



U.S. Department of Justice

Office of the United States Trustee

*Region 2 - Northern and Southern Districts
of New York and District of Vermont*

74 Chapel Street, Suite 200
Albany, New York 12207
(518) 434-4553

MEMORANDUM

TO: Chapter 7 Panel Trustees and Chapter 13 Standing Trustees,
N.D.N.Y. (Albany Division), S.D.N.Y. (Poughkeepsie Division),
and District of Vermont

FROM: Kim F. Lefebvre, Assistant United States Trustee

DATE: April 29, 2009

RE: Services for Individuals with Limited English Proficiency

Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, requires Federal agencies to examine the services they provide, identify any need for services to those with Limited English proficiency (LEP), and develop and implement a system to provide those services so LEP persons can have meaningful access to them. The United States Trustee Program (Program) fully supports this initiative and, in August 2008, issued its updated Language Assistance Plan (LAP). The major provision of the LAP is to provide language assistance services to LEP debtors at section 341 meetings. To that end, we have procured the necessary equipment and services, and we now need your assistance to begin implementation.

Effective immediately, LEP debtors may request, free of charge, the use of a telephone interpreter service for their section 341 meetings. At this time, this service is readily available and should be utilized in all permanent section 341 meeting room locations which, in your district, are:

Albany, New York:

Leo O'Brien Federal Building
Clinton Ave. & N. Pearl Sts. Room 811b

Office of The U.S. Trustee
74 Chapel Street, Suite 200

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Poughkeepsie, New York:

Office of The U. S. Trustee
355 Main Street
Poughkeepsie, New York

Rutland, VT:

U. S. Trustee Meeting Room
The Opera House
67 Merchants Row, 2nd Floor
Rutland, Vermont

Signs will be posted in the section 341 meeting rooms to inform debtors of the availability of the service, and we also plan outreach with the debtor bar. In our communications with the bar, we will stress that, to the maximum extent possible, arrangements for services be made in advance to limit any disruption to the flow of meetings.

Telephone interpreter services will be available through the company, Language Services Associates (a/k/a Interpretalk). Interpreters are available 24 hours a day, seven days a week, and an interpreter generally is connected within a few minutes of placing the call. Services are available in 196 languages.

As the trustee conducting the meeting, your assistance will be required to contact the company to arrange for service on behalf of the LEP debtor, as well as to document use of the service for reporting purposes to our office. To aid you in understanding the important role you play in this initiative, enclosed please find:

1. A training video designed to familiarize you and your staff with the process for accommodating LEP individuals.
2. Written instructions on how to arrange for services with the company, Language Services Associates, along with a list of the languages for which interpretation can be provided. It is imperative that you keep the Access Code for this service in a secure place for use only by you or other authorized personnel from your staff. Use of this service for any purpose other than a section 341 meeting is prohibited.
3. The procedures to be followed to place the interpreter under oath.
4. The Interpreter Usage Report form to be completed for each section 341 meeting at which the interpreter service is utilized. The completed form must be submitted to Diana M. Nuss, Paralegal Specialist, our regional LAP Coordinator, at the conclusion of the meeting. Invoices for services will be issued directly to our Program, and this form will be used to verify billings for services rendered.

For additional information on services available to LEP persons, you may visit our Web site at http://www.usdoj.gov/ust/eo/public_affairs/lep/index.htm.

As I stated previously, access to language assistance service is available and should be utilized in all permanent meeting room locations. The Program is considering its options for equipping locations that are not within our direct control (i.e., meeting rooms provided free of charge or rented on a daily basis) with appropriate conference-quality phone equipment. In the meantime, if any of these locations have a regular speaker phone available, you should use the interpreter service; if no phone is available, you may continue to use current methods of providing interpreter services, which include allowing volunteers from the community, or friends or relatives of the debtor, to interpret for the debtor.

We thank you in advance for your assistance in implementing our LAP. Through our combined efforts, we will help the bankruptcy system to more effectively serve its LEP debtor population. If you have any questions, or feedback, regarding the use of the telephone interpreter service, we encourage you to contact Diana M. Nuss, Paralegal Specialist at (518) 434-4553.

Enclosures

cc: All Attorneys, Bankruptcy Analysts, and Paralegals, Albany, OUST