Meaningful Web Access for LEP Clients: Examples from the Net

By Liz Keith, Leah Margulies and Michael Mulé

ranslating vital documents and information on your website is essential to ensuring limited English proficient (LEP) clients have access to our legal system. This article discusses the obligation to translate website content and highlights emerging and distinctive ways that programs are using Web technology to help ensure essential resources and information are accessible to LEP clients.

Executive Order 13166 and the Department of Justice LEP Guidance explain how Title VI of the Civil Rights Act of 1964 requires recipients of federal funding to ensure LEP individuals have meaningful access to legal services by providing appropriate language assistance services. This obligation requires programs to translate vital documents and information on their website into the language of each frequently encountered LEP group eligible to be served. While an entire website may not need to be translated, vital information and documents within the website may need to be translated. Vital documents and information include intake forms, notices of client's rights, documents advising LEP clients of free language assistance, contact information, and eligibility applications, among others.

Spotlight on LawHelp.org/NY

For the LawHelp.org/NY project, multilingual content and additional supports for LEP users is essential. More than 130 languages are spoken by residents of New York state. While LEP individuals are only 13 percent of the general population, they account for 42 percent of New Yorkers who live below the poverty level. To meet their needs, LawHelp/NY has information in 35 languages and a mirror site in Spanish, which includes more than 400 resources and a Spanish-language video on identity theft, vetted by the FTC. In addition to an aggressive effort to identify multilingual Know Your Rights resources for inclusion, LawHelp/NY uses multilingual pro bono attorneys and law school volunteers for translations and has improved multilingual navigation capabilities. While much has been done, there is more to do to ensure LEP users have meaningful access.

LawHelp/NY is especially excited about a new language access project in development. It has received funding from the LSC Technology Initiative Grant program to integrate LiveHelp on the LawHelp/NY site. LiveHelp provides real-time chat and browsing assistance for visitors who need help finding appropriate resources and referral information. Most

importantly LawHelp/NY will pilot the provision of LiveHelp assistance for LEP users. One unique aspect of the program will be the recruitment of multilingual pro bono participation in the LiveHelp project. LawHelp.org/NY has already lined up volunteer navigators in Spanish, Chinese and Korean, three of the six languages identified in New York City's first Language Access Executive Order enacted in July 2008. Volunteers will need to engage in a minimum of five hours of training and commit to familiarizing themselves with the site's referral and legal information, as well as regularly scheduled LiveHelp shifts. LawHelp/NY is also engaged in a plan to provide a range of new resources explaining to multilingual users their language access rights in a range of legal settings such as fair hearings or at family or housing court.

Additional Language Access Strategies

Legal aid communities in several other states have made great strides in ensuring that Web content is accessible to the LEP communities they serve. Illinois Legal Aid Online, hosts of the illinoislegalaid.org statewide website, has translated more than 175 documents into Spanish in 17 substantive areas. The site also offers Spanish language self-help videos, including a series on mortgage foreclosure issues. The Minnesota Legal Services Coalition provides a fully-translated mirror version of LawHelpMN.org in Spanish, LawHelpMN.org/espanol. The website is a plain-language legal library for Minnesota's largest language minority, complete with fact sheets and contact information for legal services providers throughout the state. Minnesota is also in the process of developing a Somali language sub-site to provide centralized access to Somali resources without the need for an English interpreter. A Somali-language housing rights video has already been released. MLSC's LEP survey found that Somali speakers are more frequent Internet users than most language minorities. Idaho Legal Aid Services, in conjunction with the Idaho Courts, is one of the first states to develop Spanish language Interactive Court Forms. Twenty-three forms in five Interactive Court Form packets have been developed thus far, and are made available through IdahoLegalAid.org.

Taking a Holistic, Interactive Approach

When developing online resources for LEP communities, it is important to establish editorial relationships and processes that ensure high quality, culturally appropriate translations. Programs are discouraged from using Web-based translation services as such services have been found to be unacceptably

inaccurate. Starting with documents written in plain English can help keep translation costs down. Most importantly, online resources and technology-enabled strategies should not exist in isolation. They will most benefit LEP clients when interwoven with a broader language access and service delivery strategy, with involvement from a range of community partners. As with other service delivery strategies, understanding your target community's needs will help your program implement effective and appropriate technology-supported solutions for LEP users.

An incremental approach, incorporating feedback and outreach, is the best way to make sure that translated content is useful and used. *

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- U.S. Dept. of Justice, Commonly Asked Questions and Answers Regarding Executive Order 13166, Question 10, available at http://www.usdoj.gov/crt/cor/Pubs/lepqa.php.
- 2 See Exec. Order No. 13166, 65 Fed Reg. 50,121 (Aug. 11, 2000); pg. 3, Legal Services Corporation, Guidance to LSC Programs for Serving Client Eligible Individuals with Limited English Proficiency, available at http://www.lsc.gov/program/pl/pl2004-2LEPGuidance.pdf (citing U.S. Dept. of Justice, Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 67 Fed. Reg. 41,455, 41,463 (June 18, 2002) (2002 DOJ Guidance).
- U.S. Dept. of Justice, Commonly Asked Questions and Answers Regarding Executive Order 13166, Question 10.
 - ld.
- 5 See 2002 DOI Guidance at 41.463.
- 6 See www.LawHelp.org/NY

Additional Resources

Department of Justice Overview of Executive Order 13166: http://www.usdoj.gov/crt/lep/13166/eo13166.html

Legal Services Corporation, Guidance to LSC Programs for Serving Client Eligible Individuals with Limited English Proficiency, available at http://www.lsc.gov/program/pl/pl2004-2LEPGuidance.pdf

National Language Access Advocates Network (N-LAAN): http://www.probono.net/nlaan/

The Language Access Resource Center (LARC) at the Empire Justice Center http://onlineresources.wnylc.net/pb/orcdocs/language_access.asp

Localization: Adapting your Statewide Website to Better Reach Non-English Speaking Clients (webinar jointly produced by LSNTAP and Pro Bono Net): http://lsntap.org/archivedrecording-topic

LSC Resource Information: http://www.lri.lsc.gov/

LiveHelp Program Overview: http://www.probono.net/link.cfm?11569

DEFENDER - Continued from page 3

strangers to our national community and we welcome them in their new positions.

At NLADA's defender legal services, David Carroll, Jon Mosher and I have been lucky enough to welcome some new colleagues. During 2008, of course, we welcomed Phyllis Mann as our new director of the National Defender Leadership Institute. Phyllis' experience as criminal defense attorney, public defense reform leader and capital litigator has brought new dimensions to NDLI and a new energy to our leadership training and technical assistance. With the beginning of 2009, we welcome back our resource coordinator, Lynnae Johnson, from maternity leave. Thank you baby Ryan for loaning Lynnae to us each day. Lynnae's phone extension and e-mail address are the windows through wish many of you enter DLS. Lynnae is the staffer you go to when you don't know where in NLADA to go.

Our latest staff news is the hiring of a new DLS attorney, Karl Doss. Karl's prior experience includes organizing and running training events as the Virginia Indigent Defense Commission's training and human resources director, helping to run a newly opened defender office as deputy in Norfolk, VA, representing children in neglect and custody matters as staff attorney at the Children's Law Center in Brooklyn, NY, and experiencing the many sides of our justice system as an assistant public defender, prosecutor, and family court referee in Hennepin County, MN. Most recently, Karl was the director of the Department of Judicial Programs at the Virginia Supreme Court. To say that Karl brings a wealth of experience to NLADA is to significantly understate the case.

2009, like every year, will no doubt have its ups and downs. At NLADA we are looking forward to a year of full staffing, of John R. Justice appropriations, of real federal support for justice and exciting new trainings and reform campaigns. As a New York Mets fan from way back, I can't help face new beginnings not with "change" or "hope," but with this inspirational, World Series-driven thought: "Ya gotta believe!"