

Jefferson County District Attorney’s Office – 10 Judicial Circuit

Limited English Proficiency (LEP) Plan

Updated 3/11/2024

I. PLAN STATEMENT

The Jefferson County **District Attorney’s Office** utilizes this plan to provide meaningful access to its programs and activities by persons with Limited English Proficiency (LEP). In accordance with federal guidelines, the **Jefferson County District Attorney’s Office** will make reasonable efforts to provide or arrange for free language assistance for its LEP victims and witnesses and/or persons involved in court proceedings.

II. MEANINGFUL ACCESS: FOUR-FACTOR ANALYSIS

Meaningful access is free language assistance in accordance with federal guidelines. The **Jefferson County District Attorney’s Office** will periodically assess and update the following four- factor analysis, including but not limited to:

- a. The number or proportion of LEP persons eligible to be served or likely to be encountered by the **Jefferson County District Attorney’s Office**:

The threshold for triggering LEP compliance is at least 5% LEP population or more than 1,000 persons. For determining the LEP population in Jefferson County, Alabama, the **Jefferson County District Attorney’s Office utilized** U.S. Census Bureau Language Spoken at Home from the 2022 American Community Survey 5- year estimate. Based on this estimate, there are approximately 14,896 people or 2.4% of the Jefferson County population 5 years and over who speak English less than “very well.”

LANGUAGE SPOKEN AT HOME	
Population 5 years and over	630,801
English only	593,211
Language other than English	37,590
Speak English less than “very well”	14,896
Spanish	21,758
Speak English less than “very well”	10,724
Other Indo-European languages	7,591

Speak English less than “very well”	1,670
Asian and Pacific Islander languages	5,297
Speak English less than “very well”	2,080
Other languages	2,944
Speak English less than “very well”	422

Note: Data for the City of Hoover does not differentiate between Jefferson and Shelby County.

The **Jefferson County District Attorney’s Office** meets the first factor and therefore has a Language Access Plan.

III. LANGUAGE ASSISTANCE

1. A person who does not speak English as their primary language and who has a limited ability to read, write, speak or understand English may be a Limited English Proficient person and may be entitled to language assistance with respect to **Jefferson County District Attorney’s Office** programs and activities.
2. Language assistance includes interpretation, which means oral or spoken transfer of a message from one (1) language into another language and/or translations, which means the written transfer of a message from one (1) language into another language. **Jefferson County District Attorney’s Office** will determine when interpretation and/or translation are needed and are reasonable.
3. **Jefferson County District Attorney’s Office** staff will take reasonable steps to provide the opportunity for meaningful access to LEP victims and/or witnesses who have difficulty communicating in English. If a victim and/or witness asks for language assistance and the **Jefferson County District Attorney’s Office** determines that the victim and/or witness is an LEP person and that language assistance is necessary to provide meaningful access, the **Jefferson County District Attorney’s Office** will make reasonable efforts to provide free language assistance. If reasonably possible, the **Jefferson County District Attorney’s Office** will provide the language assistance in the LEP client’s preferred language.

The **Jefferson County District Attorney’s Office** has the discretion to determine whether language assistance is needed, and if so, the type of language assistance necessary to provide meaningful access.

The **Jefferson County District Attorney’s Office** will periodically assess victim and/or witness needs for language assistance based on requests for interpreters and/or translation, as well as the literacy skills of the victims and/or witnesses.

IV. TRANSLATION OF DOCUMENTS

1. The **Jefferson County District Attorney's Office** will weigh the cost and benefits of translating documents for potential LEP groups, considering the expense of translating the documents, the barriers to meaningful translation or interpretation of technical information; the likelihood of frequent changes in documents; the existence of multiple dialects within a single language group; the apparent literacy rate in a LEP group and other relevant factors. The **Jefferson County District Attorney's Office** will undertake this examination when an eligible LEP group constitutes five (5) percent of an eligible client group.
2. If the **Jefferson County District Attorney's Office** determines that translation is necessary and appropriate, the **Jefferson County District Attorney's Office** will arrange to translate the appropriate document(s) and selected mailings and document(s) of vital importance into that language.
3. As opportunities arise, the **Jefferson County District Attorney's Office** may work with other entities to share the costs of translating common documents, which may include language groups, which do not (yet) reach the threshold level in the **Jefferson County District Attorney's Office** victim and/or witness population.
4. The **Jefferson County District Attorney's Office** will consider technological aids such as Internet-based translation services, which may provide helpful, although perhaps not authoritative, translations of written materials.

V. FORMAL INTERPRETERS

1. When necessary to provide meaningful access for LEP victims and/or witnesses, the **Jefferson County District Attorney's Office** will provide qualified interpreters, contract vendors, if available. At important stages that require one-on-one contact, written translation and verbal interpretation services will be provided consistent with the four-factor analysis used earlier.

2. The **Jefferson County District Attorney's Office** may require a formal interpreter to certify to the following:
 - a. The interpreter understood the matter communicated and rendered a competent interpretation.
 - b. The interpreter will not disclose non-public data without written authorization from the client.
3. A **Jefferson County District Attorney's Office** contract interpreter may not be a subordinate to the person making the decision.
4. Bilingual **Jefferson County District Attorney's Office** employees, when available, can provide limited assistance to **Jefferson County District Attorney's Office** staff and LEP victims and/or witnesses as part of their regular job duties.

VI. INFORMAL INTERPRETERS

1. Informal interpreters may include the family members, friends, legal guardians, service representatives or advocates of the LEP victim and/or witness. **Jefferson County District Attorney's Office** staff will determine whether it is appropriate to rely on informal interpreters, depending upon the circumstances and subject matter of the communication. However, in many circumstances, informal interpreters, especially children, are not competent to provide quality and accurate interpretations. There may be issues of confidentiality, competency, or conflict of interest.
2. An LEP person may use an informal interpreter of his or her own choosing and at their expense, either in place of or as a supplement to the free language assistance offered by the **Jefferson County District Attorney's Office**. If possible, the **Jefferson County District Attorney's Office** should accommodate an LEP victim and/or witness request to use an informal interpreter in place of a formal interpreter.
3. If an LEP client prefers an informal interpreter, after the **Jefferson County District Attorney's Office** has offered free interpreter services, the informal interpreter may interpret. In these cases, the client and interpreter should sign a waiver of free interpreter services.
4. If an LEP client wants to use his or her own informal interpreter, **Jefferson County District Attorney's Office** reserves the right to also have a formal interpreter present.

VII. OUTSIDE RESOURCES

1. Outside resources may include community volunteers.
2. Outside resources may be used for interpreting services at public or informal meetings or events if a timely request has been made.

VIII. MONITORING

1. The **Jefferson County District Attorney's Office** will review and revise this LEP Plan from time to time. The review will include:
 - a. Reports from the **Jefferson County District Attorney's Office** respective divisions on the number of **Jefferson County District Attorney's Office** victims and/or witnesses who are LEP, to the extent that the software and staff data entry can provide such information. Such reports may be supplemented by staff observations.
 - b. Reports from the respective divisions and other sources listing the languages used by LEP victims and/or witnesses.
 - c. A determination as to whether the number from the **Jefferson County District Attorney's Office** victim and/or witness group(s) speak a specific language, which triggers consideration of document translation needs as described above.
 - d. Analysis of staff requests for contract interpreters: number of requests, languages requested, costs, etc.

IX. LEP PLAN DISTRIBUTION AND TRAINING

The LEP Plan will be:

1. Distributed to all **Jefferson County District Attorney's Office** employees.
2. Available at the **Jefferson County District Attorney's Office** 801 Richard Arrington Jr. Blvd. N., Suite 102, Birmingham, Al. 35203.
3. Posted to the **Jefferson County District Attorney's Office** Website.
4. Explained in orientation and training sessions for supervisors and other staff who need to communicate with LEP victims and/or witnesses.