Introduction

Working with interpreters and translators is a fundamental component of children’s immigration cases. Pro bono attorneys frequently require the use of translators and/or interpreters to support the client, provide effective representation, present evidence to the court and to other agencies, and meet necessary goals within the case.

While the most apparent means of obtaining translated legal documents and providing clients with interpretation may be through the efforts of multilingual staff members, this is not always possible due to capacity and workload concerns—as legal staff have various duties and roles within a legal case that may not permit enough time or capacity to additionally tackle translating documents and/or interpreting during meetings, hearings, and/or consultations.

How can a program work when using on-staff interpreters and translators? And aside from utilizing multilingual staff members, how else can an attorney working on a child’s case ensure that the child and case’s translation and interpretation needs are being met? How can a pro bono coordinator establish a model specific to their pro bono program that outsources these needs for translation and interpretation within a legal case? This creative model will answer those questions.

WHAT DOES THIS RESOURCE COVER?

- Different Models to Meet Translation and Interpretation Needs in Pro Bono Programs
  - Model #1: On-Staff Interpreters and Translators
  - Model #2: Translation & Interpretation Through Volunteers
  - Model #3: Translation & Interpretation Through Language Service Providers
- Highlighting Legal Service Providers and Their Models for Translation and Interpretation Volunteer Projects
  - ProBAR
  - HRI
- Organizations that Provide Translation and/or Interpretation Services
  - Ayuda
  - Respond Crisis Translation
  - LanguageLine Solutions
  - Jeenie

Translators versus Interpreters:

Translators work with the written word and written material, while interpreters translate languages orally. Remember the difference as you consider language access needs you may have in your program or cases.
Different Models to Meet Translation and Interpretation Needs in Pro Bono Programs

This creative model shows the different kinds of models often used by attorneys, legal staff, and legal service providers to ensure translation and interpretation throughout the duration of a child’s legal case. We hope that, in demonstrating these different models, pro bono coordinators can look at these models and consider incorporating or adding different types of translation and interpretation methods into their pro bono programs to bridge any gaps in translation and interpretation needs in pro bono cases. Furthermore, we hope that pro bono coordinators can share these ideas and resources with pro bono attorneys to learn about additional or possibly new ways to provide language access to clients. At the end of the resource, CILA has included a handout that can be provided to pro bono attorneys with practical tips and ethical considerations to consider as attorneys work with translators and interpreters on a legal case(s).

CILA has spoken with individuals from legal service providers to show examples of the different kinds of translation and interpretation models incorporated into their legal service programs, and these organizations—South Texas Pro Bono Asylum Representation Project (ProBAR) and Human Rights Initiative of North Texas (HRI)—are highlighted in this resource. CILA has also identified organizations that often provide interpretation and translation services to legal practitioners representing migrant clients, and among these translation and interpretation service providers, CILA spoke with Ayuda to learn more about Ayuda’s partnership with pro bono practitioners.

No “one size fits all” method for interpretation & translation models

Something to note with these different types of models is that no method is the absolute “perfect” method. That is, each case may have different needs that require utilization of one translation and interpretation model over another. Moreover, each attorney, pro bono firm, and/or referring nonprofit organization may have different circumstances and resources that may determine what model is appropriate or beneficial to use. Pro bono coordinators and attorneys can consider utilizing a combination of these models to maximize options and fulfill any needs for translation and interpretation.

Setting expectations with the pro bono attorney

No matter the model chosen, it is important to know that translation and interpretation needs are common in children’s immigration pro bono cases. Pro bono programs should clearly communicate expectations with pro bono attorneys regarding whether an interpreter and/or translator will be provided to them, whether they must have the particular language skills themselves to complete the task, or if they will be responsible to secure their own assistance with translation and interpretation needs. Setting expectations clearly during the recruitment process and initial stages of working together will ensure a more effective working relationship. To be able to do this, programs must understand their own pro bono project needs and capacity to assist in this area.

MODEL #1: On-Staff Interpreters and Translators

One method for translation and interpretation relies on the multilingual capabilities of an individual who is already employed and working on the child’s case. Attorneys often work alongside multilingual staff members and assign interpretation and translation duties to this staff member throughout the duration of a case. Additionally, multilingual attorneys may not need the services
of an interpreter to hold client meetings. Organizations may choose to have staff members assist pro bono attorneys needing interpretation and/or translation assistance.

Common examples of this model include:

- A client needing their birth certificate translated into English for court submission, and the staff member assisting the attorney translating the birth certificate and certifying the translation;
- A client meeting with the attorney for the first time, and a multilingual staff member providing interpretation during the consultation; or
- A client writing their declaration in their preferred or native language, and the staff member translating this declaration into English for the attorney to review.

There are benefits to requesting translation and/or interpretation services be provided by multilingual colleagues, but there are also considerations that may need to be taken into account.

**Advantages:**
- If corrections or clarifications are needed, it may be easier to follow up with the staff member who provided translation.
- There is not a need to go through a “middleman” or third party to request translation or interpretation.
- Typically, a contract is not involved.
- The client may be familiar with the individual and thus be more at ease with the staff member if the staff member has supported or assisted with the child’s case in another capacity or during another stage in the process.
- Interpretation can likely be requested in-person—which is essential, at times, for difficult or trauma-heavy conversations with clients.

**Special considerations:**
- Individuals working on a child’s legal case in a legal capacity—whether they be attorneys, paralegals, legal assistants, or other invaluable support staff members—often have many roles, duties, and tasks within a child’s case. A multilingual staff member who also must provide interpretation or translation may not have the time, capacity, or availability to do this, in addition to other aspects of casework.

**MODEL #2: Translation and Interpretation through Volunteers**
Another model that attorneys and pro bono coordinators can consider for translation and/or interpretation is through multilingual volunteers. There are many ways and platforms through which you can consider recruiting multilingual volunteers to provide interpretation and/or translation assistance to legal cases. A few of these methods and means include through:

- Virtual means:
  - Listserv communications
  - Social media
- Reaching out to professional groups (e.g., bar associations and immigration law associations)
- Reaching out to academic and student communities.
- Law school immigration clinic students
- Local university language studies students
- Reaching out to local immigration advocacy groups
- Encouraging a pro bono attorney to recruit their own interpreter and to work on a case together—an attorney could work with a colleague with language skills or with a friend to work on the case together

**Advantages:**
- Working alongside volunteers is cost effective.
- Seeking and recruiting volunteers creates a sense of community.
- At times, working with volunteers provides mentorship opportunities (for example, when working with volunteer interns).
- Volunteers are often passionate and genuinely excited about the work for which they are dedicating their time.
- Encouraging an attorney to work with a colleague or friend to provide translation and/or interpretation may provide an opportunity for team building at a firm and/or community building as they work on a case together.

**Special considerations:**
- Volunteers may be new to translating and interpreting in a legal context and may need additional guidance or training.
- Volunteers may not have consistent schedules (for example, many volunteers are also professionals or students).
- Recruiting volunteers, maintaining a volunteer program, and developing connections with volunteers requires time, effort, and dedication by staff members.

To learn more about how volunteers can assist casework in children’s immigration cases, you can read about ProBAR and HRI’s volunteer initiatives for language assistance in the section below, *Highlighting Legal Service Providers and Their Models for Translation and Interpretation*.

**MODEL #3: Translation and Interpretation through Language Service Providers**

Another model to consider for translation and/or interpretation needs is requesting language services from a provider that specializes in delivering language access to legal practitioners. There are many organizations and entities that each maintain their own network of professional translators and interpreters—available nationwide—who can provide language assistance in legal settings.

**Advantages:**
- Services for interpretation are often available on-demand.
- There is more access to interpreters and translators who speak less common languages.
- Typically, language access service providers conduct screenings of their interpreters and translators to assess their language capabilities and professionalism.

**Special considerations:**
- Typically, language services require payment, a fee, and/or a contractual agreement for payment.
- Some service providers may not be able to provide in-person interpretation.
In the section below, *Organizations that Provide Translation and/or Interpretation Services*, you can review information on a few third-party service providers for language and interpretation services to learn about the different ways you can access language assistance from professional translation and interpretation providers.

**Highlighting Legal Service Providers and Their Models for Translation and Interpretation Volunteer Projects**

**SOUTH TEXAS PRO BONO ASYLUM REPRESENTATION PROJECT (PROBAR)**

*ProBAR*, a project of the American Bar Association's Commission on Immigration, provides on-the-ground legal representation in South Texas to migrant children and adults seeking protection under U.S. law. CILA spoke with Emily Joiner and Julissa Rodriguez, respectively the Director of Outreach and an Outreach Associate of ProBAR, to learn more about (1) ProBAR's volunteer program and its translation initiative for legal documents and (2) ProBAR's utilization of Respond Crisis Translation—an accredited 501(c)(3) nonprofit organization with a network of translators and interpreters—to further meet its translation needs.

**How does ProBAR integrate volunteers into its translation programs?** ProBAR utilizes volunteers to support translation needs in two primary ways: through their own in-house translation volunteer program and through their relationship with Respond Crisis Translation. ProBAR engages with volunteers in these two ways to allow legal staff members the capacity and bandwidth to use their legal expertise and conduct legal work. The volunteers from ProBAR's volunteer program and from Respond Crisis Translation conduct document translation virtually. When ProBAR requests the assistance of a translator from Respond Crisis Translation, they can tap into Respond Crisis Translation's translation services in two ways: through Respond's own network of volunteers or, in instances where less common language skills are needed, ProBAR supplements the volunteer resources available through Respond by tapping into their paid translators.

**How does ProBAR's translation system work?** The translation program has a designated coordinator—currently Outreach Associate Rodriguez—who liaises between staff and volunteers to address requests for services. When a ProBAR staff member needs to have a document translated, they can fill out a designated centralized, secure form to request translation assistance. This form is an electronic Microsoft form created by ProBAR that is circulated periodically and always open to staff in all departments. The form asks general questions about the translation need, including but not limited to the type of document, the language needed for translation, and the timeline for the request. After the ProBAR staff member fills out the form, the form goes back to the translation program's coordinator, who then evaluates whether the translation can be performed through ProBAR's volunteer roster or through Respond Crisis Translation. If the
language requested is a language not spoken by any volunteers, or if no volunteers are available to meet the timeline of the request, then ProBAR will contact Respond Crisis Translation for assistance. In contacting Respond, the program coordinator communicates with a language-specific team lead who then identifies the Respond volunteer with the availability to assist.

What prompted ProBAR to start its own volunteer program for translation?
Before ProBAR utilized volunteers to assist with document translation, translation was performed in-house by multilingual ProBAR staff members, with the occasional volunteer translating documents for staff. The idea to create an established, coordinated effort for volunteer translators had circulated, but ProBAR lacked the actual systems needed to coordinate volunteers for translation purposes. Eventually, multiple developments coincided that supported the launch of a program: the ProBAR team was noting an increase in needs for legal services; momentum increased behind the idea that translation could be a place for ongoing volunteer assistance; and ProBAR’s Outreach team had experienced some growth to its staff and was able to bring capacity for coordinating an ongoing volunteer program. With these multiple developments, ProBAR developed its own model of ensuring translation of documents through a coordinated engagement with and recruitment of volunteers.

How did ProBAR start its volunteer program for document translation? ProBAR knew that other legal service providers had developed their own successful models for volunteer translation support, so the team first contacted other volunteer coordinators at two organizations, HRI and the Refugee and Immigrant Center for Education and Legal Services (RAICES), to learn more about their volunteer translation programs and how to get started. After researching and developing systems to support the quality of translation support, ProBAR began recruiting volunteers through social media, their website, and engagement events at local colleges. Volunteers then expressed interest and
signed up to join ProBAR’s volunteer roster through a weblink on ProBAR’s website. After conducting initial volunteer screenings to ensure volunteer skills and goals aligned with the program, ProBAR then began orientation sessions for volunteers who signed up to be a translator. During these orientation sessions—about an hour long each—the coordinator explains the basic duties of translators in the ProBAR space and emphasizes the duty of confidentiality when translating legal documents. During these orientation sessions, the coordinator also shares resources—that are developed in-house—with the volunteers to go over translation basics and to assist the volunteers with translation if they are approaching legal terminology for the first time. For example, volunteers may not know what to do if they encounter a seal or stamp or Latin words on a document they are translating, or they may not have considered how to address government agency names in a text they are translating. In creating these resources, ProBAR drew insights from resources shared by other providers (including RAICES) to develop their own system.

ProBAR’s volunteer translation initiative continues today, with ProBAR recruiting new volunteers and, importantly, retaining volunteers on its volunteer roster. ProBAR continues to use social media, their website, and events with local college students to recruit volunteers, and ProBAR publicly celebrates and appreciates their volunteers who assist staff, as these volunteers contribute meaningfully to ProBAR’s clients. ProBAR tracks the impact of its volunteer program to ProBAR's legal services, and in 2022, ProBAR’s volunteers provided translation support to an estimated 60 to 70 clients. ProBAR also maintains its valuable engagement with Respond Crisis Translation and the Respond volunteers, who continue to bridge gaps in available translation assistance.

Does ProBAR have advice for those starting or adding on to a volunteer translation model? We asked ProBAR about advice and considerations involved with setting up a volunteer-based model for translation, and here are some of those points:

- Create a system of feedback early to understand the needs of your team when you launch, identify new needs as time passes, and to measure the effectiveness of your program. For example, ProBAR has found it to be valuable to send ProBAR staff members a survey to measure staff satisfaction with the translation services, to identify new or emerging needs, and to troubleshoot recurrent issues.
- Be mindful of tighter deadlines and turnarounds for document translation, both in terms of what is realistic for your volunteer roster and how expectations are set for staff and clients alike.
- Keep volunteer recruitment options open and try different methods of recruitment to recruit volunteers, such as through social media, virtual events, and in-person events.
- Assigning work to volunteers can be a trust-building process. Coordinators should engage with both staff and volunteers to make sure that the needs of both staff and volunteers are met.

Thanks to Joiner and Rodriguez for speaking with us about the translation models used by ProBAR. We celebrate the growth of ProBAR’s volunteer program and look forward to more growth in ProBAR’s future.
HUMAN RIGHTS INITIATIVE OF NORTH TEXAS (HRI)

HRI, located in Dallas, Texas, is a legal service provider that provides free legal services to immigrant clients located in the North Texas area who have suffered human rights abuses. Additionally, HRI provides a wide range of social services to their legal clients. CILA spoke with HRI staff to learn more about HRI’s model for ensuring that its translation and interpretation needs are met.

What translation and interpretation models does HRI use? HRI has a roster of volunteers—mostly students—who assist HRI’s staff with translation of legal documents and interpretation during client meetings and other consultations. HRI recruited these student volunteers by contacting the local Dallas Forth Worth (DFW) Metroplex area universities and assessing the needs of students to obtain hours necessary for their language program studies. In addition to the student volunteers, HRI has other volunteers on their roster who reached out to HRI via their website and asked how to get involved with HRI’s mission. Along with the student volunteers, at present, HRI has an on-staff, full-time, native Spanish-speaking language fellow—whose fellowship lasts one year—who assists HRI’s staff directly with translation and interpretation from Spanish to English.

If the language fellow and volunteers are not available to assist with translation and interpretation, then HRI staff turn to third party service providers, LanguageLine Solutions, a service provided to HRI through the State Bar of Texas, or Translation Interpretation Network (TIN), a paid service, to assist.

HRI uses these various models to make sure that legal staff is not overwhelmed with translation projects, but if the project is time-sensitive and the other methods are not available or reasonably accessible, then a staff member may take on the translation or interpretation project as needed.

Can HRI give us more information about your volunteer system? How did HRI recruit volunteers and develop its volunteer roster? To recruit student volunteers, in 2019, HRI contacted the language department of the University of Texas (UT) at Arlington, in the greater DFW area, to see if they could work with students majoring in language studies. Students at UT Arlington majoring in language studies are required to engage in onsite interpretation for one to two semesters, and the language department itself had a list of opportunities to connect students with to fulfil those required interpretation hours. HRI got on the list, and the university would then connect students with HRI. Some students would come to the HRI office a few times a week, on a semi-regular basis, during which time HRI would schedule overlap between client meetings and the student’s availability in-office. The internship is now on a hybrid model, with interns assisting in person at HRI’s office and virtually.

HRI’s total volunteer roster is approximately 367 volunteers, located worldwide. Yes, there are even some volunteers located in other countries! Aside from the students, most of HRI’s volunteers are professionals or come from diverse backgrounds, located in different places, and
with varying schedules—who signed up to volunteer with HRI primarily through HRI’s website. However, the volunteers are reliable and happy to assist HRI with translation and interpretation needs. While volunteers living locally to HRI can come in the office to assist with interpretation during meetings, volunteers can also assist virtually or over the phone.

To prepare volunteers for translation and interpretation in a legal setting, HRI hosts a virtual orientation with new volunteers via Zoom. During this orientation session, HRI staff gives an overview of HRI and its mission; shows sample, redacted legal documents as examples of types of documents to be translated; and goes over office guidelines, duties, and expectations for translators and interpreters working with HRI. Moreover—and importantly—during orientation, volunteers learn about the duty of confidentiality that is owed to clients, and they are required to sign a confidentiality agreement. HRI also conducts federal background checks for each volunteer.

**How does HRI’s translation system work?** HRI’s staff fill out a Google form, and after filling the form out, the form is sent directly to a designated HRI staff member via email, and she is then notified that there is a pending request for translation or interpretation. The form asks the requestor to fill out information regarding the language needed, the project, and the timeline. Staff then consults with the language fellow (if the project is from Spanish to English) and assesses their assignments to determine if the language fellow is available. If the language fellow is unavailable, then staff reaches out to the volunteer roster to gauge volunteer availability—typically giving the volunteers one day to respond. If a volunteer is then not available, then staff will coordinate with one of the aforementioned third-party service providers.

**What prompted HRI’s decision to tap into local volunteers?** Before the connection created with the local university students, and before the advocacy for the language fellow, HRI’s multilingual staff would translate documents and interpret during client meetings. Interpretation was only offered in Spanish at that time, so clients speaking other languages could bring a family member with them to interpret, or staff would have to consult a third-party provider to assist with interpretation. As HRI’s client base grew—with clients speaking a larger variety of languages—HRI’s staff became more increasingly overwhelmed with meeting the general legal needs of a client’s case, in addition to translating documents to English and providing interpretation during meetings.

**Does HRI have any practical considerations or tips for someone trying to set up a volunteer initiative for translation/interpretation for their legal program?**

- Maintaining the partnership with volunteers is important.
- You may lose some volunteers over time, due to life or career commitments for the volunteers, and that is okay.
- If you are working with students, they may be new to interpretation or translation. Set expectations clearly.

Thanks to HRI for speaking with us about their different translation and interpretation models. We celebrate HRI’s growth and are looking forward to seeing more growth for HRI in the future.
Organizations that Provide Translation and/or Interpretation Services

There are several translation and interpretation service providers available that can assist pro bono attorneys and staff members with translation and interpretation needs. The CILA team has included some information on a few providers below to give you a starting point in your research if you wish to engage with another organization to meet clients’ needs.

AYUDA

Ayuda is a 501(c)(3) nonprofit organization that provides legal, social, and language services to support immigrants in accessing justice and operates on its core values of excellence, integrity, collaboration, inclusion, client-centeredness, and wellbeing. Ayuda has served more than 150,000 immigrants residing in the greater “DMV area,” composed of Washington, D.C., Maryland, and Virginia, since 1973 and is celebrating 50 years of supporting immigrants this year. Ayuda’s offices are located in Washington, D.C., Fairfax, Virginia, and Silver Spring, Maryland. Ayuda’s Language Access Program partners with nonprofits and law firms to provide access to language services.

For this creative model, CILA spoke with Paige Jordan, one of Ayuda’s Language Access Managers, to learn more about Ayuda’s Language Access Program and how Ayuda works with pro bono attorneys to provide interpretation services.

Can you tell us more about Ayuda’s Language Access Program?

As part of its Language Access Program and relationship with partnering law firms, Ayuda hosts a Community Legal Interpreter Bank—which consists of Ayuda’s network of qualified, trained interpreters who collectively speak 35 different languages. As trained interpreters, they have undergone at least 40 hours of foundational training in interpretation, received specialized training in working in legal settings, and signed confidentiality agreements for work performed through Ayuda’s interpreter bank.

Additionally, many of Ayuda’s interpreters have undergone specialized training for working with clients who have undergone trauma—which is significant for immigration cases. These interpreters provide primarily in-person on-site interpretation for different legal settings, including consultations, meetings, and hearings.

Ayuda frequently works with pro bono attorneys and has experience serving pro bono law firms with its interpretation services and its interpreter bank—though a few solo pro bono practitioners partner with Ayuda as well. The law firms are, for the most part, in the DMV area and in proximity
to Ayuda's offices. Ayuda engages with pro bono practitioners to provide language access services through two processes: (1) through its own internal pro bono case placement program where cases are placed with pro bono attorneys and then connected to Ayuda’s Language Access Program, and (2) through requests for language access support from Ayuda, when law firms or attorneys reach out to Ayuda for interpretation assistance and access to Ayuda’s interpreter bank.

**How can pro bono attorneys get assistance through Ayuda’s Language Access Program?**

CILA asked Jordan to explain the second engagement piece with pro bono attorneys to learn more about the process of how pro bono practitioners reach out to Ayuda and obtain its services. Typically, a law firm reaches out to Ayuda and expresses interest in utilizing the Language Access Program’s interpreter bank. The firm then fills out and signs a service agreement—which is a fillable, secure PDF that can be printed, scanned, and then sent back to Ayuda. The service agreement requests information about the request for interpretation, including the name(s) of the individuals seeking interpretation services, details about the type of interpretation requested (client consultation, hearing, etc.), dates, and alternate dates. Requestors of Ayuda’s interpretation services can also ask for certain specifications of the interpreter to be matched to the assignment—such as possessing certification for legal interpretation or having undergone training regarding interpretation for individuals with a history of trauma. The service agreement provides that Ayuda’s services are being used to support clients represented on a pro bono basis, and the service agreement also attests to Ayuda’s interpreters’ proficiency in English and in their working language. After the service agreement is finalized, Jordan then uses Salesforce to input the request and sends the request out to the network of interpreters who meet the qualifications and specifications identified in the request. After an interpreter is matched with the request, Ayuda asks that the interpreter completes a “conflict check” with the assignment to avoid issues of conflict of interest that could arise in providing support to that case. After the conflict check is completed and the interpreter confirmed, the requesting attorney then receives a confirmation email with the interpreter’s name and contact information. At that point, the attorney and interpreter remain in contact to coordinate meetings, while Ayuda processes invoices and payments for the interpreter’s services.

The partnership that Ayuda has with its clients is steady, as the service agreements do not expire. Once a partnership is established between Ayuda and one of its law firm clients through the service agreement, these clients have access to Ayuda’s interpreter bank and quick placement with one of Ayuda’s certified, trained interpreters. Additionally, requests can be made to have the same interpreter throughout the course of a case, which is impactful for interpretation when working on an immigration case and developing rapport. Ayuda’s services for law firms require payment for interpretation, and law firms can “pay as they go” when using the interpreter bank.

Thanks to Jordan and the Ayuda team for coordinating with us and taking the time to inform us about Ayuda and its valuable work. We celebrate Ayuda’s commitment to its values and also congratulate Ayuda on 50 years of meaningful service to immigrant communities.

If you are a pro bono practitioner or a member of a law firm who provides pro bono representation and are located in the DMV area, check out Ayuda’s Interested Law Firms webpage to learn more about Ayuda’s services and reaching out to Ayuda.
RESPOND CRISIS TRANSLATION

Respond Crisis Translation is a nonprofit organization that provides a robust array of translation and interpretation services for migrants, refugees, and anyone experiencing language barriers through its collective of language activists. According to their website, Respond Crisis Translation serves and partners with over 220 organizations and collectives, and their services are offered in 105 languages.

For translation, Respond Crisis Translation can assist with translation for various types of documents and resources associated with an individual client's legal case or with an organizational need. Respond Crisis Translation's Our Services webpage lists examples as asylum documents (asylum applications, supporting evidence, transcripts, declarations, and newspaper and magazine articles), legal resources (Know Your Rights information and presentations, immigration policy updates, and informational documents to help clients understand the legal process), medical and public health resources (medical records and forensic evaluations), education materials (report cards and student resources), social service resources, community organizing resources, and climate resources. Additionally, Respond Crisis Translation's team can assist with proofreading and editing previously translated documents and transcription and translation of audio content.

For interpretation, Respond Crisis Translation mobilizes consecutive and simultaneous interpreters to support in a wide variety of contexts. Respond Crisis Translation’s interpreters can interpret during asylum interviews, forensic evaluations, court cases, physical evaluations and doctor’s appointments, therapy sessions, psychological evaluations, education settings, client consultations, conferences, and workshops.

If you are interested in Respond Crisis Translation's services, you can reach out to them on their Need Support? webpage, where you will be prompted to fill out an electronic form housed on the page. You can also access this form in languages aside from English, including but not limited to Spanish, French, and Haitian Creole. After you fill out the form, one of Respond Crisis Translation's team members will reach out to you directly. While much of Respond Crisis Translation’s work is performed on a pro bono basis, Respond Crisis Translation does require payment for certain requests to compensate translators and interpreters on their team who are themselves refugees, returnees, or financially vulnerable.

LANGUAGELINE SOLUTIONS

LanguageLine Solutions (LanguageLine) is a translation and interpretation service provider that, per their website, provides “language access that faithfully drives higher-value experiences at the moment of need”—whether the need is for a professional need (such as a legal meeting or a consultation) or any day-to-day activity (such as a doctor’s visit or an academic parent-teacher consultation).

LanguageLine’s interpretation can be performed in two formats: on-site or on-demand. When an individual reaches out to LanguageLine needing on-demand interpretation, they can get connected to one of LanguageLine’s estimated 16,000 professional interpreters who speak 240-plus languages via mobile, video, or phone. LanguageLine’s on-demand interpretation services is available 24 hours a day, and individuals can access these on-demand interpretation services via LanguageLine’s mobile app or via dialing in to LanguageLine’s call center, where a LanguageLine operator connects customers with interpreters.
LanguageLine also provides translation services for clients across multiple industries, including healthcare, government, insurance, and financial services. For more information about LanguageLine and if LanguageLine can assist a need in a legal case, you can call (800) 878-8523 or email Translation@LanguageLine.com.

JEENIE

Jeenie is an online platform that offers on-demand interpretation for over 300 languages. Jeenie serves individuals and business of all kinds—such as enterprises, larger organizations, smaller teams, and mid-sized businesses—for different needs. Jeenie connects its users with an interpreter within 30 seconds or less.

Jeenie offers interpretation for healthcare, education, legal services, government, nonprofits and community, business, humanitarian and refugee support, and conferences and trade shows. For interpretation for legal services, Jeenie has certified legal interpreters located worldwide within its network who can offer 24/7 support. Users seeking interpretation for legal services can schedule legal interpretation in advance or request it on-demand. Jeenie's webpage for Legal Services interpretation also describes “strict adherence to ethical standards and client confidentiality.”

To use Jeenie’s services and get connected with a Jeenie interpreter, users need to download Jeenie’s HIPAA-compliant platform on a mobile device (such as a smartphone, tablet, or computer), log in to the app, select the language needed, select whether the call is video or audio, and connect with the interpreter. After the call, the user can rate the call and the interpretation. Jeenie integrates Zoom or other videocall platforms into its calls.

Jeenie is an interpretation service provider that does require payment, but Jeenie’s website indicates that payment may be differently structured depending on the size of the entity being served.

Conclusion

CILA hopes that this creative pro bono model provides insight and information on different models for meeting the need for interpreters and translators in children’s immigration pro bono cases and provides ideas for pro bono coordinators hoping to expand this part of their organization’s programs. Moreover, CILA hopes the attached handout provides pro bono coordinators with a helpful resource that they can give to pro bono attorneys on practical and ethical considerations and reminders when working with translators and interpreters.

If your organization has a creative model for pro bono engagement or ideas and resources to support and train pro bono attorneys, contact cila@abacila.org to share your experience. Check out CILA’s webpage on Creative Pro Bono Models for more ideas for pro bono programs.
Practical and Ethical Considerations and Reminders when Working with Translators and Interpreters
Practical and Ethical Considerations and Reminders when Working with Translators and Interpreters

The CILA team has compiled a list of some reminders, tips, and considerations to keep in mind as you work with a translator or interpreter in the context of a legal case, as well as some select ethical tips and considerations. This information is not exhaustive, and it does not constitute as legal advice.

Providing a child client with access to an interpreter or translator at any point in their case, so that they can communicate in their preferred language, is necessary to ensure that the child client is "enjoying all other rights and services." (ABA Commission on Immigration, The Standards for the Custody, Placement and Care; Legal Representation; and Adjudication of Unaccompanied Children in the United States § III-G (last updated August 2018) [hereinafter ABA Standards]).

CILA’s Pro Bono Guide: Working with Children and Youth in Immigration Cases (Pro Bono Guide) and CILA and COI’s Pro Bono Program Resources & Templates Toolkit (Pro Bono Program Toolkit) provide information, resources, guidance, and considerations to pro bono practitioners working on migrant children’s cases. Section II.D. on page 29 of CILA’s Pro Bono Guide shares practical tips and reminders for attorneys when working with interpreters and translators. Additionally, starting on page 19 of the Pro Bono Program Toolkit, practitioners can access more tips on working with translators and interpreters, as well as helpful resources. You can check out several of those tips below—compiled with other tips learned in practice and from other practitioners—and check out the Pro Bono Guide and Pro Bono Program Toolkit for more information.

- **Determine your client’s preferred/best language:**
  - While you may think you know your client’s language based off an intake form or other paperwork that you receive, it is good practice to double-check the information.
  - Your client may speak multiple languages, but it is important to ask them what language they may feel most comfortable speaking and understand the best.
  - Keep in mind that your client’s preferred spoken language may be different from their preferred written language.

- **If you are requesting the assistance of an interpreter or translator who is volunteering:**
  - Keep in mind that the volunteer may be volunteering for the first time. Be prepared to:
    - introduce yourself and your client and the context of the request for interpretation/translation services,
- remind the volunteer of their role in the case and the importance of their role,
- set expectations—especially regarding deadlines—at the outset, and
- give clear instructions as to the translation/interpretation request.

Engagement letters may be a helpful tool to use when working alongside volunteer interpreters and/or translators to communicate the goals of the assignment, establish duties, and convey expectations.

- Explain confidentiality to both your client and the interpreter and/or translator to help develop a trusting relationship. Ask the interpreter/translator to sign a statement regarding confidentiality and your client to sign a release of confidential information before you get started.

**Practical tips if you are working with an interpreter:**
- If possible, in-person, face-to-face interpretation is best.
- Remember that you will need additional time for interpretation during meetings. Be patient and plan accordingly.
- Inform your client that an interpreter will be assisting or joining meetings and introduce the client to the interpreter and explain why the interpreter is assisting with the meeting (Note: this is also an ethical duty to the client, see more information below).
- Remind the client to speak clearly for the interpreter.
- Use simple, clear language.
- Remind the interpreter that they are only interpreting what the client is saying, from the client’s point of view. The interpreter should not converse with the client or influence the client. For example, if the client is telling their story or facts about their life, then the interpretation should be from the client’s point of view.¹
- Remind the interpreter that they can ask for clarification or repetition to ensure accurate interpretation. Word-for-word interpretation is key.
- Give the interpreter and your client opportunities to take breaks.
- Speak directly to your client. Give your client eye contact and engage with your client rather than the interpreter. Make sure the setup of the room helps facilitate dialogue directly with your client.

**When you are working with a client who has experienced trauma and are requesting the assistance of an interpreter:**
- Set aside more time for the meeting than you would think necessary. Interpretation adds time to a meeting, and adding additional time for breaks during difficult conversations may help your client.

¹ “The accepted standard for legal interpretation is to ensure "direct speech," using the same grammatical person as the speaker. This method allows the Attorney and the client to build a trusting relationship despite the inability to communicate directly. This requires the interpreter to avoid unnecessary interference and to say exactly what the speaker is saying, for example, "[P]lease state your name," instead of "she wants you to state your name." See Comments to Rule V.A.1.i. ABA Commission on Immigration, The Standards for the Custody, Placement and Care; Legal Representation; and Adjudication of Unaccompanied Children in the United States Comments to Rule V.A.1.i.
- Try to work in-person with both the client and the interpreter. This can help prevent technical problems that may arise during the meeting, but this may also help the client feel more at ease.
- As you request the interpreter, consider asking the interpreter or the interpretation service provider if the interpreter has undergone trauma-informed training.
- Consider asking your client whether they would prefer to work with an interpreter of a specific gender.

**Practical tips if you are working with a translator:**
- Documents supplied to the U.S. Citizenship and Immigration Services (USCIS) and immigration court must be in English with a certificate of translation. Remind the translator to attach a certificate of translation at the end of each translated document. Translators themselves do not need to be certified.
- If you have the time, capability, and capacity, read through the translated documents or have another individual review the translation to check for accuracy, client’s voice, and word-for-word translation.
- Emphasize the necessity of word-for-word translation to the translator—even with usages of slang, misspellings, and incorrect grammar.
- As with interpretation, remind the translator to use first person narration for translation, if applicable. For example, if the client has written a personal declaration in their native language, and the translator is translating the document into English, the translated declaration should still be from the client’s point of view and in their voice.

**ETHICAL TIPS AND CONSIDERATIONS**

The ABA [Standards](https://www.abanet.org/standards.html) provides guiding rules of general applicability that apply to unaccompanied children in the United States. In working on a child’s legal case and seeking the assistance of a translator or interpreter, attorneys and pro bono coordinators alike should consult the ABA Standards and ensure that their unaccompanied child clients are receiving services and treatment in line with the Standards.

As mentioned above in the Practical Tips section, CILA’s Pro Bono Guide contains information and considerations for practitioners to remember as they work on unaccompanied children’s cases. The Pro Bono Guide also lists ethical considerations and duties—pointing to the American Bar Association’s [Model Rules of Professional Conduct](https://www.abanet.org/leadership/committees/modelrules.html) (ABA Model Rules).

Here, the CILA team has compiled some select ethical tips and considerations, as listed in the ABA Standards and in the ABA Model Rules, for practitioners to remember in their practice and advocacy as they work with interpreters and translators.

**Children have a right to interpretation and translation.**
- **Rule:** “Children have the right to language access by means of an interpreter and translated documents throughout all stages” of their legal proceedings. (See ABA Standards, Rule III.G.).
Comment: The provider of the interpretation or translation service “has the obligation to provide a trained and independent interpreter or translator.” (See ABA Standards, Comments to Rule III.G).

Comment: When a practitioner is choosing an interpreter or translator to assist them in the child’s case, it is important to “choose one who speaks not only the Child’s language, but his specific dialect.” (See ABA Standards, Comments to Rule III.G).

Attorneys have a duty to the child regarding working with translators and interpreters.

Rule: “The Attorney for the child is a lawyer who provides legal services for the Child and who owes the Child the same duties, including undivided loyalty confidentiality, and competent representation as would be owed to an adult client.” (See ABA Standards, Rule V.A.1.i).

Rule: “The Attorney shall take reasonable steps to communicate with her client in a language and manner the client understands and to ensure that any interpreter or translator used in her communications with the Child understands the Attorney’s and her own confidentiality obligations.” (See ABA Standards, Rule V.A.1.i).

Comment: Attorneys have an “ethical obligation to take reasonable steps to communicate with their clients in a language they understand or be subject to disciplinary action.” (See ABA Standards, Comments to Rule V.A.1.i).

Comment: “To the extent that the Child may be having problems with expressing a preference because of linguistic difficulties, the Attorney should ensure that the interpreter recognizes the importance of understanding the Child’s wishes”—where the Attorney conveys these wishes accurately and “refraining from attempting to influence the Child in any way.” (See ABA Standards, Comments to Rule V.A.1.i).

Attorneys must explain the presence, role, and duties of an interpreter to the child.

If an interpreter is present when the attorney and the child are meeting, the attorney should explain to the child client why the interpreter is present and their role. The attorney should also explain the interpreter’s confidentiality obligations. (See ABA Standards, Comments to Rule V.C.1. See also ABA Standards, Rule V.A.1.i).

Attorneys should explain the duty of confidentiality to translators and interpreters.

Rule: The attorney should “ensure that the interpreter/translator and the Child understand the ethical duty of confidentiality of both the Attorney and the interpreter/translator to maintain confidentiality of the information.” (See ABA Standards, Rule V.C.3.d).

See Rule 1.6 Confidentiality of Information of the ABA Model Rules. Maintain confidentiality to your client by having a confidentiality agreement with any interpreters and translators assisting on the case, and consider asking your client to sign a release when working with interpreters and translators.

Attorneys should assess the translator and interpreter’s skills and impartiality.

Rule: “The Attorney should ascertain the interpreter/translator’s background to ensure impartiality.” (See ABA Standards, Rule V.C.3.b).

Rule: The attorney shall ensure that the interpreter/translator is fluent “in English and in the Child’s best language and dialect” and that the interpreter/translator understands legal or specialized terminology. (See ABA Standards, Rule V.C.3.c).

Rule: Regarding interpreters specifically, the attorney shall make sure that the interpreter “employs words appropriate to the Child’s age and abilities; that the interpreter is, and
appears to the Child to be, impartial; that the interpreter communicates with Children in
general, and, where applicable, with traumatized Children; and that the interpreter employs
direct speech." (See ABA Standards, Rule V.C.3.c).