Limited English Proficiency (LEP) and Language Access Plan (LAP) Policy

The Lawyers Clearinghouse
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Adapted from the Language Access Plan template provided by the Commonwealth of Massachusetts¹ and from the Language Assistance Plan Policy of the Cambridge Housing Authority².

I. Introduction

The Lawyers Clearinghouse on Affordable Housing and Homelessness, Inc. (Lawyers Clearinghouse or LC) has developed this Language Access Plan (LAP), which defines the actions to be taken by LC to ensure meaningful access to services, programs and activities on the part of Limited English Proficient (LEP) persons. An LEP person is someone who is not able to speak, read, write or understand the English language at a level that allows him/her to interact effectively with LC staff. A client maintains the right to self-identify as a LEP person. LC will periodically review and update this LAP in order to ensure continued responsiveness to community needs.

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II. About the Lawyers Clearinghouse

The mission of the Lawyers Clearinghouse is to promote the development of affordable housing, reduce homelessness, and strengthen communities by providing pro bono legal services to Massachusetts-based nonprofit organizations and to Massachusetts residents who are homeless or at risk of becoming homeless.

The two main programs offered by the Lawyers Clearinghouse are the Legal Clinic for the Homeless, which serves homeless and low-income clients at three Boston homeless shelters, and the Legal Referral Program for nonprofits. The Lawyers Clearinghouse also staffs the Access to Justice Fellows Program and offers a number of educational workshops for nonprofits throughout the year.

¹ www.mass.gov/anf/docs/anf/aoa/lap-template.doc
² http://www.cambridge-housing.org/getdoc/6316d816-ff05-4f08-834a-6edc14121cec/Limited-English-Proficiency-Policy-5-8-09.aspx
III. Goals of the Language Access Plan

The goals of LC's Language Access Plan include:

• To ensure meaningful access to LC services, programs and activities by all eligible individuals, regardless of primary language spoken.

• To ensure that all LEP individuals are made aware that LC will provide free oral interpretation services to facilitate their contacts with and participation in LC programs.

• To ensure that LC staff and volunteers are aware of available language assistance services and how these services need to be used when serving LEP individuals.

• To provide for periodic review and updating of language access plans and services in accordance with community needs.

IV. LEP Individuals Who Need Language Assistance

For the purpose of this plan, LC will focus on the Greater Boston area, which comprises towns and cities within and surrounding the City of Boston. Clients often come from these towns and cities seeking homeless shelter services in Boston, where LC operates its Legal Clinics for the Homeless.

According to a 2011 report, Breaking the Language Barrier: A Report on English Language Services in the Greater Boston Area, commissioned by The Boston Foundation, LEP individuals make up nearly half of the immigrant population in Greater Boston. The report also states that only 59% of LEP persons are employed and that 60% of Greater Boston’s poor immigrants are considered LEP. Due to the increased likelihood that an LEP individual in Greater Boston will be underemployed and/or fall below the poverty line, LEP persons are likely to require legal assistance in regards to housing and other matters.

The report breaks down the LEP population in Greater Boston by country of origin, concluding that, “the largest LEP populations are from Brazil, China, Haiti, El Salvador, Vietnam and the Dominican Republic.” LC will focus its language access efforts on the six languages represented by those countries: Portuguese, Chinese, French, Haitian Creole, Spanish and Vietnamese.

V. Types of Assistance Needed by LEP Persons

The majority of contacts between LC and clients, who may be LEP persons, are in-person meetings at legal clinics. Oral interpretation services will be needed for these contacts when an LEP person is involved.

LC also distributes a typed legal clinic schedule to area shelters. The schedule includes details about the legal clinic program, information about the date and location of each clinic, contact information for clinic staff, and contact information for LC. It is important that LEP persons be able to read and understand the schedule so they know what services LC can provide to them and when. The schedule will be translated into the aforementioned six main LEP languages found in Greater Boston.

VI. Language Assistance to be Provided

In order to promote equal access to LC programs and services by LEP individuals, LC will implement the following array of language assistance services. Except where noted, all actions will be implemented by August 1, 2014:

A) Identification of LEP Persons and Notices

Use of "I Speak Cards": In order to help identify LEP individuals and determine the appropriate language assistance, LC staff will be provided with “I Speak Cards,” which allow LEP persons to indicate their primary language by pointing to it on a chart.

Notices of Oral Interpretation Services: LC will contact area shelters, provide them with translated clinic schedules, and notify them of the availability of free oral interpretation services for potential clinic clients. LC will also post a notice of freely available oral interpretation services on its website in the six identified languages.

Website Accessibility: LC has updated its website to allow pages to be translated into almost twenty different languages. This will allow LEP persons who find the website to read all of the provided information in the language of their choice.

B) Language Assistance Measures

Oral Interpretation:

- Clinic Volunteers – Where feasible, bilingual volunteers will be paired with LEP clients in order to review their case, assist them with necessary forms, answer questions and communicate with others LEP individuals involved in the case or legal clinic.

- Student Interpreters – If no bilingual volunteers are present, LC will use phone interpretation provided by bilingual students who have provided their phone numbers and have agreed to allow LC to contact them if needed. LC will maintain an up-to-date list of available student interpreters and will continue to add to the list when possible.

- Telephone Service – In the event that no bilingual volunteers or students are available, LC will make use of a telephonic interpretation service, CTS LanguageLink, to communicate with an LEP client. CTS LanguageLink provides 24/7 access, trained and certified staff, and coverage for 240 languages and dialects. LC staff will be trained on
how to access this service and will be provided with the necessary contact information at clinic trainings. LC will provide this service at no cost to clients or volunteers.

- In-Person Assistance – In the unlikely event that bilingual volunteers or telephonic interpretation (whether by a student or a service) are determined to be insufficient to ensure meaningful access, LC will provide qualified in-person interpretation services at no cost to the LEP individual, by scheduling an in-person appointment with a student interpreter or an interpretation service. If the LEP person does not wish to use the free interpretation services provided by LC, the LEP person may provide their own qualified interpreters at their own expense; however, see below regarding use of family and friends as interpreters.

- Use of Interpreters Not Provided by LC – As noted above, LEP individuals will be informed that LC will provide them with free access to oral interpretation services via bilingual volunteers, bilingual students, or an interpretation service as needed. If the LEP individual requests their own interpreter, this will be allowed at the individual's own expense. LEP persons are welcome to bring a case manager, family member or friend to act as an interpreter. Staff and volunteers will be advised to be alert to the potential for any conflict of interest or competency issues that may arise from the involvement of family or friends. If staff or volunteers have questions about the appropriateness of allowing family and friends as interpreters, they will consult with LC’s Language Access Coordinator for guidance.

Written Translation:

- LC will have the Legal Clinic schedule translated into the six main LEP languages. Any other documents that are determined at a later date to be necessary for accessibility purposes will be translated at that time.

LEP Telephone Callers:

- If needed, LC will attempt to place a three-party call to the telephonic interpretation service CTS LanguageLink in order to identify the language spoken, determine the caller’s needs and, if necessary, make arrangements for further action.

C) Staff Training and Coordination

LC will provide training to staff on LEP awareness and required assistance actions under the Language Access Plan. A training will be scheduled for staff to review the plan and discuss the procedures within. Clinic volunteers will be provided with an overview of the plan during training sessions.

LC has appointed a Language Access Coordinator, listed in the “Introduction” section of this document, who will be responsible for maintaining and updating this plan and coordinating all other language access efforts.
D) Monitoring and Updating the Language Access Plan

Every year, LC will review and update this plan. The review process will:

- Assess whether there have been any significant changes in the composition or language needs of LC clients and the LEP population in Greater Boston.
- Determine if additional documents require translation.
- Review any issues or problems related to serving LEP persons which may have emerged during the past year.
- Identify any recommended actions by which LC can provide more responsive and effective language services.