



POLICY & PROCEDURES ON PROVIDING LEGAL SERVICES TO LIMITED ENGLISH PROFICIENT CLIENTS

LAFLA's MISSION STATEMENT

Legal Aid Foundation of Los Angeles (LAFLA) is the frontline law firm for poor and low-income people in Los Angeles. LAFLA is committed to promoting access to justice, strengthening communities, combating discrimination and effecting systemic change through representation, advocacy, and community education.

VALUES

Justice. Justice must be equal. We fight poverty, discrimination, and other barriers to justice.

Dignity. Dignity is the right of everyone. We are respectful, compassionate, and accountable toward the communities we serve.

Results. Actions and results are what count. We act on our beliefs. We improve lives and strengthen communities with dedication and professionalism.

Client driven. Client needs drive our work. The needs of low-income communities define and inspire what we do.

GUIDING PRINCIPLES

LAFLA's commitment to equal justice and opportunity demands that we address and remove barriers to equal and meaningful access for our clients. To this end, LAFLA adopts the following guiding principles in providing services to clients with limited English proficiency.

1. LAFLA will not deny LEP clients timely services.
2. LEP clients shall receive appropriate and meaningful services at LAFLA.
3. LAFLA staff shall collaborate and cooperate to provide quality services to LEP clients.
4. Staff members who receive the bilingual supplement shall use their language skills, in accordance with their supplement level, to assist LAFLA staff and LEP clients. This will include, at times, assisting staff outside bilingual staff member's office and workgroup/project.

ASSESSMENT OF NEEDS

LAFLA bases its LEP Policy & Procedures on U.S. Census data, information from state and local entities, and information received from various community based organizations and social service agencies serving non-English speaking monolingual populations in Los Angeles County. The assessment of Census data includes looking at the following categories: persons who speak a language other than English at home, persons who are linguistically isolated, and poverty rates.

Based on this information, LAFLA has identified and prioritized the following languages to be the most needed in the LAFLA service area: Spanish, Korean, Cantonese, Mandarin, Japanese, Vietnamese, and Khmer. As a result, LAFLA has bilingual staff that speaks each of these languages and prioritizes the recruitment of qualified bilingual staff and volunteers to meet community needs. LAFLA does not limit its services to these languages and is committed to providing access and services to all LEP clients. LAFLA will continue to monitor and assess language needs in its service area and make changes as needed.

LAFLA'S ASIAN/PACIFIC ISLANDER (API) INTAKE NUMBERS

Cambodian (Khmer – pronounced KAMAI)	(213) 640-3887 (562) 304-2523
Chinese (Cantonese & Mandarin)	(323) 801-7912
Japanese	(323) 801-7913
Korean	(323) 801-7987
Vietnamese	(323) 801-7923

LAFLA shall distribute the above numbers widely on all outreach materials and its website, with its 1-800-399-4529 intake line, that LAFLA staffs with bilingual Spanish-speaking screeners. The 1-800-399-4529 number also links to each of these API intake numbers with greetings in-language. LAFLA shall work with community partners, ethnic media, and government agencies to inform its diverse client communities of LAFLA's services.

PROCEDURES REGARDING ACCESS TO LAFLA SERVICES

Walk-Ins

1. All lobby areas must have the large language poster hanging in clear view.
2. All receptionists must have readily available LAFLA brochures and intakes in all available languages (Spanish, Korean, Chinese, Vietnamese, Japanese, and Khmer).
3. All receptionists must have a list of current staff and their languages.
4. If a limited-English proficient (LEP) applicant walks into a LAFLA lobby or courthouse clinic, the staff member must:
 - a. Identify the language and ask the applicant to wait for the interpreter.

- b. Refer to the list of staff and their languages and get a person on the line who speaks that language.
 - c. If no one is available, use Language Line (see below).
 - d. With the interpreter's assistance, assess the individual's needs.
5. Either with the interpreter physically present or on the phone, the staff member must give the LEP individual the same level of service given to other walk-ins.
- a. If the issue falls within LAFLA priorities and there is no immediate emergency, ask the applicant to fill out the LAFLA intake form and any other related eligibility forms, and then scan and email the intake to the appropriate workgroup/project per the Protocols for Walk-In Applicants for Service. Tell the applicant that they should receive a call back within one business day, but no more than two business days.
 - b. If the issue falls within LAFLA priorities and there is an emergency, ask the applicant to fill out the intake form and any other related eligibility forms, and call the appropriate intake screener for further instruction. If there is no one available to provide immediate assistance, scan and email the intake form to the appropriate workgroup/project per the Protocols for Walk-In Applicants for Service and indicate clearly that the matter is an emergency and that the applicant requires language assistance.
 - c. If the issue does not fall within LAFLA priorities, or the applicant is not LAFLA eligible, give the applicant the appropriate referral information.

Phone Calls

- 1. If a limited-English proficient (LEP) applicant calls LAFLA, the Call Center staff must:
 - a. Identify the language and ask the applicant to wait for the interpreter. If you cannot identify the language, call Language Line immediately.
 - b. Refer to the API intake numbers (see above) and/or the list of staff and their languages and get a person on the line who speaks that language.
 - c. If no one is available, use Language Line (see below).
 - d. With the interpreter, assess the applicant's eligibility for LAFLA services.
- 2. With the interpreter on the line, the Call Center staff shall screen for pre-eligibility, as they would do with an English-speaking caller. The LEP caller must receive the same level of service given to other callers.
- 3. If the caller is eligible and the issue falls within LAFLA priorities, place the caller in the appropriate queue or follow the reception protocols for that particular subject area.
- 5. If the issue does not fall within LAFLA priorities, or the applicant is not LAFLA eligible, give the caller the appropriate referral information.

Using Language Line

Be aware that the cost is over \$2 a minute, so this service is not for lengthy interviews. It is a perfectly appropriate way to get basic information and make other interpreter arrangements. Here are the instructions:

1. With your client present or on the phone (if on the phone, ask her/him to hold, press Transfer), dial 1 (800) 874-9426.
2. You will then be asked to enter LAFLA's account number (or client ID): **501240**
3. Choose the needed language.
4. The system will ask you to enter your personal code, which is your four-digit telephone long distance code. (If you do not have this code, please enter your four-digit extension.)
5. If the client is on the phone, hit the Conference button to bring back the client into the three-way conference call.

PROVIDING ONGOING SERVICES TO LEP CLIENTS

Determining and Documenting Language Needs

1. LAFLA will provide ongoing language services to any client upon reasonable request at no cost to the client.
2. All staff that open or handle existing files must insure that the intake sheet and the data in ProLaw correctly identifies the client's primary language and need for an interpreter.
3. The file should also contain information regarding whether the client can *read* English and in which language the client prefers to receive written materials.
4. All case files must contain continuous documentation of how LAFLA met the client's language needs.

Choosing the Appropriate Advocate and Interpretation/Translation Services

1. Use of Family and Friends
 - a. Adult Family and Friends. LAFLA discourages the use of adult family or friends to serve as interpreters. Family and friends are not trained interpreters, may not be proficient in English or the other language, and may not understand legal terminology or situations. It also carries the risk of bias in the translation process, inadvertently through choice of word or emphasis, or through intentional omission of facts. It may also diminish the client's willingness to be candid. Therefore, use of adult relatives and friends are only permissible after notice of LAFLA's willingness to provide free language assistance and at the client's insistence and signing of the LAFLA form "Statement Regarding Own Interpreter". Staff must document this in client's ProLaw matter, and in the physical file if appropriate.
 - b. Child or Other Client Interpreters Prohibited. LAFLA prohibits the use of minor children or other clients to interpret, absent exceptional or emergency circumstances, which staff must document in the file and report to their Directing/Managing Attorney.
2. The preferred method of providing services to LEP clients is to use bilingual advocates who are proficient in the client's preferred language. Staff should be mindful though not to overburden their bilingual colleagues, nor should LEP clients experience delays in service due to the unavailability of bilingual staff.

3. When a LAFLA staff member needs assistance with oral interpretation or written translation to assist an LEP client, the staff member should:
 - a. First, ask her/his secretary or assigned support person if s/he can do the interpretation or translation. If not, then:
 - b. Ask her/his Office Manager for help. When requesting interpretation by a LAFLA staff member, staff shall make every effort to give no less than 48 hours notice of the need for an interpreter. The Office Manager shall take the following steps to help the staff member:
 - i. Ask support staff in the staff member's office to assist;
 - ii. Ask support staff in another office to assist;
 - iii. Ask the API Project to assist (if applicable);
 - iv. Explore whether there may be any trained volunteers who can assist;
 - v. Ask the staff member's Directing/Managing Attorney for help from other advocates in the workgroup/project;
 - vi. At their discretion, Office Managers or Directing/Managing Attorneys may approve overtime for non-exempt staff that provide interpretation or translation.
 - vii. If none of the above options is feasible, staff members can seek approval from Office Managers or Directing/Managing Attorneys for requests to get outside assistance with interpretation or translation. Upon approval, staff members can arrange the interpretation or translation on their own, or request assistance from Office Managers or Directing/Managing Attorneys. Staff and managers shall make every effort to find the most cost-efficient and highest quality services.
 - c. If a LAFLA staff member needs immediate assistance with oral interpretation and there are no other resources immediately available, staff may use the Language Line at their discretion.
 - d. Translation of letters, other documents, and community education materials by LAFLA staff should be reviewed by at least one other staff member receiving the Bilingual Written II Supplement. This is required for all public materials and letters containing substantive legal content.
4. Staff members who receive the bilingual supplement shall use their language skills, in accordance with their supplement level, to assist LAFLA staff and LEP clients. This will include, at times, assisting staff outside bilingual staff member's office and workgroup/project.

Translation of Vital LAFLA Documents

LAFLA shall provide written versions of all vital documents in the top languages spoken by LAFLA clients, which are currently English, Spanish, Korean, Chinese, Vietnamese, Khmer, and Japanese. Other languages shall be determined based on demographic, intake, and other data and LAFLA shall review this periodically. Examples of vital documents include the intake sheet, retainer agreement, release forms, and closing letters. For other documents and languages, staff shall ensure that they provide to the client thorough oral interpretation of the document in the client's preferred language.

Each workgroup/project shall translate all of their vital documents in the manner prescribed in paragraphs 3, 4 and 5 of “Choosing the Appropriate Advocate and Interpretation/ Translation Services.” Office Managers shall ensure that any newly created vital documents is translated in a prompt manner.

Supervision/Evaluation

At the time of case opening and closure, all staff and supervisors shall review each case to determine if LAFLA appropriately addressed the need for language services.

RECRUITMENT & TRAINING

LAFLA places a high priority on the hiring and recruitment of bilingual staff and volunteers. LAFLA shall include language ability in its job postings, as well as law student and volunteer recruitment materials. LAFLA shall disseminate postings and recruitment materials to websites, law schools, and other networks likely to reach diverse and bilingual candidates.

During the recruitment process, LAFLA shall consider and assess the language abilities of bilingual candidates. Upon hiring, all benefit-eligible staff can request formal testing and, based on results, receive a bilingual supplement, in accordance with LAFLA’s collective bargaining agreement.

LAFLA shall provide appropriate training to staff on working with interpreters, language resources, and other issues pertaining to LEP clients. LAFLA shall also provide trainings for bilingual staff on appropriate techniques and ethics on interpretation and translation. LAFLA shall ensure that all new staff, including temporary workers and volunteers, are made aware of these procedures.

REVIEW OF POLICY

LAFLA’s Language Access Committee shall review its LEP policy on an annual basis and shall amend it as needed to ensure compliance and effectiveness.