

**Increasing Access to Justice for Asian Pacific Americans in Connecticut**  
**Written testimony of Amy Lin Meyerson, National Asian Pacific American Bar**  
**Association Immediate Past President**

Madam Chair and members of the committee, I am Amy Lin Meyerson of Weston, CT and am the Immediate Past President of the National Asian Pacific American Bar Association (NAPABA) and the founder, past president and current Board member of the Connecticut Asian Pacific American Bar Association. I am also a member of the Asian Pacific American Coalition. I present this testimony in support of proposed H.B. No. 6002 entitled "AN ACT ESTABLISHING AN ASIAN PACIFIC AMERICAN AFFAIRS COMMISSION."

I agree with the remarks made by previous speakers from the Asian Pacific American Coalition of Connecticut. My testimony is offered to highlight the need to increase access to Justice for Asian Pacific Americans in Connecticut that is another area of concern of Asian Pacific Americans within this state.

***What is the problem of language access?***

Language is a barrier for many Asian Pacific Americans (APA) in the United States with limited English proficiency. They are unable to speak, read, write or understand English sufficiently enough to navigate the legal process. During court proceedings, being unfamiliar with the English language can be detrimental to bringing about true justice. In many instances, individuals are unable to present the merits of their case and understand legal proceedings because of the lack of English proficiency. In sum, language barriers in court proceedings can deny the right to fair judicial proceedings for litigants.

***NAPABA's "Increasing Access to Justice for Asian Pacific American's Project"***

To work towards diminishing the language barriers for APAs in judicial proceedings, last year NAPABA initiated its "Increasing Access to Justice for Asian Pacific American's Project." NAPABA worked with community leaders and our 50 local affiliates to receive a variety of different perspectives in creating a foundation for the project. Additionally, NAPABA looked to one of its close partners, the Asian American Justice Center, for guidance for the project. The AAJC's 2005 report *Equal Justice, Unequal Access: Immigrants & American's Legal System* presents a number of recommendations and actions, many of which NAPABA has used as a foundation for crafting the project.

NAPABA compiled research on laws, court proceedings, and APA statistics regarding language access across the country. From the assessment of our findings, NAPABA produced a report with a set of recommendations and action points to be made

in order to diminish the language barrier in judicial proceedings for APAs. Copies of this report are available for each Committee member. With these recommendations and action points, NAPABA will work with our affiliates and other organizations to implement these recommendations and action points. In addition, the project will allow other organizations to independently implement our recommendations to increase linguistically accessible legal services.

### ***Connecticut Language Access Statistics***

While compiling the research for our report, NAPABA found that Connecticut is one of the states that is lagging behind others in the area of access to justice for APAs.

#### Law

- Connecticut currently has no statutes that provide the right to an interpreter for limited English proficient people. However, through precedent in criminal cases, federal law does provide the right (but not funding) to an interpreter for limited English proficient people in criminal cases.
- In regards to language access issues in public services, Connecticut allows individuals to file discrimination complaints when access to public services is denied as a result of limited English proficiency (Center for Policy Alternatives). If it is wrong to discriminate based on language in government provided public services, why is right to discriminate based on language in judicial proceedings when individuals don't speak English?

#### Population

- Asian Americans are 3.2% of the total population of Connecticut.
- In Storrs, there are about 100,000 Asian Americans.
- In Connecticut, the population of limited English proficient peoples increased by nearly 20 % from 1992-2002.
- About 20% of people in Connecticut speak a language other than English at home.
- To emphasize the language access problems with public services, an independent organization in Hartford performed a test on two city departments. A Vietnamese woman was asked to pretend she did not speak English. She then visited two city departments -- the Office of Management and Budget and the city clerk's office -- and in both cases she was turned away without having her questions answered.

#### Courts

- In a 2003 report by the National Consortium for State Courts, Connecticut was found to have over 236,000 "Incoming" civil cases. "Incoming" civil cases are the combination of new filings and reopened and reactivated cases. This results in 236,000 cases in which

individuals are not provided the right to an interpreter, which could be detrimental to a limited English proficient individual's case.

Increasing access to justice for Asian Pacific Americans in Connecticut is just one more of the areas of concern that an Asian Pacific American Affairs Commission could address, using the NAPABA report and other resources for guidance. I urge this Committee and the Legislature to support proposed H.B. No. 6002 and establish an Asian Pacific American Affairs Commission.