

JUSTICE

CASE FILES



The Case of No Pets Allowed

Welcome to Justice Case Files.

By reading these graphic novels, you are learning some of the most important things that any American can learn: how your government works, how you can protect your rights, and how important it is that you become an active and engaged citizen.

Our nation's system of self-government is one of the greatest examples of the power of the people. America's founders carefully created a government comprised of three equally powerful branches: the executive branch (which includes our president and governor), the legislative branch (our Congress and General Assembly), and the judicial branch (the federal and state courts, including the United States Supreme Court and the Supreme Court of Ohio).

By reading the Justice Case Files, you will learn more about the least understood branch of government – the judiciary – which stands at the forefront of protecting individual rights for citizens of all ages, including you. You will soon better understand the role of the courts in society and your individual lives, and how courts work to make the best decisions possible.

I appreciate your willingness to participate in this fine program, which was made possible by one of our country's great resources, the National Center for State Courts. To learn more about the National Center and its other civic education programs, please visit www.ncsc.org. And to learn more about your courts here in Ohio, and the civic education programs available through the Supreme Court of Ohio, please visit www.supremecourt.ohio.gov.

Thank you for learning more about our courts, and all that they do.



Chief Justice Maureen O'Connor
Supreme Court of Ohio

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deep

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<SOFIA, YOU'VE OVERDONE IT AGAIN. WE'LL NEVER BE ABLE TO EAT ALL OF THIS FOOD!>

<> TRANSLATED FROM SPANISH TO ENGLISH.



<THEN YOU WILL BE TAKING HOME THE LEFTOVERS.>

<LEFTOVERS? NO. THERE WILL BE NOTHING LEFT BUT DIRTY PLATES AND EMPTY BOWLS ONCE I'M THROUGH!>



<THIS IS A NICE PLACE. I'M GLAD YOU HAVE THE ROOM TO HOLD FAMILY GATHERINGS.>

<WE'VE LIVED HERE FOR FIVE YEARS.>

<WE JUST SIGNED A LEASE FOR NEXT YEAR, TOO. NO RATE INCREASES!>

<IT'S TRUE. THE APARTMENT IS SURPRISINGLY AFFORDABLE FOR A SMALL FAMILY SUCH AS OURS.>



<HEY! QUEENIE! YOU DROP THAT RIGHT NOW!>

<YOUR DOG--SHE IS ALSO READY TO EAT.>

<QUEENIE! BAD GIRL! GET BACK HERE!>



<WHEN PEOPLE ASK ME HOW MANY CHILDREN I HAVE, I ALWAYS SAY TWO-->

<--AND ONE OF THEM HAS FOUR LEGS!>

TABOR MIDDLE SCHOOL. MONDAY MORNING'S ESL* CLASS.

SO, IN THE BOOK OF MICE AND MEN, GEORGE AND LENNIE ARE NOT RELATED, BUT THEY ACT LIKE...WHAT?

BEST FRIENDS?

*ESL--ENGLISH AS A SECOND LANGUAGE.

HA-HA! YOU DOPE. WE ALREADY KNOW THEY'RE FRIENDS.

SO, WHAT IS THE ANSWER, EDUARDO?

ENGLISH, PLEASE.

HERMANOS, MR. RAMIREZ.

BROTHERS! THEY ACT LIKE BROTHERS!

NOW WHO'S THE DOPE?

MAN, SOMETIMES MR. RAMIREZ IS A PAIN.

HOW SO? WE ONLY SEE HIM THREE TIMES A WEEK.

I MEAN IT IS AN ESL CLASS. I'D RATHER MAKE A MISTAKE WITH HIM THAN IN MY OTHER CLASSES.

IF YOU SAY SO.

I THINK IT IS A WASTE OF TIME. I TALK ENGLISH FINE.

YOU SPEAK ENGLISH FINE, BUT IT COULD USE SOME WORK.

I LIKE THAT YOU'RE SLOW TO LEARN ENGLISH. YOU'RE VERY ENTERTAINING.

VAMOS A VER QUIEN ES LENTO. ¡CORRERÁ AL BUS! **

** "WE'LL SEE WHO'S SLOW. RACE YOU TO THE BUS!"

LATER, AT THE RUIZ APARTMENT.

<I CAME HOME FROM WORK AND FOUND THIS ON THE DOOR!>

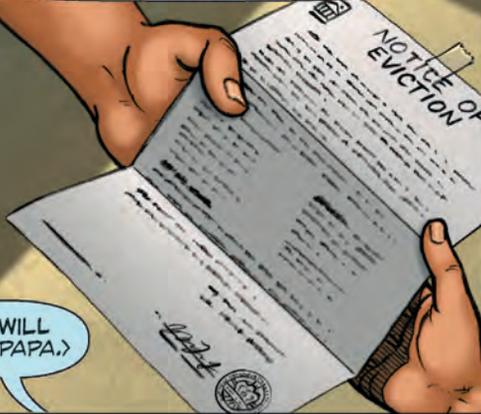


<WHAT DOES IT SAY, SOFIA?>

<MY ENGLISH IS NOT SO GOOD, BUT I THINK WE CAN NO LONGER LIVE HERE. WE HAVE TO MOVE.>



<ALEJANDRO, I DON'T UNDERSTAND THIS LEGAL-LOOKING DOCUMENT. WILL YOU INTERPRET?>



<I WILL TRY, PAPA.>

<I'VE NEVER SEEN *SOME* OF THESE WORDS, BUT I THINK MOM IS RIGHT.>

<WE MUST LEAVE THE APARTMENT BY THE END OF THIS MONTH.>



<THIS IS NOT RIGHT. THIS IS OUR HOME. THERE MUST BE A MISTAKE.>

<TOMORROW, ALEJANDRO, YOU WILL COME WITH ME TO THE LANDLADY'S OFFICE AND WE SHALL SEE WHAT IS CAUSING THIS PROBLEM.>

<BUT I HAVE TO WORK ON MY SCIENCE PRESENTATION...!>



<I AM SORRY, SON, BUT YOU KNOW I NEED YOU FOR THIS.>

THE NEXT DAY.

<HOW MUCH LONGER DO WE HAVE TO WAIT?>

Sanford
PROPERTIES

<I CAN'T AFFORD TO LOSE AN ENTIRE DAY'S PAY.>

<I KNOW, PAPA. BUT IT SHOULD BE SOON NOW.>

GO AHEAD. MRS. SANFORD WILL SEE YOU NOW.

¿POR QUÉ ESTÁS TRATANDO DE PATEAR A NOSOTROS FUERA DE NUESTRO APARTAMENTO?

HOLD ON, SORRY--I DIDN'T LEARN ESPAÑOL GROWING UP.

KID, YOU CAN TRANSLATE FOR YOUR DAD?

WHAT'S HE ALL WORKED UP ABOUT?

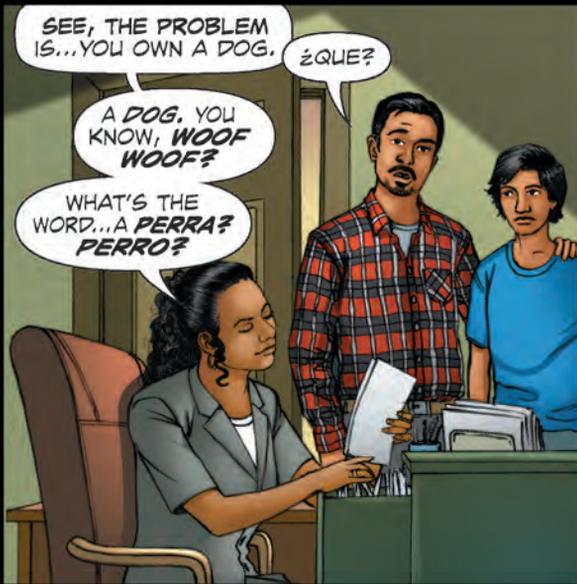
HE WANTS TO KNOW WHY WE'RE BEING KICKED OUT.

MY DAD SAYS WE SIGNED A NEW LEASE TWO MONTHS AGO. HE WANTS YOU TO KNOW WE HAVE BROKEN NO RULES.

LET ME TAKE A LOOK.

OH, SORRY TO TELL YOU, BUT THERE IS A RULE YOU'VE BEEN BREAKING FOR YEARS.

HOLD ON, LET ME GET A COPY OF THE LEASE YOU SIGNED.

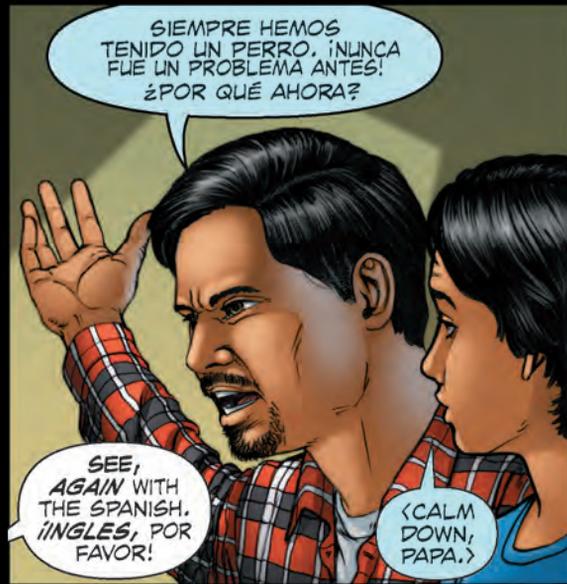


SEE, THE PROBLEM IS...YOU OWN A DOG.

¿QUE?

A DOG. YOU KNOW, WOOF WOOF?

WHAT'S THE WORD...A PERRA? PERRO?



SIEMPRE HEMOS TENIDO UN PERRO. ¡NUNCA FUE UN PROBLEMA ANTES! ¿POR QUÉ AHORA?

SEE, AGAIN WITH THE SPANISH. ¡INGLES, POR FAVOR!

<CALM DOWN, PAPA.>



HE SAYS, WE HAVE ALWAYS OWNED A DOG. THIS WAS NEVER AN ISSUE BEFORE. WHY NOW?

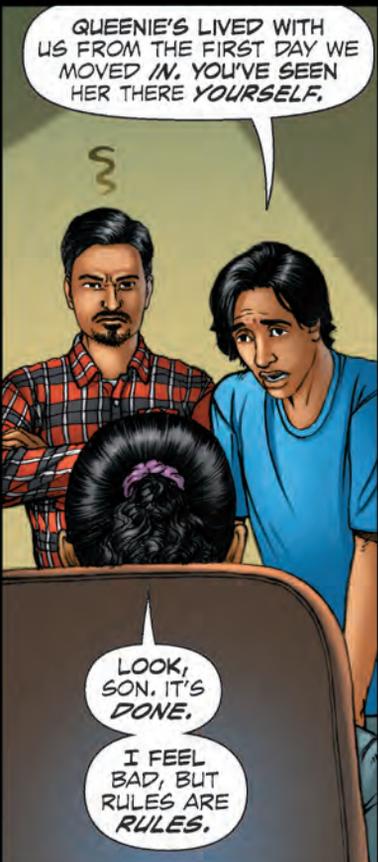
CAN I SEE THE LEASE, PLEASE?

KEEP IT. THAT'S JUST A COPY.



THERE'S YOUR ANSWER IN BLACK AND WHITE.

THE LEASE PLAINLY SAYS THERE ARE TO BE NO PETS KEPT ON THE PREMISES.



QUEENIE'S LIVED WITH US FROM THE FIRST DAY WE MOVED IN. YOU'VE SEEN HER THERE YOURSELF.

LOOK, SON. IT'S DONE.

I FEEL BAD, BUT RULES ARE RULES.



"YOU'VE GOT UNTIL THE END OF THE MONTH. TELL YOUR DAD WE'RE KEEPING THE DAMAGE DEPOSIT ON THE APARTMENT.

"AFTER A DOG HAS LIVED THERE FOR FIVE YEARS, THE PLACE WILL NEED A THOROUGH CLEANING..."

<COME, ALEJANDRO. I WILL TAKE YOU TO SCHOOL.>

<I NEED TO THINK. THIS ISN'T OVER YET.>



I DON'T SEE ANY WAY AROUND IT, GIRL.



I DON'T WANT US TO MOVE. THIS IS HOME. YET, I DON'T KNOW HOW TO FIGHT BACK.

YOU GOT AN EVICTION NOTICE, TOO?



HI, TANIA. YES, WE'RE SUPPOSED TO BE GONE BY THE END OF THE MONTH.

DID YOUR FAMILY MAKE A LATE PAYMENT?



NO. QUEENIE IS NOW CONSIDERED TO BE A PROBLEM.

NO PETS ALLOWED.

THE LANDLORD SHOWED US THE WORDING IN THE LEASE.



FIRST I HEARD ABOUT NO PETS. MRS. GARCIA HAS TWO CATS, AND SHE'S LIVED HERE FOR DECADES.

WE WERE LATE WITH THE LAST RENT CHECK, BUT SO WHAT? IN THE PAST, WE PAID A LATE FEE.

DOESN'T MAKE ANY SENSE.

WE'VE GOT TO FIGHT THIS... SOMEHOW.



NOT US. WE DON'T WANT TO STAY WHERE WE'RE NOT WANTED.

MY FAMILY IS MOVING IN WITH MY AUNT AND UNCLE UNTIL WE CAN FIND A NEW PLACE.

BUENA SUERTE, TANIA.

TAKE CARE.



UNFORTUNATELY, WE DON'T HAVE ANY TIOS WITH ENOUGH ROOM TO PUT US UP, DO WE, QUEENIE?

WOOF!

THAT LEAVES ME ONE OTHER OPTION...



THE NEXT DAY.



SORRY, WE DON'T OPEN UNTIL TEN A.M. YOU'LL NEED TO COME BACK THEN.

I'M ALEJANDRO RUIZ.

I WAS HERE WITH MY DAD YESTERDAY.

THIS IS MY DOG, QUEENIE.



AH. RIGHT. SO I SEE. WHAT CAN I DO FOR YOU?



I WANTED TO LET YOU KNOW THAT I'M GOING TO TAKE QUEENIE TODAY TO THE ANIMAL SHELTER.

THEN YOU WON'T HAVE TO KICK US OUT OF OUR APARTMENT.

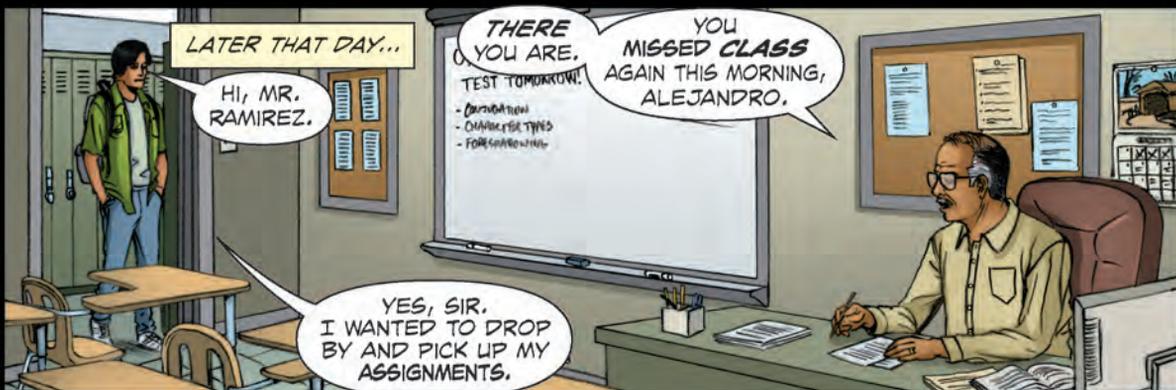
SORRY, SON. IT-- IT'S TOO LATE.

THE EVICTION NOTICE STANDS FOR PAST OFFENSES. YOU ARE TOO LATE TO MAKE A CHANGE NOW.



I WAS HOPING SHE MIGHT SHOW SOME MERCY AND LET US STAY AND STILL KEEP YOU AT HOME, QUEENIE.

I DON'T KNOW WHAT I WOULD HAVE DONE IF SHE ACCEPTED MY OFFER. BUT I HAD TO TRY.



LATER THAT DAY...

HI, MR. RAMIREZ.

THERE YOU ARE. YOU MISSED CLASS AGAIN THIS MORNING, ALEJANDRO.

YES, SIR. I WANTED TO DROP BY AND PICK UP MY ASSIGNMENTS.



YOU'RE NEVER LATE, OR ABSENT. IS EVERYTHING OKAY AT HOME?

SURE! AT LEAST UNTIL THE END OF THE MONTH.

WHAT DO YOU MEAN?



WE'RE BEING KICKED OUT-- THEY CALLED IT "EVICTED." THE LANDLORD SAYS IT IS BECAUSE OF MY DOG, BUT QUEENIE'S LIVED THERE WITH US FOR FIVE YEARS. WHY NOW?

AN EXCELLENT QUESTION. WHAT'S YOUR ADDRESS?

103 CARSON ST. WE'RE ON THE CORNER NEXT TO HAVERSHAW AVENUE.



THEN THIS MIGHT BE YOUR ANSWER: GENTRIFICATION.

RENOVATION UNDER WAY

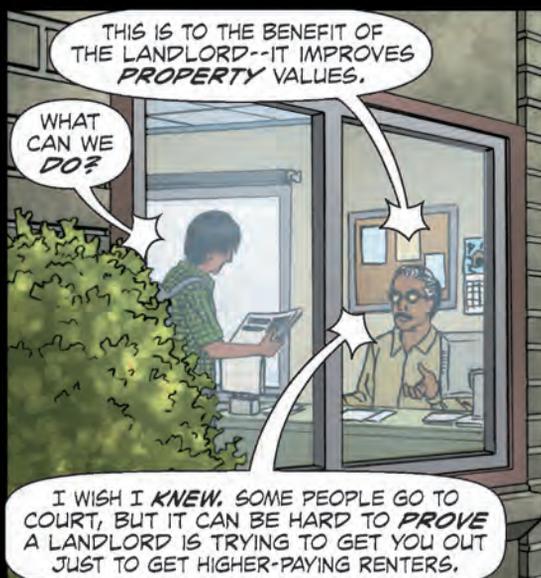
WHAT'S THAT MEAN?



"GENTRIFICATION" MEANS PEOPLE WITH MORE MONEY ARE MOVING INTO YOUR NEIGHBORHOOD.

LOTS OF NEW BUSINESSES MEAN RENTS GO UP, AND THE NEIGHBORHOOD BECOMES FANCIER.

OLDER BUILDINGS LIKE YOURS ARE RESTORED OR TORN DOWN FOR NEW HOUSING. THE LANDLORD NEEDS OLD RENTERS TO MOVE OUT TO MAKE ROOM FOR NEW PEOPLE WHO WILL PAY A LOT MORE FOR RENT.



THIS IS TO THE BENEFIT OF THE LANDLORD--IT IMPROVES PROPERTY VALUES.

WHAT CAN WE DO?

I WISH I KNEW. SOME PEOPLE GO TO COURT, BUT IT CAN BE HARD TO PROVE A LANDLORD IS TRYING TO GET YOU OUT JUST TO GET HIGHER-PAYING RENTERS.

TWO WEEKS LATER...

<I THOUGHT COURTS WERE FOR LAW-BREAKERS.>

<PAPA, WE WERE TOLD TO MOVE OUT. WE **REFUSED**. IN THE EYES OF THE LAW, WE ARE CRIMINALS.>

<WE HAVE OVER **NINE** MONTHS LEFT ON OUR APARTMENT LEASE.>

<WE ARE **NOT** THE CRIMINALS HERE.>

<I STILL CAN'T BELIEVE MRS. SANFORD TOOK US TO THIS, WHAT, "HOUSE" COURT?>

<TENANT COURT, PAPA.>

<FOR LANDLORDS AND RENTERS TO SETTLE THEIR DIFFERENCES.>

¡AY DE MI! <THEY HAVE A COURT FOR EVERYTHING!>

MAN, IT'S CROWDED. LOOKS LIKE WE'RE GOING TO BE HERE A WHILE.

<WHO IS THAT SITTING WITH MRS. SANFORD?>

<HER LAWYER. WE CAN'T AFFORD TO HIRE ONE.>

<IT'S FINE. ALEJANDRO WILL EXPLAIN FOR ME.>

<I'LL TRY MY BEST. MAYBE WE CAN LEARN SOMETHING FROM THESE OTHER CASES, SO I WON'T MAKE THINGS WORSE.>



...NEXT TIME, I SUGGEST PAYING YOUR RENT IN THE FORM OF A CHECK. THAT WAY, YOU HAVE A RECEIPT. WITHOUT PROOF, THERE'S NOTHING I CAN DO.

COURT FINDS FOR THE PLAINTIFF. DEFENDANT HAS 15 DAYS TO VACATE THE HOME.



<WHAT HAPPENED?>

<I THINK THEY LOST THEIR CASE. THEY HAVE TO MOVE.>

<THIS...IS NOT PROMISING.>



<POOR FAMILY, AND NOW THERE'S ONLY ONE MORE BEFORE US.>



NEXT ON THE DOCKET, CASE 417: ABBOTT REALTY VERSUS ROBERTO HERNANDEZ.

ARE ALL PARTIES PRESENT?



JANE TALBOT, COURT CERTIFIED INTERPRETER, YOUR HONOR. I'VE BEEN ASSIGNED TO INTERPRET FOR THE COURT.

OK, AFTER YOU ESTABLISH COMMUNICATION, WE'LL JUST SWEAR YOU IN AS AN OFFICER OF THE COURT AND THEN YOU CAN PROCEED, MS. TALBOT.



I AM A COURT CERTIFIED INTERPRETER AND I SPEAK SPANISH AND ENGLISH.

<ARE YOU READY, MR. HERNANDEZ?>

<YES.>

BOTH SIDES PRESENT THEIR ARGUMENTS AS THE RUIZ FAMILY LISTENS...



MR. HERNANDEZ IS CORRECT.

CITY ORDINANCE CHAPTER 4, SECTION 1.5 TAKES PRIORITY OVER THE TERMS OF THE LEASE.

<THE HERNANDEZ FAMILY FOUND A LAW THAT WORKED FOR THEM.>

MAYBE THERE IS A LAW THAT CAN HELP US!



COURT FINDS IN FAVOR OF THE DEFENDANT HERNANDEZ, AND TAKES A 15-MINUTE RECESS.

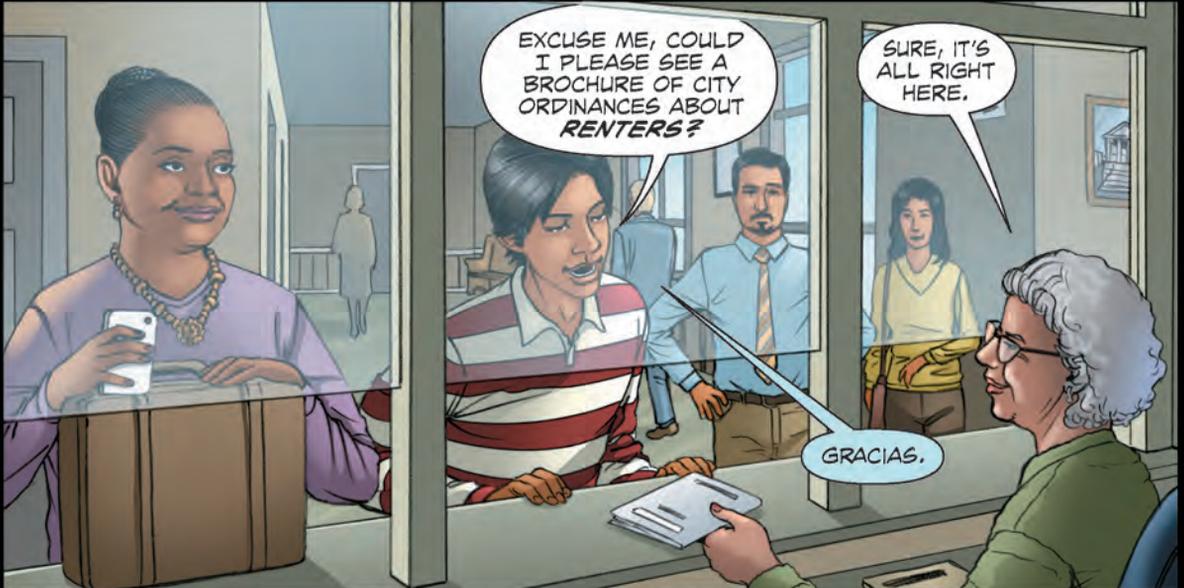
EXCUSE ME, MS. TALBOT?

YES? CAN I HELP YOU?



I HEARD YOU TALKING ABOUT A LAW THAT COULD MAYBE HELP MY FAMILY. WHERE CAN I FIND OUT MORE ABOUT IT?

OH, YOU CAN ASK THE CLERK FOR THE BROCHURE. THEY HAVE *LOTS* OF INFORMATION FOR TENANTS AND LANDLORDS ABOUT CITY ORDINANCES. I'LL BE HAPPY TO INTERPRET FOR YOU.



EXCUSE ME, COULD I PLEASE SEE A BROCHURE OF CITY ORDINANCES ABOUT *RENTERS*?

SURE, IT'S ALL RIGHT HERE.

GRACIAS.



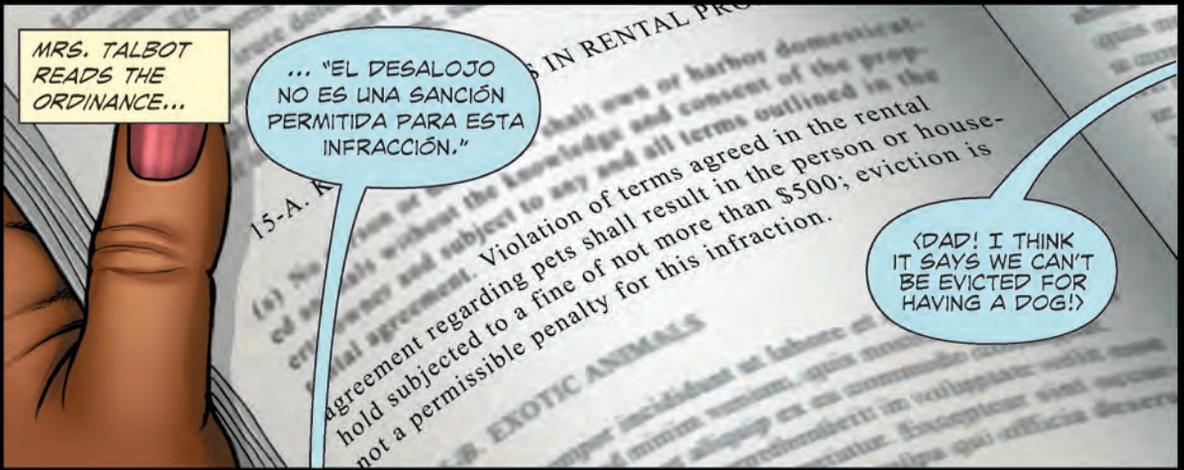
"FORCIBLE ENTRY?"
"TRANSIENT OCCUPANCY?"
"NOTICE OF RESTITUTION???"

MAN, I DON'T UNDERSTAND ANY OF THIS!



CAN YOU INTERPRET THIS SECTION INTO SPANISH FOR MY MOM AND DAD? I THINK IT HAS TO DO WITH PETS.

WE'RE BEING EVICTED FROM OUR APARTMENT BECAUSE OF MY DOG.



MRS. TALBOT READS THE ORDINANCE...

... "EL DESALOJO NO ES UNA SANCIÓN PERMITIDA PARA ESTA INFRACCIÓN."

15-A. A... IN RENTAL PRO...
(a) No... shall own or harbor domestic...
of... without the knowledge and consent of the prop...
... and subject to any and all terms outlined in the...
... agreement regarding pets shall result in the person or house-
hold subjected to a fine of not more than \$500; eviction is
not a permissible penalty for this infraction.

<DAD! I THINK IT SAYS WE CAN'T BE EVICTED FOR HAVING A DOG!>



MS. TALBOT, CAN YOU READ THIS PART IN SPANISH TO MY DAD?

SURE.
"EL DESALOJO NO ES UNA SANCIÓN PERMITIDA POR ESTA INFRACCIÓN."



<THAT MEANS...>



<THIS IS A BLESSING.>

<DOES THIS MEAN WE CAN EXPLAIN OUR SITUATION BASED ON THE CITY'S LAWS TO THE JUDGE?>



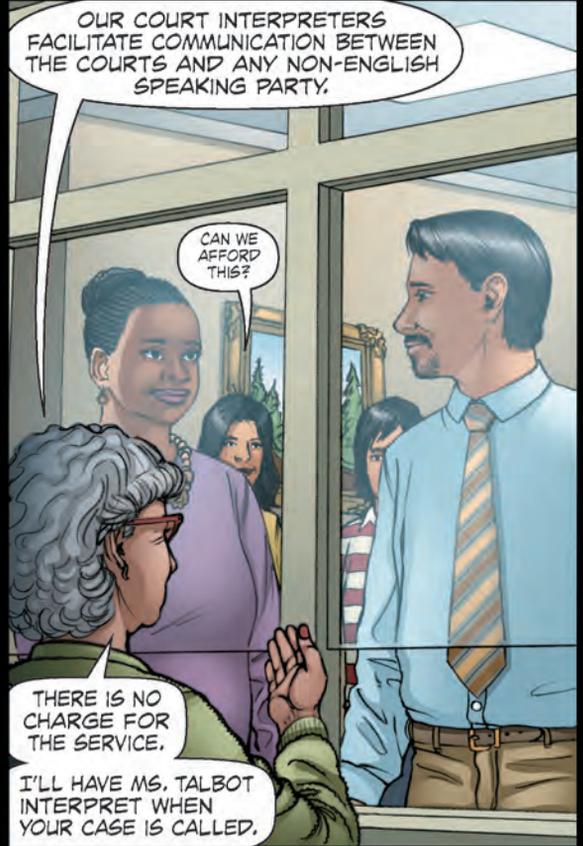
DO YOU HAVE AN ATTORNEY?>

¿TIENE LISTED ABOGADO?>

NO.

OK, PLEASE UNDERSTAND THAT THE INTERPRETER CANNOT GIVE LEGAL ADVICE.

OK. POR FAVOR, COMPRENDA QUE EL INTÉRPRETE NO PUEDE DAR AVISO LEGAL.

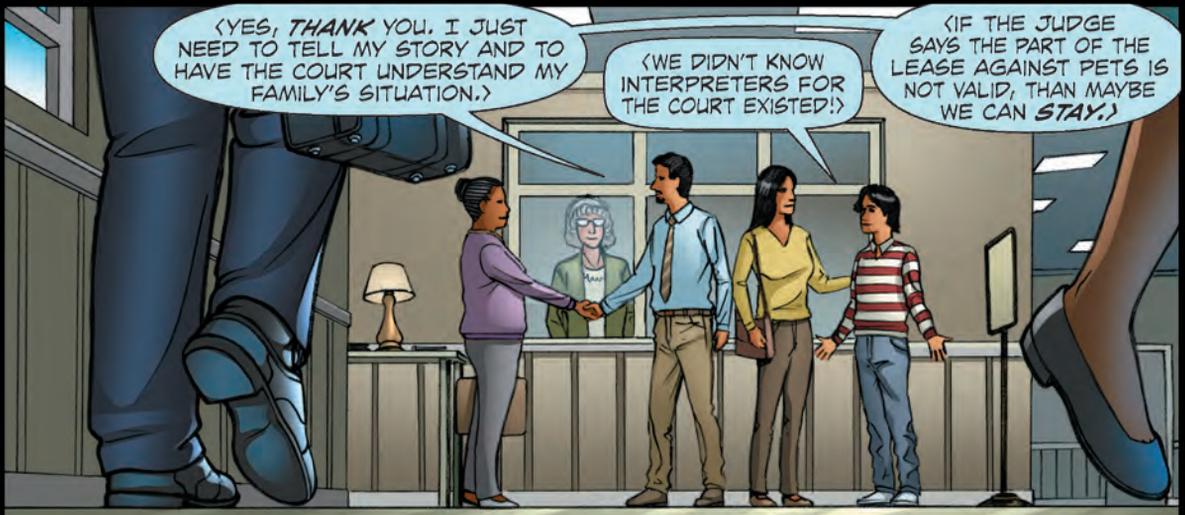


OUR COURT INTERPRETERS FACILITATE COMMUNICATION BETWEEN THE COURTS AND ANY NON-ENGLISH SPEAKING PARTY.

CAN WE AFFORD THIS?>

THERE IS NO CHARGE FOR THE SERVICE.

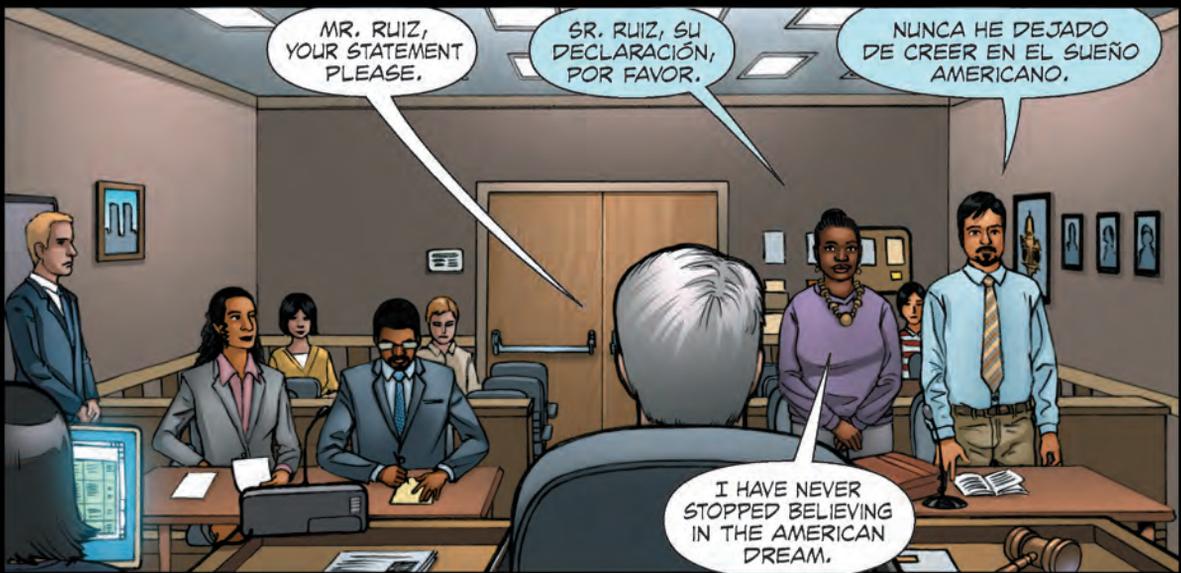
I'LL HAVE MS. TALBOT INTERPRET WHEN YOUR CASE IS CALLED.



<YES, THANK YOU. I JUST NEED TO TELL MY STORY AND TO HAVE THE COURT UNDERSTAND MY FAMILY'S SITUATION.>

<WE DIDN'T KNOW INTERPRETERS FOR THE COURT EXISTED!>

<IF THE JUDGE SAYS THE PART OF THE LEASE AGAINST PETS IS NOT VALID, THAN MAYBE WE CAN **STAY**.>



MR. RUIZ,
YOUR STATEMENT
PLEASE.

SR. RUIZ, SU
DECLARACIÓN,
POR FAVOR.

NUNCA HE DEJADO
DE CREER EN EL SUEÑO
AMERICANO.

I HAVE NEVER
STOPPED BELIEVING
IN THE AMERICAN
DREAM.



<WHAT BROUGHT
US HERE WAS **FAMILY**.
I WANTED MY CHILD
TO HAVE A BETTER
LIFE.>



A LITTLE OVER FIVE
YEARS AGO, WE FOUND A
PERFECT PLACE IN WHICH TO
RAISE OUR SON.



<OUR
APARTMENT
IS NOT
GLAMOROUS.>

<HOWEVER, IT **IS** WHERE
WE SLEEP, WE EAT, AND WHERE
WE LIVE. THIS APARTMENT IS
OUR **HOME**.>



WE HAVE WATCHED
OUR SON GROW INTO A
FINE YOUNG MAN.



<LIKE MOST
AMERICAN FAMILIES,
OUR SON, ALEJANDRO,
HAS A PET.>

<AND FOR THAT,
WE ARE ASKED
TO LEAVE?>



DURANTE CINCO AÑOS,
HEMOS SIDO BUENOS
INQUILINOS. NUNCA UN
PROBLEMA. Y ENTONCES,
SIN ADVERTENCIA, FUIMOS
DESALOJADOS.

FOR FIVE YEARS,
WE HAVE BEEN GOOD
TENANTS. NEVER A
PROBLEM. AND THEN,
WITHOUT WARNING,
WE WERE EVICTED.



TEMÍA QUE NOS FUERAMOS A TENER QUE MUDAR HASTA QUE ME ENTERÉ DE LA ORDENANZA MUNICIPAL 15-A.

I WAS SCARED WE WERE GOING TO HAVE TO MOVE, UNTIL I FOUND OUT ABOUT CITY ORDINANCE 15-A.



ORDINANCE?
WHAT IS HE TALKING ABOUT?



I AM FAMILIAR WITH THE ORDINANCE, MR. RUIZ. YOU MAY SIT DOWN.



MR. ANDERSON, I HAVE A FEW QUESTIONS FOR YOUR CLIENT.

OF COURSE, YOUR HONOR.



MS. SANFORD, WAS THE RUIZ FAMILY BEHIND ON THEIR RENT?

WERE THERE NOISE COMPLAINTS OR DAMAGE?

NO, YOUR HONOR.

I UNDERSTAND THEY RECENTLY SIGNED A NEW LEASE?

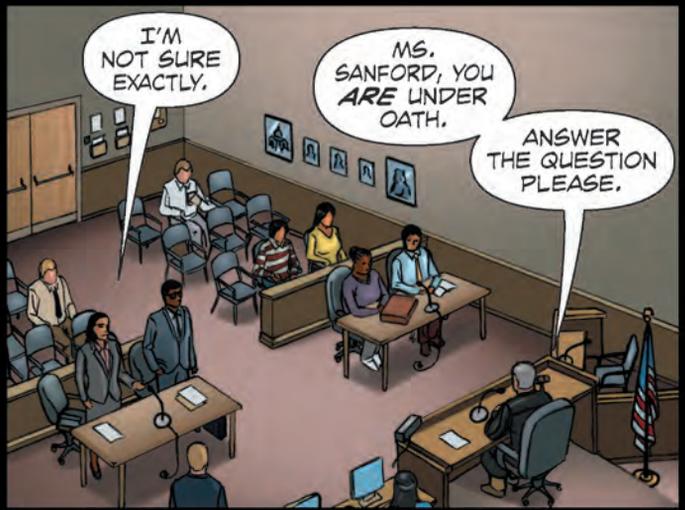
YES, YOUR HONOR.

AND YOU WANT TO EVICT THEM NOW OVER THEIR OWNERSHIP OF A DOMESTIC ANIMAL?

THAT IS CORRECT, YOUR HONOR.



MS. SANFORD, WHEN DID YOU BECOME AWARE THE RUIZ FAMILY HAD A PET?



I'M NOT SURE EXACTLY.

MS. SANFORD, YOU ARE UNDER OATH.

ANSWER THE QUESTION PLEASE.



I KNEW THEY HAD THE DOG WHEN THEY FIRST MOVED INTO THE APARTMENT.

SO YOU'VE KNOWN FOR OVER FIVE YEARS OF THE DOG'S PRESENCE.



CAN YOU EXPLAIN WHY YOU ARE SO EAGER TO LOSE GOOD TENANTS?



LOOK, I'M EVICTING ALL OF MY TENANTS IN THE BUILDING. THE ONLY ONE WHO WOULDN'T LEAVE WAS MR. RUIZ.

MIRA, YO ESTOY DESALOJANDO A TODOS MIS INQUILINOS...



I'VE GOTTEN A GENEROUS REDEVELOPMENT OFFER ON THE PROPERTY AND I WANT TO SELL.

HOWEVER, WITH A LEGALLY BINDING LEASE ALREADY SIGNED WITH THE RUIZ FAMILY, I HAD TO FIND A REASON TO EVICT.

KNOWING THEY HAD THE DOG AND THE NO PETS ALLOWED STANDARD CLAUSE IN MY LEASE GAVE ME THE PERFECT REASON.



THE LAW IS CLEARLY ON THE TENANTS' SIDE IN THIS CASE BECAUSE OF THE ORDINANCE.

REQUEST TO EVICT IS DENIED. MR. SANFORD, YOUR PLANS TO SELL THE BUILDING ARE GOING TO HAVE TO *WAIT*.



I WANTED TO *SAY* THIS WAS NOTHING PERSONAL.



YOU WON THIS TIME, RUIZ.

I CAN RESPECT THAT.



YOU'VE GOT *NINE MONTHS*. AFTER THAT, YOU WON'T BE OFFERED ANOTHER LEASE.

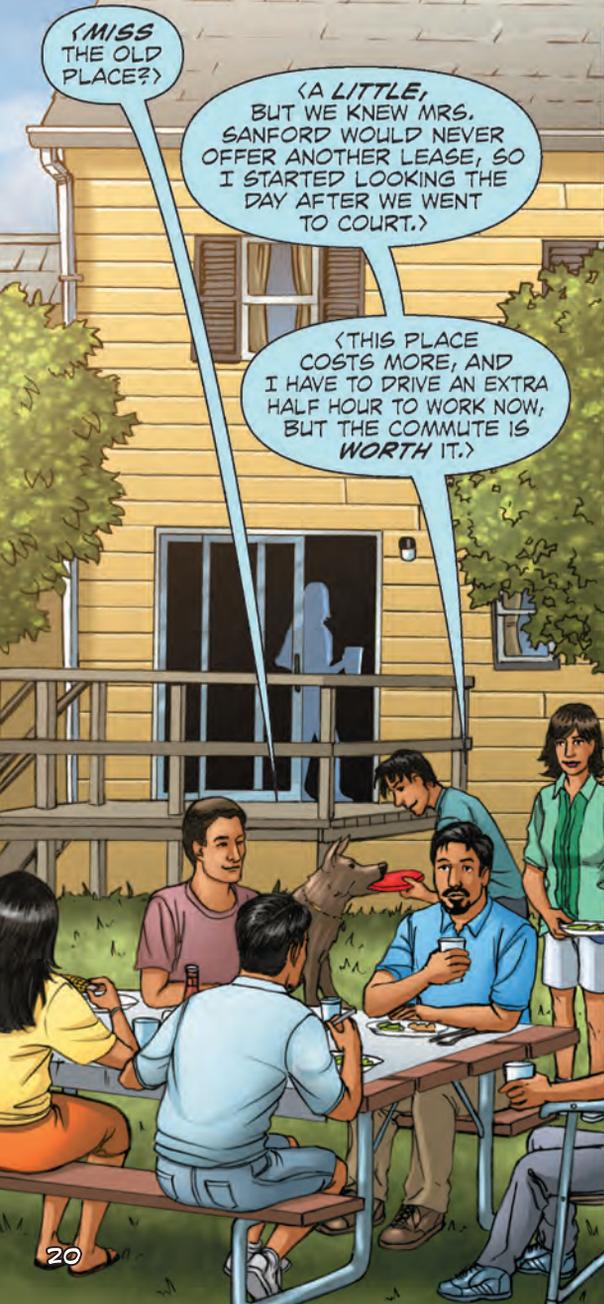


MY FAMILY *OWES* YOU, MS. TALBOT. THANK YOU FOR YOUR HELP.



I ONLY HELPED YOU TO UNDERSTAND THE WORDS. THE *COURT* PROTECTED YOUR RIGHTS.

YOU ARE THE ONES WHO FOUND THE SOLUTION TO YOUR PROBLEM.



WE'RE HERE TO HELP ESTAMOS AQUÍ PARA AYUDARLE

ACCORDING TO THE 2010 UNITED STATES CENSUS, approximately 25.1 million people (or 8% of the total U.S. population) are limited English proficient (LEP). Limited English proficiency refers to anyone above the age of 5 who reported speaking English less than “very well.” While every state has a LEP population, the states with the highest numbers are California, Texas, New York, Hawaii, New Jersey, Nevada, Florida, New Mexico, Illinois, Arizona and Massachusetts. In California, 19 out of every 100 people are LEP! Spanish is the most common language spoken by LEP individuals in the United States. It is spoken by 64% (1.6 million people) of the total LEP US population. Other top languages include Chinese (6%), Vietnamese (3%), Korean (2%), and Tagalog (2%).

A federal law, **TITLE VI OF THE CIVIL RIGHTS ACT OF 1964**, protects people who do not speak or understand English from discrimination. It reads, “No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” www.justice.gov/crt/about/cor/coord/titlevi.php

Government agencies must have a plan and a system to provide interpreting services so LEP persons can have meaningful access to services. Many states also have local laws about providing court interpreters to LEP people.

EXECUTIVE ORDER #13166 – Improving Access to Services for Persons with limited English Proficiency -- was signed by President Bill Clinton on August 11, 2000. This law requires Federal agencies to identify needs for services to limited English proficiency (LEP) persons and develop and implement a system to provide services so LEP persons can have meaningful access. It also requires Federal agencies work to ensure recipients of Federal financial assistance provide meaningful access to their LEP applicants and beneficiaries.

“**BILINGUAL**” describes a person who is fluent in two languages. Being bilingual is not the same as being an interpreter. Interpreters are bilingual, but also have to use additional knowledge, skills, and cognitive abilities such as multi-tasking, processing sounds and messages at high speeds, and using their working memory to remember messages and then convey them into meaning from one language to another.

CERTIFIED INTERPRETERS have official credentials issued by a court. These interpreters have passed very difficult interpreting tests. Only about 12-18 people per 100 test takers can pass the test. In court, interpreters do not take sides in disagreements—they are neutral and allow court cases to move through the system for LEP parties.

Interpreters follow a **CODE OF ETHICS** in their work. The Code of Ethics tells interpreters how to act in court, reminds them that they are not helpers or advisers, and guides them with how to manage common difficulties of interpreting. Medical interpreters, community interpreters, and court interpreters have similar, but unique, codes of ethics.

CONSECUTIVE INTERPRETING is where interpreters move between English and the target (foreign) language, with pauses between each

completed statement. They have to listen carefully and use their short term memory to interpret correctly. Mr. Ruiz and Mrs. Talbot use Consecutive Interpreting at the courthouse public counter to communicate between court staff and Mr. Ruiz.

SIGHT TRANSLATION, also known as sight interpreting, is when the interpreter reads a document written in one language while translating it orally into another language with little or no preparation time. Mrs. Talbot does sight translation when she carefully reads the pamphlet out loud at the courthouse public counter for Mr. Ruiz.

SIMULTANEOUS INTERPRETING is where the interpreter listens carefully and immediately provides an oral interpretation continuously while the speaker is still speaking. Interpreters speak in a very low voice to the LEP person, or sometimes use wireless equipment. Mrs. Talbot interprets simultaneously for the court, saying everything that the judge and others say out loud into Spanish for Mr. Ruiz.

TRANSLATION is the process of translating written words or text from one language into another. Court forms may be translated into several languages to serve the community of LEP speakers who need court services.

WHO'S WHO IN THE COURTROOM

Whether someone has filed a lawsuit against you or you have a complaint you would like to bring before the court, it is important to know the different people you will encounter in the courtroom and the roles they play.

01. Plaintiff



THE PLAINTIFF is the person, organization, or business that has a problem they want the courts to solve. In this issue, the landlord is the plaintiff because she brought the Ruiz family to court to evict them from her building.

02. Defendant



THE DEFENDANT is the person, organization, or business that must defend against a plaintiff's complaint. In this story, the Ruiz family are the defendants because the landlord is alleging they have broken the terms of their lease and must leave the building.

03. Attorney



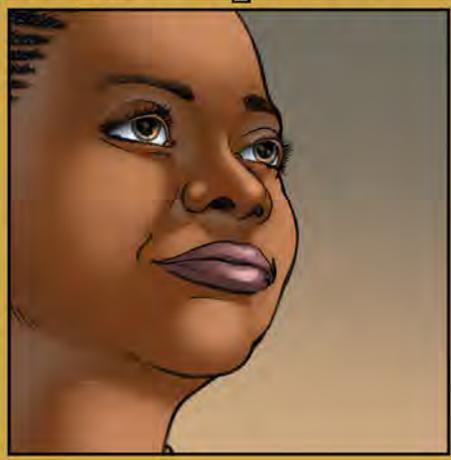
AN ATTORNEY or lawyer is a legal professional who argues on behalf of a plaintiff or defendant. In criminal trials, a person who cannot afford an attorney can have one appointed, but in civil trials such as the one seen in this issue, each side must either pay for an attorney or else represent themselves before the judge.

04. Judge



A **JUDGE** hears and decides legal cases. In a civil case such as the one seen in this issue, he or she would weigh the arguments of the plaintiff and defendant and decide which side is correct under the law.

05. Interpreter



THE INTERPRETER assists a plaintiff or defendant who is not fluent in English by repeating his or her words to the court in English and repeating the words of the judge, witnesses, opposing attorneys, and other persons in the client's native language. This service is offered free of charge. Unlike an attorney, an interpreter cannot give legal advice or argue points of law.

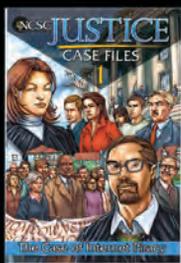


The National Center for State Courts, headquartered in Williamsburg, Virginia, is a non-profit organization dedicated to improving the administration of justice by providing leadership and service to court systems in the United States, U.S. territories, and around the world. The National Center, founded in 1971 by the Conference of Chief Justices and Chief Justice of the United States Warren E.

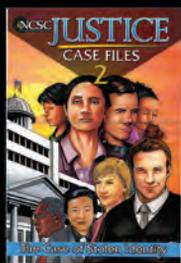
Burger, provides education, training, and technology, management, and research services to the nation's state courts.

National Center for State Courts

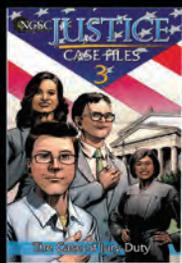
www.ncsc.org



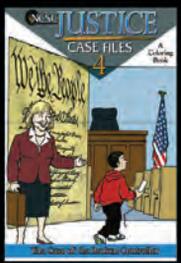
Justice Case Files #1 stars Megan, who gets sent to criminal court for pirating music while her grandmother faces the loss of her house through eminent domain.



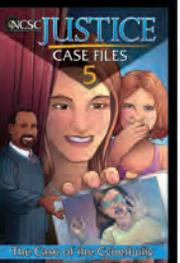
Justice Case Files #2 stars the Gonzales family as they try to put away an identity thief for good.



Justice Case Files #3 stars Matt as he learns what jury duty is all about as an alleged drunk driver takes the stand.



Justice Case Files #4 stars Tyler, who wants justice because he says his friend broke his videogame controller.



Justice Case Files #5 stars Amber, who learns how to confront her cyber-bully.

To purchase printed copies of all the Justice Case Files or for more information, email NCSC at communications@ncsc.org.

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