



Language Access Fund FAQ's

What is the Language Access Fund? The Language Access Fund was created as a one-year pilot project by the State Bar of Texas to help legal services and pro bono programs address the growing population of limited English proficient (LEP) clients by providing financial assistance for interpretation and translation services in civil matters. The State Bar of Texas recognizes that legal aid and pro bono providers have limited funds for these services and that LEP clients wait significantly longer to get a pro bono attorney, if they get one at all.

The State Bar of Texas has allocated \$148,000 to the Language Access Fund during its fiscal year 2013/2014 and has significantly reduced pricing for interpretation and translation services through the State of Texas contract with Language Line. The State Bar met with representatives of legal services and pro bono programs to determine how best to implement the Language Access Fund and established the following policies and guidelines. The State Bar of Texas reserves the right to change the policies and guidelines as needed. **Providers are responsible for paying for any services used once the funds are depleted.**

Who Administers the Language Access Fund? The Legal Access Division (LAD) of the State Bar of Texas administers the Fund. Briana Stone is the contact person for the Language Access Fund. Please direct all questions to her at bstone@texasbar.com or (512) 427-1857.

What organizations are eligible to benefit from the Language Access Fund? Any organization that currently receives funding from the Texas Access to Justice Foundation or that is a current participant of the State Bar of Texas Malpractice Insurance Network Exchange.

To qualify to use the Fund, **each organization must designate a contact person within the organization** to act as a liaison between the LAD and the organization. The contact person will receive information and updates regarding the status of the Fund or changes in policies, and is responsible for disseminating the information to staff and volunteers that may use the Fund. The contact person will also attend a Language Line train-the-trainer webinar and is responsible for ensuring that staff and volunteers are trained. Language Line will provide training materials and may be available for on-site training. **Each organization wishing to use the Fund must send the name and contact information of their designated Language Access Fund contact person to Briana Stone at bstone@texasbar.com no later than September 30, 2013.**

What will the Fund pay for? The Fund will pay for telephone interpretation services and video remote interpretation through Language Line, on-site interpreters that providers identify and contract with on their own (not through Language Line), and translation services through Language Line or translators whose rates are lower than Language Line. See "How it Works" for more information.

What do I need to know about Video Remote Interpretation? Language Line's video interpretation service is on-demand video interpreting using a program called LanguageUc that you download onto your device or computer. If your computer or device does not have a webcam or video capability, you will also need a webcam. Due to its expense and potential technological glitches, **you will need to submit a request to use this service to LAD at least 3 business days before you plan to use this service unless it is an emergency.** If your request is approved, you will receive log-in information that will allow you to access LanguageUc. LanguageUc will work with most iPhones, iPads, Android devices, PCs, Macs, and many types of video-conferencing equipment (see partial list and requirements

below). However, occasionally it requires some tweaking due to variable firewall settings and bandwidth requirements and may require coordination with your IT staff or the staff in the location where you plan to use the service to establish the appropriate settings. Detailed technical information is available, and support and assistance are also available from Language Line.

Due to the potential technological glitches, we recommend that you submit a request as soon as possible to allow time to test that it will work properly for you. We also recommend that you test it both on the device you plan to use and in the location that you intend to use it prior to the date you plan to use the service. See “How it Works” for more information.

Note: This list includes only the already certified devices. Other Android devices might work with LifeSize ClearSea. Newer versions of listed models may work too.

iOS Devices

- iPhone® 4S, iPhone® 4, iPod touch® 4th generation
- New iPad, iPad™ 2, iPad™ (iPad™ has no video camera, so only remote-party video is shown if available)
- iPhone® 3GS (iPhone® 3GS uses the only available back camera)

Android™ Devices

- HTC EVO™, Desire™ HD, Incredible, Sensation,
- myTouch® 4G, Droid Incredible II, ThunderBolt,
- Flyer P512, Evo 3D, One X, One S
- Samsung Epic™, Galaxy S, Galaxy S II, Galaxy Tab,

- Galaxy Tab 10.1, Captivate™, Fascinate™, Vibrant™,
- Galaxy Nexus, Sidekick 4G, Droid Charge, Conquer, Note
- Google Nexus One, Nexus S
- Dell Streak 5, Streak 7
- Motorola Atrix 4G, Xoom, Droid Bionic
- Acer Iconia Tab A500

Recommended Requirements for Computers

Operating System:

- Windows XP or Windows 7 (including 64 bit versions), DirectX 9.0c or higher
- Mac OS X 10.5 Leopard or higher
- Core 2 Duo class, 3 GHz
- 4GB Ram (2GB recommended on Vista)
- 250Mb unused hard-disk space

Recommended Peripheral Webcams

Logitech HD Pro C910, HD Pro C510, or equivalent

What do I need to know about translation services from Language Line? There are two options for translation service: translation by Language Line and translation by a translator whose rates are lower than Language Line. See “How it Works” for more information.

What If I’m Not Sure if the Fund Will Cover What I Need? Please contact Briana Stone at bstone@texasbar.com or (512) 427-1857 to discuss your request. Even if it cannot be covered, the information may be used as data to demonstrate need to future funders.

What if I’m in a Hurry? If video interpretation or translation is needed on short notice, we recommend that providers contact local interpreter and translation services, so as not to lose time in securing an available interpreter or translator while the Language Access Fund is considering the request. However, there is no guarantee that the Fund will cover costs for video interpreter or translator services incurred or contracted prior to obtaining approval.

What about Training for Language Line? Language Line will host train-the-trainer webinars where each organization’s Language Access Fund contact person will receive training on all the various Language Line services. Each organization’s contact person will then ensure that staff and volunteers receive training prior to using the Fund. Language Line will provide training resources and support, and additional on-site Language Line training may be available if necessary. If you need to know who your organization’s contact person is, please contact Briana Stone at bstone@texasbar.com or (512) 427-1857.

How is the Fund Divided Between Interpretation and Translation Services? Because interpretation services are the greater need, two-thirds of the funds has been set aside for interpretation services. The remainder has been set aside for translation services.

How is the Money for Interpretation Services Divided between Providers? Because this is a pilot program, we are uncertain of the level of demand for interpretation services each month. Initially, to avoid a burdensome process, providers will be able to use the interpreter funds as needed. If the Legal Access Division determines that the Fund is being used too rapidly or that a provider is using the funds out of proportion to the ratio of annual closed cases per provider, the Legal Access Division may institute a limit on the minutes each provider can use each month. The limit will be directly related to the size and case activity of all the providers covered by the Fund. Additionally, when only \$25,000 remains in the interpreter fund, the Legal Access Division may institute a condition requiring programs to request approval of interpreter services prior to usage.

What if the Money Runs Out? The Legal Access Division will not approve requests unless we are certain funds remain to cover those requests. However, the Fund will likely be depleted at some point during its first year of operation. If this happens, all programs that have pending requests will receive notice as soon as possible that the Fund is depleted and cannot cover their request. Likewise, as soon as practicable, all programs will receive notice that the Fund has been depleted and no additional requests will be accepted.

Shouldn't the Court Provide Interpreters? In most circumstances, the answer is yes. The Americans with Disabilities Act requires that people with hearing impairments have meaningful access to the courts including interpreters and other auxiliary aids. Likewise, Title VI prohibits recipients of federal funds from discriminating based on national origin or administering a program in such a way that it has the effect of discriminating based on national origin. Title VI has been interpreted to require courts receiving direct or indirect federal assistance to provide qualified interpreters in the courtroom and in a variety of other contexts at no charge. You can read a letter from the Department of Justice (DOJ) clarifying the obligation of courts to provide "oral interpretation, written translation, and other language assistance services to people who are LEP in all proceedings and court operations" at http://www.lep.gov/final_courts_ltr_081610.pdf. The Office of Court Administration (OCA) has additional information, including Texas rules and statutes regarding the appointment of interpreters, at <http://www.courts.state.tx.us/oca/LanguageAccessTxCourts.asp>. The OCA is also expanding the program formerly known as Texas Remote Interpreter Project (TRIP). In the past, TRIP was only available in certain types of cases, but it will now provide Spanish interpretation for any type of case. More information about the program is forthcoming, but if you need Spanish interpretation in court, check the OCA website for more details. **If you are having difficulty obtaining interpreter services or with associated costs pursuant to an Affidavit of Inability to Pay Costs, please contact Briana Stone at bstone@texasbar.com or (512) 427-1857.**

How do I Find a Qualified Interpreter for On-Site Interpretation? You can find a list of licensed court interpreters (interpreters for LEP individuals) at <http://www.tdlr.texas.gov/LicenseSearch/LicenseSearch.asp> by choosing "licensed court interpreter" plus your location from the drop down menus. You can find a list of certified interpreters (interpreters for deaf and hard of hearing) at <http://www.dars.state.tx.us/dhhs/beiterpsearch.shtml> and at <https://www.rid.org/acct-app/index.cfm?action=search.members>. Please note that interpreters for the deaf and hard of hearing must hold either a Board for Evaluation of Interpreters (BEI) Court Interpreter Certification (CIC) or Registry for Interpreters for the Deaf (RID) Specialist Certificate: Legal (SC:L) in order to interpret in Texas courts. However, often the best way to find a good interpreter is to seek a referral from a colleague and simply verify the interpreter's licensing and certifications. You can also use the LS_TEXAS listserv to get referrals. If you are having difficulty locating a qualified interpreter in your area, please contact Briana Stone at bstone@texasbar.com or (512) 427-1857.

Share your thoughts: The LAD is not responsible for technological failures, dropped calls, or any other mishaps related to the use of Language Line services. That said, please share your feedback regarding Language Line and the Language Access Fund with Briana Stone at bstone@texasbar.com or (512) 427-1857. We are always looking to collect information about providers' needs and experiences so we can ensure our programs are appropriately tailored to you and your clients.