



NEIGHBORHOOD LEGAL SERVICES OF LOS ANGELES COUNTY LANGUAGE ACCESS POLICY

Neighborhood Legal Services of Los Angeles County (NLS-LA) is committed to providing the same high quality legal services to everyone who seeks assistance from the program, regardless of the language they speak. This document sets out the NLS-LA policy for serving our Limited English Proficiency clients (LEP clients). The goal of this policy is to eliminate language barriers from NLS-LA programs. All NLS-LA staff is expected to follow these guidelines. This policy sets forth general guidelines for serving LEP clients from intake and client representation to case documentation. If, at any time, you are unsure of how to handle a situation, talk to your supervisor or to the LEP Coordinator immediately.

- I. **Intake.** Since intake is the first point of contact with NLS-LA for most clients, it is important that potential LEP clients receive the same intake service as English-speakers. Our goal is that none of our potential clients should be turned away or scheduled for a later intake appointment solely because they are LEP clients. When doing intake for a potential LEP client, follow these steps:

- A. **First, use a receptionist.** NLS-LA employs bilingual receptionists who speak Spanish, Armenian, and Mandarin. If the client speaks one of these three languages, use the NLS-LA staff roster to locate a receptionist who can interpret for the client.

Practice tip: To find bilingual receptionists, open the NLS-LA staff roster in the intake/timekeeping system by clicking on the "blue phone icon" on the left-side of the toolbar. The list can be sorted by language and it includes contact information for all bilingual staff.

- B. **Second, use a non-attorney staff member in the applicable advocacy group.** Use the staff roster to locate a paralegal or secretary in the unit who can interpret for the client.

- C. **Third, use a non-attorney staff member from outside the applicable advocacy group.** If there is no receptionist or staff member in the applicable advocacy group available for interpretation, then seek language assistance from bilingual staff in other parts of the program.

Practice tip: When using a staff member from a different advocacy group to interpret, please provide a courtesy e-mail to his or her supervising attorney. Advance approval of the supervisor is not necessary. The advocate who is interpreting should also notify his or her supervising attorney that s/he is assisting another staff member with interpretation.

- D. **Fourth, call Language Line Service (LLS) – (800-874-9426).** LLS will translate for staff over the telephone. Call LLS and tell them the language that is needed and LLS will provide an appropriate interpreter. Place the interpreter on

speaker phone and s/he will interpret as if he or she were in person. No advance approval is required to use LLS for intake or to respond to a phone inquiry if there is no receptionist or non-attorney staff member available to interpret.

II. Case Handling. In order to provide the best service, NLS-LA attempts, whenever possible, to provide case assistance and representation to LEPs through bilingual attorneys and paralegals. Once a client has been accepted for case representation, follow these steps:

A. Assign cases to bilingual attorneys and paralegals. Assign cases with LEP clients to a bilingual advocate within the appropriate advocacy group whenever possible.

B. Use bilingual staff within NLS to interpret for you. Plan ahead to find a mutually convenient time for all parties and to make best use of our staff that interprets. Send a courtesy email to the supervisor when you set the appointment.

C. If no bilingual attorney or paralegal in NLS is available, use a volunteer or paid interpreter from outside NLS-LA. The NLS-LA LEP Coordinator will maintain a list of both volunteer and paid interpreters. To find an interpreter for an LEP client, contact the LEP Coordinator or, if s/he is not available, directly contact a person on the "external interpreter/translator roster" which is maintained by the LEP Coordinator.¹ Get prior approval from a supervisor before contacting a paid interpreter other than LLS (no prior approval is necessary for LLS).

D. "I speak" cards should be given to all LEP clients. "I speak" cards should be mailed and/or given out to all new LEP clients. This card informs an LEP client about his or her legal right to competent language assistance so that s/he may effectively access services at any public agency.²

III. Bilingual attorneys are not to be used as interpreters, except in emergency situations. Bilingual attorneys should not be used as interpreters except in an emergency and/or to determine if the situation is an emergency. In non-emergency situations, if there is no non-attorney bilingual staff available to interpret, use LLS.

IV. Do not use clients' family, children, or friends as interpreters. Use of family members or friends as interpreters presents serious problems of impartiality, accuracy and bias that can harm NLS-LA's ability to represent LEP clients effectively. Therefore, NLS-LA strongly discourages the use of family members or friends to interpret for clients.

¹ Form 14 found in: F:\Docs\LEP\Policy and Procedures\LEP Forms\LEP Form 14 – External Roster of interpreters & translators

² Form 2 found in: F:\LEP\Policy and procedures\LEP Forms\LEP Form 2—I Speak

A. Minors should never be used for interpreting. The only exception is that a minor may be used to identify the language and the nature of the problem so that a staff member can find the correct bilingual staff person to help.

B. Friends or adult family may be used as interpreters only if all of the following steps have been taken.

1. The advocate has offered the client free language assistance; and
2. Without the family member or friend present, the advocate has advised the client of the disadvantages of using them as interpreters; and
3. The advocate, client and the interpreter all sign the NLS Waiver of Free Interpreter Services Form.³

Practice tip: If a caller chooses to waive his or her right to a free interpreter over the phone, the advocate should document that steps one and two, above, were followed and forward the Waiver Form to client to sign and return to NLS-LA.

C. Whenever a friend or family member is used as an interpreter, an NLS-LA bilingual staff member shall observe the interpretation to ensure it is thorough and accurate. If another staff member is not available to observe, use LLS.

V. Document how the client's language needs were met in case files and on the LLS log.

A. Intake Forms and Files. Make a note of the client's preferred language (both written and oral or visually or hearing impaired) on the intake form as well as on the front of the file in large bold letters. Also have the client fill out the "NLS-LA Oral and Written Language Designation Form 8" and place the completed form in the case file.⁴

B. Case Files. Keep a detailed record in the case notes of how the client's language needs were met. Staff members who serve as interpreters shall keep logs of calls to clients and conversations with clients by recording them in the case notes.

C. LLS Log. Whenever LLS is used, it must be noted on the advocacy group's LLS Log. Contact the advocacy group supervisor to locate the log.

VI. The LEP Coordinator will work with staff to help ensure that NLS-LA effectively serves LEP clients. The LEP Coordinator will work with all staff to implement this Language Access Policy and to update it, as necessary, to meet the changing needs of our diverse client community. It is the responsibility of the LEP Coordinator to: maintain the interpreter/translator roster; translate community outreach materials into

³ Form 9 found in: F:\DOCS\LEP\POLICY AND PROCEDURES\LEP FORMS\LEP FORM 9 WAIVER OF FREE INTERPRETER SERVICES FORM.DOC

⁴ Form 8 found in: F:\LEP\Policy and procedures\LEP Form 8-Lang designation

needed languages; and coordinate bilingual staff and/or interpreters for outreach events. The LEP Coordinator is available to answer any LEP-related staff questions.

VII. Clients who complain about language barriers to NLS-LA services must be given a Civil Rights Discrimination Complaint Form.⁵ All staff members shall accept any complaints of discriminatory treatment and immediately forward such complaints to their supervising or managing attorney.

The policy set forth above is designed to ensure that everyone who seeks assistance from NLS-LA receives the same high quality service, regardless of the language that they speak. NLS-LA aspires to reach these goals and they are not meant to create any legally enforceable norms beyond those set forth in existing federal, state and local laws.

⁵ LEP Form found in: F/LEP/Policy and procedures/ LEP Forms/LEP Form 16 Civil Rights Discrimination complaint

NLS LEP Quick Reference Sheet

Key Points for LEP Policy	
8. Document in the intake system, on a regular basis, how the client's language needs were met	
1. NLS Hierarchy of Interpreters:	
<ul style="list-style-type: none"> a. Start with reception or support staff then advocate (excluding attorneys) within your Advocacy Group (office) that speaks the appropriate language; b. Outside your advocacy group: Check the "NLS staff internal language roster" and contact that particular staff (blue phone icon in NLS intake system, sort by language); c. Call Language Line Service (LLS) – (800-874-9426); d. Use certified paid or volunteer interpreters from outside NLS, check with LEP coordinator if you have questions. 	
2. Attorneys shall not be used to serve as interpreters unless it is an emergency. NLS' bilingual attorneys will carry a bilingual caseload but are only used as interpreters in emergencies.	
3. When using another staff member to interpret, please provide a courtesy email to their supervisor or managing attorney.	
4. NLS' Policy is to not use family or friends (or other clients) as interpreters <ul style="list-style-type: none"> a. If the client insists, then the client and advocate must sign NLS' form "Waiver of Free Interpreter" (LEP Form 9) . b. In all such instances, an NLS bilingual staff member (or LLS) must observe to ensure the interpretation by the friend or relative is thorough and accurate c. The waiver form must be kept in the client's file (or with the intake). 	
5. NLS prohibits the use of minors (anyone 18 or under) to interpret, except in an emergency (i.e. medical emergency or to simply identify language).	
6. Each Advocacy group shall have a LLS log, which shall be used to document all calls made to LLS. <ul style="list-style-type: none"> a. Always also document use of LLS in the client's case. 	
7. Make a note of client's preferred language in the intake system and also note it in large bold letters on the written intake and/or front of any file. If seen in person, have the client fill out the "NLS Oral and Written Language Designation Form" (in their language) and place it in their case file. (LEP Form #8) Preference includes: both written and oral preference or visually or hearing impaired.	

<p>9. NLS has developed a standard form for use whenever a staff member translates documents for a court or administrative hearing called a “Declaration of Translator.”</p>
<p>10. NLS will translate all vital documents into any needed language including:</p> <ul style="list-style-type: none"> a. Client intake, retainers, other vital documents b. Client advice letters, pleadings that must be signed, any other important document c. All significant outreach material or community education documents.
<p>11. NLS will provide interpreters at all outreach events, as needed. (Office managers maintain the interpretation headsets to help meet this need.)</p>
<p>12. Use NLS timekeeping code “TRS” for any translation of documents and/or interpretation.</p>
<p>13. All NLS staff members shall accept any complaint of discriminatory treatment and immediately pass it along to their supervising or managing attorney. (Found in F/LEP/Policy and procedures/ LEP Forms/LEP Form 16 Civil Rights Discrimination complaint)</p>
<p>14. “I Speak” cards will be mailed and/or given out to all new LEP clients for their use when seeking NLS and other agencies’ services.</p>
<p>15. For deaf and hard of hearing clients, when possible, an interpreter for the deaf should be used.</p> <ul style="list-style-type: none"> a. Written notes may be used to identify what, if any, sign language the person understands and how they wish to communicate (after they are told NLS will provide a free interpreters). b. In lieu of writing notes, other forms of technology such as a computer or TTY should be used. c. To get an interpreter for the deaf contact the LEP coordinator. d. Writing notes to communicate with a deaf person may not be used unless the person agrees after they have been told that NLS-LA will provide a free sign language interpreter.

NLS’ LEP Quick Reference Sheet

Key Points Self Help and Clinics LEP Quick Reference Sheet

1. A LEP litigant should never wait longer than an English speaker for service at the Self Help or Clinics due to their language. However, if an English speaker usually is given packets and asked to return as part of normal Self Help/Clinic policy, it is acceptable to give the same wait time for LEP litigants, because this would not be based on the litigant's language.
2. NLS-LA's Hierarchy of Interpreters:
 - a. Advocate/volunteer (excluding attorneys) within your Advocacy Group that speaks the appropriate language;
 - b. Outside your advocacy group: Check the blue phone icon in the NLS intake system.
 - c. Call Language Line Service (LLS) – (800-874-9426)
3. Attorneys shall not be used to serve as interpreters unless it is an emergency. However, attorneys may be used to assess litigant needs.
4. When using another staff member outside of Advocacy Group to interpret, please provide a courtesy email to their supervisor or managing attorney.
5. NLS-LA's discourages the use of litigants' family or friends as interpreters. You may only use the litigants' family or friends after the litigant signs a NLS "Waiver of Free Interpreter Services" (Staff should mark that waiver was given on intake, and keep the waiver in a separate location.)
 - a. It is NLS-LA policy to discourage the use of family or friends as interpreter for follow up or where there is legal information given on a one-on-one basis. It is less discourage to identify the language, identify the problem or do intake; however the waiver must be signed.
 - b. When a family or friend is used as an interpreter (or sign language interpreter), there should be a staff or volunteer to observe to ensure the interpretation is done correctly. If no staff or volunteer is available who speaks the language, LLS should be used to monitor the interpretation.
 - c. Because each Center or Clinic is set up differently, logistical difficulties that come up should be addressed with the unit's supervisor.
6. NLS prohibits the use of other litigants or minors acting as interpreters, except in emergency situations (i.e., medical emergency or to simply identify language).
7. The Self-Help Center and Clinics shall have a Language Line Services (LLS) log, which shall be used by the backup attorney to document all calls made to LLS.
 - a. You do not need to ask for permission but must let the backup attorney know when you use LLS.
 - b. Attorneys or paralegals must inform your supervisor by sending an email to Vanessa Martinez, cc Ana Maria when you use LLS.
 - c. The clinics should follow the procedure that the unit has set up.
 - d. Always document use of LLS in the litigant's intake sheet.
8. For deaf and hard of hearing litigants when possible an interpreter for the deaf should be used.
 - a. Written notes may be used to identify what if any sign language person understands.
 - b. In lieu of writing notes other forms of technology such as a computer or TTY should be used.
 - c. To get an interpreter contact the LEP coordinator.
 - d. Writing notes may not be used unless the person agrees after they have been told that NLS-LA will provide a free sign language interpreter