

VCSP

Vermont Communication Support Project

Q&A

2013

Who qualifies for VCSP services?

The person that qualifies has a disability that impacts their ability to communicate and is involved with a judicial or State administrative process. VCSP offers services to clients in all Courts in Vermont, except criminal defendants in criminal proceedings.

Who refers potential clients to the VCSP?

Anyone can refer a potential client to the VCSP, but typically referrals come from the individual with a disability themselves, family members, case affiliated State employees, lawyers, judges, court clerks, court operations managers, and service or health care providers.

Does the client have to agree to the appointment of a Communication Specialist?

Yes. The VCSP will only assign a Communication Specialist to a person who requests VCSP services. The VCSP is a reasonable accommodation and cannot be forced upon a person with a disability.

Who determines that a person is qualified for VCSP services?

Qualification for the assignment of a VCSP Communication Specialist (VCSP services) is determined through a process administered by the project's director. The process includes the director collecting information regarding the person's disability(s), from the individual, their service providers, their attorney, all with the individual's consent, in order to determine if the VCSP has the ability to provide communication supports.

What information does the VCSP need in order to move forward with the qualification, approval and assignment of a Communication Specialist?

Initially, the VCSP needs some basic client intake information, including:

- Name
- Date of Birth
- Contact (address, telephone, email)
- Docket Number (if applicable)
- Case Type (i.e. CHINS, Divorce, RFA...)
- Hearing/Meeting Schedule
- Lawyer & Contact (telephone, email)
- Disability (if known)

Are there any documents that can be provided to the VCSP that are helpful for the efficiency of the process and qualification of a new client?

Yes. A copy of the *Motion to Appoint a Communication Specialist* is most helpful. *Hearing or Meeting Notices* are also important as they often convey the most important, basic information about the case that the VCSP needs. If there are other pertinent and appropriate documents for the VCSP to have on file, we encourage administrators, service providers and lawyers to send them along. Scanned and emailed documents are preferred; however, fax and regular mail is also fine.

Who submits the Motion for a Communication Specialist to the court?

The VCSP does not serve in an advocate capacity and therefore does not submit motions for potential clients. It is usually the potential client, their lawyer, or a service provider.

Once the VCSP has the information necessary to potentially qualify someone for the assistance of a Communication Specialist, what are the next steps?

- The VCSP director will speak with the client and offer a *Release of Information* permission form that will allow the VCSP to speak with health care and/or service provider(s).
- An *Explanation of Need* form will then be sent to a service provider able to substantiate that the client has a disability, and that the disability has an effect on their ability to communicate. Sometimes lawyers or service providers (i.e. case managers) will assist with these tasks.
- Once this is complete, the VCSP can determine qualification, and upon the approval of the Court and/or the scheduling of a hearing or meeting, the VCSP director can assign a Communication Specialist.
- An estimate for a hearing or meeting is sent to the requesting Court, and upon approval, on to the State Administrative Judge for final approval. An estimate for an administrative meeting is sent to the respective department, agency or entity (ie. DFC, Defender General, lawyer). The VCSP requests an approval in writing and on file (email is fine), before the hearing or meeting takes place.

Will the VCSP appoint a Communication Specialist to assist someone outside of the courtroom, State offices or affiliated service providers?

Generally not, but there are occasional exceptions -- an example might be if a person was attending a hearing by phone from a hospital room or assisted living facility. These rare exceptions are determined by the VCSP director.

How does the VCSP determine a communication plan for a client?

Every person is considered individually when determining how best to offer communication support. By the time the VCSP appointed Communication Specialist meets with a client, there has been enough discussion to have a sense of some of the support strategies that may be helpful and/or necessary. Some of the most important communication planning happens when the Communication Specialist meets with the client prior to the hearing or meeting and at this time there can be a collaborative discussion regarding a person's needs and supports. It is also at this time that role of the VCSP is reinforced.

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