

Public Defender Language Access Plan



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Introduction

The Monroe County Public Defender's Office is an office that provides legal representation to individuals in criminal court, parole revocations, clients in appellate, and family court proceedings who are unable to afford to hire an attorney. The Public Defender's Office is a branch of the Monroe County Government that was founded to fulfill the constitutional obligation of each county in New York State to provide indigent legal defense.

Guided by the requirements of the constitutions of the United States and of New York and the New York rules of legal ethics, the attorneys and staff of this office strive to ensure that each client receives high quality and zealous representation. Throughout its history, the Monroe County Public Defender's Office has focused on a client-centered representation model.

The purpose of this Language Access Plan is to demonstrate the commitment of the Public Defender's Office to reduce and eliminate language barriers. This Language Access Plan establishes guidelines for the office to follow when developing and implementing reasonable accommodations for individuals with limited ability to read, speak, write, or understand English. The department will provide interpreter and translation services free to its constituents upon request.

This Language Access Plan is intended to comply with Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000, et seq., as well as its implementing regulations set forth at 45 c.f.r. Part 80, Title I of the Americans with Disabilities Act (ADA).

Questions regarding this policy and its implementation should be directed to the Monroe County Language Access Compliance Coordinator:

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Language Access Compliance Coordinator
50 West Main Street
Rochester, NY 14614
(585)-753-2408
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ASSESSING LIMITED ENGLISH PROFICIENT POPULATION LANGUAGE NEEDS

According to the United States Census Bureau the most common languages spoken by Limited English Proficient (LEP) individuals served by Monroe County, or potentially served, are listed below.

Most Common Languages in Monroe County	
Languages	Estimated LEP Individuals
Spanish	41.90%
Italian	6.70%
Arabic	5.48%
Nepali, Marathi, or other Indic Languages	5.02%
Chinese (Including Mandarin, Cantonese)	4.35%
Russian	3.65%
French (Including Cajun)	3.24%
Other Languages of Asia	2.72%
Vietnamese	2.54%

Source: U.S. Census Bureau

Process Implementation

The Public Defender will take reasonable steps to provide language assistance to Limited English Proficient (LEP) individuals. The Public Defender will allocate financial resources that will only be used for language access and ensure that the office has the resources necessary to provide meaningful language access to clients.

Department	Funds allocated for Language Access	Year
Public Defender	\$265,000 as needed	2022-2023

Appointments

If you attend an upcoming appointment and need a language access accommodation to participate fully, please fill out a language access request form. The office can arrange reasonable accommodations for assistance in a language other than English with advance notice of at least fourteen business days.

To submit a language access request, go to the Monroe county language access website at <https://www.monroecounty.gov/dei-language>. After submitting your request, Monroe County personnel will confirm your appointment 5-7 business days after the request is submitted.

The office will use staff and vendors to provide in-person, virtual, or telephonic interpreting.

Vendors

Propio

Propio is an interpreting organization that provides remote services in over 300 languages. The organization uses several standard and quality control processes to ensure interpreters deliver high-quality services. The organization conducts quality screening of new hires and regularly monitors the quality of their services.

For Telephonic interpreting services, staff members will call the designated phone number received by the vendor Propio. Monroe County personnel will briefly explain to the interpreter the context of the call and any relevant information that may be helpful to the conversation. The interpreter's role is to assist with communications and not provide additional dialog and advocacy.

To utilize Propio virtually staff must open the Chrome browser for virtual interpreting and navigate to <https://propio-ls.com/propio-one/>. Staff members will provide the user code and Click on the language needed. Scroll to view more languages as necessary.

Center for Disability Rights

Center for Disability Rights is an organization that provides professional American Sign Language (ASL) interpreting services. The organization is committed to ensuring that qualified interpreters have extensive training to translate the spoken or signed message into a different language, read lips, and evaluate the language needs of a deaf person.

For virtual or in-person interpreting with Center for Disability Rights, staff will schedule an appointment by emailing scheduling@slc-inc.com and cc berickson@cdrnys.org and by calling (585) 546-7510.

**To schedule a last-minute American Sign Language (ASL) interpreter Monroe County personnel should text the scheduler at 518-860-7651. The texts – must include the time/date/location/topic/name of the speakers. Monroe County personnel will receive a text notification along with an email confirming that the interpreter will be present.

Osmosis Translations

Osmosis Translations is a company that provides interpreting and translating services in Spanish. The organization provides in person and remote services in Monroe County. For translation or interpreting with OSMOSIS Translations Monroe County personnel can request a quote at info@osmosistranslations.com or by calling 585-444-3308

Language Today

Language Today, is a professional translation agency that translates projects in multiple languages. The organization utilizes certified professional to translate documents for different industries. To translate documents with Language Today staff must email the file to languagegetoday@aol.com

Staff roles and responsibilities

Ensuring that personnel is adequately trained is crucial for effectively implementing the Language Access Plan. It is essential that personnel understand their responsibility to provide meaningful and timely access to information and services for LEP persons.

Personnel who do not regularly interact with constituents must also be aware of and understand the policies and procedures of the Language Access Plan. The Language Access Plan will be available to all staff members upon either the implementation or adjustment of the Plan.

Additionally, all newly-hired staff members will receive a copy and training about the Language Access Plan. Training will include distribution and review of this plan, any instructional materials, and forms used during communication with LEP persons.

All staff are expected to abide by the following guidelines when interacting with LEP persons:

- ❖ Staff must remember to converse with the clients, not the interpreter. They will direct their words and eye contact toward the customer.
- ❖ Be patient. Providing service across a language barrier takes time.
- ❖ Avoid abbreviations, slang, jargon, and acronyms whenever possible. Use the most straightforward and precise language possible to describe internal concepts, policies, and processes.
- ❖ Speak slowly and in relatively short segments and pause so the interpreter can interpret.
- ❖ Ask clients to repeat important information to ensure understanding is understood.
- ❖ Be mindful not to patronize the customer and will not treat a Limited English Proficient customer with less respect than any other customer.
- ❖ Do not refuse to serve someone because they are uncomfortable or want to use the interpreting services.
- ❖ Always acknowledge the interpreter as a professional in communication. Respect their role and give the interpreter time to restructure their minds to present it in a culturally and linguistically manner.
- ❖ Staff will not hold the interpreter responsible for what the client says or doesn't say. The interpreter is the medium, not the source, of the message.
- ❖ All new hires must review this Language Access Plan.

Monitoring and Updating of the Plan

The Monroe County Language Access Compliance Coordinator will work closely with the Language Access liaison of the Office of Public Defender to evaluate and monitor the Language

Access Plan. The evaluation ensures that the scope and nature of language services reflect updated information.

Periodic inspections will examine the following issues:

- Changes in the demographics of Limited English Proficient persons in Monroe County
- Review the data of interpreting and translation services provided
- An assessment of the existing language assistance services meets the needs of LEP individuals

Complaint Procedure

We believe in a transparent process to serve the community. Thus, stakeholders have the right to file a complaint if they believe they have not been provided with adequate language access services.

An example of why stakeholders may want to submit a complaint is when the person feels that they have not been provided with adequate language access, for example, when a language access request was not fulfilled or if a stakeholder experienced difficulties communicating with the interpreter.

Complaints may be made directly to the Language Access Compliance Coordinator. The Language Access Compliance Coordinator will be responsible for receiving, addressing, and resolving all complaints. Complaints are accepted in writing or verbally. The complaint should include the following information: name of the person filing the complaint, nature of the complaint, name of persons responsible for the alleged incident, requested solution or corrective action, and name of any person or group assisting in filling the complaint.

To file a complaint, you must visit the Monroe County Diversity Equity and Inclusion website at <https://www.monroecounty.gov/dei-language> or by calling 585-753-2408.

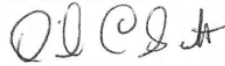
Once a complaint has been submitted, the Language Access Compliance Coordinator will confirm within 5-7 business days that the complaint has been received. The complaint will be reviewed, and an investigation will be conducted. The complainant will receive full attention and will be addressed within 40 business days. The complainant will be notified of the findings and all necessary resolutions.

Public Defender

Language Access Plan

Language Access Plan authorized by:

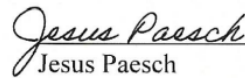
David C. Scott
Chief Diversity Officer
585-753-2400



David C. Scott

Language Access Plan prepared by:

Jesus Paesch
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585-753-2408



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Language Access Plan read and approved by:

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