

**Written Testimony of Sean Heyneman
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Montgomery County Council

**FY26 Operating Budget Public Hearing
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My name is Sean Heyneman, and I am a Language Access Manager at Ayuda. Thank you for this opportunity to comment on the County's FY26 Operating Budget. Through this testimony, I respectfully urge the Council to:

1. Keep in the budget Executive Elrich's recommendations for cost-of-living adjustment for nonprofit contracts.
2. Keep his recommendations for the Office of Grants Management.
3. Allocate an additional \$20,000 to fund critical language access services for Deaf and non-English-speaking County residents provided by Ayuda's Community Legal Interpreter Bank (CLIB) via our contract with the Department of Health & Human Services (DHHS).

Ayuda's Community Legal Interpreter Bank (CLIB) has been funded by the County Government since 2013, most recently through a contract with DHHS. This project has provided free interpretation and translation services to pro bono and public interest lawyers, shattering language barriers and empowering thousands of low-income Montgomery County residents to access the legal assistance they need and deserve. Ayuda is also a proud member of Nonprofit Montgomery.

An immense need for language access services exists in Montgomery County. According to 2023 census data, approximately 162,000 Montgomery County residents over the age of 5 years old are limited-English proficient (LEP) or non-English proficient (NEP). In other words, 16% of Montgomery County residents have limited or no ability to read, speak, write, or understand English. The top languages spoken by LEP and NEP Montgomery County residents are Spanish, Chinese (including Mandarin and Cantonese), Afro-Asiatic Languages (including Amharic and Somali), Korean, French (including Cajun), Vietnamese, Tagalog, Russian, Persian (including Farsi and Dari), Portuguese, and West African Languages (including Yoruba, Twi, and Igbo). Furthermore, Montgomery County is home to about 6,600 individuals between the ages of 5 and 64 with hearing difficulty, many of whom use sign language to communicate.

While Montgomery County boasts a strong network of pro bono and public interest lawyers, most of these legal assistance programs operate in English. Ayuda's CLIB plays a critical role in bridging communication gaps and ensuring lawyers have the tools to effectively serve linguistically marginalized communities in Montgomery County.

The core language access services provided by CLIB are local, specially trained legal interpreters. Ayuda contracts with 135 local, professional interpreters who work in 35 languages, including Spanish, Amharic, French, Mandarin, Farsi, Thai, Vietnamese, Tagalog, Brazilian

Portuguese, Korean, Dari, and American Sign Language. Our interpreters are specially trained in how to interpret in out-of-court legal settings and have extensive knowledge regarding legal terminology, the U.S. legal system, attorney-client privilege, maintaining confidentiality, and avoiding the unauthorized practice of the law.

Thanks to funding from Montgomery County, we are able to make these local, specially trained interpreters available to legal service providers free of charge. Our interpreters work in both remote and in-person settings and have assisted Montgomery County residents with completing immigration applications, drafting declarations, petitioning for asylum, filing for divorce, maintaining custody over their children, gaining protection from violent and abusive relationships, and much more. By facilitating communication between lawyers and their LEP and Deaf clients, CLIB ensures that all Montgomery County residents have access to legal assistance, regardless of their language background.

CLIB also uses funding from the Montgomery County Council to provide free document translation services. By working in partnership with third-party translation vendors, CLIB helps legal service providers translate a wide range of documents, including intake forms, organizational brochures, Know Your Rights pamphlets, client statements, asylum retainers, letters between lawyers and their clients, IDs, birth certificates, and court orders. These translation services play a crucial role in helping lawyers conduct outreach and provide legal assistance to LEP Montgomery County residents.

CLIB is run by a team of full-time staff who are experts in the field of language access. We handle the responsibility of contracting with, scheduling, and paying interpreters and linguists. We also work to recruit, vet, and train new interpreters, increasing the capacity of the bank to meet the diverse language needs of Montgomery County residents. Additionally, our team provides regular training for legal service providers on language access best practices, including how to work with interpreters, how to determine if a Certified Deaf Interpreter is needed for ASL assignments, how to host remote meetings with interpreters working in multiple languages, and how to use simultaneous equipment (which CLIB lends to providers for free upon request). By consolidating expertise, resources, and funding, the CLIB model increases efficiency and improves the quality of services rendered. Free of the logistical and financial burden of language access, pro bono and public interest lawyers can focus on what they do best: advocating for their clients and providing excellent legal services.

Over the past 12 years, we have developed partnerships with 30 organizations that provide civil legal services to low-income Montgomery County residents. These legal service providers include Catholic Charities (Legal Network and Immigration Legal Services), Columbus Community Legal Services, DC Volunteer Lawyers Project, Montgomery County State's Attorney's Office, Asian Pacific American Legal Resource Center, Montgomery County Bar Pro Bono Program, Catholic Legal Immigration Network, Inc, Sexual Assault Legal Institute, HIAS, Maryland Volunteer Lawyers Service, UMD Safe Center for Human Trafficking Survivors, Torture Abolition and Survivors Support Coalition (TASSC), The Women's Law Center of Maryland, The Human Trafficking Legal Center, Maryland Legal Aid, Good Samaritan Advocates, and First Shift Justice Project. This network continues to grow as more organizations learn about our services.

CLIB legal service providers have repeatedly expressed their appreciation for our language access services.

According to Ariana Smith, Immigration Staff Attorney at Ayuda, “I needed CLIB interpreters to work with Spanish- and Amharic-speaking clients so that I could understand their stories, help them identify forms of relief they were eligible for, work on their declarations, compile evidence, and complete every step necessary for filing for relief. Ayuda’s translation services are used to ensure that evidence that demonstrates client eligibility for relief – for example, documents from other countries or letters of support/corroboration written by non-English speakers – can be included in the application, thereby strengthening it.” Some examples of Smith’s clients who have benefited from our language access services include a domestic violence survivor applying for a VAWA petition and Temporary Protected Status, a Salvadorean asylee seeking to obtain protection from government persecution due to his sexuality, a house cleaner applying for a U visa to gain legal status and free herself from a sexually abusive employer, a victim of a violent attack who was working with the Metropolitan Police to prosecute his assailant and improve the safety of our community, and a Venezuelan woman seeking Temporary Protected Status to escape intimate partner violence and political turmoil in her home country. As noted by Smith, “It would not have been possible to file applications for our clients without CLIB’s interpretation and translation services.”

Non-Ayuda providers have also praised CLIB. For example, one of our CLIB providers is Montgomery County Office of DC Volunteer Lawyers Project, an organization that offers comprehensive pro bono legal services to survivors of domestic violence, at-risk children, and immigrant survivors of gender-based violence. Their staff attorney recently worked with an Amharic CLIB interpreter and had extremely positive feedback. According to the attorney, “When I used interpreters who were not through Ayuda’s language bank, I found the communication to be extremely difficult. I found that many technical legal details that were important in terms of understanding my client’s position and explaining potential outcomes to my clients were lost. This client was a domestic violence survivor who fled her abuser with their child in common, but the abuser filed for custody, so there were a lot of complex things to explain to her regarding her legal rights to her child. I appeared on video with the interpreter and my client felt extremely comfortable with him. He did a great job of interpreting everything and facilitating communication between myself and my client. I also feel like I had a complete understanding of my client’s story and situation ... I felt like my client understood what I had explained to her, and I understood what she hoped to accomplish, and we were able to effectively communicate and figure out next steps together.” This example highlights the importance of having access to interpreters with specialized training in out-of-court legal interpreting. Given the high stakes nature of these client-attorney meetings, it is crucial to have interpreters who have a strong understanding of the US legal system and can effectively navigate complex legal jargon.

Catholic University’s Columbus Community Legal Services, an organization dedicated to representing low-income individuals and families in a wide variety of civil matters, has also expressed their gratitude for our language access services. “We have been using Ayuda’s interpretation services to help a Cameroonian woman in Montgomery County. She is the

survivor of multiple arrests, detention, and torture due to her political activities in her home country and is seeking asylum in the United States. Our interpreter, Amour, has been absolutely fantastic. She delivers her interpretation services in a warm, and empathetic manner. Having Amour participate in our meetings is absolutely critical. Without her assistance, we wouldn't be able to help this client and her family.” This example yet again underscores the high quality of interpreters in our bank. In addition to being trained in out-of-court legal interpretation, many of our interpreters are also cross-trained in victim services interpreting. Victim-centered and trauma-informed, our interpreters are highly skilled at interpreting in emotionally charged sessions. They know how to facilitate communication in a way that is empowering for the client and avoids retraumatization.

Thanks to funding from the Montgomery County Department of Health and Human Services, we have provided professional interpreters to low-income Montgomery County residents on over 1,500 occasions and translated 500 documents. We take pride in our achievements. However, the true need for language access services in Montgomery County significantly exceeds the capacity of our contract with DHHS. In FY24, the cost of interpretation and translation services Montgomery County residents was \$40,800, which exceeded the budget for these services in our DHHS contract by over \$20,000. Ayuda was forced to pay the difference with funding from other grants, decreasing our overall ability to serve Deaf and LEP people in the greater DMV region.

To avoid running out of funding prematurely, we were forced to temporarily halt document translations from October 2023 to April 2024. During this timeframe, providers continued to place requests, hoping we could make an exception for them and translate much-needed legal documents. Unfortunately, we had to turn down all 48 translation requests that we received during this period, which would have amounted to \$6,300.

These funding limitations have continued to manifest in FY25. Within the first two months of this grant year, we filled 34 interpretation requests and 10 translation requests, costing our program a total of approximately \$4,200. If we had continued fulfilling requests at the same rate, we would have exhausted our funding for interpretation and translation through this grant by mid-February, five months before the end of the grant year. To curb spending, we were forced to suspend document translations and place our top requesters on monthly allocation budgets between September 2024 and December 2024. During this period, the providers on allocations reduced the number of requests they submitted by 85%. Our program was also forced to turn down 28 translation requests, which would have amounted to \$4,890.

Unable to access our free language access services, lawyers were forced to either (1) use bilingual staff or volunteers as interpreters and translators, a practice highly discouraged in the field due to concerns about accuracy and confidentiality, (2) pay for expensive interpreter or translator services their own limited budget, or (3) turn away clients, unable to effectively meet their language access needs.

With increased funding, CLIB can expand its reach and better meet the growing demand for language access services in Montgomery County. Together, we can break down language barriers between lawyers and their clients and ensure all Montgomery County residents can

participate in the legal system, assert their rights, and obtain justice, regardless of the language they use to communicate. On behalf of Ayuda, I urge the Council to allocate an additional \$20,000 for the Department of Health and Human Services to prioritize language access in its FY26 budget. Thank you for your time.