

LANGUAGE ASSISTANCE PLAN

I. Introduction

Legal Services of Eastern Missouri (LSEM) is committed to delivering quality legal services to clients regardless of language or cultural background. Language barriers prevent meaningful communication, thereby inhibiting the quality of service delivery to which we are committed.

LSEM recognizes that many persons who seek its services are not proficient in the English language. Many are “limited English proficient” (LEP) in that they are unable to speak, read, write or understand the English language at a level that permits them to interact effectively with LSEM service providers, social service providers and other agencies. It is the policy of LSEM to ensure that all persons with limited English proficiency who seek our services are provided free access to competent interpreters during consultations or case-related communications with LSEM, and that interpreter services are provided within the requirements of confidentiality.

Further, it is the general policy of LSEM not to rely on family members or friends to interpret for clients as this undermines the confidentiality and privacy required of all representations. In addition, the presence of a family member or a third party may inhibit the open flow of information between the client and LSEM staff, due to discomfort or embarrassment on the part of the client.

It is also the policy of LSEM to use its bi-lingual staff whenever possible. Bi-lingual staff understand the confidentiality requirements of interpreting in legal matters and other ethical considerations. Whenever a non-staff interpreter must be used for an in-house client meeting,

s/he should complete a Confidentiality Agreement. LSEM will also use Language Line telephone interpreters for telephone consultations. These interpreters have been trained in the ethics of interpreting.

PROCEDURES FOR DELIVERING DIRECT SERVICE AT LSEM

To address the needs of persons with limited English proficiency (LEP), LSEM has adopted the following procedures and resources for use in communicating with LEP clients and potential clients.

A. Telephone Communications

1. LSEM staff should first determine the caller's language.
2. Check the list of In-House Volunteers for the needed language.
3. Use the telephone conferencing feature and call an In-House Volunteer interpreter or, if no volunteer is available, call Language Line at 877-261-6608 to arrange for an interpreter. (A list of interpreters is attached to this Plan. The list may also be accessed in the LSEM Forms Directory at LSEM Forms/Interpreter List.doc.)
4. Once the interpreter comes on the line, the call should be conferenced so that the LEP caller is part of a three-way call between LSEM staff, the caller and the interpreter.
5. If an English-speaking family member or third party initiates the call on behalf of a client or potential client, once the interpreter comes on the line, the client or potential client should be advised that the third party or family member need no longer be present. This assures privacy and confidentiality during the telephone conversation. It is imperative that the caller is clearly advised that, in order to maintain confidentiality and privacy, no third party or family member should be present.

6. If the telephone call is an intake and results in a new LSEM case, the LSEM staff to whom it is referred must be notified that the new client has limited English proficiency; notified of the language spoken by the client; and notified that interpreters are required for in-person or telephone communications with the client. The language spoken by the client should be clearly marked on the file and noted on the intake forms.

In addition, when inputting the intake information into Kemps, the correct language should be chosen from the drop-down menu. If, after searching the drop-down menu, the correct language cannot be located, staff should check off “Other” and type in the language in Kemps Notes. The use of “Other” should be the exception, rather than the rule. It is important for LSEM to have current and correct language data in order to properly serve the needs of LEP clients and potential clients.

B. In-Person Communications

In the majority of cases, meetings or conferences with LEP clients will be scheduled in advance, and this will allow LSEM staff to arrange for an interpreter from the list of interpreters attached to this plan. The order of preference for interpreters is:

1. In-House Volunteers
2. Community Volunteers
3. Paid Interpreters

On-site interpreters are required to sign a Confidentiality Agreement. (See attached.) The Confidentiality agreement can also be accessed in the LSEM forms file: Interpreter Confidentiality Agreement.doc.

In the infrequent instances where a client walks in and needs to talk to LSEM staff, staff will use either an In-House Volunteer or Language Line interpreter, depending on availability. If

Language Line is used, LSEM staff can use the speaker phone function to include the interpreter in the meeting with the LEP client.

In situations where the client brings a family member or third party with him/her, it is vital that LSEM staff explain that the other party may not be present during the meeting with LSEM staff. It is imperative that the client is clearly advised that, in order to maintain confidentiality and privacy, no third party or family member should be present.

C. Translations

LSEM serves a very large variety, but small numbers of LEP groups. LSEM will provide oral translations of important documents through interpreters, free of charge to LEP clients. LSEM will use language identification cards which allow individuals seeking services to identify their language needs to staff.

D. Use of Forms with LEP Clients

Forms and court orders should never be mailed to LEP clients for completion or review. These forms include Retainer Agreements, records authorizations and information requests. LSEM staff should schedule in-person meetings with LEP clients and an interpreter to review forms and obtain necessary information and signatures. This process assures that the LEP client fully understands the information sought and avoids the use of family members or friends in these important and confidential matters.

E. Court and Administrative Hearings

LSEM staff should contact the court or administrative officials to verify that an interpreter for LEP clients will be provided for any hearings or official proceedings. If the court or administrative agency refuses to provide an interpreter, LSEM staff should provide one.

F. Out-Reach

LSEM will identify LEP groups who may benefit from and be eligible for LSEM's services. LSEM and its Volunteer Lawyer Program will begin community education and in-take sessions for these LEP groups. Staff will also be called upon to conduct education on various legal topics.

G. Oversight

The Human Resources Director will oversee the LEP Plan. Questions concerning the need for or use of interpreters should be directed to her. Any changes or updates to the LEP Plan will be sent to all staff. Any recommendations for changes in the LEP Plan should be directed to the Human Resources Director.