



Limited English Proficiency Policy

VLN'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, VLN adopts the following guiding principles in providing quality services to clients with limited English proficiency (LEP).

Guiding Principles for VLN's LEP Policy

VLN will establish all office and client service procedures for its programs, to the fullest extent possible, by the following principles:

1. LEP callers will receive the same level of intake service from VLN staff members as English-speaking callers.
2. LEP clients will receive appropriate and meaningful services from VLN. To the extent possible, LEP clients shall receive the same level of service from VLN as English-speaking clients.
3. VLN staff will collaborate and cooperate to provide quality services to LEP clients.
4. Given budgetary restraints, VLN will use the best interpreting services available for its clients. In order of preference, these services will be: 1) paid bilingual staff member; 2) Language Line; 3) volunteer professionally-trained interpreters; 4) bi-lingual volunteers who have undergone a 3-hour Interpreter Training at the Minnesota Advocates for Human Rights; 5) other.
5. Except as prohibited by budgetary restraints, VLN will translate the correspondence it sends to its LEP clients.

Assessment of Need

VLN has identified and prioritized the following languages to be the most needed in VLN assistance: in order: Spanish, northeast African (mainly Somali and Oromo), Hmong/Miao, and Vietnamese.

Phone Calls

1. For an LEP caller, the intake screener will first ask the caller the language the caller prefers to speak (i.e., even if a client can speak some English, the client may prefer to speak in his or her first language). Then:
 - a. If the caller prefers to speak a language that is spoken by a staff member, the caller will be transferred to a staff person who speaks the caller's language. This intake screener will conduct the intake in the caller's preferred language. (If the staff person who speaks the preferred language is not available, the initial intake screener will offer the caller the opportunity to either talk with the staff person at a later time or talk immediately with an intake person using Language Line.
 - b. If the caller speaks a language that is not spoken by a staff member, or if the staff member who speaks the caller's preferred language is not available and the caller wishes to speak with an intake screener now, the intake screener will ask the caller to wait while an interpreter (Language Line) is called. With the interpreter on the line, the intake screener will conduct an intake as s/he would do with an English-speaking caller.
 - c. If the caller is unable to communicate his or her preferred language of choice (i.e., by stating in English his or her preferred language, such as "Somali," "Vietnamese," etc), VLN will be unable to assist that caller.
2. If the caller is eligible for VLN services, the intake screener will follow the policies on using future interpretative needs.
3. If the caller is not eligible for VLN services, the intake screener will make the appropriate referral. (If the person speaks Spanish, the intake screener may use the Spanish-Speaking referral chart.)

Providing Ongoing Services to LEP Clients

1. Ongoing language services will be provided so LEP callers may receive access to services at a level provided to English speakers.
2. All staff members who open files or receive open files from other staff must identify on the intake sheet and in Kemps the client's primary language and any need for an interpreter.
3. VLN case placement coordinators will maintain (in Kemps) information regarding the efforts made to address the client's interpretation and translation needs.

Choosing the appropriate Interpretation/Translation Services

1. The preferred method of providing services to LEP clients in their first language is to use bilingual volunteer attorneys who are proficient in the client's preferred language. However, this option is usually not available as there are few bilingual volunteer attorneys.

2. The next preferred method of providing services to LEP clients is to use court-certified interpreters wherever possible or for attorneys to use Language Line to follow up on a clinic appointment.
3. The third option of preference is to use interpreters-in-training, including those who are on the court interpreter roster but not yet court-certified and students in the University of Minnesota interpreter certification program.
4. The fourth option of preference is to use bilingual volunteers who have undergone the Minnesota Advocates for Human Rights Interpreter Training.
5. The fifth option of preference is to use community agency bilingual staff members (for example, at those legal advice clinics which take place at community agencies).
6. Use of adult relatives and friends is the option of last resort as they are not trained interpreters, they may not be proficient in English or the other language, they may not understand legal terminology or situations, there may be bias in the translation process (inadvertently through choice of word or emphasis, or through intentional omission of facts); and it may diminish the client's willingness to be candid. If adult friends or family are used, VLN ensure that the interpreter is competent, is aware of the confidential nature of the communication and his or her obligation under that confidentiality.
7. The use of minor children or other clients of the attorney to interpret is prohibited absent exceptional or emergency circumstances, which must be documented in the file. Even in this situation, VLN must ensure that the interpreter is competent, is aware of the confidential nature of the communication and his or her obligation under that confidentiality.

Expanding Interpretation/Translation Services

1. VLN will strive to expand the number of a) bilingual paid staff, b) bilingual volunteer attorneys; c) available contract services for interpreting and translation, and d) volunteer interpreters and translators— particularly in the languages of Spanish, Somali, Hmong, and Vietnamese.
2. VLN will maintain a list of volunteer attorneys, interpreters and translators, along with their languages of proficiency and level of expertise/qualification. Preferred qualifications are the same as listed above.
3. VLN's clinic charts will show any language capacity of the clinic so that LEP clients may be referred accordingly.