

**Limited English Proficiency - Procedures for Reasonable Accommodation**  
Yellowstone County Attorney Office, Yellowstone County Montana  
Updated: May 17, 2024

**Purpose and Justification**

Yellowstone County Attorney's Office provides equal opportunity of access to all programs and services to ensure full compliance with all civil rights laws, including Title VI of the 1964 Civil Rights Act, which requires non-discrimination on the basis of national origin. Equal opportunity includes physical and program access for persons with disabilities and program access for persons with Limited English Proficiency. Program and physical access for persons with disabilities is covered in the Americans with Disabilities Act of 1990 and the Rehabilitation Act of 1973 as amended, Section 504. The following procedures provide the Yellowstone County Attorney Office with specific guidance for dealing with individuals with Limited English Proficiency (LEP).

At present, the case load of the Yellowstone County Attorney Office is not impacted with large numbers of non-English speaking crime victims in Yellowstone County. In the event language diversity changes victim demographics significantly, additional services to LEP residents and visitors will be provided. At this time, the Yellowstone County Attorney Office is adequately prepared to meet the demands of the small number of situations that require the use of translators and interpreters.

As the Yellowstone County Attorney Office is the recipient of various federal grants funding, it understands the duty of maintaining procedures for effectively meeting the needs of LEP individuals. This goal is consistent with its mission of public service and compliance with both federal law and the Montana Governmental Code of Fair Practices. Specific to compliance with federal requirements, the Yellowstone County Attorney Office is obligated to comply with the following standards as outlined in LEP.gov:

Recipients and federal agencies are required to take reasonable steps to ensure meaningful access to their programs and activities by LEP persons. While designed to be a flexible and fact-dependent standard, the starting point is an individualized assessment that balances the following four factors:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or grantee;
2. The frequency with which LEP individuals come in contact with the program;
3. The nature and importance of the program, activity, or service provided by the program to people's lives and;
4. The resources available to the grantee/recipient or agency and costs.

**Definitions**

**Limited English Proficiency (LEP)** - Those individuals who cannot speak, read, write, or understand the English language at a level that permits them to interact effectively with program service providers.

**Qualified Interpreter** - Qualified interpreters have demonstrated proficiency in English and a second language; demonstrated knowledge in both languages of relevant specialized terms or concepts; documentation of completion of training on the skills and ethics of interpretation; and awareness of relevant cultural issues.

**Qualified Translator** - An individual having the ability to accurately translate written material from a foreign language to English or from English to a specific foreign language. The finished product should be grammatically correct and understandable to speakers of the language to which the document has been translated.

### **Resources for Acquiring Translation and Interpretation Services**

The Yellowstone County Attorney Office has several approaches to acquiring high quality translation and interpretation services depending on the needs and circumstances.

- **Staff Support** – Certain staff members are able to provide translation/interpretation assistance at times, primarily with Spanish and Eastern European speakers. These services are limited to use in the criminal justice system for the most part. In addition, Yellowstone County employees approximately 400 individuals, some with native/foreign language skills to assist when necessary.
- **Montana State University Billings (MSU-B) Language Department** – As MSU-B is central located in Yellowstone County, The Yellowstone County Attorney Office has access to MSU-B to provide assistance in the LEP arena. These services would be used when required be on a case by case basis, when appropriate.
- **Rocky Mountain College Language Department** – Like MSU-B, Rocky Mountain College is strategically located in Yellowstone County with a diverse student /facility population to draw on for LEP services as needed.
- **Law Enforcement Assistance (Homeland Security)** – This valuable resource has a history of working closely with law enforcement and criminal justice professionals and is a service that can be accessed toll free at 1-800-973-2867.
- **Federal Bureau of Investigation (FBI) Assistance** – The FBI Assistance is an additional resource that is utilized by law enforcement agencies. This resource can be accessed by phone at 1-801-579-1400.
- **United States Marshall Service** – The Marshall Service, another component of federal law enforcement, has resources and coordinates services with the Yellowstone County Attorney Office.
- **United States District Court for the Eastern District of Montana** – Federal District Court is mandated to insure that translators and interpreters are available to meet the needs of the federal court system in Montana. This Federal District Court is located in Billings, directly adjacent to the Yellowstone County Attorney Office. The Court Clerk Office can be reached at 247-7000.
- **Montana Language Services** – Yellowstone County Courts frequently utilize this service as need, the Yellowstone County Attorney’s Office has used this service when we are unable to use local translators/interpreters.  
<https://mtlanguageservices.interpretmanager.com/ng/#/app/account/sign-in>.

If you have questions regarding the need to provide assistance or accommodation to LEP individuals, please contact the Yellowstone County Attorney's Office during normal business hours at 406-256-2870. In the event that an emergency arises, please call 911.