

YOUR RIGHT TO AN INTERPRETER



Do I have a right to an interpreter?

Yes. Both the Federal Civil Rights Act of 1964 and The New Jersey Law Against Discrimination prohibit national origin discrimination. This means that agencies that get state or federal funds, such as a government offices, schools, courts, hospitals, police, fire departments, and nonprofit agencies, such as Legal Services offices, must provide you with a free interpreter and translated materials if you need them. If one of these agencies fails to give you an interpreter when you ask for one, this may be considered to be national origin discrimination.

What should I do to get an interpreter?

If you need an interpreter, you should ask for one. You may say:

“_____ is my native language. I need an interpreter.”
(Name of your native language)

Or you may show the agency staff person the English version of this fact sheet.

What if the agency refuses to give me an interpreter?

If the agency refuses to get you an interpreter, tell them that the law says they must provide one. Then show them the English version of this fact sheet.

How long should I wait for an interpreter?

You should not be forced to wait too long to get an interpreter. If you wait so long that you lose a benefit or miss a deadline waiting for an interpreter, that is too long to wait. Keep track of how long it takes to get an interpreter.

Who pays for an interpreter?

The agency where you are seeking help should pay for an interpreter. The law does not permit the agency to ask you to pay for an interpreter.

What happens if the agency tells me to bring my own interpreter?

You may choose to bring your own interpreter, but the agency may not force you to bring one. The agency may also choose not to use your interpreter and instead use an agency interpreter.

You may bring a friend or family member to support you, but the agency may not require that person to serve as an interpreter. The law does not permit any minor person (under the age of 18) to act as an interpreter.

What is the role of the interpreter?

An interpreter's job is to correctly interpret into English what you are saying in your native language to the staff of a state or government agency, a judge, an attorney, or another service provider.

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An interpreter must also interpret into your native language what the state or government agency staff member, judge, attorney, or other service provider is trying to say to you in English.

To correctly interpret, an interpreter must speak English and your native language equally well. The interpreter should have the same vocabulary level in both languages. There are other rules that interpreters must follow. For example, an interpreter should interpret in the first person if the speaker is speaking in the first person. If the interpreter is not able to follow the rules of interpreting, report this to the agency staff, judge, attorney, or other person who got the interpreter for you.

What should I do if I can't understand the interpreter?

You have the right to an interpreter who speaks in a way that you can understand. If you don't understand the interpreter, ask the interpreter to explain or repeat what was said. Don't be afraid to ask questions. If you still cannot understand the interpreter, tell the agency or the person who provided the interpreter for you.

What should I do if the agency refuses to provide an interpreter?

If the agency does not provide an interpreter, complain first in person and then in writing. Make sure to write down the name of the person you talked to and when. Keep copies of all notes and letters. You should take the following steps:

- Get the name and address of the person and the agency or business that denied your rights.
- Ask to speak with the supervisor of the person who spoke to you.
- If you still do not get an interpreter, write a letter of complaint to:
 - The mayor, if the agency is a municipal (town) agency;
 - The governor of the state where the agency is located;
 - The congressperson who represents you;
 - Your state or local representatives;
 - The director of the agency or business;
 - The New Jersey Division of Civil Rights;
 - The federal government agency that provides money to the agency refusing to provide you with an interpreter;
 - The United States Department of Justice.
- File a formal complaint in Superior Court.

Where can I go if I need help?

If you are unable to take these steps and need help getting an interpreter or translated materials or making a formal complaint about an agency or an interpreter, contact **LSNJLAWSM** Legal Services of New Jersey's statewide, toll-free legal hotline, at 1-888-LSNJ-LAW (1-888-576-5529) or (732) 572-9100 if you are calling from outside New Jersey. Hotline hours are Monday through Friday, 8 a.m. to 5:30 p.m. If you are not eligible for assistance from Legal Services, the hotline will refer you to other possible resources.

1-888-LSNJ-LAW
(1-888-576-5529)