



Queens County District Attorney

LANGUAGE ACCESS PLAN

DISTRICT ATTORNEY MELINDA KATZ

QUEENS COUNTY DISTRICT ATTORNEY'S OFFICE (QDA) LANGUAGE ACCESS PLAN & PROTOCOL

The mission of the Queens District Attorney's office is to promote fairness for all participants in the criminal justice system and keep our communities safe. QDA recognizes that a large percentage of our Queens community members speak languages other than English. According to data obtained from the U.S. Census Bureau's 2018 American Community Survey 1-Year Estimates in Queens County, 27.8% (627,587) of the total population of 2.3 million is limited English proficient. Among this population in Queens, the most frequent languages spoken are Spanish (41.6%), Chinese (23.5%), Bengali (6.5%), and Korean (4.2%). As the most linguistically diverse neighborhood in the entire world the well-being and safety of Queens and greater New York City residents is jeopardized if the public is unable to access our services and effectively communicate with QDA staff. QDA further recognizes that effective language access promotes equity within our community and enhances our safety and stability.

We prepared this Language Access Plan ("Plan") to comply with New York State Executive Law Section 202-a and Local Law 30 which establishes New York's Statewide Language Access Policy and the City's language access law which improves access to City services for all individuals regardless of their native language.

This Plan explains how QDA provides services to the public with limited English proficiency and to individuals who are Deaf or Hard of Hearing (HOH), now and in the future. The Plan includes information about:

- ✓ How we notify the public about language access services.
- ✓ Our resources and methods for providing language access services.
- ✓ How we train our staff to provide language access services to the public.
- ✓ How we monitor language access services and respond to complaints.

I. GENERAL POLICY

A. QDA recognizes that the population eligible for services includes individuals who are Limited English Proficient (LEP) and Deaf or Hard of Hearing (HOH). It is the goal of QDA to ensure meaningful access to our services for LEP and Deaf/HOH individuals. QDA adopts the following policy to ensure that LEP and Deaf/HOH persons can gain equal access to QDA's services and communicate effectively with our office. This Plan applies to all QDA offices and satellite offices.

B. Definitions:

- a. For the purposes of QDA's Language Access Plan & Protocol, limited English proficient (LEP) persons are individuals who do not speak English as their

primary language and who have a limited ability to read, write, speak or understand English.

- b. An interpreter is a trained professional who is a neutral third party with the language fluency, interpretation skills, knowledge in specialized content areas and technical terminology to effectively communicate between two or more parties who do not share a common language.
 - c. A multilingual staff member is someone, who in the course of their professional duties, communicates directly with the LEP or Deaf/HOH person in a foreign language. A multilingual staff member may be asked to act as an interpreter but is not necessarily a trained professional interpreter.
 - d. Interpretation is the process of orally rendering a spoken language or signed communication from one language into another.
 - e. A competent interpreter is able to demonstrate proficiency in and ability to communicate accurately in both English and the other language using simultaneous interpretation, consecutive interpretation, or sight translation. A competent interpreter does not summarize any communication between the English speaker and the LEP, Deaf/HOH individual.
 - f. Translation is the written text converted from one language into written text in another language.
 - g. Deaf (with an upper case 'D') refers to an identity with its own culture, language, and diverse communities; 'deaf' refers to a physical condition.
 - h. Hard of Hearing (HOH) refers to individuals that utilize their residual hearing through the assistance of hearing devices or hearing aids.
- C. All persons who are LEP or Deaf/HOH are entitled to language services at no cost. QDA shall provide free language assistance services to LEP or Deaf/HOH individuals as necessary or whenever an LEP or Deaf/HOH person requests language assistance services. QDA will inform LEP or Deaf/HOH populations that language assistance services are available free of charge.
- D. Persons can provide someone to interpret for them after they have been notified, in their native language, of their right to a free interpreter and the importance of having a competent interpreter. Absent emergency situations, staff shall endeavor to verify that the self-provided interpreter is competent and that there are no conflicts of interest. See Appendix 6 for example questions to determine competence. If the LEP or Deaf/HOH person decides to provide another person to interpret, this individual and the LEP or Deaf/HOH person will sign the Interpreter's Confidentiality Agreement (Appendix 5) identifying potential conflicts of interest and indicating that using the LEP or Deaf/HOH person's self-provided interpreter may waive the attorney-client privilege. If during the course of the meeting the competence of the interpreter comes into question or a conflict of interest arises, the staff should end the meeting and schedule another meeting with a competent interpreter present.

- E. Staff should not use minors, under the age of 18, to communicate with persons who are LEP or Deaf/HOH, except for the limited purpose of identifying language or communication around scheduling of an appointment or contacting an interpreter.
- F. QDA's Language Access Coordinator is: Tyear K. Middleton, Chief Diversity/EEO Officer. The Language Access Coordinator serves as the primary point of contact for implementing New York State Executive Law Section 202-a and Local Law 30. In this role, the Language Access Coordinator works to:
 - ✓ Increase the visibility of interpreter services to LEP and Deaf/HOH individuals.
 - ✓ Enhance support for QDA staff providing interpreting services.
 - ✓ In coordination with the LEP Working Group, manage document translations by determining which documents are sent for translation and into which languages documents should be translated.
 - ✓ Ensure availability to QDA staff of translated forms and booklets by managing the distribution and accessibility of such materials to staff members.
 - ✓ Collaborate with others to address cultural and linguistic barriers relevant to QDA community members.

II. DATA COLLECTION & CASE MANAGEMENT SYSTEM

- A. QDA tracks LEP or Deaf/HOH person 's language and need for interpreters in Case Tracking.
- B. QDA maintains a listing of multilingual staff capacity and contact information for interpreters and translators on the QDA Staff Directory.
- C. QDA will continue to reassess the need for additional languages of interpretation and translation on an ongoing basis based on an analysis of Case Tracking data.
- D. Any language access issues should be raised to Tyear K. Middleton, Chief Diversity/EEO Officer who will discuss with the internal LEP Working Group any issues requiring review or action.

III. LANGUAGE ACCESS PROTOCOL

- A. **Walk-in, Telephone Inquiries & Intake**
 1. **Identify the person's language.** If the person cannot tell you his/her/their language, accompany the person to the "Your Right to an Interpreter"/ "I Speak" poster, prominently posted in the office reception area. Ask the person to look at the posted languages and identify his/her/their language. If the person cannot find his/her/their language or cannot read, please call LANGUAGE LINE and the operator will assist you in determining which language the person speaks. Please see Appendix 1 for an explanation of how to use LANGUAGE LINE.
 2. **If the individual is Deaf or Hard of Hearing,** communicate with that individual using TTY or the VRS (Video Relay System). These modes of communication are for initial

contact and other basic communication. In person meeting with the LEP or Deaf/HOH person and an appropriate sign language interpreter is necessary for in depth conversations and extended service. Please see Appendix 2 for further instructions on how to operate the TTY phone line.

- a. For persons who are Deaf/HOH, staff may be able to contact the LEP or Deaf/HOH person using a traditional TTY system.
 - b. The Video Relay System (VRS) can be used to call an individual remotely or communicate with a walk-in at the office. If the individual has a VRS phone number, call this number and you will be connected with a certified ASL (American Sign Language) interpreter who will call the individual and appear on a screen at their home. This service is free for individuals who are Deaf/HOH and communicate using ASL. For walk in persons who are Deaf/HOH, use a computer with video & audio capacity to connect to a VRS interpreter. The individual will use their own VRS code to call from a computer with a video camera. Sign into WEBEX account to make the call. If the individual does not have a VRS code, you may contact LANGUAGE LINE.
3. **Provide in-house or telephone interpreting services to determine the reason for the person's visit to the office and confirm eligibility.** After identifying the language spoken, please find the appropriate interpreter in-house or by telephone to do an initial screening for eligibility. Bilingual staff, if available, should be used to communicate with LEP or Deaf/HOH individuals before contacting the telephonic interpreter service. A listing of staff by language skill will be available on the QDA Staff Directory.
 4. **Determine whether QDA can provide services or whether the LEP or Deaf/HOH person will be referred to another agency.** If QDA is unable to assist the person, make a referral to an agency that can provide assistance. If QDA may be able to provide assistance, complete the initial intake screening using a bilingual staff member or LANGUAGE LINE or refer them to the appropriate case handler for intake.
 5. **If planning to give victim, witness, or survivor advice or information,** determine whether they will need an interpreter. In the case management system, identify the language of the person, country of origin and if necessary, check the "yes" box for needs an interpreter. Some LEP persons may speak enough English to complete an initial screening but will need an interpreter in order to effectively access further services. When it is clear that a LEP or Deaf/HOH person's first language is other than English, the LEP or Deaf/HOH person should be asked if he or she speaks another language at home, if so, the LEP or Deaf/HOH person should be asked to identify the language and be offered the opportunity to communicate through the language in which he or she is the most proficient. Ask the LEP or Deaf/HOH person if they prefer to receive correspondence in English or another language and make a note of their preference in the case file. If they are illiterate, make a note of this in the case file as well.

B. Case Handling

- 1. The case handler will check in the case management system** to confirm that the LEP or Deaf/HOH person's language and country of origin is entered in the appropriate fields and "YES" is entered in the field "Interpreter Needed."
- 2. Send an interpreter Email request to assigned staff member.** The email request should include, LEP or Deaf/HOH person name, or case number, language needed for interpretation and an estimate of how many hours of interpreter services will be required in the case. Bilingual staff members should be used as an interpreter in the case if available. If a bilingual staff member is not available, then contact LANGUAGE LINE OR IN PERSON SERVICES to get contact information for scheduling an interpreter. The purpose of the email request is to ensure that the most economical competent interpreter is used.
- 3.** For in person meetings with the LEP or Deaf/HOH person, request an interpreter through the grand jury or the court.

C. Meeting with Persons who are LEP and Deaf/HOH

- 1.** Introduce yourself to the LEP or Deaf/HOH person and the interpreter.
- 2.** Conduct a pre-visit conference with the interpreter. This can be conducted with the LEP or Deaf/HOH person present unless sensitive issues need to be discussed. In the pre-visit conference, the staff member will (1) establish the style of interpretation for the meeting, (2) ask the interpreter for feedback if terms are not easily translated or not culturally appropriate, (3) indicate where the interpreter will sit, and (4) establish the context and nature of the visit. (See Appendix 3 for additional tips on working with an interpreter).
- 3.** When using an interpreter from outside of QDA the interpreter must agree to and sign the Interpreter Confidentiality Agreement (see Appendix 4) before interpreting for the meeting. Persons who provide their own interpreter must also sign the bottom part of the Interpreter Confidentiality Agreement. This portion should be translated into their native language or sight translated by the interpreter before they sign. Include the signed copy of the agreement in the case file.
- 4.** Ask direct questions to the LEP or Deaf/HOH person and not interpreter. Only address the interpreter if asking a question directed to him/her/them, and when doing so, tell the LEP or Deaf/HOH person why you are consulting with the interpreter.
- 5.** Conduct a post-visit conference with the interpreter after the LEP or Deaf/HOH person has left if you have any concerns about the interview. This is an opportunity to address sensitive cultural issues that may affect the LEP or Deaf/HOH person at intake. Also, it can help determine if there was any difficulty in interpreting (e.g., the LEP or Deaf/HOH person and interpreter speak different dialects or the LEP or Deaf/HOH person has a mental disability which affects his/her/their ability to communicate).
- 6.** Ask the interpreter whether they are available to interpret for future meetings with the LEP or Deaf/HOH person.

IV. TRANSLATION

- A. QDA will provide translation of vital documents for LEP persons. Vital documents shall include program informational brochures and necessary correspondence. Court documents will not necessarily be translated, unless there are special circumstances, but should be sight interpreted for LEP persons.
- B. QDA will endeavor to have the top 12 language translations done by approved bilingual staff/contractors. Translated documents shall be reviewed by another bilingual staff person before being used.
- C. There may be certain court requirements when submitting a document that is in another language. If an advocate or systems personnel intends to submit a translated document to a court or other tribunal, the document should include a translator certification. See Appendix 6 for a model certification form.
- D. When sending a letter to an LEP or Deaf/HOH person, QDA will endeavor to have that document translated into the LEP or Deaf/HOH person 's primary language. Some LEP individuals who are unable to read may prefer to receive letters in English to facilitate communication with others who may be assisting them. For LEP or Deaf/HOH person who are Deaf or Hard of Hearing and not able to read English, the staff member will ask if they need sight translation/interpretation of correspondence. Staff will make note of this in case files and Case Tracking.

V. QUALITY ASSURANCE OF LANGUAGE SERVICES

- A. Language skills of Interpreters will be assessed prior to hiring to determine competency for oral interpretation, written translation or both. Assessment before hiring will involve a language test and an assessment as to whether additional training could increase effective interpretation.
- B. LEP Working Group will assess how successful staff members are at providing LEP and Deaf/HOH persons public services.
- C. QDA will use qualified interpreters, when at all possible, to communicate with LEP and Deaf/HOH persons.
 - 1. The internal listing of multilingual staff capacity and contact information for interpreters and translators is located on the QDA Staff Directory and updated by Information Technology as needed.
 - 2. The LAP Coordinator is responsible for updating the internal interpreter list, and all staff members shall notify the LAP Coordinator of any change in an interpreter's availability and/or skills.

3. To be added to the interpreter list an interpreter must provide sufficient evidence of language proficiency and interpreting training and or certification. Interpreters interested in applying should contact the LAP Coordinator to be added to the list.
4. Staff members will record any positive or negative feedback about interpreters or report concerns to the LAP Coordinator.

D. Multilingual staff, interns, law students and volunteers who communicate with LEP or Deaf/HOH persons directly, interpret (oral) or translate documents (written) will be assessed for language proficiency and trained on interpreting skills.

1. Anyone who is multilingual and willing to interpret as part of their work at QDA will be trained and assessed for linguistic and interpreting competence.
2. A list of multilingual staff and language capacity will be available on the QDA Staff Directory. The listing will be updated by Information Technology as needed.
3. Workload for multilingual staff that are used as interpreters or carrying a large caseload of LEP, or Deaf/HOH persons will be adjusted appropriately.

VI. OUTREACH TO LEP OR DEAF/HOH PERSON POPULATIONS

1. QDA will translate all vital outreach documents including the QDA brochure into languages frequently encountered in Queens County.
2. QDA brochure and website will include a notice of the availability of free language services and interpreters.
3. QDA will have other brochures and information available in various languages in the office for LEP or Deaf/HOH persons.

VII. IMPLEMENTATION AND COMPLIANCE

- A. At least once every two years, QDA will conduct a needs assessment of the most frequently encountered languages in their service area, using updated Census and American Community Survey data, and compare the eligible LEP or Deaf/HOH population with the current number of LEP or Deaf/HOH persons served. Additionally, the LAP will be updated at least once every three years, be included in the QDA emergency preparedness response, and incorporated into all public communications.

B. Staff Meeting/Advocacy Meeting

1. Language access will be included on staff meeting agendas quarterly to address LEP and Deaf/HOH access issues to QDA services and identify ways that QDA can be more accessible to these populations.
2. Specific language access advocacy issues will be raised at the regular advocacy meetings around access issues that LEP persons face in local courts and agencies.

C. Training

1. QDA's Language Access Plan & Protocol is posted on QDA Employee desktops and provided as a hard copy to all QDA staff members at hiring.
2. **Annual training to staff** will be provided on how to assess an individual's language needs, how to access language services, how to use multilingual staff and interpreters to effectively communicate with LEP and Deaf/HOH persons and any other relevant topics regarding language access issues. Training provided to QDA staff will also address the importance of confidentiality. This training will be coordinated by the LAP Coordinator.
3. **New staff training** will be provided on the QDA Language Access Plan and Protocol and provided guidance on how to effectively communicate with LEP and Deaf/HOH persons as part of orientation.
4. Multilingual staff who will be used to interpret or translate may access training upon request for additional interpreter training opportunities as part of their professional development.

D. Grievance Procedure (see Appendix 7)

1. Grievance forms will be made available to LEP persons in the QDA office and on our website advising members of the public of their right to file a complaint if they feel that they have not been provided adequate language access services or have been denied access to services because of their limited English proficiency.
2. QDA does not retaliate or take other adverse action because an individual has filed a language access complaint.
3. QDA staff are trained to immediately forward any complaint received regarding access to language assistance to the LAP Coordinator.
4. Complaints about language access will be addressed as quickly as possible.

APPENDIX 1

How to Use Language Line Solutions for Telephonic Interpretation

To assist LEP/Deaf or HOH person over the phone:

1. Place the caller on hold with conference hold.
2. Dial LANGUAGE LINE. For assistance, press 0 at any time or stay on the line.
3. Enter your 6-digit Client ID and select a language.
 - Press 1 for Spanish or
 - Press 2 for other languages. When prompted, say and confirm the language you need.
4. Enter your Access Code (if applicable).
5. Record the interpreter's name and ID number.
6. Brief the interpreter. Provide your agency name and objectives for the call.
7. Add the caller to the line.
8. Tell the interpreter to end the call when you are done.

To assist LEP/Deaf or HOH person in person:

1. Dial Language Line. For assistance, press 0 at any time or stay on the line.
2. Enter your 6-digit Client ID and select a language.
 - Press 1 for Spanish or
 - Press 2 for other languages. When prompted, say, and confirm the language you need.
3. Enter your Access Code (if applicable).
4. Record the interpreter's name and ID number.
5. Brief the interpreter. Provide your agency name and objectives for the call.
6. Tell the interpreter to end the call when you are done.

APPENDIX 2

PROCEDURE FOR USING THE TTY

QDA's TTY system is a separate line for people who are deaf or hard of hearing.

Incoming Calls:

1. When a person is calling into the TTY, it will ring, and a message will be displayed across the screen "line is ringing". To answer the call simply start typing a greeting "Hello, you have reached QDA, how may I help you, GA; or press the button labeled "greeting" and an automatic message will be typed to the caller.
2. After each sentence or statement you will see the letters "GA" for Go Ahead. This acknowledges that either party is finished with their sentence or thought, and the other person can begin responding.
3. When your conversation is over press the "on/off" button and the screen will be blank.

Outgoing Calls:

1. When placing an outgoing call, you may need to dial 9 and the number. Press the "dial" button, DIAL is displayed. Type the number you are calling then press the "Enter" key.
2. When the other TTY line is ringing the system will display "line is ringing". If the line is busy, it will display "line is busy".
3. When the other person answers, his or her greeting will be displayed on your TTY, now you can begin your conversation.
4. When your conversation is over press the "on/off" button and the screen will be blank.

DOH Service Operator:

In some instances, you may have a person calling the front desk using LANGUAGE LINE. If this is the case, the operator will ask you if you have ever used a relay service operator before. If not, he/she will explain how the system works and how to handle the conversation. You can also call a LEP or Deaf/HOH person who has a TTY through LANGUAGE LINE and then the operator will dial out the LEP or Deaf/HOH person 's number.

APPENDIX 3

GUIDE FOR EFFECTIVE COMMUNICATION WHEN USING AN INTERPRETER

This guide provides some suggestions that may make LEP or Deaf/HOH person interviewing, facilitated by interpreters, easier, more efficient, and more effective.

Basic Information: **The Role of an Interpreter**

- **A qualified interpreter brings language skills, interpretation ability and cultural sensitivity.**
 - **TIP!** Recognize the value of an interpreter's advice that a question or statement may not be appropriate. The interpreter may have suggestions of how to reword a question to improve communication with the LEP or Deaf/HOH person.
- **Speaking English does not mean thinking in English.** Allow the interpreter time to restructure information in his or her mind and to present it in a culturally and linguistically appropriate manner.
- **Meet with the interpreter before and after a session** for comments and clarification of issues that arise during interviews. (Examples: emotional persons, confusion about a certain topic, cultural differences.)
 - **TIP!** Feel free to request the interpreter's advice on the best ways to present issues, information, or questions to the LEP or Deaf/HOH person.

Helpful Suggestions: **How to Work with an Interpreter**

- **Speak directly to and make eye contact with the LEP or Deaf/HOH person using first person.**
 - **TIP!** Remember that everything you say will be interpreted as it is said, so avoid statements like "tell her" (the LEP or Deaf/HOH person) or "ask her".
- **Use the interpreter as you would a telephone.** Do not ask the interpreter to meet alone with the LEP or Deaf/HOH person to prepare any documents or to discuss the case. The interpreter is your intermediary to communicate with your LEP or Deaf/HOH person.
- **Avoid needless lawyerisms, legalese, and wordiness.**
 - **TIP!** Use simple sentence constructions and plain English that laypeople can easily understand. Avoid vague, generalized statements or questions when you want to elicit information. Interpreters may ask you to clarify some terms in order to interpret the meaning accurately.
 - **Example:** "On Monday, we will go to Court and talk to the judge. The judge will decide how much child support you will get after the judge reads your financial statement."
- **Adjust your vocabulary level to that of the LEP or Deaf/HOH person.**

- **TIP!** Use concrete examples and visual images to express complex legal concepts. Breaking down legal concepts and using one sentence per idea will give you better control of the interview and will make interpretation easier.
- **Language is better understood when spoken slower rather than louder.** Plan ahead for additional time needed to communicate with a LEP or Deaf/HOH person through an interpreter.
- **Make use of any knowledge of the LEP or Deaf/HOH person’s language you may have at appropriate times,** such as when greeting a LEP or Deaf/HOH person. Many persons will see your attempt as a gesture of friendliness and caring.
- **Relax and take your time.**
 - **TIP!** The LEP or Deaf/HOH person may be nervous about having a serious legal problem and uncomfortable about working with a lawyer. Keep in mind that to the LEP or Deaf/HOH person, you and the interpreter are strangers.

Important Reminders:

- **English is a rather direct and economical language.** Other languages, such as Spanish and some Asian languages, can be more figurative or indirect, and may require extra words to express meaning.
- **Be patient. Do not expect a literal translation.** Legal concepts or terms may not have exact equivalents in another language. Even when they do, the LEP or Deaf/HOH person may not be familiar with the words. Therefore, sometimes a longer conversation is needed in a foreign language to communicate a seemingly simple point.
 - **TIP!** Encourage the interpreter and LEP or Deaf/HOH person to ask questions.
- **Listen attentively to your LEP or Deaf/HOH person’s answers.** The interpreted answers will alert you to misunderstandings, miscommunication, or errors on the part of the LEP or Deaf/HOH person or the interpreter. It will also help you evaluate whether a clarification is necessary.
 - **TIP!** Make it a habit to think of legal ethics, consequences, and responsibilities. What if you missed or misunderstood an important fact? Is the LEP or Deaf/HOH person expressing herself as fully as she would in his or her own language?
 - **TIP!** Ask the LEP or Deaf/HOH person to “teach back” important concepts or tasks that you ask the LEP or Deaf/HOH person to do in order to ensure LEP or Deaf/HOH person’s complete understanding.

APPENDIX 4

Interpreter Confidentiality Agreement

(This document is to be read to the LEP or Deaf/HOH person and signed by the interpreter at the start of the first interpreted meeting with the LEP or Deaf/HOH person.)

To promote the trust and integrity of our LEP or Deaf/HOH person cases, it is mandatory that interpreters and translators interpreting or translating for QDA abide by this Interpreter Confidentiality Agreement.

1. I agree to provide an accurate interpretation for the LEP or Deaf/HOH person and for the advocate of everything that is said in this meeting between the LEP or Deaf/HOH person and the advocate.
2. I agree to keep everything that is said in this meeting confidential and not to say anything about this meeting to anyone after the meeting has been completed, without the written consent of authorized parties to the communication.
3. I agree not to provide any of my own legal advice to the LEP or Deaf/HOH person and understand that my responsibility is solely to act as a conduit between the LEP or Deaf/HOH person and the advocate.
4. I will not offer an opinion to anyone regarding the prospective outcome of a case, or any other matter related to the case.

Check the one of the two following blanks that applies:

_____ I do not know the LEP or Deaf/HOH person or the opposing party in this matter and to the best of my knowledge, I do not know anyone who is related to or acquainted with the LEP or Deaf/HOH person or the opposing party.

_____ I acknowledge that I know people in common with the LEP or Deaf/HOH person or the opposing party but that my knowledge and relationship with these people will in no way affect the accuracy of my interpretation in this matter.

Date

Interpreter/Translator Signature

Print Name

For LEP or Deaf/HOH person to sign if they choose to use their own interpreter:

I have been told that I have the right to a free interpreter, but I want to use my own interpreter. I understand that in an attorney-client relationship all conversations are protected and confidential. By using my own interpreter, I may be waiving my right to the attorney-client privilege.

Date

LEP or Deaf/HOH person Signature

Print Name

APPENDIX 5

Qualifying a Non-Certified Foreign Language Interpreter

(Sample questions to determine competence of an interpreter.)

1. Do you have any training or credentials as an interpreter?
2. What is your native language?
3. How did you learn English?
4. How did you learn [the foreign language]?
5. What was the highest grade or degree you completed in school?
6. Did you formally study either language at school?
7. Have you spent any time in a foreign country speaking the language of the person requiring interpretation?
8. Have you spoken with the person requiring your services? Were there any communication problems between you?
9. Are you familiar with the Code of Ethics and Professional Conduct for Interpreters? Please explain some of its main points.
10. Are you a potential witness or party in this case?
11. Do you know or have you worked for any of the attorneys, parties, or witnesses in this case?
12. Do you have any other potential conflict of interest with this case?
13. Can you interpret without omitting, adding, or changing anything that is said?
14. Do you know of any reason why you cannot, or should not serve as the interpreter in this case?

APPENDIX 6

Translator Certification of Translated Document

I am fluent [and/or certified] in the _____ language and I have translated this entire document _____ from _____ (source language) to _____ (target language).

I certify under penalty of perjury, under the laws of New York, that the foregoing is true and correct.

Dated this _____ day of _____, at _____, New York.

Translator Signature

Translator Name

Appendix 7

LAP Complaint Form to Follow

Language Access Complaint Form

New York State's language access policy requires certain public-facing agencies to offer interpretation services in any language and to translate important documents into at least the top twelve most common non-English languages in the state. If you have had trouble with our agency's language access services, you may complete and submit this complaint form using the contact information provided above. **All personal information in your complaint will be kept confidential.**

1. Complainant: First name: _____ **Last name:** _____ **Zip code:** _____

I prefer not to provide my name. Please note, if you do not provide any contact information, we will not be able to inform you of the steps we are taking to respond to your complaint. Preferred language(s): _____

Phone number: _____ **E-mail address:** _____

Is someone else helping you file this complaint? No Yes **If 'Yes,' include their contact information:**

First name: _____ **Last name:** _____

E-mail address and/or phone number: _____

2. What language(s) did you need services in?

3. What was the problem? Check all the boxes that apply and explain below.

- I was not offered an interpreter
- I asked for an interpreter and was denied
- The interpreter's skills were not good (include their names in section 5 below, if known)
- The interpreter made rude or inappropriate comments
- I waited for too long for an interpreter
- I was not given forms or notices in a language I can understand (list documents needed in section 5 below)
- Other (explain) _____

4. When did this incident happen? If it happened more than once, indicate the date of the most recent incident.

Date (MM/DD/YYYY): _____ Time: _____ AM PM

Where did this incident happen? Over the phone In-person Provide address: _____

5. Describe what happened. Be specific and provide as much detail as possible. If it happened more than once, include each date/time and describe each incident. List any services and documents you were trying to access. Include names, addresses, and phone numbers of people involved, if known. Use additional pages as needed and write your name on each sheet.

6. Did you complain to anyone from the Department/Agency? If yes, include who you spoke with and what their response was. Please be specific.

Print Name: _____ **Date (MM/DD/YYYY):** _____
(Person making the complaint)

Do not write in this box. For office use only.

Date: _____ **Reviewer:** _____

Resolution: _____