



The Pennsylvania Commission for Fairness & Justice

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May 6, 2025

Via Email Only

Stephen.Feiler@pacourts.us

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James R. Beehley, ED.D.
Distance Learning Coordinator
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Re: Language Access Training in Light of *Ortega v. Henriquez*

Dear Dr. Feiler and Dr. Beehley:

I am writing on behalf of the Pennsylvania Commission for Fairness & Justice (PCFJ) (formerly the Pennsylvania Interbranch Commission for Gender, Racial, and Ethnic Fairness) to enclose the published, precedential opinion and transcript in *Ortega v. Henriquez* and to recommend that AOPC offer additional in-person and remote training opportunities for members of the judiciary on Pennsylvania's language access requirements. PCFJ continues its mission of promoting fairness and justice within Pennsylvania's government, including the judicial system. As our work centers on addressing systemic barriers to fairness and justice, language access has long been one of our primary areas of focus.

The Superior Court's decision in *Ortega v. Henriquez* is a sobering reminder of why this work remains critical. In that case, a limited English proficiency (LEP) litigant was denied consistent and adequate interpretation services during a protection from abuse (PFA) hearing, despite the statutory requirements of Act 172 and Pennsylvania's Language Access Plan. The fact that this occurred in a courtroom presided over by a senior judge highlights the ongoing need for regular, comprehensive training on language access standards. Based on the enclosed Language Access Programming document prepared by your office dated October 3, 2024, it appears that the last time training was offered for Court of Common Pleas ("CCP") judges outside of the new judge curriculum was in 2022.


Accordingly, we *recommend* that AOPC consider expanding both in-person and virtual training opportunities to ensure that all judicial officers and court personnel, including long-tenured members of the bench and staff, are equipped to meet their legal obligations to LEP participants.¹ This case

¹ AOPC could, for instance, require or recommend the completion of a training module halfway (five years) through the term of CCP judges. Judges would thus receive educational programming as part of their initial orientation and at least once more over each discrete period of service. (See the [Iowa Courts Language Access Plan](#), which requires training on language access policies and procedures for court staff and judicial officers every three to five years. See also the [Connecticut Language Access Plan \(2023\)](#), requiring all judicial branch employees to complete an online LEP refresher training every year.) Such training modules represent an opportunity not only to

underscores not only the continued importance of this training but also the vital role of the AOPC Language Access team in supporting courts across the Commonwealth.

PCFJ welcomes the opportunity to collaborate with AOPC on these efforts and to support initiatives that ensure meaningful access to justice for all Pennsylvanians. Please let us know if there is an opportunity to assist with those efforts. Thank you for your time and consideration.

Sincerely,



Maraleen D. Shields, Esquire
Executive Director
Pennsylvania Commission for Fairness & Justice
cc: Language Access Committee

Enclosures: *Ortega v. Henriquez* Opinion, *Ortega v. Henriquez* transcript, Language Access Programming dated October 3, 2024

provide a language access refresher, but also to administer dynamic training on emerging best practices and technological and other developments in the field.