

# VCSP

## Vermont Communication Support Project

The Vermont Communication Support Project (VCSP) recruits, trains and certifies Communication Support Specialists (CSS) who can assist people with disabilities in Court, administrative hearings and related meetings. The accommodations that are offered by a specialist support communication, and overcome barriers to effective communication caused by disability. The Communication Specialist is not an advocate, and does not offer legal advice. A large percentage of people who qualify for VCSP services are represented by legal counsel.

The Vermont Communication Support Project is the first program of its kind in the Nation. Providing specialized communication accommodations for people with disabilities offers equal access to our system of justice and State services. VCSP is administered by Disability Rights Vermont and is funded by the Agency of Human Services (DCF, DAIL, DMH) and the Vermont Judiciary.

### Q&A

#### **Who qualifies for VCSP services?**

The person who qualifies has a disability (an impairment that limits a major life function) that impacts their ability to communicate and is involved with a judicial or administrative process.

#### **How does VCSP describe “communication”?**

Communication may include comprehension, ability to express thoughts and feelings, ability to manage behavior in a way that may allow for effective communication, ability to understand written documentation, or any other variable involved with imparting or exchanging information in an interactive setting such as a DCF meeting or Court hearing.

#### **Where are services offered?**

VCSP assigns Communication Specialists who offer services to qualified individuals at State administrative meetings/hearings and in all Courts in Vermont, except VCSP services are not available to criminal defendants in criminal proceedings.

#### **What meetings/hearings can VCSP assist at?**

A Communication Specialist may be authorized to assist a qualified individual at any interactive DCF, or other State administrative meeting/hearing or judicial proceeding. The individual must request the use of a CSS through the VCSP as an accommodation, and obtain the approval from a DCF District Director, appropriate State Director/Manager or Vermont’s Chief Superior Judge. An estimate for the cost of a Communication Specialist’s services must be approved for every meeting/hearing prior to accommodations being provided.

#### **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, 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 VCSP Director. The process includes collecting information regarding the person's disability(s) from the individual, service providers, attorneys, all with the individual's consent. The VCSP director will determine an individual's qualification and whether VCSP has the ability to provide communication support. The entity paying for the service will also determine, if in their opinion, the individual is entitled to the assistance of a Communication Specialist.

## **What are some of the disabilities that will qualify a person?**

There is a broad range of disabilities that have potential to qualify a person for VCSP services. The most important qualifying factor is that the disability affects the person's ability to communicate effectively. Many people who qualify for VCSP services have more than one documented disability. Some of the most common disabilities that are considered during the qualification process include Learning Disabilities, Developmental Disabilities, Psychiatric Disabilities, Mental Health Disorders, TBI -- Traumatic Brain Injuries, PTSD -- Post Traumatic Stress Disorder, Stroke, MS -- Multiple Sclerosis, and many others.

## **What information does the VCSP need in order to move forward with the 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 or Case Number (if applicable)
- Case Type (i.e. CHINS, Divorce, RFA, Reach Up...)
- 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. Some examples include: the *Motion to Appoint a Communication Specialist*, *Hearing or Meeting Notices*, *DCF Case Plans*, and/or any other appropriate documents that will offer insight into how to best support a client with their effort to communicate effectively. Scanned and emailed documents are preferred; however, fax and regular mail is also fine.

## **Once the VCSP has the referral information necessary to consider someone for qualification and 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* form that will allow the VCSP to receive information from and speak with health care and/or service provider(s).
- An *Explanation of Need* form will usually be sent to a service provider to substantiate that the client has a disability, and that the disability has an effect on their ability to communicate. Sometimes attorneys, service providers (i.e. case managers), and others will assist with these tasks.
- With the information and any documentation provided the VCSP can determine qualification. Upon approval from the Court and receipt of notice of a hearing or meeting from the Judiciary, or approval from other State departments, the VCSP director can assign a Communication Specialist.
- An estimate for a hearing is sent to the requesting Court, and upon approval, on to the Chief Superior Judge for final funding approval. An estimate for a State administrative meeting/hearing is sent to the respective department, agency or entity (ie. DCF – FS or ES, Defender General Office). The VCSP requests an approval in writing and on file (email is fine), before the hearing or meeting takes place.

## **Who submits the Motion for a Communication Specialist to the Court?**

In order to be provided services in Court, a qualified individual must have a motion approved by 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. A sample motion is available from the VCSP.

## **Will the VCSP appoint a Communication Specialist to assist someone outside of a courthouse or State offices?**

Generally not, but there are occasional exceptions -- an example might be if a person was attending a hearing by phone from a hospital room, assisted living facility, correctional facility or if they have a meeting with their attorney to prepare for a hearing or administrative meeting. Occasionally DCF meetings are held at alternative locations that may be approved. These exceptions are determined by the VCSP director.

## **Who pays for VCSP assigned Communication Specialist services?**

The organization responsible for providing reasonable accommodations to the VCSP client pays for the time and mileage used by the Communication Specialist to provide their service. The VCSP director is responsible for securing the approved funding by providing cost estimates and requesting approval from the entity responsible for payment. If it is a court appearance, funding is requested from the Judiciary. If it is a DCF meeting, funding is requested from DCF. If it is a meeting with a client requested by a Public Defender, funding is requested from the Defender General's office.

The Communication Specialists are independent contractors who bill directly to the responsible entity for payment of their services.

## **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 usually been enough discussion to have a sense of some of the tools and support strategies that may be helpful and/or necessary. Often information about effective accommodations is obtained from the individual's treatment providers with the individual's consent. 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. A 30 minute pre-meeting and post-meeting is scheduled before and after every hearing and or meeting.

## **When a person has qualified for VCSP services how is scheduling done?**

Once a person has qualified for the accommodation of a Communication Specialist, they remain qualified for meetings and court hearings within a reasonable timeframe. If an accommodation has been requested for hearings and/or meetings, the VCSP Director needs to be notified by the entity providing the accommodation, usually by e-mail. The Court will notify of hearings, DCF for meetings, and sometimes others such as attorneys who might be scheduling a meeting with the client. The VCSP Director will follow through with all of the other details including the scheduling of the Communication Specialist, the approval of funding, and the confirmation of scheduling and services with the client. If there is any change in the meeting schedule, the VCSP director should be informed as soon as possible.

## **What to do if there are questions or concerns regarding VCSP services?**

The VCSP Director can be contacted either directly to address any questions or concerns.

## **VCSP Contact Information:**

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