

Communication Access Fund for Legal Services

by John C. Wyvill, JD, Executive Director, Nebraska Commission for the Deaf and Hard of Hearing

Nebraskans who are deaf continue to encounter significant barriers when attempting to access private legal services. For our purposes here, the term “deaf” includes individuals who are deaf, hard of hearing, late deafened, and deaf-blind. During the COVID-19 pandemic and mask protocols in place, the deaf community had an even more difficult time accessing legal services. The Nebraska Unicameral recognized this challenge, with State Sen. Anna Wishart of District 27 leading the charge to secure pandemic funding in LB1014 to ensure the deaf community receives access to effective communication within private legal settings.

What Does This Mean for Members of the Nebraska Bar?

Legislation has created a communication access fund (CAF) to facilitate and ensure the provision of communication access. Beginning July 1, 2022, the CAF will cover reasonable expenses incurred to provide effective communication access services between attorneys and deaf individuals outside of the courtroom. Expenses eligible for coverage include qualified licensed sign language interpreters, video remote interpreting, real time captioning (CART) or any other auxiliary aid or service used to ensure effective communication between the attorney and the deaf individual (actual or prospective client).

How Will This Work?

After July 1, attorneys will be able to submit requests for reimbursement to the Nebraska Commission for the Deaf and Hard of Hearing (NCDHH) and receive payment from the CAF for reasonable expenses incurred for the use of licensed sign language interpreters or other forms of auxiliary aids and services. In other words, the CAF will pay for the cost of communication access services your office is providing. Stay tuned in the upcoming month for more details on the nuts and bolts of how this program will work and the process for submitting requests for reimbursement.



NCDHH Interpreter Program Coordinator, Sharon Sinkler, interpreting at a press conference for Gov. Ricketts

In the meantime, don't hesitate to contact me at john.wyvill@nebraska.gov or 402-471-3593 if you have any questions about this program. I would like to also point out that the CAF program would not be possible without the support of the Nebraska Bar Association and its members that serve in the Nebraska Unicameral.

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