



Recommendations to Enhance the FJD Website

Stephen and Sandra
SHELLER

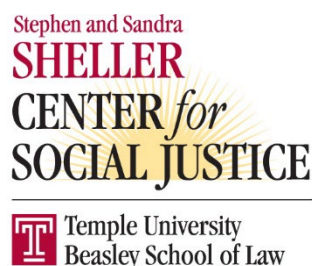


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Temple University Beasley School of Law

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This report was researched and written by Virginia Pilgrim, Lydia Hurtado, and Ray Stiles, Temple Law students in the Access to Justice Clinic, supervised by Professor Len Rieser. This report was finalized in December 2021.

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Sheller Center for Social Justice
Temple University Beasley School of Law
1719 N. Broad Street
Philadelphia, PA 19122
(215) 204-8800
www.law.temple.edu

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Executive Summary

For courts to be equitable, they must be accessible. Court websites are increasingly important repositories of legal information. Despite nearly ubiquitous access to the internet, many information-seeking users are unable to make use of these websites. The reasons for this are myriad, including poverty, disability, low literacy, and language barriers.

This report examines the degree to which the current FJD website meets the accessibility needs of three distinct but often overlapping groups of self-represented litigants (SRLs) – those with disabilities, those at low literacy levels, and those whose native language is not English. For each group, suggestions for the FJD to improve access to court information—and, in turn, access to justice—are provided. The following is a summary of our major findings and recommendations.

Self-Help Page

Because of the lack of technological access and literacy among SRLs, only a small subgroup knows how to search the FJD website for what they need and have the means and tools to do so. As a result, many SRLs who seek help from the court are more likely to go directly to the court help centers and other advocates.

It would be most helpful, therefore, to quickly connect SRLs with the organizations that can help them with their legal needs. This can be achieved by creating a single “self-help” page on the FJD website dedicated to information useful to SRLs and those legal advocates who assist them. The link to this page would be located on the home page of the site, and the page itself would contain three different categories of information: (1) directory of organizations, (2) forms, and (3) resources.

- **Directory of organizations.** A list of legal aid organizations, separated by practice area with a line or two about the services provided, contact information, address, and business hours.
- **Forms.** A compilation of court forms most relevant to SRLs organized by legal issue.
- **Resources.** A compilation of self-help FJD materials, including brochures and informational videos, organized by legal issue.

If this information were collected on one page, SRLs would no longer need to spend unnecessary time and data searching throughout the site, and they could easily find contact information for someone who could help them further. Additionally, helpers and advocates could better assist SRLs by being able to quickly access any necessary forms.

Disability & Elderly Access

Roughly 14% of Philadelphians identified themselves as living with a disability in 2018. A similar percentage of Philadelphians are over 65. Therefore, meeting the accessibility needs of disabled and elderly Philadelphians will meaningfully improve access to justice.

Current disability and elderly accessibility issues on the FJD site include the fact that the font size is locked, so there is no option for a user to increase or decrease it to meet their visual needs. This creates a disadvantage for individuals with visual disabilities. In addition, navigation bars are inconsistent, in that some pages are in areas contrary to their location as listed on the “Information” tab found on the homepage. This confusion might make the site unusable for individuals with cognitive disabilities. Other disability-related issues exist as well.

We recommend the following changes to the FJD website to meet current disability and elderly accessibility needs of Philadelphians:

- **Customizable font size and color:** A clearly marked button should be added to each page to allow users the ability to increase, decrease, and change the color of font.
- **Alt tags and text alternatives:** Wherever a video or image appears on the FJD website, closed captioning should be available, and an alt tag should appear whenever a user hovers their cursor.
- **HTML and RTF documents:** The FJD site has a collection of great resources in PDF format that are not compatible with many assistive technologies. Making HTML and RTF documents available would allow those assistive technologies to work properly for users with visual disabilities.
- **Consistent navigation bars:** All navigation bars should mirror the site map located in the “Information” tab located on the homepage.
- **Color contrast:** The site’s written information and the site’s background should have a color contrast of 4.5:1.

Literacy Access

The most recent survey of the city’s reading level found that **the average Philadelphian reads at a 5th grade level**, two lower than the 7th grade national average. While the website does contain some material that may be accessible at these reading levels, much of the content is at much higher levels, including Latin phrases; long, run-on sentences; and undefined legal terms.

To meet the literacy needs of Philadelphians, the following changes should be considered:

- **Eliminate Latin phrases whenever possible:** Often a Latin legal phrase can be eliminated entirely. Whenever this is true, the word or phrase should be replaced with a plain language, current alternative.
- **Short, concise sentences:** Because the website is a tool, clarity is important, even if occasionally at the expense of grammatical correctness.
- **Active voice:** Use the active voice to make clear who must do what.
- **Define all legal terms:** Assume that the user has no legal knowledge and define all necessary legal terms even if they appear obvious.
- **Emphasize procedural knowledge over conceptual understanding:** Users need to know how to navigate their issues more than they need to know the “why” underpinning the issue. To achieve this, each legal issue should be broken down into its component parts.
- **Use Optical Character Recognition on all brochures:** The brochures on the FJD website are effective and typically written in plain language. At present, however, they are in non-searchable PDF format. OCR will enable these guides to be found in intra-site searches, improving their visibility.
- **Speak directly to the user:** The site should use the phrase “you” whenever possible. This will help the user understand their role in the process and avoid confusion.

Language Access

In Philadelphia, 11% of residents identify as Limited English Proficient (LEP). The applicable federal language accessibility framework has been created by Executive Order 13166, Title VI of the Civil Rights Act of 1964, and Supreme Court holdings. These statutes, regulations, and policies require all providers of federally funded services to take steps to ensure “meaningful access” for LEP individuals. This framework applies to federal, state, and local agencies, including those that are subcontracted. This “meaningful access” requirement has been further bolstered in Philadelphia courts by Pennsylvania’s Language Access Plan for the Unified Judicial System (LAP-UJS).

The FJD site currently includes helpful brochures and self-help guides in other languages. These non-English guides appear most often in Spanish, which aligns their availability with the language of greatest need. Though fewer guides exist in other languages, the FJD site does have several guides in Chinese, Russian, and Vietnamese as well.

Although self-help content in other languages exists on the site, it is difficult to find within the site's current navigation and layout. It is unclear from the home page where an LEP individual should go to find information in their language or how they can exercise their language rights because the entire page is written in English. There is also no option to translate the page and have these initial instructions given in a different language.

Our recommendations include:

- **Add Google Translate Function:** In the short-term, Google Translate should be used to make the site more functional for LEP individuals.
- **Further incorporate the website into the FJD Language Access Plan:** At present, the FJD's Language Access Plan (LAP) only includes plans to translate the Interpreter Services Page into other non-English languages. As other recommendations indicate, this could and should be greatly expanded. Any plans to increase language accessibility should be incorporated into the LAP and coordinated with the Language Access Coordinator.
- **Language Access Resource Page:** A page with all relevant, non-technical information should be created to provide LEP individuals one location on the site to address their needs in their preferred language.
- **Clarify Interpreter Request Process:** Right now, the instructions for requesting an interpreter vary depending on where you look, and the easiest one for an LEP person to find could benefit from additional detail.
- **List court contact information in multiple languages:** Ultimately, the site should make all key information available in Spanish, Chinese, Russian, Vietnamese, and Khmer, even without the use of a Google Translate tool.
- **Identify and translate key self-help brochures:** Some self-help content on the site exists in other languages but is inconsistent and is difficult to find. The key brochures should be made available in the top five LEP languages and be centrally located on a Self-Help page and Language Resources Page.

Moving Forward

Many of these issues can be readily addressed and resolved. By implementing some, if not all, of the recommendations above, the FJD would make meaningful progress towards a more equitable court system. We appreciate the First Judicial District's willingness and eagerness to partner with Temple Law this

semester and we look forward to continued collaboration as these recommendations are adopted and implemented. Some ways that we would be willing and able to assist moving forward include:

- **Create an implementation plan.** Assist in determining an order and timeline for implementing recommendations.
- **Partnered user testing.** Partnering with community groups and help centers to do user testing will help with both identifying current pain points and testing out proposed solutions.
- **Advocate interviewing.** Advocates are uniquely positioned to speak to the needs of SRLs and can provide insight on how to best address those needs.
- **Court-specific content audits.** Assist individual courts in evaluating their webpages and provide more specific recommendations for increasing accessibility.
- **Data gathering.** To gain a better understanding of the issues SRLs face and the language they would use to describe them, data on search terms used by SRLs will be helpful.

Introduction

Who are the website “users”?

Most of the individuals who visit the First Judicial District website do so with a specific purpose in mind. Self-help individuals—or self-represented litigants (SRLs)—may visit the website because they received correspondence from the courts in the mail or because they are trying to solve a legal problem. The mindset of the self-help court user is likely one of distress, not someone seeking out information “just for fun.” To address these specific purposes, the FJD website should be designed to get SRLs the specific information they need as quickly as possible, with as positive of a user experience as possible.

Many SRLs are poor, elderly, disabled, low-literacy, or Limited English Proficient individuals who are facing common yet serious legal issues. These legal issues may include landlord-tenant disputes, debt collection actions, guardianship proceedings, and others. While the FJD website as currently constructed makes meaningful attempts to assist these individuals, many cannot avail themselves of the site’s helpful information because it is inaccessible to them. This report aims to outline the strengths and weaknesses of the current site and provides suggestions to increase accessibility moving forward. The barriers to accessibility addressed in this report primarily include disability, low literacy, and limited English proficiency, as well as technological literacy and access.

Not all users of the site, of course, face accessibility challenges. Users (and potential users) also include community members, social workers, health care workers, librarians, teachers and others who are not searching for information for themselves, but are instead trying to help friends, neighbors, patients, and clients. These “intermediaries” may be proficient in web research but may not have an in-depth understanding of the judicial system. The enhancements that we recommend in this report should benefit these individuals as well.

Methodology

To understand the strengths, weaknesses, and oversights of the FJD website, three approaches were taken: user test scenarios, advocate interviews, and reviews of other court websites to examine how they address accessibility issues. These approaches informed the recommendations outlined below and provide a framework to gain further insights into the website's functionality moving forward.

User test scenarios. Six common legal issues faced by Philadelphians were identified in order to test how easily useful information and answers could be found. All six of these scenarios were tested on the current FJD website as well as the District of Columbia court website to determine relative strengths and weaknesses. The scenarios included eviction, child custody, protection orders, landlord-tenant disputes, debt collection and wage garnishment.

For each test, we attempted to answer specific questions relating to the scenarios above. Each test was timed and began at the FJD homepage; for this reason, these user tests do not measure the difficulties some users may have in initially navigating to the FJD website. Throughout the test, users took screenshots of the searches they ran, the screens they navigated, and how the entire process made them feel (confident, frustrated, lost, and so forth.). For the complete user test results and scenarios, see the accompanying document titled *User Tests: Scenarios and Results*.

Advocate interviews. Because advocates routinely interact with court information and procedure, they are uniquely positioned to provide insight about potential improvements in delivering that information. Suzan Chao of the Elder Justice and Civil Resource Center and Kristen Cherry of Philadelphia Legal Assistance were interviewed to understand an advocate's perspective on the current FJD website. Both advocates stressed the idea that longer-term change would ideally include an overhaul of the court website, but short-term changes should be emphasized to triage the existing legal needs of Philadelphians. These advocate views strongly supported the recommendation of a self-help page.

Court website reviews. We spent considerable time navigating court websites, including not only the FJD site but also the sites of the District of Columbia, California, and San Antonio. Except for San Antonio, each court website was examined to determine how the accessibility needs of low literacy, disabled, and LEP individuals were being met. The San Antonio website was examined only with respect to its language accessibility given its unique geographic location.

To determine the accessibility of the sites to low-literacy individuals, a Flesch-Kinkaid analysis was performed to determine the reading level on crucial webpages within a court site. For LEP accessibility, the effectiveness and scope of translation available on each site was reviewed. Disability accessibility was reviewed by examining available font modifications, color contrasts, closed-captioning, and alternative tagging. The full results of these court site reviews can be found in their respective sections.

Recommendations

Creation of Self-Help Page

The current FJD website provides many resources for self-represented litigants, including brochures and links to legal aid organizations. However, this useful information is scattered across the FJD website, hidden in sub-categories of sub-categories. This creates a problem for SRLs in two ways: technological access and technological literacy.

Technological access. SRLs tend to have low or very low incomes. Consequently, many do not own or have access to laptops. At best, these individuals can use a smartphone to access the internet, but many have a basic phone with limited internet features. Moreover, even if SRLs had phones or computers that could access the internet, the high cost of data plans may further prevent them from searching the web or searching every corner of the FJD website for the information they need.

Technological literacy. Because of the lack of access to technology, many SRLs have not had much experience using computers or smartphones. Furthermore, they may not know the nuances of conducting an internet search or even how to navigate a website.

Because of the lack of technological access and literacy among SRLs, only a small subgroup of SRLs know how to search the FJD website for what they need and have the means and tools to do so. Therefore, it appears, many SRLs who seek help from court help centers do so without even searching the FJD website first.

With these barriers in mind, the FJD site should aim to connect SRLs with the organizations who can help them with their legal needs. This can be achieved by creating a “self-help” page on the FJD website that is dedicated to information useful to SRLs and those legal advocates who assist them. The link to this page would be located on the home page of the site, and the page itself would contain three different categories of information: (1) directory of organizations, (2) forms, and (3) resources.

- **Directory of organizations.** A list of legal aid organizations, separated by practice area. Some information along these lines is currently found under the “Legal Assistance” page of the website; however, that page is not easy to locate and lists only a few of the relevant organizations. Moreover, while there are links to the organizations that are listed, there is no information that would help a viewer decide which links to pursue. We propose that the page include not only the name and link, but also a line or two about the services provided, together with contact number, address, and business hours.
- **Forms.** A compilation of court forms especially relevant to and useable by SRLs, organized by legal issue, e.g., housing, family, employment. The existing “Forms” page includes many items not relevant to SRLs (e.g., *pro hac vice* admission forms, election forms, expert witness payment forms). We suggest that the SRL page contain only those forms most used by SRLs. Additionally, the need and use of these forms could be briefly explained to help SRLs find the right form for them. An example of one way to do this is provided in Appendix C.

- **Resources.** A compilation of the most helpful FJD materials, including brochures and informational videos, organized by legal issue, e.g., domestic relations, housing. This information is currently found under the “Brochures and Manuals” page of the website. The SRL page would only contain informational literature related to common civil legal issues, excluding information on topics such as passport services and mitigation protocols.

If this information were collected on one page, SRLs would no longer need to spend unnecessary time and data searching throughout the site, and they could easily find contact information for someone who could help them. Helpers and advocates could better assist SRLs by being able to quickly access any necessary forms. Furthermore, as technological access and literacy increase, advocates will be able to point SRLs to one page that is a one-stop shop for their pro se needs.

For the self-help page to have the greatest reach, it must meet the accessibility needs of the SRL population. Many SRLs are non-English speakers; the page will not be accessible to them unless it is available in their native language. Other SRLs have little education; for them to access the website, the content must be at an appropriate literacy level. Some SRLs have disabilities that affect their ability to use certain websites, so the page must be designed to accommodate assistive technologies as well as their users. These accessibility needs are especially great considering the intersections of language, literacy, and disability with poverty; many SRLs tend to be in low- or very low-income households, a fact that is exacerbated in Philadelphia, the poorest big city in America.

What follows is an in-depth overview of each of these three accessibility categories and recommendations for how the FJD website can address them. Each section covers: (1) prevalence of this need in Philadelphia, (2) how the FJD currently addresses these areas, (3) examples of how other courts handle this, (4) recommendations for how FJD can increase accessibility in that category. First, however, we provide an example of a self-help guide from another jurisdiction.

California’s Self-Help Guide

The Judicial Branch of California created a Self Help Guide to California Courts. This guide can be found at selfhelp.courts.ca.gov, a fairly intuitive URL, though a little long. The home page, pictured on the following page, features plain language throughout. The main prompt is “What would you like to do?” with six options: get help with papers I was served, start a court case, work on my court case, get information about a legal topic, look up a court case or citation, and get help from the court. Each of these options has a drop-down menu with plain language options. The second image on the following page shows a sample selection for each menu.

Self Help Guide to the California Courts

Resources and information to help you navigate your court case, including step-by-step guides for following procedures and help with understanding your options.

What would you like to do?

Get help with papers I was served

Look up by form number to understand your options. (Find the form number in the upper right or upper left corner of your papers.)

Go

Start a court case

Find your case type to get started

Go

Work on my court case

Take the next step, update an order, see all the options during or after your case

Go

Get information about a legal topic

Get general information and learn about your options

Go

Look up a court case or citation

Find a traffic ticket or court case using the county court's website

Go

Get help from the court

Find self-help centers, forms, interpreters, disability access and more

Go

More Information

[Find a free or low-cost lawyer](#)

[Find a court form](#)

[Find out about jury duty](#)

[Find other information about the California Courts](#)

Pictured above: the CA Courts Self Help Guide

What would you like to do?

Get help with papers I was served

Look up by form number to understand your options. (Find the form number in the upper right or upper left corner of your papers.)

Go

Start a court case

Find your case type to get started

Go

Work on my court case

Take the next step, update an order, see all the options during or after your case

Go

Get information about a legal topic

Get general information and learn about your options

Go

Look up a court case or citation

Find a traffic ticket or court case using the county court's website

Go

Get help from the court

Find self-help centers, forms, interpreters, disability access and more

Go

Pictured above: sample selections for each drop-down menu in the CA Courts Self Help Guide

Disability & Elderly Access

In 2018, 14% of Pennsylvanians identified themselves as living with a disability. Of that number, 28% of individuals lived in poverty, which was higher than the national average of 26%.¹ Of those with visual disabilities, which would necessitate website accessibility, 30.4% lived in poverty. In Philadelphia, 16% of the city's residents had a physical, emotional, or cognitive disability in 2016, the highest share among the nation's 10 largest cities;² moreover, 22% of Philadelphians living in poverty were disabled.³

Pennsylvania also has a large elderly population. Although the Commonwealth's population is growing slowly overall, the growth of the elderly population—individuals ages 65 and older—has occurred at rate greater than 20 times that of the state's general population.⁴ In fact, Pennsylvania is ranked fifth in the nation by the size of its elderly population and seventh in the nation by the percentage of elderly people in its population, which is nearly 18%.⁵ The elderly population of Philadelphia is similar to that of the state, with elderly individuals comprising 14% of Philadelphia's nearly 1.6 million residents in 2019.⁶

Poverty deeply affects this demographic as well. In 2017, 23% of Philadelphians ages 60 and older lived in poverty, the highest poverty rate for this group among the nation's ten largest cities.⁷ Forty-six percent of older Philadelphians have an annual income no more than twice the poverty level, which is \$24,000 for a household of one.⁸ Moreover, between 2013 and 2017, the rate of older Philadelphians living in deep poverty—defined as having an annual income of about \$6,000 or less for a household of one—increased from 6% to 10%.⁹

Website accessibility is therefore key to ensuring that individuals with disabilities—particularly visual disabilities—and elderly individuals can use the FJD website, especially considering the link between those populations and poverty. Lower-income households have a high likelihood of experiencing legal problems,¹⁰ meaning low-income individuals are more likely to need to visit the FJD website. If, because of age or medical conditions, these individuals cannot navigate the website, they may be unable to get help with their legal problems, which could push them deeper into poverty.

As of 2021, the City of Philadelphia appears to have promulgated no requirements for website accessibility and, while the Commonwealth of Pennsylvania has a web accessibility requirement, it only applies to Commonwealth agencies.¹¹ Furthermore, there are no explicit federal requirements for website accessibility. Title II of the Americans with Disabilities Act prohibits disability-based discrimination by state and local governments and, while the ADA is considered broad enough to cover those agencies' websites, it does not specifically address website accessibility.¹² Nevertheless, the U.S. Department of Justice has created an ADA Toolkit to assist state and local governments with designing websites that meet the accessibility needs of many of its users.¹³ These recommendations include (1) adding a text equivalent to every image on the site; (2) posting documents in a text-based format such as HTML or RTF, instead of only PDF; (3) avoiding dictating color and font settings on the site; and (4) including descriptive HTML tags on online forms and tables, particularly elements like buttons, check boxes, drop-down menus, and text fields. By

implementing these changes, state and local governments can ensure that their websites are compatible with assistive technologies, such as screen readers, and will generally improve the user experience for those with visual impairments.

The U.S. Department of Justice has also cited recommendations from the World Wide Web Consortium (W3C) to guide website accessibility. W3C takes the position that web accessibility occurs when there is a marriage between accessible content *and* accessible web browsers, and the organization has promulgated multiple versions of Web Content Accessibility Guidelines (WCAG) to inform the process. The most recent version of these guidelines, WCAG 2.1, defines how web content can be made more accessible to people with disabilities, which could include older individuals who experience visual impairment. WCAG has four guiding principles: websites should be perceivable,¹⁴ operable,¹⁵ understandable,¹⁶ and robust.¹⁷ If any of these conditions are not met, it is likely that people with disabilities will not be able to use the website.

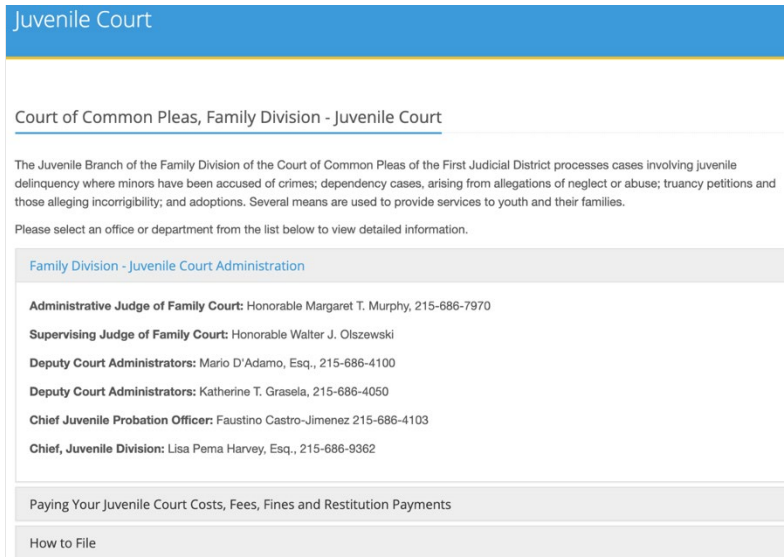
W3C's recommendations can be used together with those from the ADA to ensure ADA-compliant web design. To make ensure web accessibility, an organization can implement the following standards:

- Make sure type is easy to read. WCAG requires a contrast ratio of at least 4.5:1.
- Use different typefaces and type sizes as well as color to highlight the most important points. Relying on color impedes accessibility for those who have colorblindness.
- Keep navigation bars consistent. Labels, styles, and positions should be consistent between pages.
- Use simple headings and white space. This reduces clutter and makes web content more accessible.
- Give users control over your media. Carousels may move too fast for a user to comprehend the information provided; this can be rectified by giving them the ability to pause, replay, and advance any media.
- Offer text versions of complicated graphics to help users with visual disabilities.

We turn now to a discussion of how the FJD site, and certain other court websites, address disability access.

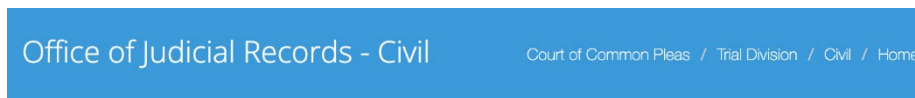
FJD site

The FJD website succeeds in its optimization of page layouts. Much like the CA, DC, and MD websites, each page uses simple headings and white space. The information on these pages is separated by heading, subheading, and body text, using a combination of bold type and font size to identify each part. The website also uses dropdowns on each page so that certain topics can be expanded or collapsed. Together, these approaches reduce clutter on the page, making it easier to navigate for users with visual disabilities.



However, there are other accessibility issues throughout the website that may make it difficult to use for users with visual impairment. The main issue is that there is no option on the homepage or on individual pages to increase the font size on the website. On the bottom of the homepage, there is a link to "ADA Compliance"; however, the page mostly provides general information on FJD's compliance with ADA requirements. The page also provides a link to a Request for Reasonable Accommodation Form as well as a Grievance Form, in the event that an individual believes the FJD violated Title II of the ADA "in [its] provision of services, programs, or activities." However, this form seems to be tailored toward specific instances of ADA noncompliance, and not general requests for improved web accessibility.

Additionally, the navigation bars on the FJD are inconsistent; where you find the page in the "Information" tab is not where it is located according to the navigation bar. For example, here, the Office of Judicial Records–Civil is shown as under the "Court of Common Pleas" tab, which is under the "Trial Division" subheading of the "Civil" tab.



However, in the "Information" tab on the homepage, this page is found under "Departments."

The same problem occurs when one looks at the page for Debt Collection Name Search. According to the navigation bar, this page exists under the "Debt Collection" subsection within the "Calendars and Case Information" heading.

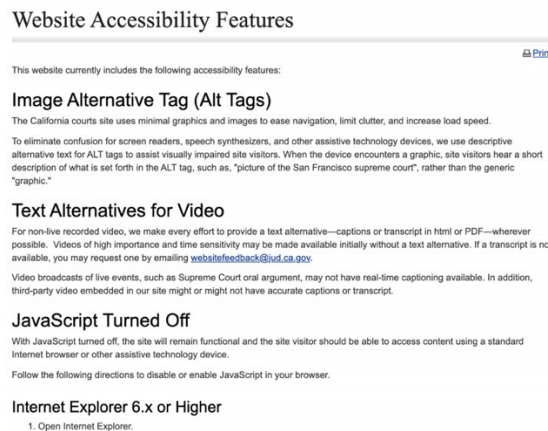


Not only is Debt Collection not a section on the "Information" tab, "Calendars" and "Case Information" are separate headings under that tab, and Debt Collection Name Search exists under "Case Information." Furthermore, it is worth noting that these navigation bars also read backwards for a left-to-right language,

such as English. Taking the first navigation bar, it a user may think that she should start at Court of Common Pleas, then go to Trial Division, then to Civil, then to Home to find the Office of Judicial Records–Civil page. However, this is quite the opposite, and the user should start at “Home.” While this may be obvious to some, for those who are not technologically literate, knowing to start with “Home” might not be intuitive.

Other court sites

Although there is much room for improvement on other court websites, the California, DC, and Maryland court system websites provide some examples that could be implemented on the FJD website. California’s court system website contains a specific page that outlines the website accessibility features on the site, such as alt tags and text alternatives for video; additionally, the page provides instructions on how users can turn off JavaScript—which would allow users to use assistive technologies—without impairing the functionality of the site.

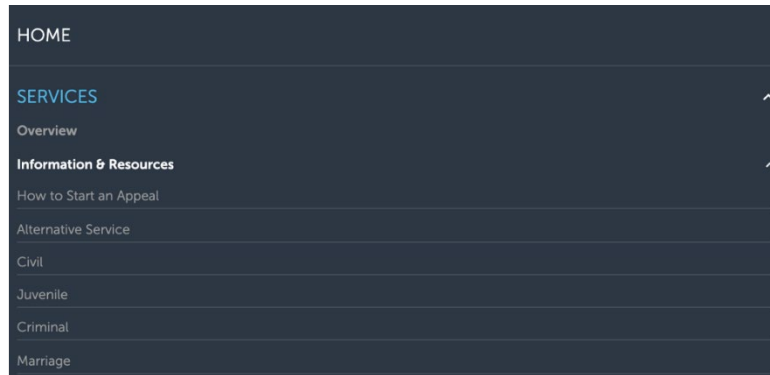


The screenshot shows a page titled "Website Accessibility Features" with a "Print" link. The content is organized into sections: "Image Alternative Tag (Alt Tags)" explaining the use of alt tags for graphics, "Text Alternatives for Video" explaining the use of captions or transcripts, "JavaScript Turned Off" explaining how to disable JavaScript, and "Internet Explorer 6.x or Higher" with instructions to open Internet Explorer.

The D.C. Court website has an option to change font size on the home page and the navigation bar mirrors the site map in the main menu.



The screenshot shows the District of Columbia Courts website. At the top are the seals of the District of Columbia and the United States. Below them is the text "District of Columbia Courts". A search bar with the text "Search DC Courts." and a magnifying glass icon is on the left. To its right is a language dropdown menu set to "English". Further right are two large, stylized letters "A" and "A". Below these elements is a navigation bar with the text "HOME > SERVICES > MARRIAGE MATTERS".



The Maryland court system’s website is similar. Additionally, the navigation bar (which is located to the left of the page) reminds the user of which section she is in. The navigation bar also provides links to other places in the section, which assists the user by removing the need to constantly scroll to the top of the page to navigate elsewhere.



Overall, all three court system websites make good use of white space, and clearly delineate headings versus subheadings versus body text by using color, bold type, and font size, the latter two being useful for those who have colorblindness as discussed above.

California Court System

How the eviction process works

This is a summary of the eviction process. A landlord must meet many legal requirements before they can ask for a court order that says their tenant must move out. There are step-by-step instructions at the bottom of this page with more details.



The landlord gives the tenant a written Notice to do something by a deadline

For example, a Notice might say to fix a problem or move out by a certain date. The deadline can be very short, like 3 days, or months.



The Landlord starts an eviction case in court

If the tenant doesn't do what the Notice says by the deadline, the landlord can file an eviction case (called an unlawful detainer). The landlord must have a copy of the court papers delivered (served) to the tenant.

DC Court System

MARRIAGE

Marriage Matters

How to Obtain a Marriage License

How to obtain a Marriage License

Effective July 12, 2021, the Marriage Bureau will process marriage license applications and officiant applications remotely and in person. [Click here to read the notice from the Clerk of Court with details on how to apply.](#)

Note*: All parties — both the parties to the wedding and the person performing the wedding — must be physically present in the District of Columbia at the time of the ceremony.

Maryland Court System



Maryland Court Help

Free. Online. In Person. By Phone.

Employment Issues

My employer didn't pay me, what can I do?

If you believe your employer owes you \$5,000 or less, you can file a case in small claims court for the unpaid wages. [Small claims](#) cases are heard by the District Court, and usually involve relatively simple court procedures.

For an amount over \$5,000, but under \$30,000, you can file a claim in either District Court or Circuit Court. If your claim is for over \$30,000, you must file your claim in Circuit Court. Cases outside of small claims court involve formal court procedures and, in Circuit Court, the discovery process (a chance for both sides to learn more about the facts of the case). You may want to consider speaking to a [lawyer](#).

Recommendations

The FJD website contains a variety of useful information; however, its value is limited if a certain population is unable to use it. The FJD can implement several changes to ensure accessibility for users with visual disabilities, following the guidelines set out by the ADA and W3C. The FJD should first assess the current accessibility level of its website, using a tool such as the Monsido ADA Compliance Checker. Once the specific areas of need are identified, the FJD can create and execute a long-term accessibility strategy for its website. This long-term accessibility should also include an optimization of its mobile format as access to technology increases, especially among low-income individuals.¹⁹ But for the current iteration of its website, there are also general accessibility principles that the FJD can consider in ensuring that its website meets accessibility needs, including the following:

- **Allow users to choose their own settings.**
 - **Font size and color.** Users should have the ability to change font size on the website. This can be achieved by placing a button at the top of each page, as seen on the DC website, that enables users to enlarge the text. The website should also be designed so that users can dictate their own color settings and any additional font settings.

- **JavaScript.** Users should have the ability to turn off JavaScript and the FJD should provide instructions on how to do so, as the California court system has done. This will allow individuals to use assistive technologies when navigating the website.
- **Optimize page design.**
 - **Consistent navigation bars.** The navigation bars should mirror the order of the site map in the Information tab. On the individual pages, the navigation bar should read from left to right. This consistency will help users with cognitive disabilities navigate the website.
 - **Color contrast.** There should be enough color contrast between the website's written information and its background. WCAG recommends a color contrast ratio of 4.5:1.
- **Provide alternative options for consuming media.**
 - **Alt tags and text alternatives for video and images.** Users who have visual disabilities may not be able to fully engage with videos or images on the FJD website. Providing closed captioning on videos and alt tags on images will correct this problem.
 - **HTML or RTF documents.** The FJD website has a vast library of informational material in PDF form; however, PDFs are not compatible with assistive technologies. Therefore, PDFs should also be provided in a text-based format such as HTML or RTF to make them accessible to users with visual disabilities.

Literacy Access

The average Philadelphian reads at a fifth-grade reading level, two full grade levels below the national average.¹⁸ Though reading level metrics are not as accurate as functional literacy assessments, a 5th grade reading level suggests an individual would have great difficulty comprehending high-level concepts.¹⁹ This is particularly true if the concepts are presented in unfamiliar words, passive voice, and long sentences.²⁰ Philadelphian also struggle in other metrics, with studies showing 22% of adults lacking basic literacy skills²¹ and a 52% functional illiteracy rate among individuals 15 and older.²² These studies stress that the average Philadelphian is not equipped to navigate a legal system filled with language they have never encountered. These studies also suggest this issue will grow in the coming years, with mayors and researchers stating that Philadelphia is in a “literacy crisis.”²³ Given these facts, the website should focus on meeting the needs of the average Philadelphia at minimum, making content that is readily understandable to a user with a reading level close to fifth grade.

Philadelphia has not promulgated any guidelines for meeting the needs of low-literacy individuals on its websites. Notably, however, Pennsylvania passed the Plain Language Consumer Contract Act in 1993, which required lenders, retailers, and landlords to redraft their agreements to be “understandable to the public.”²⁴ This Act does not apply to the contents of court websites, though it does provide a helpful starting point by suggesting the use of: (1) short words, sentences, and paragraphs; (2) active verbs; (3) commonly understood meanings of words, or the inclusion of definitions if this is not possible, (4) type size, length, and spacing so that an agreement will be easy to read; (5) sharp contrast between paper and ink; (6) personal pronouns and “you” language when possible.²⁵ The federal government has taken similar steps by passing the Plain Writing Act of 2010, requiring federal agencies to write “government communication that the public can understand and use.”²⁶ Again, this federal statute does not apply to local court websites but serves as a helpful aspirational goal.²⁷

As a first step in evaluating websites with respect to these principles, we determined the Flesch-Kincaid Reading Level for various portions of the FJD site and other courts’ sites. We found the literacy level acceptable if it was at or below 7th-grade level. (Notably, many of the PDFs on court websites were not examined because they were not readily searchable. This issue is addressed in the optical character recognition (OCR) recommendation outlined below.)

FJD site

At present, the FJD website does not meet the literacy needs of the average Philadelphian. Of the website sections flagged as important, none of them contain language that is accessible for users with a reading level of 7.0 or lower.

Section of FJD Website	Reading Level
Family Division	13.6
Domestic Relations	13.8
Juvenile Court	12.4
Municipal Court	14
Civil Division	11.1
Criminal Division	15.7

Other court sites

D.C. Courts

While other courts still fall short of the 7.0 reading level target, they do provide examples of lower-literacy writing. For example, the District of Columbia court website fares better than Philadelphia's in meeting literacy needs, though the site does tend to skew towards a high school student reading level.

Section of D.C. Website	Reading Level
Civil Matters	8.7
Domestic Violence	10
Protection Order	9
Orders Against Me	8.4
Family Court	13.4
Landlord/Tenant	12

The site does, however, have two website sections ("Orders Against Me" and "Get a Protection Order") that are very well written, as shown below:

Orders Against Me

- Show up to any court hearings on time. Remember that there are lines to get into the courthouse, so arrive early.
- If you cannot come to court on the day you have been ordered to appear, you can ask for a continuance. Remember you have to come to court unless the court date is changed by the Court.
- If you believe the allegations made about you are not true, bring witnesses and evidence. You may present your evidence, documents, and testimony to the Judge so they can decide the case.
- Sit in the opposite side of the courtroom from where the person who filed the case against you is sitting.

Get a Protection Order

GET A PROTECTION ORDER

The Domestic Violence Division is located at 500 Indiana Avenue NW, Room 4510. During the COVID 19 remote operations, the DVD is accepting all filings remotely either by mail to the above address or by email to DVD@dcsc.gov. The Domestic Violence Division handles requests for:

- Civil Protection Orders (CPO)
- Anti-Stalking Orders (ASO)
- Extreme Risk Protection Orders (ERPO)

In addition, the Domestic Violence Division handles the following criminal matters:

- Domestic Violence Misdemeanor Cases (DVM)
- Criminal Contempt Cases (CCC)

A **Civil Protection Order (CPO)** is a court order in which a judge can require a person to follow certain requirements, including but not limited to, staying away from, not contacting, or committing any offense against the person requesting the CPO. The person filing the CPO is called a "petitioner", and the person who the CPO is filed against is called a "respondent". The court can grant the CPO for a maximum of 2 years at a time. A CPO is issued after a respondent has had the opportunity, or has been provided the opportunity, to be present at a court hearing. After a CPO is issued, motions for contempt can be filed if the CPO is violated. When appropriate, judges in the Domestic Violence Division also adjudicate related divorce, custody, visitation, paternity and support cases involving the same parties, as well as certain related civil actions.

California Courts

The California court website fared even better, with a few common legal issue pages falling within the reading level of the average Philadelphian. These pages include the following sections: Eviction (including landlord and tenant eviction guides that were written at an even lower reading level), Criminal Law, and Juvenile Court.

Section of CA Website	Reading Level
Domestic Violence	10.7
Eviction	7
Landlord Eviction Guide	5.7
Tenant Eviction Guide	5.7
Juvenile Court	5.7
Criminal Law	6.9

Criminal Law Main Page

In general, criminal cases have the following steps. Click on each step to learn more.

+ [expand all](#) - [collapse all](#)

The Arrest -

When the police arrest someone (the defendant), they take him or her to jail.

Then, 1 of 3 things happens:

- The defendant is released if the prosecutor (usually the district attorney or the city attorney) decides not to file charges; or
- The defendant posts bail (also called a "bond") or is released based on a promise to appear in court at a later date for arraignment. If either of these happen, the district attorney or police tell the defendant when to come to court for arraignment; or
- The defendant stays in jail. Law enforcement officers transport the defendant to the court for arraignment.

How a Case Starts -

1. Usually, the police cite or arrest someone and write a report. This report summarizes the events leading up to the arrest or citation and provides witnesses' names and other relevant information. Defendants generally do NOT have a right to get a copy of the arrest report, but their lawyers do. The reason for this is to protect the identity of witnesses. This is another reason why it is important that a defendant charged with a misdemeanor or felony have a lawyer to represent him or her.
2. The prosecutor then decides whether to file charges and, if so, what charges to file. The prosecutor decides whether to charge the crime as a felony or a misdemeanor. The prosecutor can file charges on all of the crimes for which the police arrested the defendant or can decide to file fewer charges or more charges than were included in the arrest report.
3. Because defendants have a right to a speedy trial, the prosecutor must generally file charges within 48 hours of the arrest when the defendant is in custody (in jail). Weekends, court holidays, and mandatory court closure days do not count against the 48 hours. Also, the deadline for arraignment depends on what time of the day you were arrested, so talk to a lawyer to find out exactly when the prosecutor's deadline to file charges is.

The Arraignment -

The arraignment is the first time the defendant appears in court.

At the arraignment, the judge tells the defendant:

- What the charges are,
- What his or her constitutional rights are, and
- That if he or she does not have enough money to hire a lawyer, the court will appoint a lawyer free of charge.

The defendant may then respond to the charges by entering a plea. Common pleas include guilty, not guilty, or no contest (also known as "nolo contendere").

- **Not Guilty** means the defendant says he or she did not commit the crime. Sometimes, defendants enter a plea of not guilty as a strategic decision during plea bargaining or because they want to go to trial and force the prosecution to prove its case beyond a reasonable doubt.
- **Guilty** means the defendant admits he or she committed the crime. The judge finds the defendant guilty and enters a conviction in the court record.
- **No Contest** means the defendant does not contest (disagree with) the charge. This plea has the same effect as a guilty plea, except the conviction generally cannot be used against the defendant in a civil lawsuit.

If the defendant is in custody at the time of arraignment, after the defendant enters a plea (responds to the charges), the judge will:

Eviction Main Page

Eviction protections for unpaid rent during COVID

Starting October 1, 2021, new laws

- Protect some tenants from evictions for COVID-19 rental debt (unpaid rent or other money due under a rental agreement, like parking fees, that came due between March 1, 2020 and September 30, 2021)
- Require landlords to take extra steps, like apply for rental assistance, before they can start an eviction (unlawful detainer) case for unpaid rent
- Allow a tenant to ask to stop an eviction (unlawful detainer) case based on unpaid rent if they are approved for government rental assistance

Get more information about these laws if you're a tenant and owe past due rent or you are a landlord and your tenant owes rent.

Eviction protections during COVID-19

How the eviction process works

This is a summary of the eviction process. A landlord must meet many legal requirements before they can ask for a court order that says their tenant must move out. There are step-by-step instructions at the bottom of this page with more details.



The landlord gives the tenant a written Notice to do something by a deadline

For example, a Notice might say to fix a problem or move out by a certain date. The deadlines can be very short, like 3 days, or months.



The Landlord starts an eviction case in court

If the tenant doesn't do what the Notice says by the deadline, the landlord can file an eviction case (called an unlawful detainer). The landlord must have a copy of the court papers delivered (served) to the tenant.



The tenant has a few days to file a response in court

If the tenant doesn't respond by the deadline, the landlord can file papers asking a judge to decide the case without their input. If the tenant does respond, either side can ask for a trial where a judge or jury will decide.



The judge makes a decision

If the landlord wins, they can ask the judge for papers that tell the sheriff to evict the tenants. The sheriff will post a Notice to Vacate and the tenant has time to move out.



A landlord can't just turn off the power or other utilities, lock a tenant out, or throw out their belongings to get their tenant to move out. If they do, the landlord may have to pay the tenant a penalty.

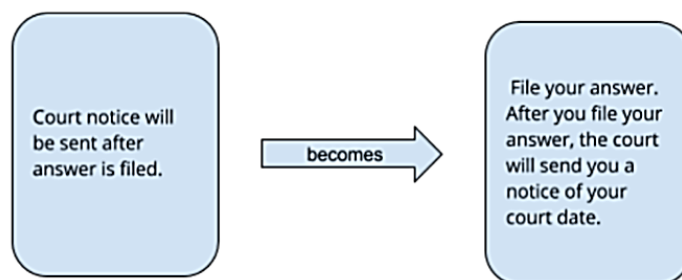
Each of these pages make use of plain language, avoiding the use of legal terminology and defining it when necessary. They also help the user see the timeline of events and how to best prepare at each step.

Recommendations

Information from courts should be understandable. This may seem obvious, but it can present a challenge given the difficult concepts that a court manages. Thankfully, courts are not alone in trying to address this issue; medical professionals, government agencies, and people in other technical fields also need to translate difficult concepts to a broad audience. Professionals in these fields have identified several practices and principles that should guide content creation when delivering information, including: (1) shorter sentences; (2) use of active voice; (3) addressing readers directly; (4) reducing the reading level; (5) intentional formatting; and (6) an emphasis on procedural knowledge.

Shorter sentences. Unnecessary ambiguity and complexity should be removed from sentences on the website. Sometimes, it is most effective to use sentences that lack subjects or verbs for the sake of clarity. Grammatical correctness should not come at the cost of concisely conveying a message, since the website's written content is being used as a tool.

Active voice. The FJD website frequently uses passive voice, meaning that the site often speaks about objects being acted upon. For example, the site often uses the phrase "your motion was denied" instead of "the judge denied your motion." The use of passive voice separates the user from the concrete action steps they need to undertake to present their claim. They must know *who* is doing *what* at all times to avoid confusion.



Address reader directly. Use of the third person should be avoided whenever possible (as in, *e.g.*, actions "the parties shall" undertake, or the "plaintiff's responsibility" to do something). Instead, court information should focus on using "you." This lets the reader clearly identify actions they must take. For an effective example of this concept, see the [California Court's Tenant Eviction Guide](#), which replaces the use of "tenant" with "you."

Reduce the reading level. As noted above, Philadelphia faces an acute literacy problem; moreover, even individuals with high literacy can become flustered and stressed when they encounter foreign words in a legal context. Direct, precise language can reduce the cognitive load for users and effectively communicate a message to broader audiences. Most word processing programs (*e.g.*, Microsoft Word) have built-in readability features that enable content creators to know the reading level of their material prior to publication. **Any written material that appears on the site be appropriate for at most a 7th grade reading level audience, as defined by the Flesch-Kinkaid readability test.** For a list of common word uses that obscure a writer's intended meaning and how they should be corrected, see Appendix B.

Use formatting effectively. Presentation informs how words are understood. Therefore, capitalization, white space, headers, and typeface should be carefully considered. Below are simple guidelines addressing each of these areas.

Capitalization

- Avoid all caps whenever possible.
- Avoid capitalizing all words in a phrase or sentence.

White space

- Less text and more white space.
- Do not reduce the number of pages at the expense of white space.
- Use numbering and bulleted sections.

Headers

- Descriptive headers with plain language.

Typeface

- Remove all photocopied documents and replace them with freshly printed counterparts.
- Use different typeface for headings and text.
- Use, at minimum, 12pt font.

Visuals

- Present information in written form and an alternative multimedia form whenever possible.
- Each step of a complicated process should be illustrated visually when the written material creates ambiguity. Roadmaps and flowcharts are effective ways to accomplish this goal.

Emphasize procedural knowledge over conceptual understanding. The first step in developing and testing court forms and informational material is identifying the legal problem or process they intend to address. This involves breaking that process down into its component, granular parts, to ensure the entire process is covered. These tests often include administrative tasks that may seem trivial but could be outcome-determinative if ignored (such as the number of photocopies needed, or directions once inside the courthouse). These pieces of information are often more practically important to a plaintiff or defendant than the legal issue and should be stressed whenever the court is providing guidance. Failing to consider the formal legal elements and the procedural processes as equals when addressing a legal issue can cause undue harm and is easily avoidable.

Use optical character recognition to make published guides searchable. There are helpful legal issue guides available on the FJD website, but they are often difficult to locate within the site. Fortunately, this issue can be easily addressed with Optical Character Recognition (OCR). OCR is built into commonplace software, such as Adobe Acrobat, Rossum, and Omnipage. Once these guides are run through the OCR

process, users will be able to easily search for them and even find words within the document. Since these user guides are the most low-literacy friendly documents on the site, making them easy to find is critical.

Perform an in-depth content audit. This report indicates that the inaccessibility of the FJD website for low-literacy users is widespread, particularly within areas of the site self-identified as important. To know the full extent of the issue, a comprehensive content audit should be undertaken, measuring the content against the Flesch–Kinkaid reading levels outlined above. This should be the first step forward, as correcting the problem without knowing its full scope would prove difficult.

User-test proposed language. Prior to implementing any substantive or procedural information changes, the information should be user-tested. This can be done by FJD staff in-house, or in partnership with local organizations. For examples of user-testing, see the accompanying document titled *User Tests: Scenarios and Results*. For potential partnership organizations, see Appendix A.

Language Access

Language barriers can pose significant obstacles to accessing essential public services and institutions, including the legal system. It is important that Limited English Proficient (LEP) individuals have meaningful access to the legal system, including everything from the opportunity to be heard in court with the assistance of an interpreter to the ability to access self-help flyers translated into their primary language. As the FJD considers how to update the website to better serve self-help court users, it is important to remember that many of those users will be LEP.

Language access is addressed last in this report intentionally; many LEP individuals also experience disability and literacy access issues. Any updates made in disability and literacy realms will also increase the effectiveness of updates made for improving language access. This is because language access updates (such as adding a Google Translate function) will only make the court website as effective and accessible to an LEP person as it already is to an English-speaking person.

For example, if an elderly man sought information from the current FJD site regarding his landlord-tenant case, he would struggle with the small font and legal jargon. Now imagine that a Google Translate option were added. If an elderly Puerto Rican man attempted the same task, he would first enable Google Translate, but still would not be able to find the information he needs. This is because, even though the words are now in Spanish, the font would still be too small and there would still be unfamiliar legal jargon. Language access is a vital aspect of increasing accessibility of online court information, but will be only as effective as the other accessibility updates allow it to be.

The prevalence of people of Limited English Proficiency (LEP) is measured through responses to the U.S. Census Bureau's American Community Survey (ACS).²⁸ Those who speak a language other than English at home are asked to self-assess their spoken English proficiency. Persons who report speaking English less than "very well" (i.e., "well," "not well," or "not at all") are considered LEP.²⁹

There were more than 25 million LEP People living in the United States in 2019.³⁰ In Philadelphia that same year, of the county's over 1.48 million residents, approximately 358,000 or 24% speak a language other than English at home.³¹ Approximately 166,000 of these individuals identify as speaking English less than "very well," which means **11% of Philadelphia residents identify as Limited English Proficient (LEP).**³²

The top five LEP populations in Philadelphia in 2019 were Spanish, Chinese (including Mandarin and Cantonese), Russian, Vietnamese, and Khmer.³³ Spanish speakers are by far the largest population, with almost 165,000 Spanish speakers in Philadelphia, about 73,000 of whom identify as speaking English less than "very well."³⁴ The top five languages for which interpreters were requested in the First Judicial District in 2018 were Spanish, Mandarin, Russian, Portuguese, and Vietnamese.³⁵

***Limited English Proficient (LEP) Individuals
in Philadelphia in 2019***

Primary Language	LEP* People	Portion of Total LEP (%)
<i>Spanish</i>	72,840	43.8
<i>Chinese</i>	22,378	13.4
<i>Russian</i>	9,387	5.6
<i>Vietnamese</i>	8,160	4.9
<i>Khmer</i>	4,938	3.0
<i>Arabic</i>	4,825	2.9
<i>Portuguese</i>	4,394	2.6

The total population of Philadelphia in 2019 was approx. 1,481,346.
The total LEP population of Philadelphia in 2019 was approx. 166,386,
or 11.2% of Philadelphians.

*Limited English Proficiency (LEP) is measured through responses to the U.S. Census Bureau’s American Community Survey (ACS). Those who speak a language other than English at home are asked to self-assess their spoken English proficiency. Persons who report speaking English less than “very well” are considered LEP.^{vii}

Federal law requires all providers of federally funded services to take steps to ensure language access. More specifically, any federal, state, or local agency receiving federal funding must provide LEP individuals “meaningful access” to the programs it supports, including those run by subcontractors.³⁶ This requirement is grounded in Title VI of the Civil Rights Act of 1964, Supreme Court rulings, and the Clinton Administration’s Executive Order 13166.³⁷ These statutes, regulations, and policies create a basic right and framework for language access.

To facilitate compliance with federal regulations and to address the practical considerations associated with serving LEP individuals, some state and local governments have adopted their own language access laws, ordinances, or policies that further describe and define how the jurisdiction’s public-serving agencies will ensure LEP individuals have meaningful access to public services. Pennsylvania’s policies regarding language access in the courts are embodied in the Language Access Plan for the Unified Judicial System (LAP-UJS) and are binding on judicial districts.³⁸

We turn to a description of how the FJD and other court systems attempt to meet the language access needs of LEP individuals, and whether they are achieving their goals.

FJD site

At present, the FJD website does include helpful information on language access resources, but these are hard to find and not in intuitive locations. There are some forms and self-help brochures available in other languages throughout the website, but they are listed and labeled in English, which creates a huge barrier for an LEP person searching for them. All the basic information about courts in the FJD—including

location, hours, and emergency updates—is available only in English. At present, therefore, it cannot be said that an LEP individual has “meaningful access” to any of the information available on the FJD website. What follows includes two walk-throughs, one of an LEP person trying to access the site and one of someone who seeks multilingual info to share with an LEP person, to help explain some of the language access barriers present in the current website, as well as some recommendations for how to mitigate or remove those barriers.

Walk-through of an LEP user trying to find information in their language on the FJD site:

When navigating from the homepage, the most obvious translation or language-related feature I see is the image of a head speaking next to flags from different countries. The first place I can see this is on one of the scrolling banners. The second I can see when I scroll down to one of the clickable “cards.” By clicking on either of these images, I am sent to a PDF version of the [Notice of Language Rights](#). Many languages are listed on this PDF, including mine. However, very little information is given. I can see that I have the right to an interpreter, but it is unclear under what circumstances. There is also a phone number listed, though it is in small print and was hard to notice at first. I am nervous because I do not know what will happen if I call this number, what kind of information I will have to share, or if they will even be able to answer my questions.

When I do call this number, I hear a voicemail message in English. I will not know it, but this voicemail is listing names of people I could leave a message for if I click certain numbers. The part of the message that is useful to me says, “to leave a message for [E.M.], press 1.” E.M. is the Language Access Coordinator and her name is listed on the Notice of Language Rights, however, I will not be able to read her name or recognize it when it is stated.

Walk-through of an advocate or friend of an LEP speaker, seeking information in another language that would be helpful to that individual:

In addition to the Notice of Language Rights found above, I would probably look to the menu to see if I can find information on language access. The first menu tab I would check is “Information.” The first promising option I notice is Policies > Notice of Language Rights, which again takes me to the Notice described above. This is probably the third time I will have been directed to this document, so I would be tempted to end my search and assume there is no other information available about interpreter services on the website.

However, if I tried again, I would see at the bottom of the Information menu a promising option under Services > Interpreter Services. This would lead me to the [Court Reporter and Interpreter Services](#) page. At the top of this page, I would find a link that promises “information for assistance in your language,” but English and Spanish are the only options listed and they are both listed in English. If I can recognize the English word for Spanish and click on it, I will be taken to a [PDF brochure](#) from the Administrative Office of Pennsylvania Courts (AOPC). This brochure gives me helpful information of what to expect when I request

an interpreter and what my rights to interpretation are. However, the only contact information listed is for the AOPC, not the FJD interpreter services.

If I go back to the Court Reporter page, I can see an “Interpreter Services” tab and click on it. This reveals a wall of text that, if I can manage to read through it, contains a lot of potentially helpful information. Relatively sophisticated language is used, however, so it appears that most of this information is for attorneys and their staff who want to request interpreters. Also, as a lay person, I doubt I could provide all the information requested, such as the “expected duration of the hearing” or whether my case is a “protracted matter.” Then at the bottom of this section there are a few more links to other forms that could be helpful, including a complaint form. Finally, if I keep looking, there is a “Forms and Brochures” tab with a subsection on the “Language Access Plan” and some “Interpreter Request Forms” that are available in six languages in addition to English. These may be the forms my friend needs, but they are in the hardest spot to find and the last place I looked.

Other court sites, by approach

We looked at examples of other government websites to get a broader sense of options and best practices regarding web-based language accessibility. This included the D.C. and California court websites, as well as the San Antonio City website and the Unified Judicial System of Pennsylvania (UJS). The UJS site includes resources regarding the Language Access & Interpreter Program, including court forms and self-help material translated into many languages.³⁹

From these websites, three main approaches emerged:

- (1) translation of the whole site using Google Translate,
- (2) content in multiple languages alongside each other, and
- (3) portions of the site available in another language.

Most websites utilized a combination of these techniques. Among the most effective approaches were a dedicated language access resource page, translation functions that are easy to find, key content available in multiple languages, and translated materials organized in a way that makes it easy for both LEP people and their non-LEP advocates to find what they need.

We discuss each of these approaches in turn.

Translation of the whole site using Google Translate

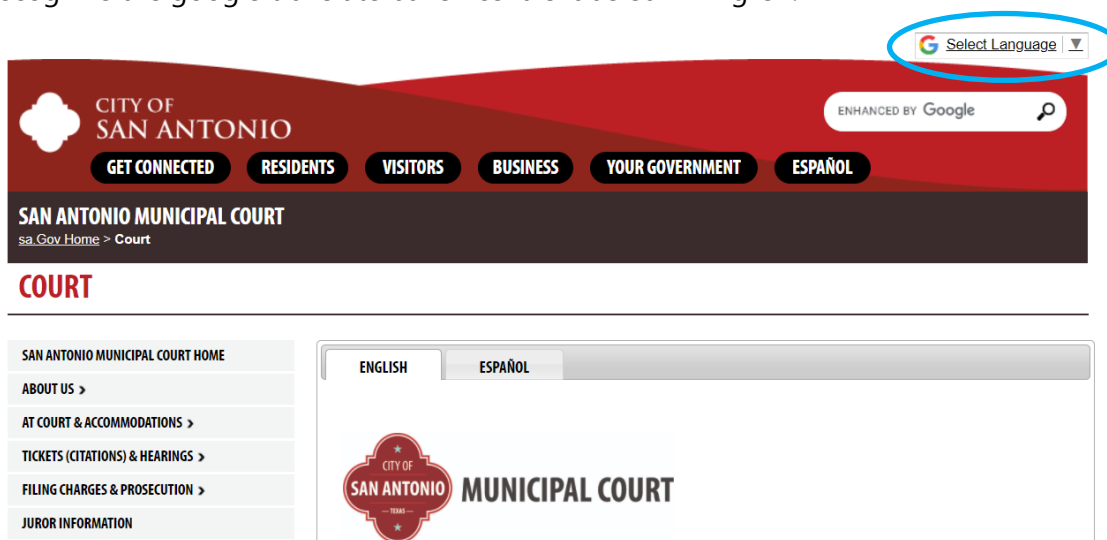
Though this is not the most elegant option, it is the most thorough. Adding a Google Translate function to the website would allow all the content on the court’s website to be readable in other languages. It is important to note, though, that this translate function only makes information as accessible as it would be to an English-speaking self-help court user. Therefore, it is still critical to increase the overall accessibility of the content by implementing the other suggestions in this report regarding disability and literacy

accessibility. But this is something that is fairly simple to implement and could immediately increase language accessibility.

The Google Translate feature was often used in combination with one or both of the other two primary approaches. There was also some interesting variety in exactly how the feature was incorporated into the webpage.

San Antonio Municipal Court

The San Antonio Municipal court chose one of the most basic variations of the Google translate tool, which is the “Select Language” symbol at the top right and the extensive menu of languages to pick from. Though this is thorough, it is not the most intuitive of the options, as an LEP person would not necessarily be able to recognize the google translate bar since it is labeled in English.



Pictured above is the Google translate function at the top right (circled in blue) of the San Antonio Municipal Court website.



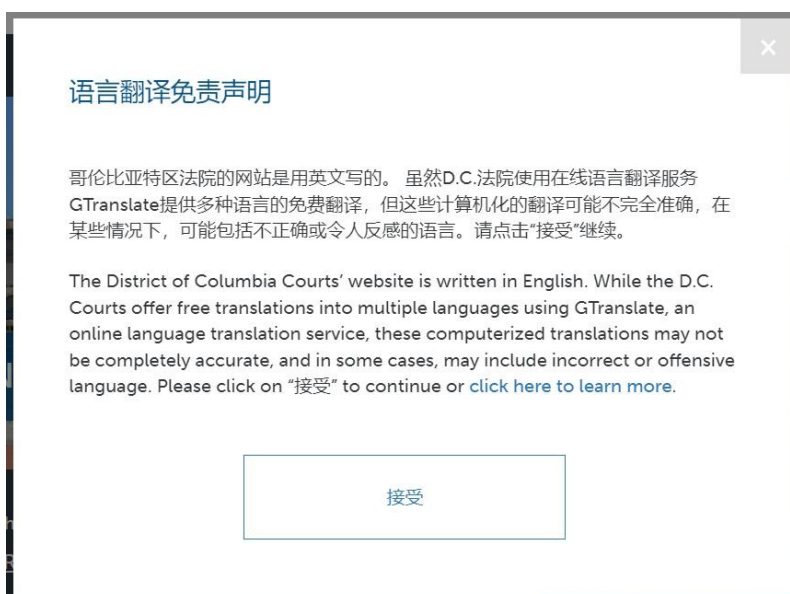
Pictured above is the extensive language menu that appears that when you click on “Select Language.”

District of Columbia Courts

The D.C. Courts' implementation of the Google Translate function includes some very helpful features. First, they place it right next to the search bar. Second, they indicate that it is a translation feature with the use of country flags. Third, the selection is smaller but focused on the most common languages in the District; selecting one language from seven is much more manageable than searching for one in a list of more than one hundred. Fourth, the pop-up warning is brief and provides a very useful disclaimer as to the accuracy of the information that may result. One addition that could have further strengthened this pop-up would be a link to the court's Language Access Resource Page and information on how to request an interpreter.



Pictured above is the D.C. Courts' implementation of the Google Translate function (circled in red) next to their search bar with flags and only a few language options.



Pictured above is the informative warning message that pops up when you select another language using the search bar. It helpfully includes an English translation of the message.

Content in multiple languages alongside each other

This method is the most intuitive for the purposes of both advocates and Self-Help Court Users being able to easily find the information they are looking for. It is most frequently used in the context of linking to translated forms and other self-help materials.

Unified Judicial System of Pennsylvania (UJS)

This site provides an example of a useful approach when there is one language (here Spanish) that is much more frequently requested than others: the site includes key content in both English and that language. Other languages should of course still be included as well, but perhaps by other means such as Google Translate or by linking to other pages with those forms.

Bilingual Forms / Formularios Bilingües

Forms by Language

→ (ARABIC) العربية	→ 中文 (CHINESE-SIMPLIFIED)	→ FRANÇAIS (FRENCH)
→ KREYÒL AYISYEN (HAITIAN CREOLE)	→ ITALIANO (ITALIAN)	→ ខ្មែរ (KHMER)
→ 한국어 (KOREAN)	→ नेपाली (NEPALI)	→ POLSKI (POLISH)
→ PORTUGUÊS (PORTUGUESE)	→ РУССКИЙ (RUSSIAN)	→ ESPAÑOL (SPANISH)
→ TIẾNG VIỆT (VIETNAMESE)		

Pictured above is the combo method of featuring the two most common languages most prominently, but also including links to forms in the less frequent but just as important languages as well.

Pennsylvania Courts Language Services Complaint / Queja por servicios lingüísticos de los Tribunales de Pennsylvania

You have a right to court services in your language. Tell us if you had a problem. We will review the information and try to fix the problem.

Usted tiene derecho a recibir servicios de los tribunales en su idioma. Díganos si tuvo un problema. Revisaremos la información e intentaremos solucionar el problema.

[Pennsylvania Courts Language Services Complaint / Queja por servicios lingüísticos de los Tribunales de Pennsylvania](#)

Pictured above is an example of putting English and Spanish content right alongside each other so information can be found without the use of Google Translate.

Landlord/Tenant

One copy of the landlord-tenant complaint with original signature is required for the magisterial district judge. You will be charged filing costs and service costs when the complaint is filed at the district court. No changes may be made to this form either in content or format.

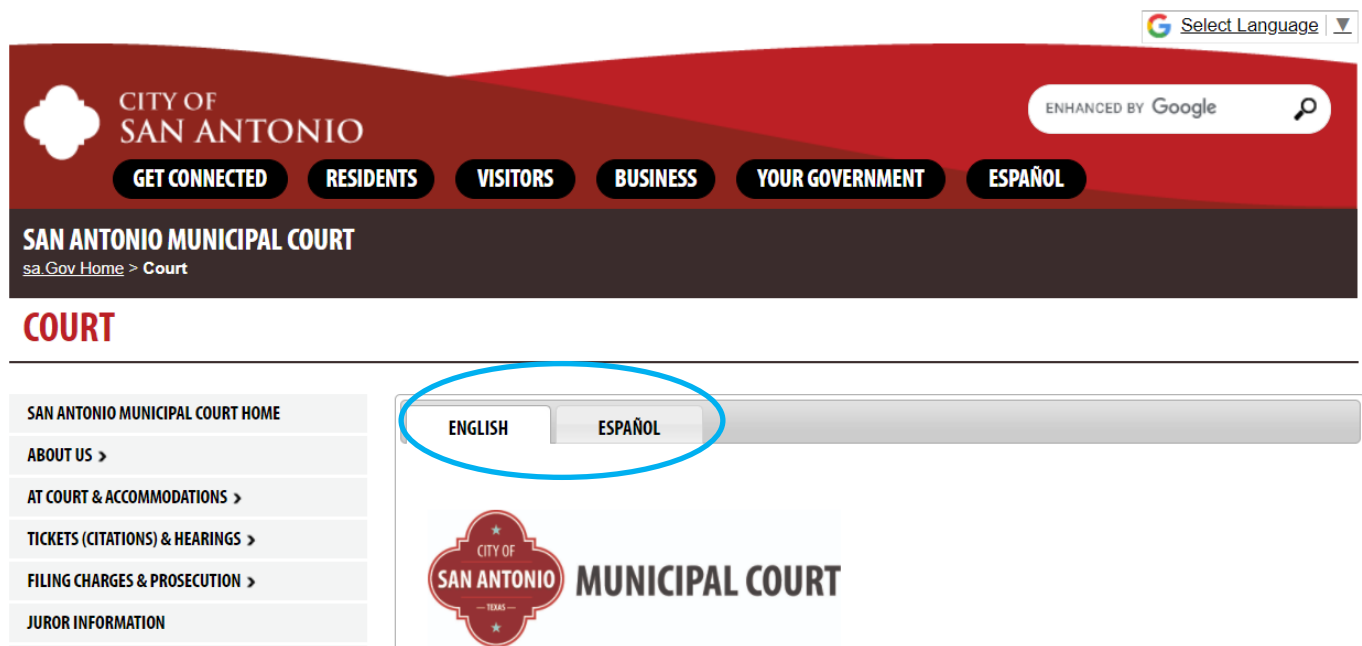
Desahucio

- | | |
|---|--|
|  Instrucciones complementarias para obtener el aplazamiento del desahucio (Supplemental Instructions for Obtaining a Stay of Eviction) |  Autorización de representante (Authorization of Representative) |
|  Declaración jurada de violencia familiar (Domestic Violence Affidavit) |  Demanda de desahucio (Landlord and Tenant Complaint) |
|  Solicitud de declaración de abandono de inmueble (Request for Determination of Abandonment) |  Declaración jurada prevista en la ley de asistencia civil a personal militar (Servicemembers Civil Relief Act Affidavit) |

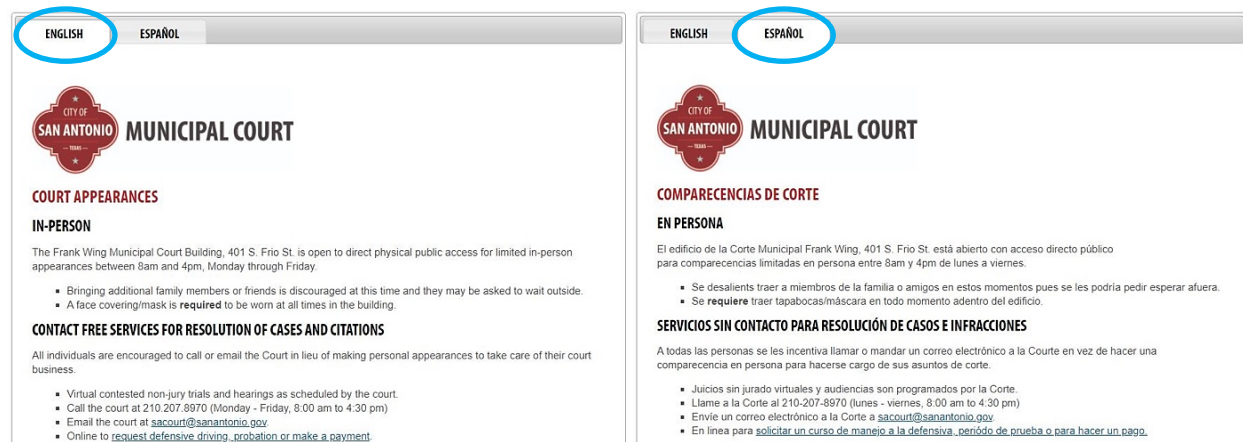
Pictured above is an effective way of labeling files so that they would be easy both for an LEP person to find, and for an advocate who may want to find a form for an LEP client.

San Antonio Municipal Court

As shown below, the San Antonio Municipal Court provides a simple way to find key information available in both English and Spanish. They use tabs listed in the alternate language to show key information such as the court's hours of operation and contact information in another language without having to use the Google Translate function.



Pictured above is the home page of the San Antonio Municipal Court's homepage, which includes tabs to access key information in either English or Spanish (circled in blue).

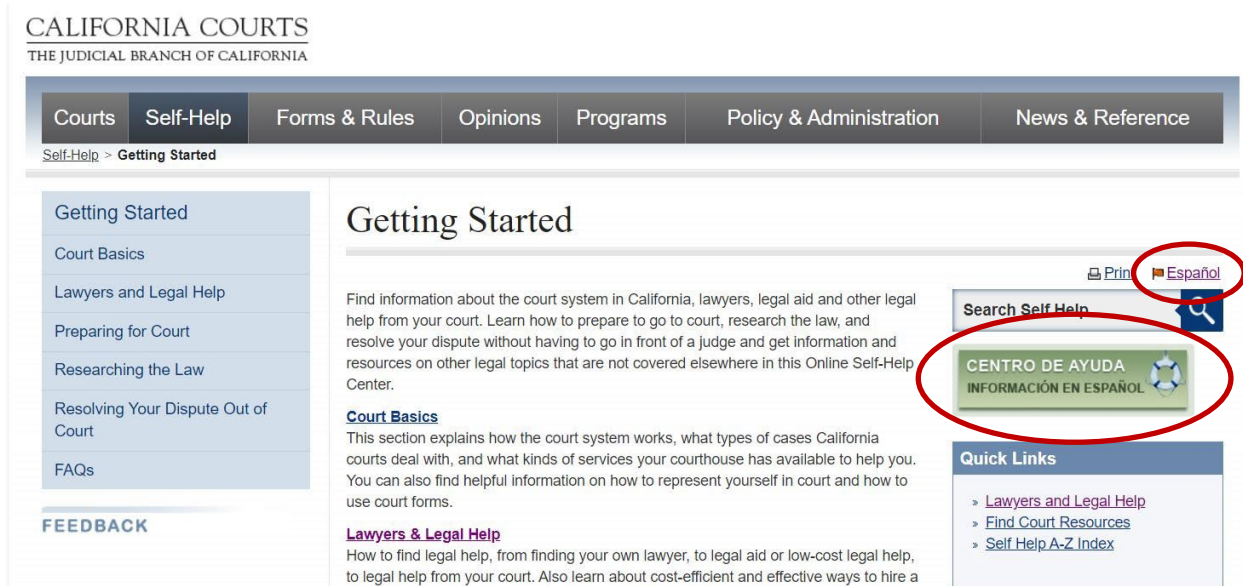


Pictured above is a comparison of the information in each language, which includes key info such as the Court's hours and contact information.

Making portions of the site available in another language

California Courts

The California court system site provides an example of this approach. The California courts have a self-help section of their website that is available in English and in Spanish. They did not use Google Translate for this, but instead have fully translated the content in this portion of the site only. It is easily accessible from the English page in two ways, both conveniently located next to the search bar. First is a red flag with the word **Español** just above the search bar. Second is a button that says **"Centro de Ayuda: Información en Español"** ("Help Center: Information in Spanish") located just below the search bar. It is made clear that this is the only translated portion of the site as the rest of the menu items remain in English, and by the fact that the search bar says **"Buscar en Centro de Ayuda,"** *i.e.*, "Search in the Help Center."



Pictured above is the California courts' Self-Help page, which features two ways to get to the Spanish version of that information (circled in red).

Courts Centro de ayuda Forms & Rules Opinions Programs Policy & Administration News & Reference

Centro de ayuda > Guía de inicio

Guía de inicio

Las cortes

Abogados y ayuda legal

Cómo prepararse para la corte

Cómo investigar las leyes

Cómo resolver su caso fuera de la corte

Preguntas frecuentes

Guía de inicio

Encuentre información sobre el sistema de las cortes en California, abogados, asesoramiento legal y otra asistencia legal en su corte. Aprenda a prepararse para ir a corte, investigar leyes y resolver su conflicto sin tener que comparecer ante un juez, además de encontrar información y recursos de otros temas legales no abarcados en otras áreas de este Centro de Ayuda en línea.

Conceptos básicos de la corte

Esta sección explica cómo funciona el sistema de las cortes, casos tratados en California y tipos de servicios que están disponible en su corte. Además puede encontrar información útil de como representarse a sí mismo y cómo utilizar los formularios de la corte.

Abogados y ayuda legal

Cómo conseguir asesoramiento legal, encontrar su propio abogado, asistencia legal o ayuda legal a bajo costo. También aprenda maneras eficaces y de bajo costo para contratar un abogado y, recursos existentes en su área que pueda ayudarle a manejar

Buscar en Centro de ayuda

Enlaces Rápidos

- » [Abogados y ayuda legal](#)
- » [Encuentre ayuda en su corte](#)
- » [Índice de A a Z del Centro de ayuda](#)

Pregunte al bibliotecario legal (en inglés)

Pictured above is the Spanish version of the Self-Help page. It is made clear that it is the only section in Spanish as the rest of the menu items remain in English.

San Antonio City

The city of San Antonio did something similar to the California courts by translating only a portion of their site. However, they did two main things differently: they chose to translate the Home Page and they supplemented this with a Google Translate feature for the rest of the site. The inclusion of a very obvious way to find information in Spanish sets a welcoming tone for all LEP Spanish speakers and makes the city government feel more accessible generally. By choosing to do an all-Spanish version of the home page (pictured below), the City of San Antonio is ensuring that all key information the main page features, such as COVID-19 updates, is likely to be accurate. This plus their warning are nice supplements to the Google Translate feature.



Pictured above is the home page of the City of San Antonio's website. If one clicks on the "Español" button at the top right of the page, it will take you to the all-Spanish version of the home page, pictured below.

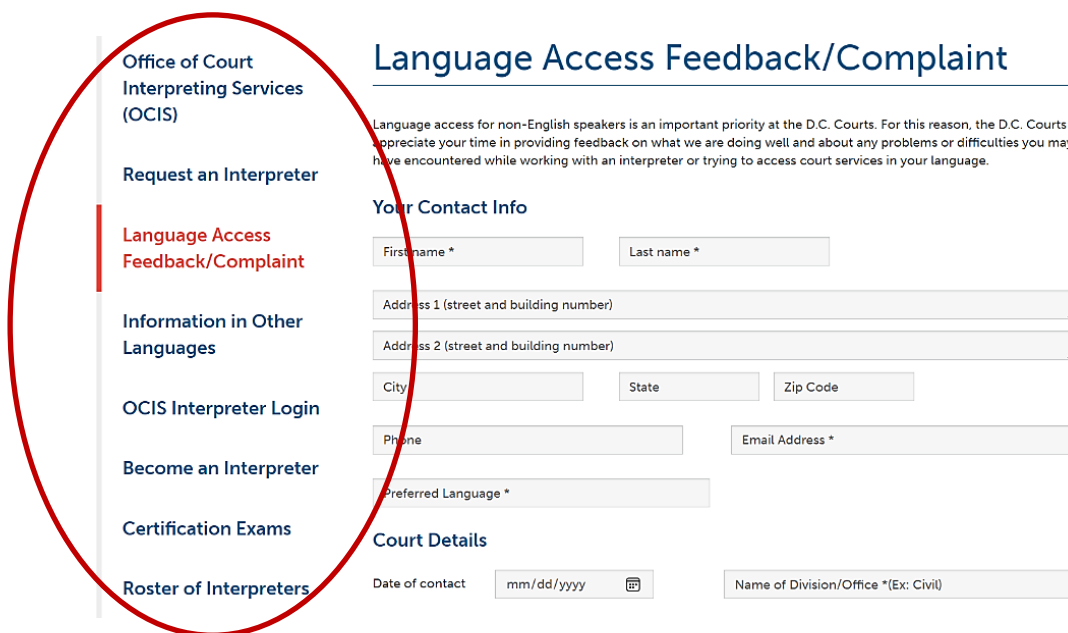


Pictured above is the all-Spanish version of the City of San Antonio's home page. It includes a warning (circled on left) that explains that the rest of the website is only available in English or via the Google translate feature, which is not precise.

Recommendations

Further incorporate the website into the FJD Language Access Plan. As of March 2020, the FJD language access plan (LAP) only briefly mentions the website. It is included under *B. Written Language Services* and looped in with *2. Signage & Websites*.⁴⁰ There are two points where the website is explicitly mentioned. The first says “We have reviewed our court website with an eye to translating webpages in subject matter areas in which our judicial district experiences high LEP usage.”⁴¹ Shortly afterward, it says “We intend to translate the following pages [on the website] by Dec 30, 2020 using qualified translators”; however, the only page listed here is “interpreter services.”⁴² Any of the language access recommendations that the FJD chooses to implement should be incorporated into the LAP.

Create a Language Access Resources Page. Though it is combined right now, all language access information should be separate from all other Court Reporter information. Information should be sorted by audience and tailored accordingly. Interpreter request information for self-help court users should be kept separately from the request information for attorneys who have a higher level of technical knowledge. This would make it easier for an LEP self-help user to navigate. List all important contact information at the top of the page in multiple languages so that an LEP person could find this info without help. For portions of the page with more information, add intuitive headers to the paragraphs of text to make it easier for someone to quickly find the part of the info that is relevant to them.



Office of Court Interpreting Services (OCIS)

Request an Interpreter

Language Access Feedback/Complaint

Information in Other Languages

OCIS Interpreter Login

Become an Interpreter

Certification Exams

Roster of Interpreters

Language Access Feedback/Complaint

Language access for non-English speakers is an important priority at the D.C. Courts. For this reason, the D.C. Courts appreciate your time in providing feedback on what we are doing well and about any problems or difficulties you may have encountered while working with an interpreter or trying to access court services in your language.

Your Contact Info

First name * Last name *

Address 1 (street and building number)

Address 2 (street and building number)

City State Zip Code

Phone Email Address *

Preferred Language *

Court Details

Date of contact mm/dd/yyyy

Name of Division/Office *(Ex: Civil)

Pictured above is one section of the DC Courts' centralized Language Access Resources which are part of the Office of Court Interpreting Services page. These resources paged are each tailored to their specific audience, whether it be for self-help court users, attorneys, court interpreters, or even prospective court interpreters.

List court's contact information in multiple languages. Pages 38-39 show an example of how this could be done. The San Antonio Municipal court's method of using tabs to switch between languages could be effective.

Clarify the process for requesting an interpreter. Right now, the instructions for requesting an interpreter vary depending on where you look on the FJD website. Some ways to clarify this include:

- Explain what to expect if you call the phone number listed on the Notice of Language Rights.
 - Add the extension to the phone number listed so the LEP person can go straight to the voicemail box that is relevant to them and be able to leave a message even if they do not speak any English.
 - The phone number could also be listed within the translated instructions so that it does not have to be searched for on the page.
- Explain what to include in an email request.
- Create an online version of the request form.
- Include all this information in a Language Access Resources Page.

Add a Google Translate function. See above for our discussion of various ways this can be implemented. The D.C. Court's method of placing this function next to the search bar, only including the most common languages, and giving a pop-up warning, could be very effective in Philadelphia.

Translate all key forms and self-help flyers into multiple languages. Most of the informational flyers available on the website that would be useful to self-help court users are only available in English. They also come from multiple sources, mostly outside the court (i.e., Philly VIP, Family Law Section of the Philadelphia Bar Association, etc.) so there is no uniformity in design or format. Also, even if a Google Translate tool is added to the website, it will not work on these PDFs. Since these flyers come from a mix of organization, translating these would likely require the collaboration of those organization. Alternatively, the Court could use its resources to get the flyers professionally translated.

Organize forms and self-help flyers in a way that is easy for both LEP people and their advocates to navigate. This suggestion is related to the one just above, as including translated information alongside each other makes navigating intuitive for both English and non-English speakers. The UJS has some strong examples of this, as can be seen on pages 37-38.

Moving Forward

Temple Law looks forward to a continued partnership with the FJD to support the implementation of these recommendations. Some ways that we would be willing and able to assist moving forward include:

- **Create an implementation plan.** Assist in determining an order and timeline for implementing recommendations.
- **Partnered user testing.** Partnering with community groups and help centers to do user testing will help with both identifying current pain points and testing out proposed solutions.
- **Advocate interviewing.** Advocates are uniquely positioned to speak to the needs of SRLs and can provide insight on how to best address those needs.
- **Court-specific content audits.** Assist individual courts in evaluating their webpages and provide more specific recommendations for increasing accessibility.
- **Data gathering.** To gain a better understanding of the issues SRLs face and the language they would use to describe them, data on search terms used by SRLs will be helpful.

Appendices

Appendix A. Contact Information for Future User Testing

Organization	Org. Address	Course/Event	Contact Info
CCP	1700 Spring Garden St.	HSE Writing, Reading Comprehension, and Social Studies Skills	adultliteracy@ccp.edu
Center for Literacy	1420 Pine St.	Basic Adult Education (Includes GED courses)	215-474-1235 / infor@beyondliteracy.org
GED Center	7222 Castor Ave.	GED Preparation Program	Bonnie Kaye - Director: bonkaye@aol.com
JEVS	1845 Walnut St. - HQ Event Location: 2770 Red Lion Rd.	WOW Project Open House	215-854-1800
Norris Square Community Alliance	174 Diamond Street	English Classes, Computer Classes	Jose Hiraldo jhiraldo@nscaphila.org

Appendix B. Common complicated phrases and how they can be simplified

- agenda (unless you are talking about a meeting)
- advancing
- collaborate (use *working with*)
- combating (use *working against* or *fighting*)
- commit or pledge (we need to be more specific — we are either doing something or we are not)
- countering (use *answering* or *responding*)
- deliver (pizzas, mail, and services are delivered — not abstract concepts like improvements or priorities)
- deploy (unless you are talking about the military or software)
- dialogue (we speak to people)
- disincentivize or incentivize
- empower
- execute (use *run* or *do*)
- facilitate (instead, say something specific about *how* you are helping)
- focusing
- foster (unless it is children)
- illegals or illegal aliens (use *undocumented immigrants*)
- impact or impactful
- initiate (use *start*)
- innovative (use words that describe the positive outcome of the innovation)
- in order to (use *to*)
- key (unless it unlocks something, use *important* or omit)
- land (as a verb only use if you are talking about aircraft)
- leverage (unless you use it in the financial sense)
- liaise (use *collaborate*, *work with*, or *partner with*)
- modify (use *change* instead)
- overarching
- progress (what are you actually doing?)
- promote (unless you are talking about an ad campaign or some other marketing promotion)
- robust
- simple or simply (use *straightforward*, *uncomplicated*, or *clear*; or leave the descriptor out altogether)
- slimming down (processes do not diet)
- streamline
- strengthening (unless you are referring to bridges or other structures)
- tackling (unless you are referring to football or another contact sport)
- thought leader (refer to a person's accomplishments)
- touchpoint (mention specific system components)
- transforming (what are you actually doing to change it?)
- user testing (use *user research* or *usability testing*)
- utilize (use *use*)

Appendix C. Sample Prompts for Navigating Forms

These prompts serve as one example of how court forms could be organized in a way that will help SRLs who are unsure of what exactly they need to file or what their options are. These sample plain language prompts were drafted by Kristen Cherry, a paralegal in the Family Law Unit at Philadelphia Legal Assistance, regarding forms for custody petitions in Family Court.

- I have an existing custody order that I would like to change. → Petition to Modify
- I would like to file for custody, and I do not have an existing custody order in Philadelphia or any other jurisdiction. → Complaint for Custody
- I am planning to move out of Philadelphia with my child(ren). → Relocation Petition
- I want a hearing to request that another custody petition or motion be heard more quickly because it is a time-sensitive or urgent situation. → Petition for Expedited Custody
- I have a custody order from Philadelphia, but I have moved with the children and lived in a different state or county for over 6 months. → Motion to Transfer Jurisdiction
- I have mental health concerns about another party in my custody case, and I want them to be evaluated. → Motion for Mental Health Assessment
- Someone filed for custody of my child in Philadelphia, even though the child has been living in another county for over 6 months OR I have an existing custody order issued out of another county. → Motion to Dismiss for Lack of Jurisdiction
- Someone filed for custody of my child when they did not have the legal standing to do so. → Motion to Dismiss for Lack of Standing
- The Judge in my recent custody hearing did not consider important factors, and I would like to request they reconsider their decision in the case. → Petition for Reconsideration
- I cannot afford the filing fee for my custody petition and I would like to request a fee waiver. → In Forma Pauperis

End Notes

¹ *Disability Statistics*, Institute on Employment and Disability, Cornell University, <https://www.disabilitystatistics.org/reports/acs.cfm?statistic=1> (last visited Dec. 20, 2021).

² Larry Eichel & Katie Martin, *Disability Rate in Philadelphia Is Highest of Largest U.S. Cities*, PEW (July 17, 2018), <https://www.pewtrusts.org/en/research-and-analysis/articles/2018/07/17/disability-rate-in-philadelphia-is-highest-of-largest-us-cities#:~:text=Sixteen%20percent%20of%20all%20Philadelphians,Census%20Bureau's%20American%20Community%20Survey.>

³ *Id.*

⁴ *Population Characteristics and Change: 2010 to 2017*, Pennsylvania State Data Center, <https://pasdc.hbg.psu.edu/Data/Research-Briefs/PA-Population-Estimates#:~:text=The%20total%20population%20age%2065,the%20state's%20population%20in%202017> (last updated July 10, 2018).

⁵ *Id.*

⁶ Nora Macaluso, *Seniors in Philly are aging in place with the help of community 'villages'*, Inquirer (Aug. 23, 2021), <https://www.inquirer.com/real-estate/aging-in-place-villages-volunteers-20210823.html>.

⁷ Alfred Lubrano, *Poverty among older Philadelphians on the rise*, Inquirer (Dec. 12, 2018), <https://www.inquirer.com/news/older-philadelphians-poverty-social-security-food-stamps-seniors-20181212.html>.

⁸ *Id.*

⁹ *Id.*

¹⁰ Legal Services Corp., *The Justice Gap: Measuring the Unmet Civil Legal Needs of Low-income Americans* (June 2017), <https://www.lsc.gov/sites/default/files/images/TheJusticeGap-ExecutiveSummary.pdf>.

¹¹ *See Accessibility Policy*, COMMONWEALTH OF PA., <https://www.pa.gov/accessibility-policy/> (last visited January 23, 2022).

¹² *See Is Website Accessibility Required Under the ADA?*, BUREAU OF INTERNET ACCESSIBILITY (Apr. 24, 2018), <https://www.boia.org/blog/is-website-accessibility-required-under-the-ada>.

¹³ *Website Accessibility Under Title II of the ADA*, ADA.gov, <https://www.ada.gov/pcatoolkit/chap5toolkit.htm> (last visited Dec. 20, 2021).

¹⁴ Perceivable means that “information and user interface components must be presentable to users in ways they can perceive.” *Accessibility Principles*, W3C WEB ACCESSIBILITY INITIATIVE, <https://www.w3.org/WAI/fundamentals/accessibility-principles/> (last updated May 10, 2019).

¹⁵ Operable means that “user interface components and navigation . . . cannot require interaction that a user cannot perform.” *Id.*

¹⁶ Understandable means that “[a] user must be able to understand the information as well as the operation of the user interface.” *Id.*

¹⁷ Robust means that content must be able to be “interpreted reliably by a wide variety of user agents, including assistive technologies.” *Id.*

¹⁸ *Infographics*, PA. DEPT. OF ED., <https://www.education.pa.gov/Teachers%20-%20Administrators/Curriculum/ELA/Pages/Infographics.aspx> (last visited Dec. 8, 2021).

¹⁹ Kincaid, Fishburne, Rodgers, and Chissom, *Derivation of new readability formulas (Automated Readability Index, Fog Count, and Flesch Reading Ease Formula) for Navy enlisted personnel*, NAVAL TECH. TRAINING CMD., Feb. 3, 1975 at 19.

²⁰ *Id.* at 20.

²¹ Max Martin, *Nearly a quarter of Philly adults can’t read — but they still vote*, BILLY PENN, Apr. 29, 2019, <https://billypenn.com/2019/04/29/nearly-a-quarter-of-philly-adults-cant-read-but-they-still-vote/>.

²² Liz Spikol, *More Than Half of Adult Philadelphians are Functionally Illiterate*, BILLY PENN, Nov. 20, 2019, <https://www.phillymag.com/news/2012/11/20/reading-post-plenty-thankful/#:~:text=According%20to%20the%20Center%20for,don't%20possess%20basic%20skills>.

²³ Carol Leonetti Dannhauser, *Philadelphia Tackles Literacy Crisis with Innovative Program*, HUFFINGTON POST, Dec. 6, 2017, <https://www.huffpost.com/entry/philadelphia-tackles-lite b 8475124>.

²⁴ Pa. Code Ann. § 42-152 (1993).

²⁵ *Id.*

²⁶ Plain Writing Act of 2010, PL 111-274, Oct. 13, 2010, 124 Stat 2861.

²⁷ *Id.*

²⁸ Jacob Hofstetter et al., *A Framework for Language Access: Key Features of U.S. State and Local Language Access Laws and Policies*, Migration Policy Institute (MPI), Oct. 2021, 2 [hereinafter *MPI Report*].

²⁹ *Id.*

³⁰ *Id.*

³¹ *Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over in Philadelphia County, PA*, U.S. Census Bureau American Community Survey (2019) [data set].

³² *Id.*

³³ *Id.*

³⁴ *Id.*

³⁵ Joseph H. Evers, et al., *Language Access Plan (LAP)*, First Judicial District of Pennsylvania (FJD), 3 (revised Mar. 13, 2020) [hereinafter *FJD LAP*].

³⁶ *MPI Report*, *supra* note 32, 1.

³⁷ *Id.*

³⁸ *FJD LAP*, *supra* note 39, 11.

³⁹ *Language Access & Interpreter Program*, Unified Judicial System of Pennsylvania (last accessed Dec. 2, 2021), <http://languageaccess.pacourts.us>.

⁴⁰ *FJD LAP*, *supra* note 39, 7.

⁴¹ *Id.*

⁴² *Id.* at 7-8.