



Using This Guide

Many Deaf and hard of hearing asylum seekers have experienced lifelong discrimination, communication barriers, social isolation, and abuse related to their disability. Because these experiences are often pervasive and begin in childhood, many individuals come to view them as a normal part of life rather than recognizing them as experiences that may be legally significant.

As a result, attorneys may not learn important facts simply by asking whether a client has experienced persecution or discrimination. Likewise, hearing attorneys may not think to explore experiences that are common among Deaf individuals but uncommon among hearing populations.

This guide is intended as an issue-spotting resource rather than a checklist. It highlights areas of a Deaf client's life that may warrant additional exploration depending on the facts of the case. The example questions are intended to facilitate conversation and should be adapted to the client's communication style, cultural background, and emotional readiness.

Because discussions of abuse, neglect, discrimination, and trauma can be emotionally difficult, interviews should be conducted using trauma-informed practices. Attorneys should allow adequate time, explain the purpose of sensitive questions, monitor for signs of distress, offer breaks, and avoid pressuring clients to disclose experiences before they are ready. When working with Deaf clients, it is also important to use qualified interpreters who are familiar with trauma-informed interpreting practices and to recognize that communication needs may affect the pace and structure of the interview.

The purpose of this guide is not to suggest that any single experience establishes eligibility for asylum or another form of immigration relief. Rather, it is intended to help attorneys recognize experiences that may otherwise go unexplored and to develop a more complete understanding of the client's lived experiences.



Hands United is available to assist attorneys and legal service providers with Deaf-specific cultural consultation, communication assessments, qualified sign language interpreters, Deaf interpreters, and other resources related to representing Deaf and hard of hearing immigrants.

Understanding Language Deprivation

Many Deaf and hard of hearing individuals, particularly those born into hearing families, grow up without consistent access to a fully accessible language during early childhood. This may occur when a child is not exposed to sign language, is unable to fully access spoken language, or receives limited opportunities for meaningful communication. This phenomenon is commonly referred to as language deprivation.

Language deprivation is distinct from Deafness itself. Deaf individuals who have had full access to an accessible language from an early age often develop language, cognition, and social-emotional skills comparable to their hearing peers. By contrast, prolonged language deprivation during childhood can have lifelong effects on language development and communication.

Individuals who have experienced language deprivation may have difficulty with:

- Understanding or answering complex or abstract questions.
- Sequencing events chronologically.
- Explaining cause-and-effect relationships.
- Describing thoughts, emotions, or internal experiences.
- Understanding legal concepts, rights, or procedures.
- Learning new vocabulary or unfamiliar concepts.
- Recalling events with the level of detail that may be expected in a legal interview.

These communication differences should not be mistaken for dishonesty, evasiveness, lack of credibility, or unwillingness to participate. They may instead reflect limited language access during critical periods of development.

It is also important to recognize that trauma, intellectual and developmental disabilities, mental health conditions, acquired brain injuries, educational deprivation, and other factors may produce behaviors or communication patterns that resemble language deprivation. Likewise, an individual may experience more than one of these conditions simultaneously. Because these



conditions can overlap, attorneys and advocates should avoid drawing conclusions based solely on a client's communication style.

Determining whether an individual has experienced language deprivation—or whether another condition better explains their communication profile—requires a comprehensive evaluation by a qualified professional with specialized expertise in Deaf and hard of hearing populations, language development, and accessible assessment practices.

If language deprivation is suspected, it may affect many aspects of legal representation, including attorney-client communication, interpretation needs, informed consent, competency-related issues, the client's ability to prepare testimony, and the manner in which interviews should be conducted. In these situations, consultation with a Deaf specialist or clinician experienced in evaluating Deaf individuals may improve the cases' strength and ensure that your client gets full access to due process.

Language deprivation does not prevent an individual from providing reliable information. Rather, it may require attorneys to adjust their communication strategies, allow additional time, use qualified interpreters (including Deaf interpreters when appropriate), and ask questions in ways that are linguistically accessible to the client.

Cultural and Linguistic Considerations

Deaf immigrants navigate multiple cultural and linguistic identities. In addition to understanding Deaf culture and communication, it is important to recognize that a client's country of origin, ethnic identity, family structure, educational background, immigration experiences, and cultural norms may significantly influence how they describe events, understand authority, express emotions, and disclose trauma.

Whenever possible, attorneys should work with interpreters, Deaf interpreters, advocates, or consultants who possess not only expertise in Deaf and hard of hearing communities but also familiarity with the client's heritage culture and primary signed or spoken language. Shared cultural knowledge may facilitate rapport, improve communication, and help identify experiences that might otherwise go unexplored or be misunderstood.

For some clients, particularly those with language deprivation, limited formal education, or unique cultural experiences, interviews and communication assessments may be more effective



when conducted by professionals who understand both Deaf culture and the client's cultural background. These professionals may recognize culturally specific forms of discrimination, family dynamics, social expectations, or patterns of persecution that might not be apparent to individuals without similar lived or professional experience.

While matching cultural backgrounds is not always possible, attorneys should remain mindful that cultural competence extends beyond language interpretation and may significantly affect the quality and completeness of the information obtained during an interview.

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Domains to Explore During a Deaf Asylum Screening

The following domains are intended to help attorneys identify experiences that may be relevant to an asylum claim or other forms of immigration relief. These are not exhaustive, nor are they intended to be asked in a particular order. Rather, they provide examples of areas that may warrant further exploration based on the client's individual experiences.

1. Childhood, Family, and Communication

Many Deaf individuals grow up with limited or no effective communication at home. Family members may not know sign language, resulting in social isolation, neglect, dependence, or abuse that hearing individuals may not recognize as unusual. Understanding the client's family environment provides important context for later experiences.

Possible questions:

- Describe what life was like with your family growing up.
- How did your family communicate with you?



- How did your family treat you because you are Deaf?
 - Tell me about how people reacted when you used sign language. What happened when you signed at home, at school, or in public?
 - Can you tell me about times when you felt excluded or left out because you are Deaf?
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2. Education and Language Access

Educational opportunities for Deaf children vary dramatically around the world. Some individuals are denied schooling altogether, prevented from learning sign language, punished for signing, or receive little meaningful education because communication is inaccessible. Comparing the client's educational experience to that of hearing siblings or peers can help identify disparities.

Possible questions:

- Tell me about your education growing up.
 - What opportunities did you have to attend school?
 - What challenges did you face because you are Deaf?
 - How did your education compare to your hearing siblings or friends?
 - Tell me about how people reacted when you used sign language. What happened when you signed at school?
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3. Community Attitudes and Daily Life

Community attitudes toward Deaf people can influence nearly every aspect of a person's life. Negative beliefs, stigma, discrimination, or social exclusion may contribute to cumulative harm over many years.

Possible questions:

- What kinds of things did people in your community believe about Deaf people?
- What kinds of comments or beliefs were said about Deafness?
- Tell me about times when someone treated you badly because you are Deaf.



- Looking back, what experiences did you think were simply a normal part of being Deaf which do you now realize may have been unfair?
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4. Employment and Economic Independence

Discrimination in employment may limit a Deaf person's ability to become financially independent. While employment discrimination alone does not necessarily establish persecution, it may contribute to a broader pattern of exclusion or economic deprivation.

Possible questions:

- Tell me about your experiences finding and keeping a job.
 - How did employers respond when they learned you were Deaf?
 - Were there opportunities you never pursued because you believed Deaf people were not supposed to do those things?
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5. Healthcare and Access to Services

Communication barriers may prevent Deaf individuals from receiving appropriate medical care or understanding diagnoses and treatment. Exploring these experiences may reveal discrimination or serious barriers to essential services.

Possible questions:

- Tell me about your experiences getting medical care.
 - How did doctors, nurses, or hospitals communicate with you?
 - Were there times you could not receive the care you needed because communication was inaccessible?
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6. Government, Law Enforcement, and Access to Justice



Communication barriers with police, courts, or government officials may prevent Deaf individuals from reporting crimes, defending themselves, or receiving equal protection under the law. In some countries, authorities may refuse to provide accommodations or dismiss complaints because of a person's Deafness.

Possible questions:

- Describe your experiences with the police or other government officials.
 - How did they communicate with you?
 - What happened when you needed their help?
 - Tell me about a time when someone committed a crime against you or treated you unfairly.
 - What happened when you tried to get help?
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7. Romantic Relationships, Independence, and Vulnerability

Research has shown that Deaf individuals experience disproportionately high rates of interpersonal violence, sexual abuse, coercive control, and exploitation. Communication barriers and dependence on hearing partners may increase vulnerability and reduce opportunities to seek help. Clients may not recognize controlling behaviors or abuse as unusual.

Possible questions:

- Tell me about your romantic relationships.
- What were your partners like, and how did they communicate with you?
- How did being Deaf affect your relationships?
- Tell me about how your partner treated you because you are Deaf.
- What kinds of things did your partner help you with?
- Were there things you felt you had to rely on them for because other people or services were inaccessible?
- How much independence did you have in your relationship?
- Tell me about times when your partner made decisions for you or spoke on your behalf.



- What happened when you disagreed with your partner or wanted to make your own decisions?
 - If your relationship ended, what role did your Deafness play in what happened?
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8. Identity, Self-Perception, and Psychological Impact

Many Deaf individuals internalize negative societal messages about Deafness beginning in childhood. Exploring how the client understood their identity, self-worth, and future aspirations can provide insight into the long-term psychological effects of discrimination, exclusion, or abuse. These conversations may also identify trauma that affects the client's ability to recount experiences during legal proceedings.

Possible questions:

- What did it mean to you to be Deaf when you were growing up?
 - How did your family, teachers, or community make you feel about being Deaf?
 - When you were younger, how did you describe yourself?
 - What were your hopes or dreams growing up?
 - Did you feel being Deaf affected whether those dreams were possible?
 - How did those experiences affect your confidence or self-esteem?
 - How have the experiences you faced because you are Deaf affected you emotionally over time?
 - What kinds of feelings did you have after experiencing discrimination or mistreatment?
 - What did you do when you felt sad, afraid, isolated, or hopeless?
 - Who could you talk to when you were struggling?
 - How have those experiences affected the way you trust other people today?
 - How have those experiences changed the way you see yourself?
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9. Internalized Beliefs and Cumulative Harm



Many Deaf clients have lived with discrimination for so long that they have normalized experiences that others would immediately recognize as abusive or discriminatory. This section encourages reflection on lifelong experiences and how the client's understanding may have changed over time.

Possible questions:

- Growing up, what did you think Deaf people were capable of doing?
- What did other people tell you Deaf people could or could not do?
- Were there opportunities you never tried because you believed Deaf people were not supposed to do those things?
- Were there things you accepted as "just the way life is" because you are Deaf? Looking back, what do you think about those experiences now?
- If you could go back and tell your younger self something about being Deaf, what would you say?
- When did you first realize that Deaf people in other places might be treated differently? How did that realization affect you?

Mental Health Resources

Discussions of trauma, abuse, discrimination, and persecution may bring up difficult emotions or memories. Whenever appropriate, attorneys and advocates should consider referring clients to culturally and linguistically accessible mental health services. For Deaf and hard of hearing clients, referrals to providers or organizations with expertise in Deaf mental health can be especially important.

The following organizations may be helpful resources:

- **ADWAS (Abused Deaf Women's Advocacy Services)** – Provides advocacy, counseling, safety planning, and support services for Deaf, DeafBlind, and hard of hearing survivors of domestic violence, sexual assault, stalking, and other forms of abuse.
- **DeafHope** – Offers culturally affirmative services, education, and resources for Deaf survivors of domestic violence and sexual violence, including information about healthy relationships, safety planning, and survivor support.



- **Deaf Mental Health Hub** – A directory of Deaf-accessible mental health providers and resources designed to connect Deaf, DeafBlind, and hard of hearing individuals with clinicians who can provide services in accessible languages and modalities.
- **HEARD (Helping Educate to Advance the Rights of Deaf Communities)** – A Deaf-led organization that advocates for Deaf and disabled individuals impacted by the criminal legal system. HEARD provides resources on disability justice, incarceration, policing, institutionalization, and legal advocacy, and may be a valuable resource when a client's experiences involve law enforcement, detention, incarceration, or other interactions with the criminal legal system.

Attorneys should also consider local Deaf service agencies, state vocational rehabilitation programs for Deaf individuals, and community mental health providers with demonstrated experience serving Deaf and hard of hearing clients.

Professional Consultation

Complex cases involving Deaf and hard of hearing clients may benefit from consultation with professionals who have specialized expertise in Deaf communication, language development, language deprivation, Deaf mental health, Deaf culture, and culturally responsive assessment. Consultation may be particularly valuable when a client presents with possible language deprivation, communication differences, cognitive concerns, significant trauma, or experiences involving uncommon signed languages.

The following professionals are widely recognized for their expertise in areas relevant to Deaf communication, language development, language deprivation, Deaf culture, and Deaf mental health:

- Dr. Jaime Wilson
- Dr. Gabriel Lomas
- Judy Shepard-Kegl
- Dr. Jesus Barreto Abrams
- Roger Williams
- Dr. Wyatt Hall



This list is provided as a professional resource and is not intended to be exhaustive or to constitute an endorsement. Attorneys should independently determine whether a particular professional's expertise is appropriate for the needs of a specific client.

Communication Access and Legal Obligations

Attorneys and legal service providers should be aware of their obligation to provide effective communication to Deaf and hard of hearing clients. Depending on the nature of the legal practice, funding source, or organization, these obligations may arise under the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act, applicable state and local disability laws, professional rules of conduct, contractual obligations, or court policies.

Effective communication requires an individualized assessment of each client's communication needs. One Deaf client may communicate effectively through American Sign Language (ASL), while another may require a Deaf interpreter, tactile interpreting, a foreign sign language interpreter, Certified Deaf Interpreter (CDI), Communication Facilitator, CART, written communication, or another accommodation. The preferred accommodation should be determined based on the client's communication needs, not convenience, cost, or assumptions about Deaf individuals.

Failure to provide appropriate communication access may prevent a client from understanding legal advice, participating meaningfully in interviews, making informed decisions, or accurately conveying information relevant to their legal claims. In addition to potentially affecting the quality of representation, inadequate communication access may expose an organization or attorney to disability-related complaints or other legal or ethical consequences where applicable.

Attorneys should avoid relying on family members, friends, or unqualified individuals to interpret legal conversations except in genuine emergencies. In some situations, effective communication is best achieved through a team consisting of both a hearing sign language interpreter and a qualified Deaf interpreter (DI/CDI), with each professional contributing distinct expertise. Hearing interpreters facilitate communication between spoken and signed languages, while Deaf interpreters bring specialized skills in visual communication, language assessment, message adaptation, and working with individuals who have language deprivation, minimal language skills, use foreign sign languages, are DeafBlind, or have other complex communication needs.



The appropriate interpreting team should be determined based on the individual client's communication needs.

When there is uncertainty regarding the appropriate accommodation, consultation with professionals experienced in Deaf communication and language access is strongly encouraged. Ensuring effective communication not only supports compliance with disability laws but also promotes competent, ethical, and client-centered legal representation.

Legal Disclaimer

This guide is provided for informational and educational purposes only and is intended to assist attorneys, accredited representatives, advocates, and other professionals in identifying areas that may warrant further exploration when interviewing Deaf and hard of hearing clients. It is not intended to serve as legal advice, establish an attorney-client relationship, or substitute for the independent legal judgment of a licensed attorney.

The information contained in this guide is not exhaustive and should not be interpreted as suggesting that any particular experience, circumstance, or response establishes eligibility for asylum or any other form of immigration relief. Every case is unique and must be evaluated based on its specific facts, applicable law, and current legal standards.

Users of this guide are responsible for exercising their own professional judgment and ensuring that interviews are conducted in a manner that is trauma-informed, culturally responsive, and appropriate to the communication needs of each individual client.