

**Kansas Commission for the Deaf and Hard of Hearing
Description and Policy for CAF Component Supporting Attorneys – July 2023**

The Kansas Commission for the Deaf and Hard of Hearing (KCDHH) will collaborate with the Kansas Bar Association and all registered interpreters in the state of Kansas to ensure effective communication between private attorneys and all people who are deaf and hard of hearing, including prospective clients, clients, witnesses and others with whom the attorney will communicate.

The Communication Access Fund will be provided and administered by and with the oversight of the KCDHH.

The Kansas Bar Association will make these services aware to its members, but KCDHH will coordinate the initial delivery of these interpreting services, thus eliminating the need for attorneys to have to submit billing and invoices, which associated eligible costs would be paid for through the Communication Access Fund. KCDHH will ensure that the services provided are appropriate to meet the communication needs of the individual in which services are being provided for, even beyond the initial eligibility support. The expanded eligibility may also be granted to attorneys who are pro bono.

KCDHH will also educate attorneys about the ADA requirements and best practices in working with clients who are deaf or hard of hearing. The Commission believes this is extremely important due to attorneys potentially declining clients who are deaf based on misconceptions or misunderstandings of individuals who are deaf or hard of hearing.

The CAF component for attorneys be utilized as follows:

- Full coverage of interpreter costs for initial client/counsel meeting up to two (2) hours
- Recommended lifetime cap of \$500/client to be utilized for client/counsel meetings. The billable hours for email or telephone communication are not eligible.
- Additional funding may be requested and provided based on available funds and will be reviewed on a case-by-case basis. An example of such consideration includes travel required of interpreter due to location of attorney in rural areas or attorneys providing services pro bono.
- Attorneys working through State Board of Indigent Defense (SBID) should consult internally about their funding, unless the SBID will coordinate arrangements with KCDHH.
- KCDHH shall require reimbursement of funds used under this CAF program when another source would otherwise reimburse this program's beneficiaries. Such instances include federal funds covering the cost, proceeds from a settlement or prevailing judgment when the cost of legal services is involved.
- KCDHH will continue to request funding for this program annually. If this funding source is no longer available, KCDHH will collaborate with the Kansas Bar Association to create a funding pool with the bar to ensure the sustainability of the accessibility of these services.

To request for consideration of assistance through pilot CAF program, please email the Executive Director at Robert.Cooper@ks.gov.

To request for an interpreter or other communication access services, please email DCF.KCDHHrequests@ks.gov.

For additional information and/or to request for appropriate forms or documents, please contact KCDHH at 785-368-8034 or VP 785-246-5077