’t speak English. *See:* <https://nmcourts.gov/wp-content/uploads/2025/04/NM-Supreme-Court-reaffirms-Judiciarys-commitment-to-language-access.pdf>.

Mexicans speaking Spanish in the home. Among those speaking Spanish in the home, 27% are Limited English Proficient.

B. Ninth Judicial District by Language

Demographic Data by County:

The Ninth Judicial District will make every effort to provide services to all LEP persons. For purposes of anticipating need, the following data indicates the spoken (i.e., not signed) languages other than English that are most frequently used in the Courts' geographic area.

1) Modern Language Association Data:

The following information comes from the Modern Language Association (MLA). The MLA data indicates the percentage of county residents above the age of five who speak the language at home; it does not indicate proficiency or lack of proficiency in English.

The top five spoken languages other than English in each county are as follows:

Curry County:

1. Spanish 21.93%
2. German 0.39%
3. Japanese 0.38%
4. Tagalog 0.27%
5. Vietnamese 0.25%

Roosevelt County:

1. Spanish 24.89%
2. German 0.39%
3. Other specified North American Indian languages 0.25%
4. French 0.21%
5. Navajo 0.17%

2) Migration Policy Institute Data:

The following data comes from the Migration Policy Institute (MPI). The MPI data indicates the percentage of county residents above the age of five who are classified as Limited English Proficient. MPI only lists a language if it is spoken by 5% or more of a county's total population or by 500 or more persons within a county, and if those speakers are also Limited English Proficient.

MPI lists the following LEP data for the Ninth Judicial District:

- Curry County: 8.1% Spanish-speaking LEP persons
- Roosevelt County: 7.6% Spanish-speaking LEP persons

These listings can be accessed via the following web address:
<https://www.mla.org/Resources/Guidelines-and-Data/MLA-Language-Map>.

The LAP team is responsible for updating MLA and MPI data in this plan as it becomes available.

Courthouse Users:

The Ninth Judicial District will also assess its language needs on an ongoing basis based on what it identifies about courthouse users. This is being achieved through two methods:

- 1) Tracking the use of interpreters in the courtroom.
- 2) Tracking encounters between staff and LEP persons in out-of-courtroom settings.

1) Courtroom interpreter use:

The Courts track courtroom interpreter usage using the Odyssey case management system. The LAP team is responsible for updating interpreter data in this plan at its annual meetings.

Interpreter usage data for the most recent fiscal year (2024- 2025) is appended to this plan as *Attachment B*.

2) Out-of-courtroom tracking:

In addition to tracking the use of interpreters in the courtroom by language, the Courts track requests for out-of-courtroom services, both in person and over the telephone, by language. The LAP team is responsible for updating the data in this plan at its annual meetings.

Data on out-of-courtroom encounters for the most recent fiscal year (2024- 2025) accompanies this plan as *Attachment C*.

The CEO of District Court and the Court Managers of the Magistrate Courts are responsible for ensuring that data on courtroom interpreters and out-of-courtroom encounters continues to be compiled on an ongoing basis, and for reporting the data at the LAP team's annual meeting so the team can update it in this plan.

IV. LANGUAGE ASSISTANCE PROCEDURES AND RESOURCES INSIDE THE COURTROOM

A. Provision of Interpreters in the Courtroom

The provision of spoken-language and signed-language interpreters in court proceedings is based in New Mexico State statute and the Constitution. The Constitution references language access in multiple sections, including Article II, Section 14 and Article VII, Section 3. In the Ninth Judicial District, interpreters will be provided, consistent with the Court Interpreter Standards of Practice and Payment Policies, at no cost to court customers, witnesses, jurors and other parties who need

such assistance under the following circumstances:

- For a deaf or hard-of-hearing litigant, juror, observer (when an observer has submitted a request to the court prior to the proceeding), or witness in any type of court proceeding. Title II of the ADA requires local and state courts to provide qualified signed language interpreters or other accommodation to ensure effective communication with deaf and hard-of-hearing individuals.
- For a non-English speaking person who is a principal party in interest or a witness in a criminal case.
- For a non-English speaking person who is a principal party in interest or a witness in a domestic violence case, domestic relations case, and/or Children's Court case, including court-ordered domestic relations mediation. In Children's Court matters, this extends to non-English-speaking parents, legal guardians, and foster parents who have a direct role in the case.
- For a non-English speaking person who is a principal party in interest in a civil case or that party's witness.
- For victims who are active case participants, i.e., testifying as a witness or when making a statement at sentencing. Additionally, all victims are entitled to language access services regardless of whether they are testifying or present solely to observe the proceedings.
- For any non-English speaking juror. A certified court interpreter shall be provided to petit and grand jurors, including jury orientation, voir dire, deliberations, and all portions of the trial. It is the responsibility of the private attorney, Public Defender or District Attorney to provide qualified interpretation and translation services for pre-trial witness interviews, transcriptions and translations and for attorney/client communications during proceedings.

The AOC has issued Guidelines for audio recorded, video recorded or written materials in languages other than English pursuant to Rule 1-103(E)(8) NMRA. These Guidelines address circumstances in which interpreters may and may not be used to perform sight translation in the courtroom. For the AOC Memorandum dated November 22, 2024, *see*: <https://languageaccess.nmcourts.gov/wp-content/uploads/sites/59/2024/12/11-on-the-spot-translation-memo-11-13-2024-1.pdf>.

B. Determining the Need for an Interpreter in the Courtroom

The Ninth Judicial District may determine whether an LEP or deaf court customer needs an interpreter for a court hearing or for jury duty in the following ways:

- Request for interpreter form for attorneys.
- Attorneys are aware of the need to provide advance notice to the Courts, and generally do so (by contacting Trial Court Administrative Assistants).
- Notice of hearing form has a check box for interpreter needed.
- Domestic violence forms have a check box for interpreter needed.
- Bilingual staff identifies need for interpreters for jurors. At first contact at the clerk's window, the clerks identify and flag interpreter need in the case file.

- The Magistrate Courts affix a label to each case file for which an interpreter is required. The label indicates the job number, hearing, interpreter need (broken down into defendant, witness, etc.), and any hearing cancellations.
- Recurring interpreter needs can be flagged in the Courts' Odyssey case management system.
- When cases are transferred from Magistrate to District Court, the interpreter flag is also transferred.

The need for a court interpreter may also be identified prior to a court proceeding by the LEP or deaf person or on the person's behalf by: counter staff, self-help center staff, family court services staff, TCAAs, or jury division staff; or by the client/customer's advocate, family member or attorney; or by outside justice partners such as probation/parole officers, attorneys, social workers or correctional facilities. Additionally, the judge may determine that it is appropriate to provide an interpreter for a court matter.

The need for an interpreter also may be made known in the courtroom at the time of the proceeding. The Courts display signs in English, Spanish, Navajo and Vietnamese that state: "You have the right to an interpreter at no cost to you. If you cannot speak or understand English, or if you need an American sign language interpreter, please contact the clerk for assistance." The Courts display these signs at the following locations:

- District Court: entrances to Court portions of the building; at security; inside elevators; at the clerk's window; outside courtrooms.
- Magistrate Court: inside and outside courtrooms; in the lobby.

The CEO of District Court and the Court Managers of the Magistrate Courts are responsible for ensuring signs are posted.

In a case where the court is mandated to provide an interpreter, but one is not available at the time of the proceeding even after the court has made all reasonable efforts to locate one, the case will be postponed and continued on a date when an interpreter can be provided.

C. Remote Interpreting

With the exception of jury trials and in compliance with Supreme Court rules and AOC policies, a remote interpreter may be used. In-person interpretation will be provided for evidentiary hearings and plea hearings, if at all possible, upon the request of the judge presiding over the case. Details to assist courts with telephone and video interpreting are posted at:

<https://languageaccess.nmcourts.gov/services-programs/for-staff-judges>.

D. Court Interpreter Qualifications and Availability

The Ninth Judicial District schedules spoken and signed language interpreters for courtroom hearings in compliance with Supreme Court rules and AOC policies.

Interpreters for all New Mexico state courts are scheduled using a centralized interpreter scheduling management system, Interpreter Intelligence (II), managed by AOC. Court staff enter requests for interpreters in all languages into the scheduling system. Requests are screened by an AOC coordinator, who broadcasts the interpreter assignments to interpreters located as close to the court as possible. Once the assignment has been filled, courts receive email notification of the interpreter assigned.

V. LANGUAGE ASSISTANCE PROCEDURES AND RESOURCES OUTSIDE THE COURTROOM

The Ninth Judicial District is also responsible for taking reasonable steps to ensure that LEP individuals have meaningful access to services outside the courtroom. Language services outside the courtroom include routing, daily communications and interactions between court staff and LEP individuals as they request information, file documents, schedule appointments, and so on. In the Ninth Judicial District, LEP individuals may come into contact with court personnel via the phone or at the public counter.

Language Access Specialists (LASs) are bilingual employees of the court who have successfully completed justice system language access training through the New Mexico Center for Language Access. They are a category of employee specifically created by the NM Judiciary to ensure the delivery of meaningful language access services in out-of-courtroom settings (e.g., at the clerk's window). LASs are the primary staff members who are equipped and should be called on to handle out-of-courtroom needs.

The Ninth Judicial District employs the following Spanish-speaking LASs:

Sharon Nuñez, Financial Specialist Senior, Curry County District Court
Karina Acuña, Certified Court Monitor, Curry County District Court
Laura Pérez, Court Services Specialist, Curry County District Court
Lucia Valenzuela, Court Financial Manager, Curry County District Court
Elpidia Solis - Judicial Specialist II, Curry County District Court
Karen Valenzuela - Financial Specialist, Curry County District Court
Isabell Walla, Jury Division Supervisor, Curry and Roosevelt County District Court
Angie Cordova, Adult Treatment Court, Curry County District Court
Margot Webster, Court Monitor, Curry County District Court
Moraíma Sánchez, Judicial Specialist 2, Roosevelt County Magistrate Court
Marissa Castillo, Judicial Specialist Leadworker, Curry and Roosevelt County Magistrate Court
Marisela Gonzales, Judicial Specialist 2, Roosevelt District Court

During annual employee evaluations, the Court Managers will inquire whether LAS employees' continuing education credits are up-to-date. During evaluations, the Court Managers will also encourage other bilingual staff to complete LAS training. The LAP team discusses current LAS needs and potential candidates at each annual meeting.

To facilitate communication between LEP individuals and court staff, the Ninth Judicial District

uses the following resources:

- Language Access Specialists and other bilingual employees, as detailed above.
- “I Speak” cards in over 60 languages, to identify the individual’s primary language.
- Multilingual signage throughout courthouse locations.
- Telephonic interpreting services, which are available to provide assistance in the clerk’s office. and at the court’s self-help center. The telephonic interpreting services are provided in over 175 languages, through Certified Languages International (CLI).
- A Spanish language voicemail for incoming callers in Magistrate Court in both counties.
- A phone tree system with an option for the caller to press for a Spanish message in District and Magistrate Court in both counties.
- Parenting classes in divorce cases with children can be completed online (District Court makes computers available to the public) with providers who offer both English and Spanish.
- The AOC Memorandum, “Providing Interpreters for Court-Ordered Programs, Services or Events,” explains when the obligation to provide language access for programs, services or events falls on the court and when it falls on outside agencies. *See:* <https://languageaccess.nmcourts.gov/services-programs/for-staff-judges>.

VI. TRANSLATED RESOURCES (WRITTEN AND AUDIOVISUAL)

The Courts understand the importance of having forms and documents professionally translated so that LEP individuals have greater access to needed information and services. Translation requests should be submitted to the AOC’s vendor via an online portal. For further details, *see* “New Translation Portal Instructions” at <https://languageaccess.nmcourts.gov/services-programs/for-staff-judges>.

Currently, the following translated resources are available statewide:

- Supreme Court forms in bilingual format, available at <https://languageaccess.nmcourts.gov/forms-files>:
 - *Spanish*: Domestic Violence, Domestic Relations, Interpreter request, Civil Summons Adult Guardianship, and Extreme Risk Firearm Protection Order.
 - *Spanish, Vietnamese, Chinese and Arabic*: Landlord Tenant
- The website of the NM Judiciary at <https://nmcourts.gov>, including the Ninth Judicial District Court page, has been professionally translated into Spanish. The Court’s webmaster is responsible for notifying the AOC Language Access Planning Consultant whenever updates are made in English so that AOC can make the corresponding updates on the Spanish mirror page.
- Resources posted on the AOC Language Access Services website at: <https://languageaccess.nmcourts.gov>. To help users who are LEP, blind/low-vision; low literacy/computer literacy or deaf/hard-of-hearing to navigate the site, an avatar is included. This virtual assistant speaks English, Spanish and Navajo and can respond to either written or verbal commands.
- Informational videos for Self-Represented Litigants in ASL, Spanish and Navajo (with

- closed captioning) are posted throughout the Language Access Services website.
- Guardian and Conservator orientation program videos in Spanish are posted at: <https://adultguardianship.nmcourts.gov/acerca-de/programa-de-orientacion/?lang=es>.
- A District Court Self Help Guide (Spanish and Navajo) is available on the Language Access Services website.
- Magistrate court personal data intake form in bilingual English/Spanish format.
- Eight Spanish pamphlets for Self-Represented Litigants, explaining civil procedures and terminology in the magistrate courts, provided by AOC.
- As the only state in the United States that seats LEP jurors, the New Mexico AOC provides the
- following materials (available at <https://jury.nmcourts.gov>):
- ✓ Spanish: juror questionnaire, qualification form, handbook, FAQs, creed, tips for after jury service, medical excuse form; orientation video open-captioned in Spanish.
- ✓ Navajo: juror questionnaire and qualification form.

In addition, the following resources are available in bilingual English/Spanish format in the Ninth Judicial District:

- Bilingual (English/Spanish) traffic plea sheet (Magistrate Courts).
- Bilingual (English and Spanish) handouts from community partners.
- Juror calendars (English and Spanish)

Juror orientation information and Grand Jury information (Spanish)

VII. LANGUAGE ACCESS STAFFING

The Ninth Judicial District is an equal opportunity employer and has bilingual staff/contractors to serve its LEP constituents. Bilingual staff/contractors serve the Ninth Judicial District in the following capacities:

- Court interpreters who serve the Courts on an on-call basis, coordinated and funded by AOC.
- Language Access Specialists, as detailed in Section V. The Courts provide compensation and incentives (as available) in the form of a \$1 per hour increase to employees who become certified as LASs.
- Other bilingual staff are on call to assist with out of courtroom contacts from LEP individuals as needed. The Courts encourage all bilingual employees who provide language access services to become LAS-certified.

VIII. JUDICIAL AND STAFF TRAINING

The Ninth Judicial District is committed to providing language access training opportunities for all judicial officers and staff members. Training and learning opportunities currently offered by the Ninth Judicial District will be expanded or continued as needed. These opportunities include:

- Mandatory language access training for all new and continuing employees, posted on the AOC Human Resources website. The training video includes information on the legal

basis for language access and goes into detail on procedures for providing services. A policy directive mandating the training was issued by the New Mexico Supreme Court in the form of an Order in April 2011. A subsequent policy directive was issued by AOC in October 2011 in the form of a Language Access Training Policy. AOC distributed an accompanying training acknowledgment form which is to be signed by each employee and added to his or her personnel file after training has been completed.

- Instruction for all employees on the Courts' LAP policies and procedures, as described in this plan.
- Instruction on how to use the interpreter scheduling system.
- Scholarships and wage incentives, which may be available on a case-by-case basis, to encourage the enrollment of current bilingual employees in the Language Access Specialist certificate program offered through the New Mexico Center for Language Access.
- A twice-yearly Language Access Specialist symposium, the benefits of which include a full year's worth of Continuing Education Units, as well as LAS webinars throughout the year. For a schedule, see: : <https://nmcenterforlanguageaccess.org/cms/>.
- A Judges' Portal containing video content, guidelines and other resources on the following topics: Fundamentals; Tips for Interpreted Proceedings; Deaf and Hard of Hearing and LEP Jurors; Native Americans in our Courts. See: <https://nmcenterforlanguageaccess.org/cms/en/for-judges/welcome-to-the-judges-portal>.
- Video Remote Interpreting training, available at: <https://languageaccess.nmcourts.gov/services-programs/for-staff-judges>.
- Conferences, judicial conclaves, webinars, etc. that include sessions dedicated to language access topics, organized by AOC Language Access Services and its partner, the NM Center for Language Access.
- The AOC and national colleagues have developed the Language Access Basic Training (LABT), an interactive training program available online at: <https://nmcenterforlanguageaccess.org/cms/en/services/about-language-access-basic-training>. The training is geared toward all judicial employees, and also contains more intense modules of practice and skills assessment for bilingual employees. Training topics include Legal Basis; Ethics; Roles of Court Staff and Cultural Competency.

Trainings in the Ninth Judicial District will be held as needed. New employees receive language access orientation, administered by the AOC Human Resources Division, shortly after hire.

IX. FUNDING AND PROCUREMENT ISSUES

The New Mexico Supreme Court and Administrative Office of the Courts commit significant resources to the following language access efforts to benefit all state courts on a regular basis: signage; assistive listening/interpreting equipment; certified interpreter services for court proceedings for spoken and signed languages; training and certification of interpreters and Language Access Specialists; 24/7 telephonic interpreting available in 175 languages for out-of-courtroom communication with LEP individuals; and the development of related training materials for court personnel and language access service providers. The NM Judiciary will continue to support the Ninth Judicial District's language access efforts through these services and will work to identify new funding opportunities to support language access efforts across the

judiciary and specific to the needs of the Ninth Judicial District, as identified through the current or future language access planning efforts.

X. PUBLIC NOTIFICATION OF LAP AND SERVICES

The Ninth Judicial District understands the importance of communicating to the LEP and deaf/hard-of-hearing public that courthouses are accessible. In addition to using signage, “I Speak” cards, voicemail, online materials, audiovisual materials, and written materials as detailed above, the Courts undertake the following outreach measures.

Upon signature of each annual update of the LAP/ADA Plan, the Chief Judge, with the assistance of the LAP Coordinator, sends a notice to known local legal and community stakeholders, which includes a link to the plan. The notice is intended to advise the LEP and deaf/hard-of-hearing community that the Court is accessible and to familiarize them with the specific provisions of the Court's plan. The LAP Coordinator is responsible for ensuring this is completed.

XI. COMPLAINT PROCEDURE

The Ninth Judicial District has a complaint procedure for persons who feel their rights to language access have been violated. Should any individual wish to make a complaint, the attached complaint procedure and form will be provided to them by the LAP Coordinator (*see Attachment D*). The procedure and form are available in English and Spanish and can be translated into additional languages as needed.

XII. APPROVAL AND EVALUATION OF LAP

A. LAP Approval

The Ninth Judicial District LAP is subject to approval by the Chief Judge and Court Executive Officer. Any revisions to the plan will be submitted to the above parties for approval, and then forwarded to AOC.

B. Annual Evaluation of LAP

The Ninth Judicial District will routinely assess whether changes to the LAP are needed. The plan may be changed or updated at any time but reviewed not less frequently than annually.

Every year, the LAP Coordinator will be responsible for convening the Courts' LAP team. The team will review the effectiveness of the Court's LAP and update it as necessary. The evaluation will include identification of any problem areas and development of corrective action strategies. Elements of the evaluation will include:

- Number of LEP persons requesting court interpreters and out-of-courtroom language assistance.
- Assessment of current language needs to determine if additional services or materials should be provided.

- Assessment of whether language access procedures are operating smoothly.
- Assessment of whether court staff adequately understand language access policies and procedures and how to carry them out.
- Review of any feedback from court employee training sessions and planning training, if deemed necessary.
- Identifying gaps in LAS coverage and suitable candidates to undergo LAS training.
- Ensuring that all tasks outlined in this plan have been completed by their target date.
- Ensuring that all time-sensitive references, rules or policies that are subject to change, and individuals mentioned in this plan are up-to-date.

C. Ninth Judicial District LAP Coordinator:

Isabell Walla, Jury Division Supervisor, Curry and Roosevelt County
 Ninth Judicial District Court
 700 N. Main St., Clovis, New Mexico 88101
clomidw@nmcourts.gov
 575-742-7536

D. AOC LAP Coordinator:

Freda Valdez, Statewide Program Manager, Language Access Services
 New Mexico Administrative Office of the Courts
 111 Lomas Blvd. NW, Albuquerque NM 87102
aocfev@nmcourts.gov
 (505) 231-9229

E. LAP Effective Date:

See: LAP & ADA Plan signature page

**NINTH JUDICIAL DISTRICT
ADA PLAN
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I. DEFINITIONS

Definition of “Ninth Judicial District” and “the Court”:

“Ninth Judicial District” and “the Court,” as used throughout this plan, means all the courts in New Mexico's Ninth Judicial District, namely: Curry County District Court (located in Clovis), Roosevelt County District Court (located in Portales), Clovis Magistrate Court, and Portales Magistrate Court.

II. LEGAL BASIS AND PURPOSE

The New Mexico Administrative Office of the Courts is committed to ensuring equal access to and full participation in court programs, court services, and court activities for qualified individuals with disabilities, including attorneys, litigants, defendants, probationers, witnesses, victims, potential jurors, and public observers of court proceedings.

The Americans with Disabilities Act of 1990 (ADA) was enacted to prohibit discrimination against people with disabilities. Under Title II of the ADA, no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of programs, services, or activities of a public entity. This prohibition applies to the New Mexico state courts as providers of public programs, services, and activities. Pursuant to the ADA, people with disabilities have an equal opportunity to access, use, and fully participate in court programs, services, and activities and not be discriminated against because of their disability.

A person is considered disabled for purposes of the ADA if the person has a mental or physical impairment that substantially limits a major life activity. “Major life activities” include, but are not limited to: reading, communicating, performing manual tasks, seeing, hearing, standing, walking, breathing, and the operation of a major bodily function.

The ADA also protects people who have a record of such an impairment or who are regarded as having such an impairment, if being perceived as having a disability results in discrimination.

It is important to remember that not all disabilities are obvious. “Invisible disabilities,” such as psychological or cognitive conditions, can substantially limit a person’s ability to engage in major life activities.

Any individual with an interest in participating in or attending any proceeding before any court may make a request for an accommodation. This includes jurors, parties, attorneys, witnesses, and spectators.

Whenever reasonable, New Mexico Court policies, practices, or procedures must be modified to make court programs, court services, and court activities readily accessible to and usable by people with disabilities. This includes removing architectural barriers by altering existing facilities where feasible or relocating services to an ADA-accessible site.

The ADA also includes removing communication barriers by providing auxiliary aids and services that would allow a person with a disability to effectively represent a client, be a party in a lawsuit, testify as a witness, serve on a jury, observe a hearing or trial, or otherwise participate

in all programs, services and activities. In providing reasonable accommodations, the New Mexico Courts give ADA Title II primary consideration to the accommodations requested by the person with a disability when reasonable and practicable. To ensure ADA effective communications with people who are deaf or hard of hearing, the New Mexico Courts provide sign language and oral interpreters, or other appropriate auxiliary aids and services free of charge. The New Mexico Courts may also provide information in Braille and Large Print for people with visual disabilities as a reasonable accommodation request.

III. NEEDS ASSESSMENT

A. New Mexico Data

The Centers for Disease Control and Prevention (CDC) published the latest Disability and Health Data System (DHDS) on their website at:

https://www.cdc.gov/dhds/about/?CDC_AAref_Val=https://www.cdc.gov/ncbddd/disabilityandhealth/dhds/index.html

DHDS is an online source of state level data on adults with disabilities. In the state of New Mexico 499,492 adults have a disability. This is equal to nearly 30% or roughly 1 in 3 adults.

According to DHDS, in New Mexico the percentages of disabled individuals 18 years or older were reported in 2022 as follows:

- Cognitive Disability 15.4%
- Mobility Disability 12.8%
- Independent Living Disability 7.5%
- Hearing Disability 6.6%
- Vision Disability 5.8%
- Self-Care Disability 3.7%

Definitions:

- Cognitive: serious difficulty concentrating, remembering or making decisions.
- Hearing: serious difficulty hearing or deafness.
- Mobility: serious difficulty walking or climbing stairs.
- Vision: serious difficulty seeing or blindness.
- Self-care: difficulty dressing or bathing.
- Independent living: difficulty doing errands alone.

B. Ninth Judicial District Data

The Ninth Judicial District assesses its ADA accommodation needs on an ongoing basis based on what it identifies about courthouse users. This is achieved through two methods:

- 1) Tracking ADA Accommodations inside and outside of the courtroom.
- 2) Tracking Scribing requests from self-represented litigants and jurors who need

assistance with filling out court forms and juror questionnaires.

ADA Accommodations in and out of the Courtroom:

The Courts track ADA accommodation requests inside and outside of the courtroom. These accommodation requests are tracked in Odyssey (the statewide case management system), Interpreter Intelligence (the statewide interpreter scheduling system), the Clearview Jury Portal (the statewide jury management system), and the Ninth Judicial District's ADA Accommodations Request Google Form.

The District's ADA Title II Coordinators, Jury Judicial Specialist Supervisor, Pretrial Services Officer, and Administrative Assistant enter requests for ADA Accommodations onto the Google Form, and the entries are instantly emailed to the Statewide ADA Title II Coordinator's office. The Statewide ADA Title II Coordinator's Office is responsible for ensuring data received from the Ninth Judicial District is updated in this plan annually.

During the most recent fiscal year (July 1, 2024, through June 30, 2025), the following ADA accommodations were requested and provided in and out of the courtroom:

1. American Sign Language (ASL) = (0)
2. Certified Deaf Interpreter (0)
3. Communication Access Real-Time Captioning (CART) = (5)
4. ADA Accommodations Requests Received from Jurors via Clearview Jury Portal Upon Receipt of Jury Summons=(314)
5. ADA Accommodations Requested/Provided to Jurors During Jury Selection/Service Upon Arrival to Courthouse = (166)
6. ADA Accommodations for other parties (Defendants, Plaintiffs, Attorneys, etc.)=(316)

In FY25, the ADA Title II Coordinator for the Ninth Judicial District managed three hundred and sixteen (316) different ADA Accommodation Requests. Upon receiving each request, the ADA Title II Coordinator, through extensive research, communication with court staff and the Statewide ADA Title II Coordinator, and by engaging in the interactive process with each requestor, was able to provide the accommodation requested, offer alternative options, or referred the requestor to a secondary resource.

Among the ADA accommodation requests received from jurors and other parties provided by the Ninth Judicial District include Assistive Listening Devices, CART captioning, access to personal cell phones and smartwatches for medical purposes, requests for remote hearings, approval to bring a support person to a court hearing, use of personal service animal, physical access to move throughout the courthouse and courtroom, access to personal medical devices and medication, elevator access, access to food and water for medical purposes, accessible parking, frequent restroom and mobility breaks, olfactory disabilities, accommodations due to anxiety, depression, cognitive and learning disabilities, autism, attention-deficit/hyperactivity disorder (ADHD), cognitive brain injury (TBI), post-traumatic stress disorder (PTSD), seizures, various medical diagnoses, and

supportive/ergonomic seating while in the courtroom.

IV. ADA COORDINATOR DUTIES

A. Duties of the NM AOC Office of the Statewide ADA Title II Coordinator

The Office of the Statewide ADA Title II Coordinator within the Administrative Office of the Courts provides resources, guidance and training to all judiciary employees. It also oversees the enforcement of the Act in each district and their programs and activities.

Among the duties of the Statewide ADA Title II Coordinator are to:

- Plan and coordinate compliance efforts.
- Develop and distribute notice about ADA Title II compliance.
- Respond to general inquiries from the public.
- Coordinate requests for auxiliary aids and services and reasonable modifications of policies, practices and procedures.
- Train staff, boards and commissions on ADA Title II requirements.
- Interact and consult with staff, boards and commissions on ADA Title II.
- Develop a grievance procedure.
- Investigate complaints.
- Conduct a self-evaluation.
- Develop a transition plan.
- Ensure districts are complying with all ADA Title II mandates.

Statewide ADA Title II Coordinator:

Peggy Cadwell

ADA@nmcourts.gov

(505) 414-5313

B. Duties of the District ADA Title II Coordinator

Among the duties of the District ADA Title II Coordinator are to:

- Manage all ADA Title II requests from the public. Receive requests for accommodations, communicate with the person making the request to clarify the nature of the accommodation needed, and facilitate implementation. Engage in the Interactive Process as needed and follow up on effectiveness of the accommodations. Collaborate with court staff and judicial officers to participate in the interactive process and assist with facilitating reasonable accommodations.
- Provide information about and arrange for the use of appropriate auxiliary aids and devices.
- Ensure ADA Title II-related signage and other information is in place and accurate.
- Suggest or assist in making modifications to court operations and practices to ensure that court programs and services are fully accessible.

- Ensure their courts are complying with all ADA Title II mandates.
- Conduct investigations of all grievances, complaints, and provide all requested information to the Statewide ADA Title II Coordinator's Office.
- Cooperate with the Statewide ADA Title II Coordinator's Office by providing all requested information during an investigation.
- Maintain a record of filed grievances and results and share them with the Statewide ADA Title II Coordinator's Office.
- Maintain contact with staff and judges to ensure that services provided are effective.
- Conduct and participate in all activities related to the self-evaluation process and provide the results to the Office of the Statewide ADA Title II Coordinator.
- Maintain a record of all accommodations granted and denials.
- Maintain a record of grievances filed and results.

Court personnel who become aware of a need for an accommodation may consult with the ADA Title II Coordinator for their district for assistance. In turn, the District ADA Title II Coordinator may request additional assistance from the Statewide ADA Title II Coordinator.

Ninth Judicial District ADA Coordinator:
Katherine Grubelnik, Human Resources Admin Senior
9thada-grp@nmcourts.gov
(575) 742-7534

Should Katherine Grubelnik be unavailable, employees and the public may contact:

Shawn McDonald, Court Services Manager
Ninth Judicial District Court
9thada-grp@nmcourts.gov
(575) 742-7583

V. PROVISION OF ASL INTERPRETERS AND OTHER ACCOMMODATIONS

The provision of spoken language and signed language interpreters, and other communication access accommodations, in court proceedings is based in New Mexico State Statute and the Constitution. The Constitution references the right to an interpreter in multiple sections, including Article II, Section 14 and Article VII, Section 3.

Title II of the ADA requires courts to provide qualified sign language interpreters or other accommodations to ensure effective communication with deaf and hard-of-hearing individuals. Among other accommodations provided to ensure effective communication are: CART, or other appropriate auxiliary aids or services free of charge.

Interpreters will be provided at no cost to deaf or hard-of-hearing litigants, witnesses, jurors and observers (when an observer has submitted a request to the court prior to the proceeding) in any type of proceeding in the New Mexico courts.

VI. TRANSLATED RESOURCES

The ADA Accommodation Request Form, ADA Complaint Form, ADA Grievance Procedure and ADA Notice of Rights are available in Spanish. Additionally, the ADA Accommodation Request Form and ADA Complaint Form are provided in a fillable PDF format in Spanish. Informational brochures in printed and electronic formats and videos regarding scribing services have been translated into Spanish and Navajo. These resources can be found on the Judiciary's ADA Title II webpage at: <https://nmcourts.gov/ada-accommodations/>.

VII. RESOURCES IN ALTERNATIVE FORMATS

The New Mexico AOC provides an open-captioned orientation video for Deaf and hard-of-hearing jurors: <https://www.youtube.com/watch?v=enNQ0PSDWd0>.

Additional resources in alternative formats available from the Statewide ADA Title II Coordinator's Office include providing court forms and requested court information in Braille or large print, and fillable PDF forms.

The ADA Notice of Rights is available in ASL: a video is posted on the Statewide ADA Title II Coordinator's webpage at <https://nmcourts.gov/ada-accommodations/about-ada-accommodations/> and on the New Mexico Courts YouTube channel: <https://www.youtube.com/@NewMexicoCourts>.

Additionally, several videos and webinars regarding general information for court users, jurors, self-represented litigants, witnesses, scribing, Judicial employee training, and other informational videos are available in ASL on the New Mexico Courts YouTube channel: <https://www.youtube.com/@NewMexicoCourts>.

VIII. RESOURCES FOR JURORS

The NM AOC Jury Division provides captioning on its orientation video as an accommodation for Deaf and hard of hearing jurors: <https://www.youtube.com/watch?v=enNQ0PSDWd0>

ADA resources and accommodations available for jurors include juror questionnaires and documents in alternative formats, ASL and Certified Deaf interpreters, Assistive Listening Devices, CART captioning, access to personal cell phones and smartwatches, hand-written or typed communication, use of personal service animal, readers and notetakers, court documents delivered electronically, documents in Braille, physical access to move throughout the courthouse and courtroom, access to personal medical devices and medication, elevator access, access to food and water, accessible parking, frequent restroom and mobility breaks, accommodations due to anxiety, depression, cognitive and learning disabilities, autism, attention-deficit/hyperactivity disorder (ADHD), cognitive brain injury (TBI), post-traumatic stress disorder (PTSD), various medical diagnoses, and supportive/ergonomic seating while in the courtroom.

IX. OUT-OF-COURTROOM CONTACTS

The Ninth Judicial District and Magistrate Courts report that the majority of out-of-courtroom contacts occur with court staff at the clerk's window or over the phone, and the District Courts report that the first points of contact are the Sheriff's Departments who provide security. Staff is aware of rules regarding service animals. The questions that are permissible to ask regarding service animals are:

- 1) Is the animal required because of a disability?
- 2) What task has the animal been trained to perform?

Service animal signage has been provided to the Ninth Judicial District and Magistrate Courts for posting at the public points of entry, indicating service animals are allowed. Additionally, the Statewide ADA Title II Coordinator's Office has provided ADA Title II Bench Cards to be distributed to staff containing basic information about accommodation requests, regulations around service animals, and ADA Title II Coordinator contact details. More detailed specifications regarding service animals, including FAQ cards, were provided to the Ninth Judicial District in July 2024. Additionally, ADA signage and stickers advising court patrons to ask court staff if they need assistance were also provided to the District in July 2024.

In July 2023, the NM AOC added ASL on-demand services through Certified Languages International (CLI), for interactions with court users requesting ASL interpretation outside of the courtroom. Additionally, the Ninth Judicial District successfully used this service for a customer who needed ASL interpretation at a legal fair.

Information cards with detailed instructions for accessing the ASL on-demand services were provided to the Ninth Judicial District in July 2024. In July 2025, updated CLI instruction cards were provided to each District, including a new secure password requirement to access the ASL on-demand service.

X. ASSISTIVE LISTENING AND SPEECH DEVICES

The Ninth Judicial District currently has six (6) ALDs available for use in each District Court.

In addition to the ALD equipment at the Ninth Judicial District, a PocketTalker device is available for loan from the Office of the Statewide ADA Title II Coordinator's Office as needed.

XI. SCRIBING SERVICES

In 2018, the NM AOC, in collaboration with the National Center for State Courts and the State Justice Institute, launched a scribing pilot program in the Ninth and Second Judicial Districts. The scribing program assists court users who signed a Statement of Need testifying that they needed scribing help due to illiteracy, Limited English Proficiency, disability or limited computer

access/literacy. Court staff read forms or juror questionnaires aloud and filled in the blanks on their behalf, using the exact words spoken by the self-represented litigant or juror.

As a pilot site for the scribing program, the Ninth Judicial District began scribing in 2018 and was instrumental in developing the framework for other courts in the Judiciary to launch their scribing programs. During the pilot phase, the Ninth Judicial District recognized a particular need to assist prospective jurors with completing the juror questionnaire prior to jury service. The Ninth Judicial District crafted a procedure in which jurors could receive scribing services remotely over the phone. In addition to jurors, the Ninth Judicial District developed strategies for providing scribing services for self-represented litigants who requested assistance due to disability, low literacy, or limited English proficiency.

During the pilot phase, a Facilitation Guide, training videos, flyers, and brochures were developed to train all court staff and volunteers on the scribing process. Public outreach materials such as brochures, flyers, and public services announcements (PSAs) were produced in English, Spanish and Navajo.

The leadership demonstrated by the Ninth Judicial District during the scribing pilot program contributed to its success, resulting in NM Supreme Court Order No. 22-8500-036, dated November 9, 2022, implementing the scribing program throughout the Judiciary, providing these services due to disability, limited English proficiency, low literacy, or limited computer or internet access. The Scribing program was further expanded on February 27, 2024 in NM Supreme Court Order No. S-1-AO-2024-00009 by providing scribing services to any self-represented litigant or juror requesting the services.

The Ninth Judicial District has advertised scribing services in their Courts by posting the public outreach materials provided by the Statewide ADA Title II Coordinator's Office in their customer service areas and by informing staff who to contact in the court should a court user or juror request the scribing services.

The Ninth Judicial District created a robust scribing program during the scribing pilot program, which has continued through statewide scribing implementation. The District has been proactive in creating detailed internal policies and procedures to create a workflow that allows them to provide scribing services for court users and jurors, and ensures each scribing interaction is recorded in their Scribing Intake Forms. Throughout statewide scribing implementation, the Ninth Judicial District has assisted the Statewide ADA Title II Coordinator's Office by offering suggestions and insights, as well as providing training and resources for other districts. In September 2023, Ninth Judicial District Jury Division Supervisor Isabell Walla partnered with the ADA Title II Coordinator's Office to produce a live webinar training, "*ADA Title II and the Courts: Scribing for Jurors*," which was also recorded and disseminated to Judiciary staff. In August 2024, Isabell Walla collaborated once again with the Statewide ADA Title II Coordinator's Office and the Fourth Judicial District in a virtual training, titled "*The ADA and Scribing for Jurors in the Fourth and Ninth Judicial Districts*," which was recorded and disseminated to Judiciary staff.

To keep track of scribing numbers for self-represented litigants and jurors in each District, the

Statewide ADA Title II Coordinator's Office created a Scribing Request Intake Google Form for each District in 2023. Once a scribing session is completed, the District's ADA Title II Coordinators, District's ADA Title II Coordinators, Court Programs Operations Manager, Court Manager, Jury Judicial Specialist Supervisor, Pretrial Services Officer, Court Monitor, Administrative Assistant, and Judicial Specialists, enter demographic information from the scribing session onto the Form, and the results are instantly emailed to the Statewide ADA Title II Coordinator's Office. The Statewide ADA Title II Coordinator's Office is responsible for ensuring data received from the Ninth Judicial District is updated in this plan annually.

During the most recent fiscal year (July 1, 2024 through June 30, 2025)(FY25), scribing requests for self-represented litigants and jurors in the Ninth Judicial District were as follows:

Month	Number of Scribing Requests
July 2024	7
August 2024	41
September 2024	15
October 2024	16
November 2024	23
December 2024	17
January 2025	2
February 2025	14
March 2025	16
April 2025	7
May 2025	10
June 2025	9
Total	177

In FY25, the Ninth Judicial District conducted one hundred and seventy-seven (177) scribing sessions for the following case types: divorce, domestic violence, guardianship (minor), answer to a complaint, civil restraining order, juror questionnaire, landlord/tenant, legal fair intake application, probate, and traffic/parking.

In 2023, a Scribing Statement of Need was provided to District ADA Title II Coordinators, Court Managers, Project/Program Managers, Self-Help Office staff, Jury staff, and CEOs by the Statewide ADA Title II Coordinator's Office. The form serves as an affirmation that the court user does not have an attorney, understands court staff will not provide legal advice, and confirms that what was scribed is accurate. After the scribing session, the form is docketed in the Odyssey case management system using docketing code 1649 or scanned into the Clearview Juror Portal. In June 2023, Ninth Judicial District Jury Division Supervisor Isabell Walla assisted the Statewide ADA Title II Coordinator's Office in offering suggestions to expand upon the Program Data section, where staff can write the information needed to record their scribing sessions on the Scribing Request Intake Google Form. The Statewide ADA Title II Coordinator's Office notifies court staff accordingly of changes and updates to the form. In September 2025, the Statement of Need form was renamed *Request for Scribing Services* to

reflect the expansion of scribing services for any self-represented litigant or juror.

Scribing explainer videos in English, Spanish, and Navajo are available on the New Mexico Courts YouTube channel at the following link: <https://www.youtube.com/@NewMexicoCourts>.

Scribing training modules, quizzes and certificates of completion for Judiciary staff are available on the Court Education Institute's Learning Management System:

<https://nmcourts.geniussis.com/>.

In August 2025, the scribing training modules were updated to reflect the expansion of scribing services for all self-represented litigants and jurors.

During FY25, the Statewide ADA Title II Coordinator's Office held monthly check-ins with each judicial district to discuss the progress of scribing services provided in courts, answer questions, discuss training ideas, share statistics, and acquire staff feedback. Staff from the Ninth Judicial District regularly attended these check-ins and provided positive and meaningful feedback.

Additional training assistance with scribing is available to the Ninth Judicial District on request by contacting the Office of the Statewide ADA Title II Coordinator.

XII. LIVE CHAT AND SPEECH DEVICES

In an effort to lead the way in augmenting accessibility for Deaf and hard-of-hearing court users, AOC has provided live chat UbiDuo devices for each Judicial District. This technology enables live chat to take place between the court customer and staff, with each party typing into their respective station. Walk-in Deaf and hard of hearing court users who have not submitted advance notice of interpreter need can now converse immediately at the counter, eliminating the need to pass paper notes back and forth or to wait for an interpreter. Live chat devices have also been helpful in the provision of services to individuals with speech difficulties.

As of the latest revision of this plan, the Ninth Judicial District has two (2) UbiDuo devices in the District Courts in Clovis and Portales. The Office of the Statewide ADA Title II Coordinator supplies additional devices to the courts as funding permits.

The Court will provide the following link to staff for training in how to use the devices:

<https://www.youtube.com/@NewMexicoCourts>.

XIII. JUDICIAL AND STAFF TRAINING

The Statewide ADA Title II Coordinator's Office offers regular training in partnership with the Southwest ADA Center, New Mexico Governor's Commission on Disability, Professor Bruce Adelson, Esq. and other disability organizations. The Statewide ADA Title II Coordinator notifies all judiciary employees of upcoming trainings via email. Training is offered to all judiciary employees free of charge and is recorded and broadcast on the New Mexico Courts YouTube channel at: <https://www.youtube.com/@NewMexicoCourts>.

The Statewide ADA Title II Coordinator's Office also holds regular in-person and virtual

trainings and meetings with Judges, District ADA Title II Coordinators and Judiciary staff, and when funding permits, offers the opportunity for District ADA Title II Coordinators to enroll in the ADA Coordinator Training Certification Program (ACTCP) and attend the annual ADA National Symposium. The New Mexico Governor's Commission on Disability also offers scholarships to enroll in the ACTCP program for ADA Title II Coordinators in New Mexico. Ninth Judicial District ADA Title II Coordinator Shawn McDonald earned ACTCP certification in June 2025. In September 2023 and August 2024, Ninth Judicial District Jury Division Supervisor Isabell Walla collaborated with the Statewide ADA Title II Coordinator's Office in presenting a scribing for jurors webinar for a statewide audience. It is the intention of the ADA/language access planning team to hold court-wide, hybrid ADA/language access training annually.

The Statewide ADA Title II Coordinator's Office holds monthly District ADA Title II Coordinator Meetings to discuss ADA topics, trends, upcoming trainings, and important updates from the AOC. Both Ninth Judicial District Coordinators Katherine Grubelnik and Shawn McDonald are in regular attendance at these meetings.

Effective 2023, AOC Human Resources Department's new employee orientation training includes ADA Title I and ADA Title II compliance information, and the Statewide ADA Title II Coordinator's contact information.

XIV. EMERGENCY PLAN AND EVACUATION

Under Title II of the ADA, public entities must ensure that emergency and evacuation plans for their facilities, activities and programs include emergency preparedness plans for people with disabilities. The Ninth Judicial District's current evacuation plan incorporates plans for people with disabilities, and the District has also developed active shooter training.

XV. ADA SELF-EVALUATION AND TRANSITION PLAN

The ADA requires all public entities with over 50 employees must complete an ADA Self-Evaluation and Transition Plan, to find barriers that may prevent individuals with disabilities from participating in court activities, programs, or services, or prevent them from entering or moving throughout the building. In 2024, the Statewide ADA Title II Coordinator's Office, through a Request for Proposal (RFP) process selected a vendor to perform a Self-Evaluation and Transition Plan of 80 courthouse facilities in the New Mexico Judiciary. The Statewide Title II ADA Coordinators Office will work with the Ninth Judicial District on the Self-Evaluation and Transition plan for their district in this Fiscal Year.

In FY25, the Ninth Judicial District began the ADA Self-Evaluation and Transition Plan process. During their kick-off meeting, key Ninth Judicial District staff met with Statewide ADA Title II Coordinator Peggy Cadwell and the selected vendor, Altura Solutions, to develop a timeline of each phase of their Plan. A public participation component was also developed, including public surveys, a project website, and public engagement meetings and reports to incorporate input from the public and disability communities.

In FY25, during the first phase of their Plan, Altura Solutions conducted a physical evaluation of each courthouse in the Ninth Judicial District. During this evaluation, each courthouse facility was surveyed to determine if any architectural or rights-of-way barriers may exist within each facility. Additionally, the court programs, services, and activities within the District were evaluated, and an assessment was conducted on the New Mexico Judiciary website to locate accessibility barriers.

In FY26, the Statewide ADA Title II Coordinator's Office will continue working with Altura Solutions, and the Ninth Judicial District to create a transition plan outlining barriers to accessibility, the methods required to remove each barrier, and a prioritization schedule for barrier removal. Additionally, the vendor will provide supplemental training sessions and answer follow-up questions for each District as they arise.

XVI. PUBLIC NOTICE

All public entities must provide information to the public, program participants, program beneficiaries, applicants and employees about the ADA and how it applies to the public entity.

An Americans with Disabilities Act webpage was created and added to the New Mexico Courts website in October 2021. The page includes the Notice of Rights (in English, Spanish and ASL); the Request for Accommodations, Grievance Procedure and Complaint forms in fillable PDF format (in English and Spanish), and contact information for the Statewide ADA Title II Coordinator.

In August 2025, these forms were remediated to conform to ADA Section 508 WCAG 2.2 AA digital accessibility standards and disseminated to each District for posting on their district webpages.

<https://nmcourts.gov/ada-accommodations/forms/>

<https://nmcourts.gov/ley-para-estadounidenses-con-discapacidades-ada-y-adaptaciones/formularios-y-solicitud-de-adaptaciones-en-virtud-del-titulo-ii-de-la-ada/?lang=es>.

If these forms are needed in an alternative format, they can be requested by contacting the Statewide ADA Title II Coordinator's office at ada@nmcourts.gov

The Ninth Judicial District has also included this content in English, and Spanish on their own webpage at: <https://ninthdistrict.nmcourts.gov/ada-accommodations/> and <https://ninthdistrict.nmcourts.gov/ada-y-las-adaptaciones/?lang=es>

A hard copy of the Ninth Judicial District LAP/ADA Plan (in English and Spanish) shall be kept in an area accessible to the public at every courthouse. Copies of the plan will be provided to the public on request, in English, Spanish or alternative formats. In addition, the Ninth Judicial District posts the plan at <https://ninthdistrictcourt.nmcourts.gov/language-access-plan> and AOC posts the plan on the Statewide ADA Title II webpage at <https://nmcourts.gov/ada-accommodations/publications-and-resources/>.

The District has created an ADA email address, 9thada@nmcourts.gov, in order to keep track of any incoming email requests from the public.

In 2023, the Statewide ADA Title II Coordinator's Office worked with the NM AOC Judicial Information Division (JID) to incorporate detailed language on all Notice of Hearing documents for the District, Magistrate and Metropolitan Courts regarding ADA Title II and contact information for the courts in regards to ADA accommodation requests.

XVII. DIGITAL CONTENT AND ACCESSIBILITY

Under the United States Department of Justice's (DOJ) final rule updating the ADA Title II regulations, public entities falling under ADA Title II must ensure their web content and mobile apps are accessible to people with disabilities. Web Content Accessibility Guidelines (WCAG) Version 2.1, Level AA is the technical standard and must be adhered to by state and local governments for their web content and mobile apps. The full Rule can be found at: <https://www.ada.gov/assets/pdfs/web-rule.pdf>

To prepare for the upcoming rule, the AOC Statewide ADA Title II Coordinator's Office has updated and remediated the ADA forms on their webpage, ensuring they are accessible to people with disabilities. The updated forms will be disseminated to each Judicial District for use on their public webpages.

XVIII. GRIEVANCE PROCEDURE

The Statewide Grievance Procedure is attached to this plan and also posted on the AOC ADA Title II website in English and Spanish at: <https://nmcourts.gov/ada-accommodations/forms/>.

XIX. APPROVAL AND EVALUATION OF ADA PLAN

A. ADA Plan Approval

The Ninth Judicial District ADA plan is subject to approval by the Chief Judge and Court Executive Officer. Any future revisions to the plan will be submitted to the Chief Judge and Court Executive Officer for approval, and then forwarded to the AOC.

B. Annual Evaluation

Annually, or more frequently if needed, the Court will review the effectiveness of its ADA plan and update it as necessary.

C. Ninth Judicial District ADA Title II Coordinator

Katherine Grubelnik, Human Resources Admin Senior
Ninth Judicial District Court
9thada@nmcourts.gov
(575) 742-7534

D. Statewide ADA Title II Coordinator

Peggy Cadwell
New Mexico Administrative Office of the Courts
111 Lomas Blvd NW Suite 300, Albuquerque NM 87102
ADA@nmcourts.gov
(505) 414-5313

E. ADA Plan Effective date:

See: LAP & ADA Plan signature page

LANGUAGE ACCESS PLAN & ADA PLAN SIGNATURE PAGE

A. Effective Date:

LAP original effective date: August 1, 2012

ADA plan original effective date: July 15, 2023

Latest revision of LAP and ADA plan: January 2, 2026

B. Approved By:

Hon. Donna Mowrer, Chief Judge: 

Date: 3/30/2026

Kevin Spears, Court Executive Officer: 

Date: 3/30/2026

ATTACHMENTS

LANGUAGE ACCESS PLAN:

- A. Members of the Ninth Judicial District LAP/ADA Planning Team**
- B. Interpreter Statistics**
- C. Out-of-Courtroom Encounters Data**
- D. Language Access Complaint Procedure and Form**

ADA PLAN:

- 1) Notice of Rights**
- 2) Request for Accommodations**
- 3) Grievance Procedure**
- 4) Complaint Form**

**Ninth Judicial District LAP
Revised 2026
Attachment A**

**Members of the Ninth Judicial District
Language Access Planning Team**

Kevin Spears, Court Executive Officer

Isabell Walla, Language Access Coordinator

Curry County District Court:

- Angie Cordova, Case Manager Adult Treatment Court
- Karina Acuña, Court Monitor
- Isabell Walla, Jury Division Supervisor
- Laura Pérez, Court Services Specialist
- Lucia Valenzuela, Chief Financial Officer
- Margot Webster, Court Monitor
- Sharon Nunez, Business Specialist II, Curry County District Court

Curry County Magistrate Court:

- Desiree Garrison, Magistrate Court Manager, Curry and Roosevelt County

Roosevelt District Court:

- Mari Díaz, Judicial Specialist II, Roosevelt County District Court

Roosevelt Magistrate Court:

- Marissa Castillo, Judicial Specialist II, Roosevelt County Magistrate Court
- Moraíma Sanchez, Judicial Specialist II, Roosevelt County Magistrate Court

Ninth Judicial District Interpreter Statistics
FY' 26 Q-1 and Q-2
July 1, 2025 - December 31, 2025

Location	Number of In Court Assignments ODY	Number of In Court JS/JT/GJ - (Jurors)	Number of In Court Cancellations (Jurors)	Out-of-Court Tracking (LAS)	Total for Location	
Curry District	99	6	79	344	528	
Curry Magistrate	163	4	61	283	511	
Roosevelt District	41	1	3	125	170	
Roosevelt Magistrate	67	0	0	196	263	
						Total District
Total	370	11	143	948		1472

In Court Cancellation Reasons (JURORS)

No Interpreter Available / Rare Language	Juror FTA for JS / JT Job Cancelled	Juror Not Selected for JT	JS/JT Cancelled	NES Juror Job Created In Error	Empaneled Juror Released Medical Issue	TOTAL CANCELED INTERPRETER JOBS (JURORS)
2	8	1	129	4	1	143

Interpreter use by language, per court location

Out-of-courtroom language assistance encounters (using Language Specialists). (I do not have access to the CLI report and have requested that information from AOC Language Access.

FY'2025 (July 1, 2024 - June 30, 2025) Language Summary

Location	ASL	CAMBODIAN	CHINESE	CHINESE MANDARIN	COMMUNICATION ACCESS REALTIME TRANSLATION (CART)	GEORGIAN	KHMER (CAMBODIAN)	PASHTU	PHILLIPINES	ROMANIAN	RUSSIAN	SIGN LANGUAGE	SPANISH	TAGALOG (FILIPINO)	THAI	VIETNAMESE	TOTAL
Curry District	1	1	0	0	0	0	0	0	0	0	4	316	1	0	0	323	
Curry Magistrate	1	0	0	0	7	1	1	1	0	0	2	5	568	0	0	0	586
Roosevelt District	2	0	0	0	0	0	0	0	0	0	0	1	79	0	3	0	85
Roosevelt Magistrate	0	0	1	2	0	0	0	0	0	3	0	1	174	0	0	5	186
# of Unfulfilled / No Interpreter Available	1	0	0	7	0	0	0	0	1	0	0	0	0	1	1	4	15
Total In Court Interpreters	5	1	1	9	7	1	1	1	1	3	2	11	1137	2	4	9	1195
Total In Court Interpreters Less No Interpreter Available	4	1	1	2	7	1	1	1	0	3	2	11	1137	1	3	5	1180

IN COURT INTERPRETERS STATISTICS FY'2026 Q-1 and Q-2 (July 1, 2025 - December 31, 2025) Language Summary

Location	COMMUNICATION ACCESS REALTIME TRANSLATION (CART)	HINDI	JAPANESE	KHMER (CAMBODIAN)	LAO	SIGN LANGUAGE	SPANISH	UKRAINIAN	VIETNAMESE	TOTAL
Curry District	0	0	0	0	0	0	99	0	0	99
Curry Magistrate	7	0	0	0	0	3	151	2	0	163
Roosevelt District	0	0	0	0	0	2	39	0	0	41
Roosevelt Magistrate	0	1	0	0	2	0	62	0	2	67
# of Unfulfilled / No Interpreter Available	0	0	1	0	0	0	0	0	1	2
Total In Court Interpreters	0	0	1	0	2	5	351	0	3	362
Total In Court Interpreters Less No Interpreter Available	0	1	0	0	2	5	351	0	1	360

Certified Languages International (FY 2024- 2025)

Language	Date	Ord No.	Contact	Phone #	Court Name	City	Is this for the Courtroom	Start	End	Total Min	Total Amt	Billing Date
Romanian	08/19/2024	240819RM000017	Christopher Mitchell	575-356-8569	Magistrate	Portales		13:34	14:07	34	##	08/31/2024
Spanish	08/20/2024	240820S010899	Christopher Mitchell	575-356-8569	Magistrate	Portales		13:05	13:35	31	##	08/31/2024
Spanish	09/26/2024	240926S005288	Tiersa	575-885-3218	Magistrate	Clovis		09:48	09:51	3	##	09/30/2024
Spanish	10/11/2024	241011S008790	Christopher Mitchell	575-356-8569	Magistrate	Portales		13:09	13:29	20	##	10/31/2024
Spanish	10/16/2024	241016S011408	Christopher Mitchel	575-356-8569	Magistrate	Portales		14:04	14:52	49	##	10/31/2024
Spanish	10/30/2024	241030S008578	Christer Michell	575-218-4014	Magistrate	Portales		12:09	12:27	18	##	10/31/2024
Spanish	11/25/2024	241125S011434	Christopher Mitchell	575-356-8569	Magistrate	Portales		13:34	14:00	26	##	11/30/2024
Spanish	12/05/2024	241205S009749	Christopher Mitchel	575-356-8569	Magistrate	Portales		12:47	13:05	19	##	12/31/2024
Spanish	01/27/2025	250127S010568	Christopher Mitchell	575-356-8569	Magistrate	Portales		12:40	13:12	32	##	01/31/2025
K'iche'	01/28/2025	250128KJ000004	Jaime N/A	575-742-7506	Magistrate	Clovis		08:02	08:15	13	##	01/31/2025
Spanish	01/31/2025	250131S008839	Dylan	575-758-4030 EXT 605	Magistrate	Portales		12:41	12:46	6	##	01/31/2025
Spanish	01/31/2025	250131S009037	Rachel Clark	575-762-3766	Magistrate	Clovis		12:51	13:06	15	##	01/31/2025
Spanish	03/17/2025	250317S001925	Isabelle	575-742-7536	District	Clovis		07:20	07:26	6	##	03/31/2025
Spanish	03/24/2025	250324S013590	Isabel N/A	575-742-7536	District	Clovis		14:49	15:11	22	##	03/31/2025
Spanish	03/25/2025	250325S002885	Isabell N/A	575-742-7536	District	Clovis		08:09	08:49	41	##	03/31/2025
K'iche'	04/11/2025	250411KJ000005	Christopher Mitchell	575-356-8569	Magistrate	Portales		09:01	09:28	27	##	04/30/2025
K'iche'	04/11/2025	250411KJ000006	Christopher Mitchell	575-356-8569	Magistrate	Portales		09:29	09:38	9	##	04/30/2025
Spanish	04/25/2025	250425S002505	Isabell Walla	575-742-7536	District	Clovis		08:09	09:15	66	##	04/30/2025
Spanish	04/30/2025	250430S007499	Danielle	575-762-3766	Magistrate	Clovis		11:27	11:36	10	##	04/30/2025

**Ninth Judicial District
Language Access Plan
Attachment - Complaint Procedure and Form**

Should a court client/customer feel that his/her rights to meaningful language access have not been met by the court, the following procedure may be followed to register a complaint:

1. The person with the complaint (the complainant) should contact the Ninth Judicial District Language Access Plan (LAP) Coordinator to report the complaint by completing and submitting the attached Complaint Form, or by telephone.

Contact information:

Isabell Walla, Jury Division Supervisor, Curry and Roosevelt County,
700 N. Main St., Clovis, NM 88101, clomidw@nmcourts.gov, 575-742-7536.

2. If the complainant does not believe that their concerns have been adequately addressed or resolved with the Ninth Judicial District, the complainant should contact the NM Administrative Office of the Courts (AOC) Statewide Language Access Coordinator, Language Access Services.

Contact information:

Freda Valdez, Statewide Program Manager, Language Access Services, New Mexico
Administrative Office of the Courts, 111 Lomas Blvd. NW, Albuquerque NM 87102,
aocfev@nmcourts.gov, (505) 231-9229

3. The complainant may also, at any time in this process, contact the United States Department of Justice.

Contact information: Federal Coordination and Compliance Section, Civil Rights
Division, United States Department of Justice, 950 Pennsylvania Avenue NW,
Washington, D.C. 20530; (202) 514-4609 or (202) 514-0716 (TTY).

**Ninth Judicial District
Language Access Complaint Form**

The following information is necessary to assist us in processing your complaint. Should you require assistance in completing this form, please contact us at: clomidw@nmcourts.gov or 575-742-7536.

Please complete and return this form to:
Ninth Judicial District Court – LAP Coordinator
700 N. Main St., Clovis, NM 88101
Fax: (575) 742-0881

1. Name of person filing complaint (the complainant):
2. Complainant's Address:
3. Complainant's Contact Information: Home Phone: Work Phone: Mobile Phone: E-mail:
4. If you are filing on behalf of another person, please include your name, address, phone number, and relation to the complainant: Name: Address: Phone: E-mail: Relationship to Complainant:
5. Please describe, in your own words, in what way you believe that your rights to language access were not met and whom you believe was responsible. Please use the back of this form or additional pages as needed:

**Ninth Judicial District
Language Access Plan
Attachment - Complaint Procedure and Form**

6. Please indicate the date/s when the above occurred:
7. Please sign below: Signature_____
Date Signed_____
Return this form to: Isabell Walla, Jury Division Supervisor, Ninth Judicial District Court 700 N. Main St., Clovis, NM 88101 clomidw@nmcourts.gov Fax: (575) 742-0881

Americans with Disabilities Act Notice of Rights

The New Mexico Administrative Office of the Courts is committed to ensuring equal access to and full participation in court programs, court services, and court activities for qualified individuals with disabilities, including attorneys, litigants, defendants, probationers, witnesses, victims, potential jurors, and public observers of court proceedings.

What is the American with Disabilities Act?

The Americans with Disabilities Act of 1990 (ADA) was enacted to prohibit discrimination against people with disabilities. Under Title II of the ADA, no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of programs, services, or activities of a public entity. This prohibition applies to the New Mexico state courts as providers of public programs, services, and activities. Pursuant to the ADA, people with disabilities have an equal opportunity to access, use, and fully participate in court programs, services, and activities and not be discriminated against because of their disability.

Who is considered a person with a disability under the ADA?

According to the ADA, a person with a disability has a physical, mental, or communication disability that substantially limits one or more major life activities such as:

caring for oneself,
performing manual tasks,
walking,
seeing,
hearing,
speaking,
breathing,
learning,
and working.

An ADA-disability may also restrict the person's way of doing things and/or where and for how long the person can do a certain activity or function.

If I have a disability, what do the courts have to do to help me access the courts?

Whenever reasonable, New Mexico Court policies, practices, or procedures must be modified to make court programs, court services, and court activities readily accessible to and useable by people with disabilities. This includes removing architectural barriers by altering existing facilities where feasible or relocating services to an ADA-accessible site.

The ADA also includes removing communication barriers by providing auxiliary aids and services that would allow a person with a disability to effectively represent a client, be a party in a lawsuit, testify as a witness, serve on a jury, observe a hearing or trial, or otherwise participate in all programs, services and activities. In providing reasonable accommodations, the New Mexico Courts give ADA Title II primary consideration to the accommodations requested by the person with a disability when reasonable and practicable. To ensure ADA effective communications with people who are deaf or hard of hearing, the New Mexico Courts provide sign language and oral interpreters, TTYs, or other appropriate auxiliary aids and services free of charge. The New Mexico Courts may also provide information in Braille and Large Print for people with visual disabilities as a reasonable accommodation request.

How do I request an accommodation?

ADA accommodation requests should be submitted to the local Chief Executive Officer, ADA Coordinator for the District or their designees as soon as possible.

Reasonable notice must be given for the New Mexico Courts to consider an accommodation request without causing undue disruption to court proceedings. If the request concerns a particular court proceeding, the request should be made as soon as possible, preferably as soon as the person needing accommodation receives notice of the proceeding to allow consideration of the request and to arrange for a potential reasonable accommodation.

How do decisions about accommodations get made?

Once the request for accommodation has been received, the district's Chief Executive Officer, the District's ADA Coordinator or their designees will review the request and engage in an interactive process with the requestor to evaluate and provide a reasonable accommodation. The Statewide ADA Coordinator will be available for consultation as requested.

Every effort shall be made to meet the specific needs of the individual, and Primary Consideration will be given to the aid or service requested. However, if that aid or service results in an undue burden for the court or fundamental alteration of the court proceeding, program, service, or activity, the New Mexico Courts may suggest an equally effective accommodation. In providing reasonable accommodations, New Mexico Courts are not required by the ADA to make modifications that would fundamentally alter the affected service or program or cause undue financial or administrative burden.

The Chief Executive Officer, ADA Coordinator for the district or their designees, will notify the requestor whether the request has been approved or denied. If the request has been approved, the accommodation will be provided at no charge to the requestor. If the party requesting accommodation disagrees with the decision, a grievance may be filed.



Americans with Disabilities Act (ADA) Title II Request for Accommodation Form New Mexico State Courts Statewide ADA Title II Coordinator's Office

Instructions: _____ is dedicated to providing equal access to the courts according to the Americans with Disabilities Act (ADA). We provide aids and services, also known as accommodations, at no cost to people with disabilities so they can fully participate in all court programs, services, and activities. If you need to visit one of our courts and have a physical or mental disability, accommodations are available to you. **Some accommodations may need approval by the judge hearing the court case.** Please fill out this form and send it to the court at least five (5) business days before the hearing. If you have more than one court case, please fill out this form for each case.

Today's Date: _____

Person Needing the Accommodation:

Printed Name: _____ Signature: _____

Address: _____

Phone Number: _____ Email Address: _____

Is the Accommodation Needed For:

Party Juror Attorney Witness/Victim Child/Minor Family Member
Observer Other (specify): _____

Accommodation Information:

Date Accommodation Needed: _____ Case Number: _____

Type of Accommodation Requested (check all that apply):

Access to: Parking Restrooms Elevators Courtrooms Hearing Rooms
Sign Language Interpreter Captioning (CART) Assisted Listening Device (ALD)
Other (specify): _____

Please provide more information that might be helpful to the ADA Coordinator:

What Happens Next?

The ADA Title II Coordinator reviews all requests. The court may deny the request if it is an administrative or financial burden, or conflicts with court rules or functions. If the court can't provide the accommodation you asked for, we will work with you to provide the best possible option.

ADA Grievance Procedure

The ADA grievance procedure is available to anyone who wants to file a complaint regarding (1) discrimination based on disability or (2) the failure to provide a reasonable accommodation that would enable an individual to fully participate in court proceedings, services, or programs and activities of the New Mexico Courts.

- 1) **Filing a Grievance:** To file a grievance, complete the New Mexico Judiciary Complaint Form. Alternative ways to submit a complaint form are available if an ADA accommodation or help with language barriers are needed, as required by Title VI of the Civil Rights Act of 1964. The Complaint Form should be completed by the requestor or their designee as soon as possible, but not later than thirty (30) calendar days after the alleged discrimination occurred, and submitted to:

Peggy Cadwell
Statewide ADA Title II Coordinator
New Mexico Administrative Office of the Courts
ADA@nmcourts.gov

- 2) **Response:** The Statewide ADA Title II Coordinator will review all complaints submitted within fifteen (15) calendar days of receipt. The ADA coordinator may request additional information to fully and fairly review the grievance.

The Statewide ADA Title II Coordinator will respond in writing within thirty (30) calendar days. The response will be in a format that is accessible to the requester, such as large print, Braille, or audio, if needed. The response will explain the position of the New Mexico Courts and suggest ways to resolve the grievance.

- 3) **Appeal:** If the grievance is not resolved with the Statewide ADA Title II Coordinator, it can be appealed to the Director of the Administrative Office of the Courts. Appeals must be submitted within fifteen (15) calendar days after receiving the written decision from the Statewide ADA Title II Coordinator.

Upon receiving the appeal, the Director will review the discrimination claim and proposed solution, then send a written decision to the requester.

Applicable federal statutes and regulations: Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination by federally funded organizations on the basis of disability in the delivery of services and employment practices (29 U.S.C. § 794) and 28 C.F.R. Part 42, Subpart G; Title II of the Americans with Disabilities Act of 1990, which prohibits discrimination on the basis of disability in the delivery of services and employment practices (42 U.S.C. § 12132) and 28 C.F.R. Part 35



**Americans with Disabilities Act (ADA) Title II
Complaint Form
New Mexico State Courts
Statewide ADA Title II Coordinator's Office**

Instructions: Use this form to file a complaint regarding a denial of access to a New Mexico Court. Please complete and send the form as soon as you can, but no later than **thirty (30) calendar days** after the incident. Mail the complaint to:

202 East Marcy St., Santa Fe, NM 87501
or email it to
ADA@nmcourts.gov

Please let us know if you need help filling out the form or want it in a different format.

Today's Date: _____

Person Making the Complaint:

Printed Name: _____ **Signature:** _____

Address: _____

Phone Number: _____ **Email address:** _____

Court Case Number (if available): _____

Details of Complaint:

Date of incident: _____ **Court Location:** _____

Description of Complaint:

Please clearly describe the denial of access or the alleged discrimination. Include specific details such as staff names and your original request for accommodation, if available. You may attach extra pages, letters, or other documents, but do not send medical records.

What is your request for access to solve this issue?

What Happens Next?

Complaints are reviewed in the order they are received. You will receive a written response within **thirty (30) days**, setting out a process for the resolution of the complaint. If the decision is that no further action will be taken, the written response will explain the reasons for the decision.

Title II of the Americans with Disabilities Act of 1990 prohibits discrimination based on disability in State and local governments.

The New Mexico Administrative Office of the Courts is committed to ensuring equal access to and full participation in court programs, court services, and court activities for qualified individuals with disabilities, including attorneys, litigants, defendants, probationers, witnesses, victims, potential jurors, and public observers of court proceedings regardless of national origin.

FOR STAFF COMPLETION ONLY

Date of Receipt: _____ **Received By:** _____

Investigation Date: _____

Notes:

Resolution Date: _____

Notes:

Complainant Contacted and Informed of Resolution (Yes or No): _____

Date Contacted: _____

Reason the complainant was not contacted: _____