



Interpreter Commission
Friday, May 31, 2013 (9:00 a.m. – 12:00 p.m.)
AOC SeaTac Facility,
18000 International Blvd., Suite 1106, SeaTac, WA 98188

MEETING MINUTES

Members Present:

Justice Steve González
Judge Riehl
Kristi Cruz
Sam Mattix
Linda Noble
Dirk Marler
Alma Zuniga
Theresa Smith
Mike McElroy
Marti Maxwell

Members Absent:

Judge Greg Sypolt

AOC Staff:

Shirley Bondon

I. Call to Order and Welcome

The meeting was called to order by Justice Steven González at 9:05 a.m.

II. February 22, 2013 Meeting Minutes

Minutes were unanimously approved. The minutes will be posted on the AOC Court Interpreter Program website.

III. Chair's Report

Ethnic Organization Representative:

The Interpreter Commission received information from five qualified candidates interested in filling the Commission membership reserved for an ethnic organization representative. After a thoughtful review of each candidate's qualifications, Justice González selected Eileen Farley.

Ms. Farley is an attorney and the Executive Director of the Northwest Defenders Association, a public defense agency located in King County. Ms. Farley's letter of interest states that her interest in interpreting began when she was a volunteer teacher of English as a Second Language with the International Rescue Committee. In addition to this work, she wrote a chapter in the Washington Criminal Practice in Courts of Limited Jurisdiction, outlining the statutory and constitutional requirements for interpreters.

HB 1542/SB 5398:

Justice González informed members that HB 1542/SB 5398 did not receive a hearing during the regular legislative session. Justice González suggested that the Commission contact the Board for Judicial Administration (BJA) to obtain a recommendation regarding next steps for HB 1542/SB 5398. Judge Riehl felt that the BJA would review this bill sometime in July or August.

Supreme Court Language Access Plan

The Supreme Court received its first request for spoken language interpretation during oral arguments. The request was granted, and Chief Justice Madsen asked Justice González to seek assistance from the Interpreter Commission to develop a language access policy for the Supreme Court. Justice González asked the Issues Committee to lead the development of a language access policy for the Supreme Court. The Issues Committee agreed. Marti Maxwell agreed to contact the Court of Appeals to determine if they have a policy.

IV. Issues Committee Report

The Issues Committee reviewed the following issues and submitted recommendations:

Issue I:

The committee reviewed a request to limit the number of continuing education credits approved per conference or workshop. After reviewing how this issue is dealt with by the American Translators Association, Oregon's Court Interpreter Program and several other professions, including attorneys, guardians, and social workers the committee decided not to approve this request, but agreed that the current guidelines for approval of continuing education should be reviewed and perhaps revised.

The commission discussed the request and one member suggested that some of the credits which have been earned and applied to Interpreter training in the past have not been directly related to interpreting. Also in selecting what courses to take, interpreters consider cost and number of credits given for the course or workshop before selecting, thus a balance needs to be found wherein courses can be both reasonably priced and relevant to interpreting. Staff indicated that in the future, AOC can specify that a course level is beginner, intermediate or expert to assist with decision making, but It should be the responsibility of Interpreters to choose relevant ethical coursework/workshops based on their individual experience level.

A commission member suggested that perhaps a commission committee should review all continuing education requests before they are approved. Staff indicated that the turnaround time for some requests is fairly short, therefore if a committee is used it must be able to respond quickly and regularly.

The Commission agreed to accept the Committee's recommendation not to approve the request, but to ask the Education Committee to consider it during a review and revision of approval guidelines for continuing education.

Issue II:

The Issues Committee reviewed a request to add Computer Assisted Real-time Translation (CART) as a reimbursable foreign language wherein the courts could recoup 50% of this expense. The committee determined that CART is not a language. It is an accommodation for deaf and hard of hearing individuals whereby the proceedings are transcribed and shown on a screen in the courtroom. The Issues Committee recommended denial of the request.

Commission members discussed the request and decided that this accommodation, similar to listening devices, is governed by the American with Disabilities Act (ADA). Pursuant to ADA requirements, each court is assigned an ADA coordinator, usually the Court Administrator. Courts do not charge the public for these services and they are not reimbursed under AOC's Interpreter Program. Due to economic restrictions many courts do not have CART certified court reporters.

The Commission agreed to deny the request, but it will review this information at a later date and consider how the delivery of accommodations relating to improving communication and interpreting fit into the larger context of access.

Issue III:

During the last meeting it was determined that Korean oral exam takers had a very low pass rate. Eighty-one tests had been administered with one passing score. The Issues Committee was asked to contact the National Center for State Courts Consortium on Language Access in order to obtain further data regarding oral exams beginning with Korean exams. The results indicated that nationwide 230 Korean oral exams had been administered with a pass rate of 2.6 percent. NCSC has audited all of oral exams but was unable to share the data with AOC. Justice González proposed and the Commission agreed to send a letter to the NCSC expressing concern about the oral exam and requesting access to audit data.

The Commission also discussed engaging the Korean, Asian and Pacific Islander Bar Associations and others ethic organizations in a discussion about the oral exam specifically and interpreting generally.

Issue IV:

Per the Commission's direction, the Issues Committee reviewed the Commission's mission and vision and proposes the following revised language that:

1. Gives the Issues Committee authority to address issues regarding access to interpreter services in the courts.
2. States the number of committee members required for each committee will be “at least three”.
3. States the number of committees a commission member may serve on is “at least one”.

The Commission accepted the proposed revisions and discussed changing the ASL liaison position to a regular member. If the liaison position is changed to a regular member position, it would be subject to the same term limits as other members. Due to the limited number of experts in this area, finding someone else to serve could be difficult. Despite this concern, a member recommended changing relevant commission composition language from “(3) interpreters” to “(2) spoken language interpreters, (1) sign language interpreter” (See Attachment).

Justice Gonzalez suggested and the Commission agreed that the Issues Committee should review GR 11.1 in its entirety and suggest revisions.

V. Program Updates

SJI Grant Update:

The Commission discussed the Targeted Court Interpreter Training Initiative (TCITI) report prepared by Ms. Katrin Johnson, past Interpreter Program Coordinator. Sixteen court interpreter candidates participated in the training. Six candidates passed the oral interpreting exam. With a passing rate of 37.5 percent, this was a successful program. Commission members agreed that if funding becomes available the program should be expanded. Members suggested that the program be held annually after oral testing has concluded. Interpreters with scores close to passing could be invited to enroll in this program and receive the assistance needed to successfully pass the next oral exam; thus creating a larger pool of interpreters.

Language Access Coordinator Recruitment:

AOC narrowed the candidate list to two. Justice Gonzalez will interview the final two candidates in the very near future.

VI. Potential Commission Projects

Bellevue College Collaboration:

In order to increase the number of Interpreters in Washington who successfully pass the oral exam, it has been suggested that a program similar to the program developed for the SJI Grant be implemented in collaboration with an educational institution. Bellevue and Tacoma Community Colleges have been recommended as possible sites for a

program of this type. The institution would be responsible for the educational initiative, while AOC could help find funding for the program.

The Commission agreed that this initiative should be assigned to the new Language Access Coordinator.

Revise Process for Noncompliance with Biannual Requirements:

During a previous meeting, the Education Committee discussed revising disciplinary measures for noncompliance for Interpreters who do not fulfill continuing education guidelines for the following biannual requirements. Current requirements for a two – year reporting period include:

1. Complete 16 hours of approved continuing education, two of which must be earned at an AOC approved ethics workshop.
2. Complete 20 court interpreting hours.
3. Report if charged with or convicted of a crime or found in violation of a court order.
4. Submit to AOC a signed, sworn oath of interpreter.

Currently certified court interpreters are responsible for completing a compliance form at the conclusion of each two-year reporting period and submitting it to AOC. For Interpreters not in compliance with these requirements the penalty consists of a letter from AOC followed by subsequent notification by AOC staff that the Interpreter has not met one or more of the requirements listed above. In addition, the certified interpreter will not be issued a current ID badge until all requirements are satisfied. The Commission agreed that a policy needs to be created that places responsibility on the Interpreter to keep their continuing education requirements up to date. The Commission assigned this effort to the Disciplinary Committee.

Adjourn

The next meeting is scheduled for September 13, 2013, 9 a. m. to noon at the AOC Seatac Office Facility, 18000 International Blvd., Suite 1106, SeaTac.

Decision Summary	Status
<i>The Commission postponed a final decision on a request to limit the number of continuing education credits approved per conference or workshop.</i>	<i>Postponed</i>
<i>The Commission denied a request to add Computer Assisted Real-time Translation (CART) as a reimbursable foreign language.</i>	<i>Complete</i>
<i>The Commission agreed that the new Language Access Coordinator will explore collaborating with an educational institution.</i>	<i>Future Action</i>

Action Item Summary	
<i>Closer to the legislative session, staff will contact BJA regarding next steps for HB 1542/SB 5398.</i>	<i>Future Action</i>
<i>The Issues Committee will explore development of a Supreme Court Language Access Plan</i>	<i>In- Process</i>
<i>The Education Committee will review and revise guidelines for approval of continuing education</i>	<i>Future Action</i>
<i>The Issues Committee will contact the NCSC Consortium on Language and obtain Korean oral exam data.</i>	<i>In- Process</i>
<i>The Commission will engage the Korean, Asian and Pacific Islander Bar Associations and others ethnic organizations in a discussion about the oral exam specifically and interpreting generally.</i>	<i>Future Action</i>
<i>The Issues Committee will review GR. 11.1 for possible revision.</i>	<i>In-Process</i>
<i>The Disciplinary Committee will revise the process for noncompliance with biannual requirements.</i>	<i>Future Action</i>