



SILICON VALLEY
CAMPAIGN FOR LEGAL SERVICES

**Language Barriers to Justice in California:
Agencies Benefiting from SVCLS Address Needs**

An excerpt from the “2006 Silicon Valley Campaign for Legal Services Annual Report”

Within Silicon Valley over 100 languages are spoken on a regular basis, with 45 percent of the general population speaking a language other than English at home. The 2000 Census indicates that nearly 20 percent of these individuals speak English less than “very well.” According a recent Report of the California Commission on Access to Justice, *Language Barriers to Justice in California*, “People with limited English proficiency are often also members of groups whose cultural traits or economic circumstances make them more likely to be subjected to discrimination in employment housing, lending practices and other areas.”

In cases brought to our attention by legal services organizations that SVCLS benefits, we frequently see how a lack of language proficiency plays a significant role in clients’ lives. Such individuals are vulnerable to consumer fraud, unable to access health services to which they are entitled, subject to wage garnishments, trapped in creditor/debtor cases and powerless in family law matters. Articles in recent local and national press expose the role that insufficient language proficiency can play when unscrupulous mortgage brokers encourage low-income people to sign loan documents not written in their primary language.

Lack of language proficiency is also a problem when such people attempt to navigate the court system. The right to have a state-funded interpreter in criminal proceedings has long been recognized by the courts. However, in most civil proceedings – even those affecting fundamental rights – California does not recognize the right to an interpreter, nor does the court system have adequate funds to pay for interpreters. In our community approximately 85 percent of family court litigants are *pro per* (self-represented) each year. These individuals have no choice but to represent themselves in court, having no attorney to ensure their understanding of pleadings, forms or other legal documents. They often, in fact, find it difficult to participate meaningfully in court proceedings without an interpreter.

These factors underscore the important role that legal services organizations play, in striving to hire multi-lingual attorneys, engaging the services of interpreters and recruiting pro bono attorneys who can work effectively with this client population. Among the many organizations supported by SVCLS are The Asian Law Alliance, for example, which specializes in working with the Asian and Pacific Islander communities. Two other examples are The Katharine and George Alexander Law Center and Bay Area Legal Aid, both of which have significant percentages of Spanish-only speaking clients.

The high degree of self-represented litigants in the courts and the increased number of clients needing language-appropriate assistance points to the need for strengthening the effectiveness of Silicon Valley-based agencies that can serve our community effectively. Today, these organizations find themselves turning away two of every three eligible low-income clients with meritorious cases, due to lack of adequate resources. The Silicon Valley Campaign for Legal Services aims to close this gap.

Sources: California Commission on Access to Justice, *Language Barriers to Justice in California*, September 2005; US Census Bureau, United States Census 2000.