

**Washington State Supreme Court  
Interpreter Commission**

**June 7, 2019**

**Meeting Packet**

**Washington State  
Administrative Office of the Courts  
1112 Quince Street SE  
PO Box 41170  
Olympia, WA 98504-1170  
Phone: 360-753-3365**



**Interpreter Commission  
Meeting Agenda**





## Interpreter Commission Quarterly Meeting

Friday, June 7, 2019

SeaTac AOC Office, Large Conference Room

18000 International Blvd. SW, Suite 1106

SeaTac, WA

8:45 am-11:45 am

Call-In Number: 1-877-820-7831; Passcode: 618272#

### AGENDA

<ul style="list-style-type: none"> <li>• <b>Call to Order</b></li> </ul>	<p style="text-align: right;"><b>Justice Steven González</b></p>	
<ul style="list-style-type: none"> <li>• <b>Approval of March 29, 2019 Minutes</b></li> </ul>	<p style="text-align: right;"><b>Justice González</b></p>	
<ul style="list-style-type: none"> <li>• <b>Chair's Report</b> <ul style="list-style-type: none"> <li>• Interpreter Funding Update</li> <li>• New Member Interviews</li> <li>• Revised Benchcard</li> <li>• Gender Bias Study Liaison</li> <li>• King County Superior Court Interpreter Coordinator Introduction</li> </ul> </li> </ul>	<p style="text-align: right;"><b>Justice González/AOC Staff</b></p> <p style="text-align: right;"><b>Justice González/AOC Staff</b></p> <p style="text-align: right;"><b>Luisa Gracia Camón</b> <b>Emma Garkavi</b></p> <p style="text-align: right;"><b>Justice González</b></p> <p style="text-align: right;"><b>Justice González</b></p>	
<ul style="list-style-type: none"> <li>• <b>Committee and Partner Reports</b> <ul style="list-style-type: none"> <li>• <u>Education Committee Meetings Report</u> <ul style="list-style-type: none"> <li>• 2019 Education Activities Report</li> <li>• Updated Outreach Action Plan Review</li> </ul> </li> <li>• <u>Issues Committee Meetings Report</u> <ul style="list-style-type: none"> <li>• Membership Policy Ad Hoc Committee</li> <li>• Non-Credentialed Interpreter Ad Hoc Committee</li> </ul> </li> <li>• <u>Disciplinary Committee Report</u> <ul style="list-style-type: none"> <li>• Grievance Investigation</li> </ul> </li> </ul> </li> </ul>	<p style="text-align: right;"><b>Katrin Johnson</b></p> <p style="text-align: right;"><b>Elisa Young</b></p> <p style="text-align: right;"><b>Judge Andrea Beall</b></p> <p style="text-align: right;"><b>Judge Theresa Doyle</b></p>	
<ul style="list-style-type: none"> <li>• <b>Commission Staff Report</b> <ul style="list-style-type: none"> <li>• Commission Staff Updates</li> <li>• Interpreter Program Report</li> </ul> </li> </ul>	<p style="text-align: right;"><b>AOC Staff</b></p>	
<ul style="list-style-type: none"> <li>• <b>Adjourn</b></li> </ul>	<p style="text-align: right;"><b>Justice González</b></p>	



# Meeting Minutes







**Interpreter Commission Meeting**  
**Friday, March 29, 2019**  
AOC SeaTac Office Building  
18000 International Blvd, Seattle, WA 98188

**MEETING MINUTES**

**Members Present:**

Justice Steven González  
Judge Andrea Beall  
Judge Laura Bradley  
Francis Adewale  
Kristi Cruz  
Eileen Farley  
Maria Luisa Gracia Camón  
Sharon Harvey  
Thea Jennings  
Katrin Johnson  
Diana Noman  
Frankie Peters  
Fona Sugg  
Donna Walker

**AOC Staff:**

Cynthia Delostrinos  
Robert Lichtenberg  
James Wells  
Jeanne Englert (by phone)

**Guests:**

Czar Peralta (by phone)  
Emma Garkavi  
Judge Damon Shadid  
Lorane West

**Members By Phone:**

Judge Teresa Doyle  
Elisa Young

**CALL TO ORDER AND INTRODUCTIONS**

The meeting was called to order by Justice Steven González at 8:45am.

**APPROVAL OF DECEMBER 7, 2018 MEETING MINUTES**

Minutes were approved with modification.

**CHAIR'S REPORT**

**BJA Court Interpreter Funding Taskforce**

- The Taskforce working to expand the reimbursement program.

- The House budget has fully funded the proposal in its budget. The Senate budget will be released soon.
- Several organizations showed support for the proposal.
- Letters were sent out thanking House members for their support and letters were sent to Senators asking for full funding.
- Letters have also been prepared to send out in the event there is no funding, partial funding, or full funding as the budget package proceeds through the legislative process.

### **New Member Recruitment and Nominations Process**

- Seven members have their terms expiring this year.
  - Two member finishing their second tem: Eileen and Thea.
  - Five of those members are eligible for renewal: Luisa, Donna, Katrin, Frankie, Francis
    - All five members expressed their wish to stay on the Commission and there were no objections from other Commission members that they should continue.
    - For Donna, Francis, and Frankie, the AOC will reach out to the organizations that nominated them to see if there is any objections to them continuing on the Commission
- Eileen announced that she would be leaving the Commission early and that this would be her final meeting.
  - If an interim member replacement is found, then that member would need to be re-nominated in September since they would be finishing out Eileen's second term.
  - There was support from Commission members that the replacement should be from an ethnic organization.
- AOC will head the recruitment process with input from board members.
  - Timeline – recruitment letters should go out by end of April with responses and applications due at end of May. At the June meeting there can be a review of nominations.
    - Interested members can be invited to the June meeting.
    - July/August will be the nominations process.
  - A list of organizations is in meeting packet. It would help AOC to have recommendations from Commission members
    - For the Ethnic Organization seat, there was support that it should be held by an organization that represent the people who benefit from the commission's work.
    - Some suggested organizations: OneAmerica and Refugee Connection.

### **Proposed Benchcard Revision**

- A review of the interpreter benchcard was spearheaded by Judge Shadid at Seattle Municipal Court. He worked with Maria Luisa Gracia Camón, Emma Garkavi, Linda Noble, and Lorane West
- The new benchcard includes:
  - legal references, term definitions, flowchart, questions to ask interpreters and LEP parties, guidance on the kinds of questions that should be asked, and tips for judges,
- The benchcard was presented at the judicial college and received very positive feedback.
- There will be a 30 day period for submitting suggestions.
  - Suggestions can go to: Emma Garkavi.
- The Commission will approve a final draft.
- The Commission discussed whether references to issues specific to working with sign language interpreters should be integrated into the benchcard. To avoid cluttering the current versions and ensure enough information was presented, a separate card would be created that is parallel.
  - Each card should reference the other card.
- Reference material and links would be provided with the benchcard.

Some suggestions for the benchcard included:

- Add a comment about providing the code of conduct if the interpreter says they are not familiar with the code.
  - Add a suggestion that judges provide enough time for the interpreter to truly review the code.
- Qualifying questions for the interpreter should be modified to be open-ended and not yes-no questions.
- Hyperlinks should be provided if there is an online version.
- Cite GR11.2 when referencing the code of conduct to make sure judges are aware it is a court rule.
- Add AOC contact information.
- Add headings or ways to differentiate sections.
- Add a reference to good cause in flow chart.
- Include a reference for the interpreter to ensure that they and the LEP party can communicate.
- Include information about ensuring that the interpreter can communicate with the LEP party. This is a requirement for ASL interpreters.
- Cite references in explanation of good cause.
- For questions related to conflict of interest:
  - When asking interpreters if they know the LEP party it needs to be short, but also allow follow up since knowing the interpreter's prior relationship is important. Ask about conflicts and not just if they know the LEP party.
  - The wording should not lead the interpreter to specifically mention how they know the LEP party on the record.
  - The colloquy with the interpreter should be done when the jury isn't present.

### **LAP Review/Approval Team**

- A memo was written that included example sections taken from 5 language access plans (LAP)
- The approval team will include 3 reviewers from the Commission: Fona, Thea, Luisa and Luisa. They will look at criteria that would be used to consider an LAP approved.
  - This guide will inform what kind requirements will be needed for a court to qualify to receive reimbursement. This will also help the AOC know how to help courts provide the access that state law requires.
  - Once criteria is established, there will need to be training provided to the courts.
- When the statute was passed to require an LAP, there was funding for an FTE to help courts establish their LAPs. The funding was later cut during the recession. The current staffing level now may not be enough to help courts enough.
- A template was created as a resource courts could use, which was reviewed and approved by the Commission. It was felt using this template would create a LAP that was sufficient.
  - Many of the LAPs already submitted contained policy directives but the lacked the procedural language necessary to implement that policy.
  - The goal is not to reject a plan, to show how to make improvements so that all staff at a court to implement the LAP.
  - The LAPs from courts already submitted will not be unapproved. As new courts come into the reimbursement program, there will need to be a process to review them.

### **Commission Budget Report**

- There may be about \$2000 to 3000 for the remainder of the fiscal year.
- Commission member are invited to submit ideas to the AOC for suggestions

## **COMMITTEE REPORTS**

### **Education Committee**

#### Conferences

- Judicial College
  - Judge Shadid and Luisa were two of the presenters.
  - Very good feedback from participants, with several citing the proposed benchard
  - AOC education staff had feedback that differed from the participants.
  - The commission feels very strongly that an interpreter should be on the panel at the judicial college and would continue to include one in future proposals.

- A new judge will be needed for the panel in 2021. The new judge will shadow next year.
  - The committee discussed several possibilities, considering things such as experience with interpreters, where the judge is in the state, and court level.
  - The commission will suggest approaching Judge Riquelame as a new panel member for the Judicial College.
- Superior Court Administrators Conference
  - A variety of speakers will present about sign language interpreters, speech disabilities, and assistive technologies.
- District Court Administrators Conference
  - Content is based on a previous court interpreter coordinator's conference.
  - It will focus on the topics that are the most important for someone with decision making authority to know.
- Fall Judicial Conference
  - National experts are coming in from out of state, including Carla Mathers, a legally certified interpreter who is also an attorney, and Aida Chen

#### **Outreach Committee**

- The Committee is being headed by Elisa.

#### **New workgroup**

- A new work group is looking at creating training modules for court staff.
- Other members are welcome to join the work group.

#### **ISSUES COMMITTEE**

##### **Filipino-Tagalog Interpreters**

- The currently registered Tagalog interpreters have requested to extend their credential until the end of the year. The end of the year is the natural end to the compliance cycle.
- The committee recommended extended the credentials. The recommendation was approved without objection.

**Motion: The credentials for currently registered Tagalog interpreter are extended until the end of 2019.**

#### **Grievances**

- For one grievance that was received, the alleged problem could not be located on the court record so further investigation could be done.
- As a result of a grievance and investigation, a letter was sent to the judge about the requirements qualifying the interpreters and the proper use of interpreters.

#### **Bylaws**



- The committee is reviewing the membership bylaws of the Commission. This will include changing the title. Work is continuing and a draft will be brought to a future Commission meeting.

### **Ad-hoc Committee looking at non-credentialed interpreters**

- Judges need to be aware that there are languages that are certified/registered and that there are languages that don't have an exam and are therefore non-credentialed.
- For non-credentialed interpreters:
  - Interpreters need to know they must be qualified for each event and that there is no permanent qualification.
  - Martha Cohen and Diana created guidelines and best practices that new interpreters can follow if they are in the court room for the first time.
  - Non-credentialed are held to the same standards as credentialed interpreters.
    - AOC is looking into developing a video for interpreters and other resources.
    - SMC has a programing mentoring interpreters.
- Telephonic interpreting concerns
  - Many rural courts rely more on telephonic interpreting, where getting interpreters that are credentialed is not guaranteed.
- Court interpreters coordinators need to be involved.
  - Many court interpreter coordinators have many other responsibilities at a court besides working with interpreters.
  - They need to understand the credentialing system of interpreters.
  - The committee discussed creating a parallel of the bench card for judges for court interpreters coordinators.
- AOC could host a list of non-credentialed language interpreters that meet certain criteria.
- Some of the language used in RCWs is outdated and inconsistent with the current levels of certification.
- Some states allow provisionally qualified interpreters.

### **ASL INTERPRETER CERTIFICATION**

- There currently is no way for ASL interpreters to become certified since the SC:L exam has been suspended and no new exam is on the horizon.
- The Office of the Deaf and Hard of Hearing (ODHH) created a list of interpreters they view as qualified, which are ASL interpreter who have taken the written SC:L. This exam is also suspended.
- One solution under consideration would be to accept the Board for Evaluation of Interpreters (BEI) as a possible exam or use it as a basis for another exam.
- A list of qualified ASL interpreter who can work on matters outside the court room could be created.
- The National Center for State Courts (NCSC) is looking into the matter but doesn't have the resources to create a new exam, which is very costly.

## **CLARK COUNTY CONTRACT**

- Courts in Clark County have started to require interpreters to sign a contract to work in their courts.
- A number of interpreters have expressed concerns with the contract and are hesitant to sign. Some of the concerns mentioned included:
  - Language about and interpreter's liability and potential responsibility for legal fees.
  - Long list of protocols for interpreters.
- The language have the appearance that it was adapted from another source and was inconsistent with how it refers to interpreters.
- The Commission was concerned this contract could have a chilling effect on interpreters making it difficult for the court to fulfill its obligations to provide interpreters for LEP parties.
- The Issues Committee will review the contract and look for potential solutions.

## **DISCIPLINARY COMMITTEE**

- The committee is currently reviewing a grievance against an interpreter who allegedly interpreted for a family member.
- A settlement had been offered for the interpreter to voluntarily give up interpreter credential.
- The committee is working with the Attorney General's office.

## **Interpreter Services at the Office of Administrative Hearings (OAH)**

Judge Bradly

- At the court interpreter forum in October of 2018, interpreters brought up concerns about the practice of telephonic interpreting at the OAH.
- Judge Bradly discussed the issue with a judge at the OAH who was open to the concerns.
- OAH does not have facilities to have live hears, but sharing facilities with another agency could be a possibility.
- Judge Bradly will follow up with the education committee about possible education and training resources.

## **COURT INTERPRETER PROGRAM REPORTS**

### **Supreme Court Commissions**

Staffing changes:

- The team recently lost their administrative secretary and the staff person for the Minority and Justice Commission (MJCOM). Cynthia will be stepping into the MJCOM staff role until a new person is found.
- A part-staff position was created to staff the Tribal State Court Consortium.

## Program Report

- At the interpreters forum in October 2019, an interpreter brought up concerns about the some translated forms at a court. Bob sent the information to the court about the errors and the court has requested resources.
- The finalized, corrected version of the updated GR11.2 is now online. There was initially some typos in the version that was originally posted and there were concerns the original authors had not had an opportunity to review the language that was approved by the Supreme Court.

## Testing and Training

- Oral Exam 2018:
  - 46 test candidates.
  - 7 (languages Arabic, BCS, Korean, Mandarin, Russian, Spanish, Filipino)
  - 6 people passed (1 BCS, 1 Mandarin, 1 Filipino, 3 Spanish)
    - They will be completing the credentialing process on April 12 at the Ethics and Protocol
    - This includes first person to pass the Filipino/Tagalog Exam in Washington.
- Ethics and Protocol Class
  - Will take place on April 12 at Seattle Municipal Court
  - 6 people are competing the credentialing process.
  - 4-5 interpreter will be attending to complete the process for reciprocity (1 Arabic and others Spanish)
  - Other guests such as the group from the mentor group
  - Commission members are also welcome to attend.
- Written Exam Registration
  - Taking place in Seattle, Spokane, and Olympia
  - 136 people currently registered to date.
  - Interpreter speaking 21 languages have registered so far

## ANNOUNCEMENTS

- The Access to Justice (ATJ) conference is taking place in Spokane in June. Commission members are invited to attend.
- The Washington State Coalition for Language Access (WASCLA) Summit will take place on October 25 and 26 in Tacoma.
- On March 30, NOTIS will be holding a training on GR11.2 in Redmond.

## Action Items:

- **Commission Members** Submit to the AOC suggestions regarding how to use the money remaining in the budget for this fiscal year.
- **Commission Members:** Submit to the AOC suggestions about ethnic organizations to reach out to for recruiting a new member.



- **Issues Committee:** Review the new contract for interpreters from Clark County.
- **Education Committee:** Look to Judge Riquelame as a new panel member for the Judicial College
- **Education Committee:** Create a separate, parallel benchcard and flowchart for working with sign language interpreters.
- **AOC:** Begin recruitment for new members of Commission.
- **AOC:** Reach out to the organizations that nominated Donna, Francis, and Frankie to see if they have any objection to them continuing serving on the Commission for another term.

DRAFT



# **Chair's Report**



# SHATZ LAW GROUP

Naoko Inoue Shatz  
Phone: 206.389.1646  
E-mail: ninoue@shatzlaw.com

1001 Fourth Avenue, Suite 4400  
Seattle, WA 98154  
Phone: 206.265.1225  
www.shatzlaw.com

April 24, 2019

Justice Steve Gonzalez  
Temple of Justice  
P.O. Box 40929  
Olympia, WA 98504-0929

## **Re: Application for the position on the Interpreter Commission**

Dear Justice Gonzalez:

I am writing to apply for the opportunity to serve as an Ethnic Organizations Representative for the State Interpreter Commission.

As you know, I am a Japanese native speaking attorney licensed in Washington and New York, with a practice representing many foreign clients over the past 17 years. My primary practice areas are focused on business and employment law but I have also assisted them with litigation matters relating to business, employment and family law. I am currently acting as outside general counsel for several Japanese corporations/organizations including the Consulate General of Japan in Seattle.

I am also a founder and co-director of the International Families Justice Coalition (IFJC), which was started in 2017. IFJC's primary mission is to serve foreign/immigrant clients from different countries who need linguistically and culturally competent attorneys and/or interpreters to access justice in family situations. Although IFJC is in its initial startup, it has been consistently supported by the Washington State legislature with funding through OCLA.

In my role as an attorney and advocate, I have been frequently required to work with interpreters, even with my own fluency in Japanese. Interestingly in court, I am able to hear both English and Japanese, and I have noticed the difference in quality of the interpreters. Some Japanese interpreters translate only 20-30% of what a judge explains, while others translate almost 90%. However, no interpreter accurately interprets 100%. I have concluded that it is mainly because the attorneys often speak too fast to the extent that the interpreters could not catch up with their speed of their arguments.

I am often asked by my clients to explain what was said during the argument after a hearing outside the court room. Surprisingly, I often find out that they don't really understand the substantive issues, even if they could hear everything spoken in Japanese. I think this result is due to their cultural norm that prevents them from understanding the ways things are handled here.

It was my experience over the past 7-8 years in seeing the impact of language access in family law matters, and the growing need for legal assistance to those who can least afford it, which motivated me to start IFJC. Frankly, the need was so large that the firm could not keep up with the demand on just pro-bono private basis. Anthony Gipe (my partner and co-founder of IFJC) and I eventually founded the organization to increase capacity, address the problems in access to legal services for non-English fluent people in need, and educate and improve the courts system's ability to work with non-English speakers.

My experience has shown that many clients who require interpreters may make a decision without understanding fully the legal issues and rationale of the rulings. It is a disservice to them if they do not understand at the same level as other native English speakers. I believe that putting the clients in the position where they do not have the same access to the justice system would embarrass our legal system.

It is imperative for the court to 1) make sure of the quality of the interpreters, 2) be mindful of the speed allowing more time for the interpreters to do a better job, and 3) make sure that interpreters serve the clients even outside the court room until he/she confirms that the clients understand everything based on the information they received from the interpreters, and they are comfortable about their decisions.

I believe my experiences, in more than just legal skills, will be an asset to the Commission. Aside from being a native Japanese speaker, I have worked in business for eight years before becoming an attorney, I have extensive ties in the Asian American community in Washington, and I have worked for 17 years in the legal community in for-profit and non-profit capacity at the intersection of services working with interpreters and non-English speaking clients. My wide range of experience and perspectives could be a valuable contribution to the Commission, and joining the Commission would give me the opportunity to learn more viewpoints and perspectives in this complex arena.

I am hoping that my experience and contribution will advance the court system in providing better interpreter services and fill the gap between the court and clients whose native language are not English.

Sincerely,



Naoko Inoue Shatz

## NAOKO INOUE SHATZ

### CONTACT INFORMATION

---

#### **Shatz Law Group PLLC**

Address: 1001 Fourth Avenue, Suite 4400, Seattle, WA 98154

Phone: 206-389-1646 (Work) Cell: 206-669-0204

Email: [innoue@shatzlaw.com](mailto:innoue@shatzlaw.com)

<http://www.shatzlaw.com/professionals/shatz/>

### LICENSES AND CERTIFICATES

---

**New York State Bar Association**, October 2010, NYSBA# 805306

**Washington State Bar Association**, November 2002, WSBA# 33175.

**Teaching Certificate for Japanese Literature and Language at High School**, March 1987.

### LEGAL EXPERIENCE

---

#### **International Families Justice Coalition (NPO)**, Seattle, WA

Founder, March 2017 – Present,

- Represent pro bono/low income immigrant clients who need legal assistance in their divorce proceedings in the U.S.

#### **Shatz Law Group PLLC**, Seattle, WA

Member, April 2008 - Present,

- Focus on Business Law (both domestic and International), Employment Law and related Dispute Resolution/Commercial Litigation.
- Act as outside General Counsel to Consulate General of Japan in Seattle, Urasenke, Hyogo Business & Cultural Center, Kobe City and large Japanese companies that have offices in the U.S. Act as Counsel for Japanese baseball players at Mariners.
- Take on select Family Law matters.

#### **Williams Kastner PLLC**, Seattle, WA

Of Counsel, October 2009 - February 2010,

- Focused on International Business Law (International Law).

#### **Venture Counsel Law International PLLC**, Bellevue, WA

Associate Attorney, September 2007 - March 2008,

- Focused on International Private Equity Transactions, Joint Ventures, M&A, Intellectual Property, Employment, and other general business transactions.

#### **Perkins Coie LLP**, Seattle, WA,

Associate /Contract Attorney, November 2005 - September 2007,

- Focused on complex International Commercial Litigation and Employment Law.

#### **K&L Gates LLP (formerly, Preston Gates & Ellis LLP)**, Seattle, WA,

Special Project Attorney, April 2003 - October 2005

- Focused on complex Commercial Litigation.

**Equal Employment Opportunity Commission**, Seattle, WA,

Legal Intern, June 2000 - July 2000.

- Focus on legal research related to American Disabilities Act and relevant cases.

**Seattle University School of Law**, Seattle, WA,

Assistant Researcher to Professor Chon, September 1999 - May 2000.

- Research Korematsu case and Japanese Americans' interment and redress.

## **PRESENTATIONS AND PUBLICATIONS**

---

- "Volunteer Lawyers giving Immigrant Divorcees New Hope," King 5 News (2019)
- "Introduction to Family Law for International Marriages," International Families Justice Coalition CLE seminar (2019)
- "Purchase Order without Agreement and Non-Payment Issues," Mitsubishi Global Business Insight (2018)
- "Choice of Jurisdiction and Double Litigation filed with Two Courts in the U.S. and Japan," Mitsubishi Global Business Insight (2018)
- "Paid Sick Leave affecting PTO and Workplace Harassment," Top San Francisco Seminar (2018)
- "US Constitution and Executive Orders on Immigration," Nikkei Committee Council (2018)
- "Lobbying Effort Secures Funding for Immigrant Family Law Project," King County Bar Association Bulletin (2018)
- "Guidance for Employers on harassment at work," U.S. Japan Publication New York (2017)
- "Jurisdiction and Controlling Law in Dispute Resolution arising from U.S. Transactions with Japan," Bank of Tokyo Mitsubishi UFJ (2017)
- "Learning from Recent Litigation arising from Corporate and Employment Law," Top San Francisco Seminar (2017)
- "Standing Up for the Underrepresented," King County Bar Association Bulletin (2017)
- "Allyship: Barriers and Best Practices for Legal Professionals," Washington State Bar Association CLE Seminar (2017)
- "Contracts and related issues between Japanese companies and U.S. companies," Bank of Tokyo Mitsubishi UFJ (2017)
- "Cross Border Contract Negotiation," University of Washington School of Law (2017)
- "Employment Termination and Severance Agreement" Bank of Tokyo Mitsubishi UFJ (2017)
- "Breaking Out ~PIONEERING WOMEN~, " Fujisankei TV (2016)
- "Challenging Legal Issues and 2016 Updates on Corporate and Employment Law," Top San Francisco Seminar (2016)
- "Joint Community Seminar with Consulate General of Japan in Seattle (2016)
- "Japanese Lawyer Strives to Become a Cultural Bridge" featured and published by Tokyo Business Today (2016)
- "Risk Management For International Business, " Top San Francisco Seminar (2015)
- "Doing Business Between Washington State/U.S. and Japan," International Section of Washington State Bar Association CLE Seminar (2015)
- "Nuts and Bolts of Business and Employment Law.," Junglecity Network Seminar (2015)
- "Estate Planning and Family Law in Japan and the U.S.," Japan America Society of Washington Seminar(2015)
- "What Every Lawyer Needs to Know About Working with the Japanese Community", Washington State Bar Association (2014)
- "Doing Business in the U.S." Japan America Society of Washington State (2013)
- "Employment Law an Employer Needs to Know," Top San Francisco Seminar (2013)



- "On a High Note-Profile of Naoko Inoue Shatz" written by Bob Klein, King County Bar Association Bulletin (2012)
- "Traditional Japanese Business Making Gradual Changes," King County Bar Association Bulletin (2012)
- "Company Dissolution & LLC Member Disputes," Washington State Bar Association CLE Seminar (2012)
- A-Z for Conducting Business in the U.S.," Seattle Entrepreneurship Club Seminar (2012)
- "Employment Law-How to Comply with U.S. Laws and Avoid Costly Litigation," Japan America Society Seminar (2012)
- "Joint Venture in Japan: What to Look For in Due Diligence," ABA International M&A Newsletter (2011)
- "Pathways to Employment in International Law," American Bar Association, International Section (2011)
- "Legal Market and Practice in WA," University of Washington Conference (2011)
- "Transactional Contract and Dispute Resolution," International Japanese English Translation Conference (2011)
- "Online Merchants and Consumers Need to Know the Rules", King County Bar Association Bulletin (2010)
- "Managing Risk When Drafting Agreements for Cross-Border Transactions Between the U.S. and Japan," WSBA International Practice Section CLE (2010)
- "International Arbitration," Seattle University School of Law Lecture (2010&2011)
- "Doing Business with Japanese Companies-Contract and Employment Law," King County Bar Association, International Section CLE (2009)

## **PROFESSIONAL AND COMMUNITY ACTIVITIES** \_\_\_\_\_

- International Families Justice Coalition, Founder and Director (2017 - Present)
- Asian Bar Association of Washington, Board of Director (2012 – 2014)
- Japan America Society, Board of Director (2013 – Present) and Chair for various committees and Executive Committee Member (2014 – 2016)
- Japan Business Association of Seattle, Member (2014 – Present)
- International, Employment and Business Law Sections of American Bar Association (ABA)
- International Commercial Transactions, Franchising and Distribution Committee Leadership of American Bar Association (ABA 2012-2013)
- Seattle University School of Law, Guest Lecturer for International Arbitration course (2010 and 2011)
- U.S. -Japan Council, Member (2015- Present)

## **BUSINESS EXPERIENCE** \_\_\_\_\_

**Nippon Manpower Inc.** Tokyo, Japan, April 1992 - April 1995.

**Mainichi Communications Inc. (Mainichi Newspaper)** Tokyo, Japan, April 1987-March 1992

## **EDUCATION** \_\_\_\_\_

**Seattle University School of Law**, Seattle, WA, Juris Doctor, August 2001. With Honors.

**University of Pennsylvania**, Philadelphia, PA, August 1996 - May 1998.

**Seikei University**, Tokyo, Japan, Bachelor of Arts in Japanese Literature, March 1987.



## **PINAR MERTAN**

1509 24th Ave NE Issaquah, WA, 98029 425-677-4194 pinarm@ihmail.com

**Robert Lichtenberg**

**AOC Staff to the Commission Washington State Court Language Access Program c/o  
Administrative Office of the Courts**

**P. O. Box 41170 Olympia, WA 98504-1170**

Dear Sir,

I am writing to express my interest in becoming an Ethnic Organization Representative for Washington State Court Interpreter Commission.

I was born in Ankara, Turkey. I studied law in Turkey, and worked as a sworn translator during my years as a legal counsel. I moved to California in 2000 after getting married. Then I moved with my husband and two children (12 and 16) to Issaquah, Washington in 2007. I was very involved with PTSA when they were in elementary school, and actively organized and participated in many cultural events.

I am a member of the Turkish American Cultural Association of Washington (TACAWA), and I am on the board of the Seattle Turkish Film Festival (STFF) committee. TACAWA is an active non-profit organization dedicated to guiding and enhancing awareness of Turkish culture, art and heritage and sponsoring positive relationships between various Turkish and local communities. It celebrated its 42nd anniversary this year, and the STFF is planning its 7th yearly film festival for this coming October.

There are only a few credentialed Turkish interpreters in Washington State. I am trying to fill this void by serving our relatively small Turkish-American community, as well as our American courts and other legal, medical and educational institutions. I could be the bridge between the Commission and the diverse community of Washington. I know how necessary this is when I witness it firsthand with my clients, courts, schools and hospitals. The language barrier creates a big cultural gap, and a lot gets lost in translation. We can bridge this gap by educating both sides, because different subsections of the population do not have a good understanding of what the role of the Interpreter Commission is, let alone that it exists.

I am very aware of how culture and language play a role in this society, therefore I believe I could provide very valuable input and insight regarding how to improve language access to the courts. I would like to serve as a liaison with the community and the public. The need is rising for the Turkish community every day, like many other ethnic and cultural groups.

I have a natural tendency to empathize with people from all backgrounds. My years working as a lawyer gave me an understanding of everyone's different points of view and their need for appreciation and

fairness. I know how important it is to be listened, heard and understood. Although I am fairly new in this profession, I believe I can turn this to an advantage. I appreciate this job's importance, and do my best to excel in many fields. I know I can be of help to the Interpreter Commission by bringing many diverse cultures together through all kinds of events and organizations.

Thank you for considering me as a candidate.

Sincerely,

Pinar Mertan

## **PINAR MERTAN**

**Registered Court Interpreter (Turkish-English)**

**Certified Medical Interpreter (Turkish-English)**

1509 24th Ave NE Issaquah WA 98029 USA

Telephone: (425) 837-0656 (home)

(425) 677-4194 (cell)

E-mail: pinarm@ihmail.com

### **NATIONALITY:**

Citizenship from Republic of Turkey and United States of America - Living in the USA since 2000

### **EDUCATION**

LLB from Istanbul University Faculty of Law, Istanbul (1992-1996)

TED Ankara College High School, Ankara (1985-1992)

Cankaya Elementary School, Ankara (1980-1985)

### **CERTIFICATES**

Bachelor of Law (1996-Present)

Member of Istanbul Bar Association (1996-2010)

Trademark & Patent Attorney Certificate (Turkey-1998)

Sworn Interpreter & Translator Certificate (Turkey-1998)

Certified Medical Interpreter (WA, July 2017)

Registered Court Interpreter (WA, November 2017)

Certificate of Completion of Court Mentoring from Seattle Municipal Court (WA, June 2018)

Member of Board of Directors of NOTIS (January 2019)

DOJ EOIR Immigration Training Program (2019)

## **EMPLOYMENT**

Attorney at Law Internship at Coskun & Saglam & Erdivanli Law Firm (1997-1998)

Legal Counsel and Translator at Siemens AS-Turkey (1998-2000)

Freelance Translator for [www.idabahce.com](http://www.idabahce.com) (2015)

Freelance Translator for Bridge to Turkey Fund (2017)

Freelance Certified Medical Interpreter and Registered Court Interpreter (2017)

Freelance Immigration Court Interpreter (2019)

## **KEY SKILLS AND QUALIFICATIONS**

- Proficient in Turkish and English
- Excellent organizational, interpersonal and communication skills
- Strong legal background
- Very polite, respectful and tactful
- Able to relate well to people
- Have good judgment
- Perfect time management

May 15, 2019

From: Florence O. Adeyemi

12345 Lake City Way NE, #265, Seattle, WA 98125

To: The Washington State Court Interpreter Commission

Letter of Interest to Serve on the Washington State Court Interpreter Commission

Dear Sir/Madam/Members of the Commission,

It is important that I commend you for the work that you perform in your various positions on the Commission on behalf of the people of our State of Washington. No doubt, the impact of your deliberate efforts is often responsible for the cohesiveness in the administrative policies that under-guarantee ensure the necessary communication between the judiciary/courts, interpreters and the public.

I am a student of Language in its many forms. Language interpreting/translating is a big passion for me. Sharing that interest in tangible ways to make relevant impacts as I can are even more-so appealing to my usual desire for community service when I have that opportunity. Coupled with my Clinical/Behavioral Health Therapy profession, my journey as a Language Interpreter began some 30 years ago and continues to wax stronger with diverse experiences gained through my work and encounters with other professional cohorts in the trade, the Justice, judges and attorneys in courts, staff in the offices and people from all backgrounds. It is those experiences that allow me to learn and gain more knowledge on what, who, where and how to focus my community service. I currently interpret in English, Yoruba, Pidgin and Hausa languages among several more dialects.

The Washington State Court Interpreter Commission in its position as the clearinghouse for the Judiciary/Courts, the professional Interpreters and the public --in consortium --consequently forms the strong foundation that holds an essential structure of justice assurance in the system as should be. That is my pull factor to apply for the currently open position of Community Member Representative on the Commission and it is my hope that the Commission would deem it fit to welcome my humble service in that capacity. My Resume further states my educational and professional backgrounds along with my memberships and affiliations which do underscore my experience and ability to perform duties as a team member or lead when necessary.

I thank you for your consideration and I look forward to your response. Please let me know if you need further information from me in support of my interest to serve on the Commission.

Sincerely,

Florence O. Adeyemi



## **RESUME OF FLORENCE O. ADEYEMI**

12345 Lake City Way NE, #265, Seattle, WA 98125

Email: afnconnect@aol.com

### **Organizational and Administrative Qualifications**

Strong written and verbal communication skills

Fluent and proficient linguistic skills in English Yoruba, Pidgin, Hausa (minor)

Effective strategic planning skills

Over 25 years of editing and editorial experience

Over 20 years of diversified grant writing and fund raising experience

Excellent team work and relational skills

Highly skilled in creative negotiation and problem-solving

Solid experience in multicultural relations and training dynamics

Experienced Clinical & Behavioral Health Therapist and workshop facilitator

Dynamically skilled in community and event organizing

Over 30 years of international relations experience

Outstanding leadership and management skills

Extensive and effective networking skills with diverse corporate institutions,

Non-profit/non-governmental organizations

\*Demonstrated ability functioning strategically; identifying emerging and critical issues; proactively anticipating and resolving posing challenges

\*Ability communicating diplomatically on politically sensitive issues

\*Ability relating complexities to individuals persuasively and professionally to influence varied constituencies, including employees, customers, stakeholders and elected officials

\*Ability managing in a rapidly changing environment

\*Knowledge of and sensitivity to multi-cultural and diversity issues, including managing and interacting within multicultural settings

\*Ability working collaboratively and leading as a member of a team

\*Experience managing in the public sector

### **Work Experience:**

**Mindful Therapy Group, Clinical/Behavioral Health Therapy Practitioner, Seattle, WA, 2019 - Current**

**Multicultural Behavioral Health Therapy, Consultant Clinical Practitioner - Seattle, WA: 2006 - Current** – As a Therapist, I work to provide guidance for my clients in sessions to assist them in the gradual process of reaching set goals: Cognitive Behavioral

Therapy (CBT) is a major tool in my practice. I work with individuals, couples, families, veterans and groups - focus on treatment and/or management of specifically applicable clinical syndromes; conduct relevant professional trainings; facilitate group and organizational workshops

**Chief/Managing Editor, American Multicultural Communications, Publishers of African Forum Newspaper (AFN), Seattle, WA: 1995-2002:** Responsible for overall supervision and evaluation of staff, news collection, collation and editing; final review, reporting and publishing of local and international news that inform, educate and promote self-empowerment and cross-cultural understanding among our pluralistic populations; organized, facilitated and promoted community events locally and internationally; supervisory responsibilities included leading organizational development programs in-house and at-large, hiring, supporting and mentoring staff as needed

**Commissioner/Chair, Seattle Women's Commission (SWC), Seattle, WA: 1998-2001-** Primary performance included leading the Commission in identifying issues that affect Seattle women, their families and community, calling such issues with policy recommendation to the attention of the Mayor, City Councilmembers and other policy makers in Seattle, to strategize on appropriate legislative logistics and resolution; worked directly with other local and international sister organizations to foster human rights institutions at home and abroad; represented the commission on various official duties in and out of town; edited the SWC monthly newsletter; led the SWC in intervention programs toward resolving issues of harassment in several city departments and the school districts, working as a team with city departments to drastically reduce the spread of homelessness in the city, facilitating community partnerships with other organizations with similar interests to accomplish our goals

**International and Community Relations Director, King County World Conservation Corps (formerly Cascadia Quest), Seattle, WA: Jan. 1996 – Dec. 1996:** Performed recruitment of youth (ages 18-24) from countries around the world, including the United States - for intensive seasonal environmental conservation training and work in the Puget Sound area; interpreted and translated several languages among the World Corps members, officials and volunteers; directly facilitated local host family and accommodation for participants; designed and led interactive cross-cultural workshops for effective teamwork; taught linguistic and non-verbal communications; conferred with King County Council Members on annual program budget and other support for the program; developed grant proposals and coordinated fundraising; organized inclusive community events to acknowledge, encourage and celebrate team members, sponsors and leaders; completed annual reports on program development and overall accomplishments

**Independent Linguistics Instructor/Consultant: Seattle, WA: 1989-present**  
University of Washington, Seattle, Extension Program Affiliate: Teach linguistics to local and international students, professionals and international business sectors - using my specifically designed interactive techniques to impart reading, writing, grammar and idioms; teach English as-a-second/foreign language; also perform language translation, and interpretation services in English, Yoruba, Pidgin English, Hausa (minor); I was

nationally selected in the United States to translate and I completed the translation/transcription of Mohammed Ali's historic Monument in Louisville, Kentucky from English to Yoruba language in 2005; currently perform language interpretation/translation for Court systems and agencies in the States of Washington, Oregon, California, Utah, Nevada, among others and a Consultant Linguist with several local and international Language Banks and Academy—

January 1989 – Present:

My Dominant Languages in Order of Proficiency are: Yoruba, English, Pidgin-English, Hausa;

The Interpreting Modes in which I'm Proficient Simultaneously, Consecutively and on Sight are:

English to Yoruba, Yoruba to English, Pidgin to English, English to Pidgin. Hausa to English, English to Hausa; Consecutively.

**Consultant, Supervisor: Community Development and Diversity Programs, Seattle, WA: 1987-1994:** Performance included working with local and international agencies in assigning staff projects, matching appropriate skills with project requirements, coordinating/facilitating training and evaluating staff performance; developing budget for various projects, producing monthly reports, designing strategic programs for multicultural education and workshops reflecting diversity integration in the workplace, training public agencies, institutions, governmental and non-governmental organizations (NGOs) on higher productivity techniques; led grant proposal and fundraising efforts; hone specialty in people-oriented organizations with a need to assure broad cooperative effort through use of effective planning and administrative skills to achieve organizational and community goals

**Arbitration Assistant, King County Superior Court Arbitration Department, Seattle, WA: 1988-1989:** Scheduled arbitration calendar to mediate selected court cases which in turn prevented and reduced prevalent case back-log in the court system; performed as a liaison between the public and the Courts, facilitated speedy and fair court and arbitration hearings with record satisfactory overall outcomes

**Advanced Writing Associate, Teaching and Research Assistant, Seattle Pacific University, Seattle, WA: 1988-1988:** Assisted professors in coaching college students needing to attain advanced writing skills with emphasis on technical writing and grammar usage, helped with editing and grant proposals; also provided effective assistance with students' research projects until completed

**Family Healthcare Associate, Community Home Health Care, Seattle, WA: 1983-1986 -** Designed and developed comprehensive quality care plan for socially and/or economically disadvantaged persons in their homes or institutions, assisted in administering clinical health care to homebound persons, coordinated referrals to other relevant community resources, served as liaison and advocate for families and individual clients as needed, developed clear and concise reports of all duties performed, maintained on-going client monitoring until cases terminated

**EDUCATION:**

MA, MSW, Social Work - Clinical and Contextual Practice, University of Washington, Seattle, WA, 2006

BA – Sociology, Anthropology, English-Communications, Seattle Pacific University, Seattle, WA, 1989

Advanced Sociology: University of Washington, Seattle, Summer 1983; Summer 1984

Sociology-Psychology: North Seattle Community College, 1982

RN/RM: University of Ilorin Teaching Hospital, Ilorin, Nigeria, 1978

**Professional Seminars/Workshops:**

Family Crisis Management; Health & Behavioral Counseling; Cross-cultural/Multicultural Counseling; Understanding and Working with Pluralistic Population; Children and Discipline; Family Support Networking; Family and Community Advocacy

Graduate Fellowship: University of Washington International Advanced Practicum at the University of Ilorin College of Medicine, Nigeria - Community Based Experience and Services program (COBES): June-September 2005; March-August 2006;

Participation in seminars and trainings, community healthcare delivery and intensive international workshops in the rural and urban areas of Nigeria -

Conducting and leading educational trainings and workshops on HIV-AIDS, reproductive health management, malaria prevention and treatment, pre-natal and neo-natal healthcare, maternal and infant healthcare, tropical disease management;

Working with local and international NGOs on community organizing and development

Research Assistant: WA State Snohomish County Human Services Department “Project 2020”, Everett, WA - March-June, 2005 - Research contribution/analysis; social-work/case-management with Snohomish County “Project 2020” - designing concise recommendation for improved, relevant and inclusive geriatric and diversity care services beyond year 2020.

**Awards/Honors:** \* University of Washington, Seattle, Graduate School of Social Work - Graduate Student Outstanding Leadership, 2006;

- Mount Zion, Seattle - Academic Scholarship, 2006;
- The Ludwig and Edith Lobe - Distinguished Graduate Scholarship, 2005;
- University of Washington, GOMAP - Scholarship Excellence, 2005;
- City of Seattle - Outstanding Community Leadership Recognition, 2001;
- FLORENCE O. ADEYEMI – Received Wall of Tolerance Placement Award: Presented by Rosa Parks and Morris Dees, the Co-Chairs of the National Campaign for Tolerance, 2001;

- Seattle Pacific University - Student Excellence Achievement Scholarship, 1984;

**Professional and Community Affiliation:**

National Certified Family & Community Advocate (NCFCA)

Member, National Association of Judicial Interpreters and Translators (NAJIT)

Member, Northwest Translators and Interpreters Society (NOTIS), Washington State

Graduate and Member of – Leadership Excellence and Diversity (LEAD) Program, United Way of King County, Washington State

Commissioner, 1998 – 2001 (Co-Chair) Seattle Women’s Commission (SWC)

Affiliation, National Association for Professional Women

Member, International Women’s Day Organization (IWD)

Member, National Diversity Council

Former President, ODU’A Community Development Organization of Washington State

Diverse Community and School Volunteer

Relevant Language Certifications: (English, Yoruba, West African Pidgin (Krio), Hausa)

- Supreme Court of Washington, Registered Court Interpreter, 2017  
Knowledge, Expertise, Code of Conduct for Court Interpreters
- National Association of Judiciary Interpreters and Translators
- Northwest Translators & Interpreters Society (NOTIS):  
International Translation Day 2018 Workshop  
Terminology Techniques for Translators  
Medical Interpreting, Medical Terminology & Continuing Education  
Business Law for Freelancers  
Handling High Pressure, High Profile Situations in Interpreting  
Right vs Right: Ethical Practices and Moral Codes in Interpreting
- Pacific Northwest Court Interpreter Conference (Oregon Judicial Dept) 2018:  
Impartiality at Any Cost? Interpreters & Translators Workshop  
Vicarious Trauma and Interpreting - Workshop  
The Professional Interpreter: Making Skills Development Part of Everyday



Workshop

- National Language Service Corps (NLSC) enlisted for global service, 2019
- Letter of Recommendation by Academy of Languages, Seattle, WA
- Letter of Recommendation by Minda A. Thorward Immigration Law Firm, Seattle, WA

**Personal and Professional References are available upon request**



Email: [opd@opd.wa.gov](mailto:opd@opd.wa.gov)

**WASHINGTON STATE  
OFFICE OF PUBLIC DEFENSE**

(360) 586-3164  
FAX (360) 586-8165

May 24, 2019

Robert Lichtenberg  
Court Interpreter Program Coordinator  
Administrative Office of the Courts  
PO Box 41170  
Olympia, WA 98504-1170

Dear Mr. Lichtenberg:

It is with great pleasure that I re-nominate Mr. Francis Adewale for the Public Defender position on the Interpreter Commission. Francis is a public defense leader. As an Assistant Public Defender for the City of Spokane, he has represented indigent clients for 18 years. He helped pioneer the Spokane Community Court – a model that has been replicated by many other courts and recognized with multiple federal grants. Francis has presented at conferences for the Washington Defender Association and the Washington Office of Public Defense, and received the President's Award from the Washington Association of Criminal Defense Lawyers.

Francis also demonstrates an extraordinary commitment to linguistic fairness and access to due process. He has served on the board of directors for Refugee Connections Spokane, and coordinated the American Law and Justice Workshop for refugees, designed to educate immigrants about the U.S. legal system. His personal experience as an immigrant from Nigeria brings an even richer dimension to his contributions on language access.

Francis' skills, experience, and passion make him a valuable continued member of the Commission, and excellent representative of the public defense community.

Sincerely,

  
Joanne Moore,  
Director

cc: Francis Adewale

711 Capitol Way South • Suite 106 • P.O. Box 40957 • Olympia, Washington 98504-0957



# DISTRICT AND MUNICIPAL COURT MANAGEMENT ASSOCIATION

**PRESIDENT Margaret Yetter**

Kent Municipal Court  
1220 Central Avenue S  
Kent, WA 98032  
(253) 856-5735  
Fax (253) 856-6730  
[Myetter@kentwa.gov](mailto:Myetter@kentwa.gov)

**PRESIDENT ELECT Dawn Williams**

Bremerton Municipal Court  
550 Park Avenue  
Bremerton, WA 98337  
(360) 473-5242  
Fax (360) 473-5262  
[Dawn.Williams@ci.bremerton.wa.us](mailto:Dawn.Williams@ci.bremerton.wa.us)

**VICE PRESIDENT Patti Kohler**

King County District Court  
513 3<sup>rd</sup> Avenue W-1034  
Seattle, WA 98101  
(206)477-0482  
Fax (206)205-8840  
[Patricia.kohler@kingcounty.gov](mailto:Patricia.kohler@kingcounty.gov)

**SECRETARY Maryam Olson**

Olympia Municipal Court  
900 Plum Street SE  
Olympia, WA 98501  
(360) 753-8312  
Fax (360) 753-8775  
[Moison@ci.olympia.wa.us](mailto:Moison@ci.olympia.wa.us)

**TREASURER Judy Ly**

Pierce County District Court  
930 Tacoma Ave S Rm 239  
Tacoma, WA 98402  
(253) 798-2974  
Fax (253) 798-7603  
[Judy.ly@piercecountywaw.gov](mailto:Judy.ly@piercecountywaw.gov)

**PAST PRESIDENT Paulette Revoir**

Lynnwood Municipal Court  
19321 44<sup>th</sup> Ave W  
Lynnwood, WA 98036  
(425) 670-5102  
Fax (425) 774-7039  
[Prevoir@lynnwoodWA.gov](mailto:Prevoir@lynnwoodWA.gov)

May 2, 2019

Interpreter Commission  
Justice Steven Gonzalez, Chair  
1112 Quince Street SE  
Olympia, WA 98504

Re: DMCMA representative

Dear Justice Gonzalez,

The DMCMA nominated Frankie Peters, Thurston County District Court, as our new representative in November 2018. Frankie was taking over for Tricia Kinlow for the term slated to end on September 30. Since Frankie has not filled a full term with the Commission, we would like to re-nominate Frankie to serve a full term.

Please let me know if you need any additional information.

Thank you for your consideration.

Sincerely,

Margaret Yetter  
DMCMA President

cc: Cynthia Delostrinos, Manager, Supreme Court Commissions  
Robert Lichtenberg, AOC  
Frankie Peters, Thurston County District Court  
Jennifer Creighton, Thurston County District Court



## Bench Card Courtroom Interpreting

### Limited English Proficient (LEP)

LEP individuals are those who cannot adequately understand or effectively communicate in English because it is not their native language.

### Qualifying and swearing in interpreters

ER 604 and RCW 2.43.050 require an interpreter to be qualified as an expert and placed under oath.

Interpreters credentialed by AOC (certified or registered) are already qualified and permanently sworn. They need only state their names and credentials on the record.

Interpreters not credentialed by AOC must first be qualified by the court and then sworn in on the record.

### Sign language

Washington State law directs courts to obtain certified ASL interpreters through the [Office of the Deaf and Hard of Hearing](#). RCW 2.42.130

### Spoken languages

(1) RCW 2.43.030 requires courts to appoint an [AOC court certified or registered](#) interpreter unless "good cause" is found and noted on the record:

(a) given the totality of the circumstances, including the nature of the proceedings and potential penalty, a certified or registered interpreter is not reasonably available; or

(b) the AOC list does not include an interpreter in the needed language.

(2) If good cause is found for using a non-credentialed interpreter, the court must then appoint and qualify on the record one who

(a) can interpret accurately;

(b) can communicate effectively with the court and the LEP individual; and

(c) has read, understands, and will abide by the Code of Professional Responsibility for Judiciary Interpreters established by court rules.

For brief non-evidentiary hearings courts may schedule interpreters to work by video or telephone. GR 11.3

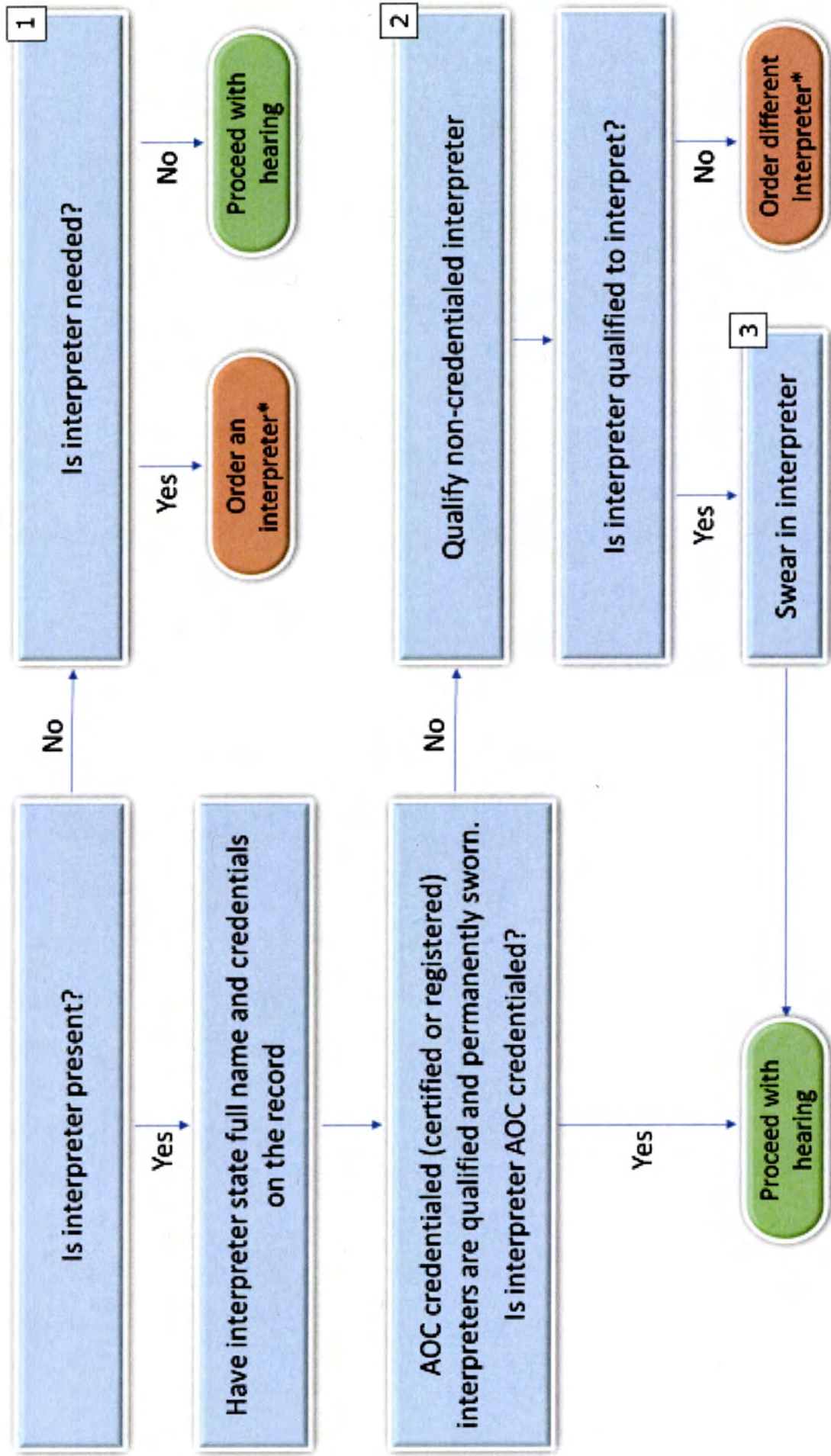
### Interpreter on standby

For LEP individuals with a marginal need for interpretation, the court should have a standby interpreter who is available to step in and interpret when needed. This avoids costly delay if the need for an interpreter arises mid-proceeding.

### Three interpreting modes

- **Simultaneous**  
Used for courtroom proceedings to allow LEP individuals to follow in their own language everything that is stated in English.
- **Consecutive**  
Used for question and answer sessions with LEP individuals.
- **Sight translation**  
Used to verbally render written documents from one language to another.

### Quick Guide for Interpreter Hearings (Spoken Languages)



\* Courts can arrange for in-person, video remote or telephonic interpreter.



1 Is interpreter needed?

Colloquy with Limited English Proficient (LEP) individual on the record:

*You have the right to a court-appointed interpreter free of charge. Do you need an interpreter?*

- YES: Order an interpreter
- NO: Proceed. If still concerned, inquire further:

*The court is still concerned that you may need an interpreter, so I will inquire.  
First, it is important that you do NOT talk on the record about this case or any legal case, including immigration. I am ONLY asking you about your need for an interpreter. Do you understand?*

- *How did you learn English?*
- *How do you use English in your everyday life?*
- *Are you certain you can fully understand and express yourself in court?*

If the LEP individual has difficulty answering these questions, order an interpreter.

If the court cannot understand the LEP individual's spoken English, order an interpreter.

If in doubt, the court should order a standby interpreter. A standby interpreter can help to avoid costly delay if the need for an interpreter arises mid-proceeding.

If the court is confident moving forward without an interpreter, advise the LEP individual:

*If at any point you feel that an interpreter would be helpful, even on a standby basis, remember you may always request one. Do you understand?*

2 Qualify non-credentialed interpreter

Non-credentialed interpreters (not certified or registered) must be qualified by the court. Sample qualification questions for interpreters who are not AOC certified or registered:

- *What language will you be interpreting?*
  - *Please summarize your qualifications as an interpreter.*
  - *What is your experience interpreting in court?*
  - *Do you believe you can communicate effectively for the court and the LEP individual?*
  - *Do you have any interest in the outcome of this matter?*
  - *Have you read the Code of Professional Responsibility for Judiciary Interpreters? GR 11.2*
  - *Do you promise to abide by this Code, interpreting accurately, honestly, impartially and maintaining confidentiality?*
  - *Will you be interpreting simultaneously or consecutively?*
- I find you qualified/I do not find you qualified to interpret for this proceeding.*

3 Swear in non-credentialed interpreter

*Do you swear (affirm) that you will make a true interpretation to the best of your skill and judgment?*



## Best Practices

### Direct speech

If an LEP witness states "I saw my aunt" the interpreter will state "I saw my aunt," not "He says he saw his aunt."

Witnesses should be questioned using direct speech. For example, "State your name," not "Ask her to state her name."

Referring to themselves, interpreters use the third person. For example, "The interpreter cannot hear counsel."

### Slow and steady

Everyone should speak one at a time, deliberately and clearly. Judges can set the pace by doing so themselves and monitoring the speakers throughout the proceeding.

### Pauses

Interpreters need speakers to pause between questions and answers. Witnesses should wait for each question to be fully interpreted before starting their answers.

### Logistics

The interpreter must be provided with a chair and writing surface.

Interpretation equipment is mandatory for trials and other lengthy proceedings. It allows interpreters to work in simultaneous mode, move freely around the courtroom to better hear and see, as well as interpret for multiple LEP individuals at the same time.

### Team interpreting

For trials and proceedings over 2 hours a team of two interpreters is required. This will ensure a higher level of accuracy and eliminate the need for frequent breaks. On rare occasions, when only one interpreter is working, the court will need to recess for 10 minutes after every 20 minutes.

### Documents

Court personnel and attorneys must provide interpreters with relevant materials, such as complaints, affidavits of probable cause, witness lists, trial briefs, etc. These are necessary for interpreters to familiarize themselves with the factual and legal issues of the case, specialized terminology and proper names. In addition, all documents read aloud in court should be provided to interpreters.

### Jury instructions

Reading aloud is much faster than normal speech. The judge should read slowly and deliberately, pausing after each jury instruction until interpreters finish their rendition. This will ensure accuracy and comprehension. Alternatively, the court can allow the interpreter to sight translate jury instructions in advance of the court's reading, for example, during a jury break. The judge can then state on the record that the full set of instructions has already been interpreted to the defendant.

### Exhibits in languages other than English

Interpreters should not be asked to extemporaneously render audio, video or written exhibits into English on the record. Attorneys are obligated to arrange for certified transcription and translation of such exhibits ahead of time.

For assistance, please contact  
AOC Court Interpreter Program at:  
360-705-5279 or review information at  
[www.courts.wa.gov/interpreters](http://www.courts.wa.gov/interpreters)

*Court Interpreter Commission - June 2019*

## Overview of 2019 Gender Bias Study Project

In 1989 the Washington State Task Force on Gender and Justice in the Courts published a [study on Gender Bias in the courts](#) which included 75 recommendations. In order to gain a better understanding of gender bias in the courts today, the Gender and Justice Commission is evaluating the status of the recommendations from the 1989 Report and undertaking further study in new priority areas. The goals of the study are to analyze the existing evidence, identify areas where research and evidence may be lacking, and implement and evaluate pilot projects to address gender bias. The current study focuses on the intersection of gender and race, poverty, immigration status, disability status, and other factors. While the current study does have priorities specific to communication barriers (e.g. Litigants' language barriers in matters such as obtaining domestic violence protective orders...), for each of the priorities, the study aims to determine if any subpopulations (e.g. English language learners, women with disabilities, etc.) are uniquely impacted as a result of the intersection of gender bias with other biases.

The Gender and Justice Commission has a Gender Bias Study Task Force which is guiding the study and supporting the research and analysis. The Task Force would like to invite a member of the Interpreter Commission to serve as a liaison on the Task Force. This liaison role would include: 1) Attending regular Task Force calls and meetings through December of 2020 to help ensure that communication barriers are considered throughout the study, 2) Bringing study updates back to the Interpreter Commission to keep the Commission informed, and 3) Connecting other Commissioners with the study if they express an interest in being engaged. The Task Force meets one to two times per month. Most meetings are one hour phone meetings with occasional half day in-person meetings planned for points in the study where more substantive decisions will need to be made.

If interested, please contact:

Sierra Rotakhina, MPH  
Gender Bias Study Project Manager  
Washington State Supreme Court Gender and Justice Commission  
[CNTR-Sierra.Rotakhina@courts.wa.gov](mailto:CNTR-Sierra.Rotakhina@courts.wa.gov)



Each of these areas would include a particular focus on the intersection of women and race, poverty, sexual orientation, gender identity, disability, age, and other identities. The study topics will be drawn from the following list of priorities:

**1. Gender impact of barriers to getting into court, including:**

- Litigants' financial barriers such as user fees, costs of legal representation, childcare and travel to and from the courthouse.
- Litigants' language barriers in matters such as obtaining domestic violence protective orders, participating in family law hearings, and interacting with GAL and CASA representatives.
- Immigration status barriers that may be preventing complainants and witnesses from coming to court.
- Barriers to jury service such as low juror pay, lack of childcare, etc., that contributes to lack of diversity in juries.

**2. Gender impact in court proceedings and court workplace, including:**

*a. Gender impact of substantive legal doctrines in civil proceedings as they relate to:*

- Violence; domestic violence and sexual assault.
- Family Law including divorce, maintenance, property division, custody, and child support.
- Economic consequences including fee awards and wrongful death.
- Workplace sexual harassment and discrimination.

*b. Gender impact of substantive legal doctrines in criminal proceedings as they relate to:*

- Increased criminalization and incarceration of women pre- and post- conviction.
- Increased criminalization and incarceration of men pre- and post- conviction and the consequences for women.
- Exceptional sentence availability.
- Commercial sexual exploitation.

*c. Gender impact of substantive legal doctrines for juveniles as they relate to:*

- Shifts in juvenile law focus such as limiting judicial discretion.
- Effects of treatment.
- Commercial sexual exploitation of children.

*d. Treatment of lawyers, litigants, judges, and court personnel:*

- Courtroom treatment of litigants, legal professionals, jurors, and other court personnel.
- Credibility of women in the courtroom.
- Acceptance of women in legal and judicial communities.
- Court personnel practices and procedures, including their application to GALs and guardians.
- Representation of women as ADR neutrals.

### **3. Impact of Gender Bias on Consequences After Leaving the Courthouse including:**

- Legal financial obligations.
- Collateral consequences for incarcerated parents.
- The burden of mass incarceration on remaining heads of households.
- The availability of gender responsive programming and use of trauma informed care in DOC and court ordered programs.
- The consequences of sexual assault in jail or prison.
- Treatment of domestic violence perpetrators.
- The impact of a criminal background on access to services.





# **Committee Reports**





**Interpreter Commission – Education Committee**  
**Tuesday, May 09, 2019**  
Teleconference Meeting  
12:00 PM – 1:00 PM  
Call-in number: **877-820-7831**  
**Passcode: 618272#**

## MEETING MINUTES

### **Members Present:**

Katrin Johnson  
Francis Adewale  
Maria Luisa Gracia Camon  
Frankie Peters  
Fona Sugg  
Elisa Young

### **AOC Staff:**

Robert Lichtenberg  
James Wells  
Maria Joyner

- Previous meeting minutes were approved.

### **Outreach Sub-Committee**

- An action plan was shared with the Education Committee before the meeting.
- There will be a meeting with Justice Gonzalez before workgroup starts their work.
- Much of the work of the outreach workgroup is outside the scope of the Education Committee's work. In the future the workgroup could become a separate committee rather than a sub-committee. This would require a change in Court Rules so it will remain sub-committee for now.
- The plan has many steps and some steps would need to be prioritized. Creating materials are the first priority. The will help set the other priorities.
- Members of the workgroup include: Elisa, Fona, Francis, Frankie, and Luisa.
- The outreach committee can look inviting non-Commission members, such as community members, to join the committee.

### **Webinars**

- A workgroup is looking at creating web tutorials for judges and court staff.
- Katrin and Luisa created a short tutorial as an example which was sent out to the Committee. Some suggestions included:
  - Keeping the videos under 5 minutes.
  - Providing a short tutorial about working with the software at the beginning of the videos.
- Future video topics:

- The ad hoc committee is creating a desk card for court interpreter schedulers. This could provide topics for future videos.
- Education staff could get feedback from judges to see what topics judges would be interested in.

### **Judicial College**

- Judge Riquelme has accepted the role of serving on the panel in the future.

### **Bench Card Update**

- Comments on the draft card have been received and are being reviewed.
- Katrin, Donna and Kristi are working on a version of the bench card for ASL interpreters.
- It is hoped the Commission will be able to approve the bench cards before the Fall Judicial Conference in September.

### **Superior Court Administrators Conference**

- The session gave attendees a chance to learn about and use equipment designed to help parties with communication difficulties.
- The presentation went well and attendees gave positive feedback. .
- The presentation looked at language access as a form of communication access.
- One attendee suggested creating a longer presentation specifically about working with people who have speech disabilities.
- There may be opportunities to work with the other Supreme Court commissions on this topic since some members of the communities the commissions are involved with have speech disabilities and trouble communicating their stories in court.
- Some feedback indicated that some components of the presentation would be applicable to judges to teach them best practices for working with people with speech disabilities in the court room.
- This topic is not limited to any court level and could be re-done at other court education conferences.

### **Future Conferences**

- There will be a panel presentation about court interpreting at the District and Municipal Court Managers Conference.
- The Fall Judicial Conference will have a presentation on sign language interpreters.

### **Action Items**

- Katrin, Fona, Bob – Look at how the presentation from the court administrator's conference can be repurposed for judges.
- AOC – Sent out a list of the different projects being worked on by the different committees.
- James - Get outreach list form taskforce as a source for potential community partners

DRAFT

# Interpreting Webinar Development Workgroup

## 4/9/19

Present: Bob, Katrin, James, Fona, Francis, Luisa

### Platform

- AOC has license for Adobe Connect and Katrin has some experience using
- Some features of Adobe Connect:
  - Presentation can be live or recorded.
  - Display a PowerPoint slide show with a recorded voice over.
  - Links to webpages or documents that are being discussed.
  - Live presentations can have a chat feature and a feature for polling the audience.

### Continuing education for Judges

- Reviewed by AOC education committee.
- Available credits would be an incentive for judges to use presentation.
- A group modules could form a core group, which could be viewed as credit. Additional modules created on top of that.

### Format and topics:

- The presentation could be a long session or could be broken up into smaller modules.
  - Shorter presentations could be more effective and more accessible.
  - Modules could be broken down by topic and could target different audiences.
- The presenters could be a single person or a group.
- Some potential topics include: working with interpreter, best practices, code of conduct, scheduling interpreters, rare languages, working with CDIs, and Interpreters 2.0 for judges.
  - The new bench card for judges could be a good first topic.
- A small project can be created as a sample and then additional modules as time goes on. A group of modules could constitute a core.

### Next Steps

- The group can look at example presentations.
- Next meeting will be at 8:30 on 4/24

# Interpreting Webinar Development Workgroup

## 4/24/19

Present: Katrin, James, Bob, Luisa

### Webinar Platform

- AOC does have a license to use Adobe Connect.
  - Some types of licenses allow the possibility to create quizzes in Adobe Connect.
  - Some types of licenses with Adobe Connect allow a script to be added where the text can be shown alongside the appropriate slide.
- A PowerPoint presentation can be made with a voiceover.
  - A webcam can be used for video to show the presenter if desirable.
- Short or long modules could be created.
  - Shorter modules can be better for the viewer maintaining attention and can allow someone to more easily review certain topics later.
- Adobe connect allows presenting links to outside website and documents to be included in the presentation.

### Judicial Education

- For judges to receive continuing judicial education credits, half of the credits must be from an interactive presentation, such as a judicial conference or live webinar, and half can be from recorded webinars.

### Sources for Video Clips

- Videos created by the AOC in the 1990s
- Federal court videos.
- Videos created by Ohio

### Timeline

- The summer months could be a good time to work on the videos.
- Katrin and Luisa will work creating a sample video before the next Education Committee meeting as a demonstration.
- The new interpreter code of conduct and the new bench card could be good initial topics.
- The ad hoc committee of the Issues Committee is working on creating something like a bench card for court interpreter coordinators. This could be a good topic of a video.

### Action Items

- Katrin and Luisa – make a sample video for review by the education committee.
- Bob – look at recent conferences for 7 to 8 potential topics for videos.
- James – follow up on the available uses of adobe connect such as the capability of uploading a script to run alongside a PowerPoint presentation.

# Interpreting Webinar Development Workgroup

## 5/29/19

Present: Bob, Katrin, James, Fona, Francis

### Initial Video Topics

- Top do's and don'ts of working with interpreters.
- Judicial bench card.
  - This could be a jumping off point for other topics.
  - Work on this training will need to wait until after the new bench card is approved.
- Best practices for trials involving interpreters.
- Interpreter code of ethics.
  - Some of the underlying concepts could be contained in other videos.

### Additional Topics

- Sight translation of documents in the court room. This could be included in a best practices for trial preparation.
- For staff at front desk, working with LEP parties when they come into the court house with particular concerns such as domestic violence issues.

### Next Meeting

- The next meeting will include Maria Joyner from the AOC, who has experience creating online trainings.

### Action Items

- James – find resources and examples for video content for the committee to review.





Washington State Supreme Court  
Interpreters Commission

## **Outreach Committee Work Plan**

---

### **Mission**

The mission of the Interpreter Commission is to ensure equal access to justice and to support the courts in providing access to court services and programs for all individuals regardless of their ability to communicate in the spoken English language.

### **Purpose**

Engaging the community through outreach is critical to establishing the legitimacy of the commission, its role within the court system and the creation of respect for the institution for the orders and decisions it makes. Purpose in creating this Outreach plan is to undertake comprehensive outreach and engage in partnership with LEP communities and those community organizations that serve them

### **The solution**

Establish an outreach committee that includes commission members, interpreters, stakeholder and advocacy groups as well as community members to assist in identifying major areas of focus, resources, best practices and goals for measuring success.

### **Goals**

The following goals for the outreach committee have been organized into four areas:

1. Awareness of role and authority of Commission
2. Establish effective framework for language supports and service delivery between courts and the community
3. Increase public trust and confidence in the ability of Courts to deliver timely and competent language access services
4. Establish language preservation and pride partnerships

### Committee Membership

Name	Representation	Email	Phone
Elisa Young	Chair	ElisaY@OMWBE.wa.gov	360-664-9759
Frankie Peters	DMCMA	<a href="mailto:Frankie.Peters@co.thurston.wa.us">Frankie.Peters@co.thurston.wa.us</a>	360-786-5445
Francis Adewale	Office Of Public Defense	fadewale@spokanecity.org	509-835-5977
Fona Sugg	AWSCA	Fona.Sugg@co.chelan.wa.us	509-667-6210

**Outreach Committee Work Plan**

The Committee is charged with several deliverables as indicated in the Charter. Below is an initial draft Work Plan based on the current Charter. The committee will prioritize these deliverables and report to Justice Gonzalez and the Commission.

Deliverables	Relevant Goal	Goal Metrics	Opportunities / Problems to be solved	Available Resources	Date presented to Justice Gonzalez	Date presented to Commission	Delegation of Assignments	Status	Notes
Develop Key Outreach Materials (brochure, FAQ, quarterly e-newsletter)	Awareness of role and authority of Commission; Increase public trust and confidence in the ability of Courts to deliver timely and competent language access services		What should be included? What is the format? How will it be distributed?	Bob has created draft content and suggested that we work with Cynthia on finalizing the brochure.					
Identify partner organizations and programs proactively identifying and addressing language needs	Establish effective framework for language supports and service delivery between courts and the community; Increase public trust and confidence in the ability of Courts		Identify the partners we currently work with. Are there others that we should be working with? How do we plan to collaborate with them?	Refer to resources provided in the outreach plan (methods/resources);					BJA task force report has been identified as a relevant resource – James will obtain from Jean

Deliverables	Relevant Goal	Goal Metrics	Opportunities / Problems to be solved	Available Resources	Date presented to Justice Gonzalez	Date presented to Commission	Delegation of Assignments	Status	Notes
	to deliver timely and competent language access services								
<b>Conduct "functional" workshops with interpreters and community members</b>	Establish effective framework for language supports and service delivery between courts and the community; Increase public trust and confidence in the ability of Courts to deliver timely and competent language access services		Establish goals/intent of workshops; how would we measure progress? Are there resources available? Is there a pool of readily available interpreters? How can we use partner organizations to assist in workshops?	Refer to resources provided in the outreach plan (methods/resources)					
<b>Invite interpreters to share their experience</b>	Establish language preservation and pride partnerships		Define intent; How will we collect these stories? How will we distribute this information? How often will we						

Deliverables	Relevant Goal	Goal Metrics	Opportunities / Problems to be solved	Available Resources	Date presented to Justice Gonzalez	Date presented to Commission	Delegation of Assignments	Status	Notes
<b>Information Commercials</b>	Awareness of role and authority of Commission; Increase public trust and confidence in the ability of Courts to deliver timely and competent language access services		update/modify this information? Define intent; How will we pay for the information commercials? How will we distribute?						We may want to survey courts to see what videos or other forms of information related to language access already exist and whether we can We may be able to develop a program with college/university students to assist us in developing PSA's and other forms of infomercials.
<b>Partner with other AOC programs</b>	Establish effective framework for language supports and service delivery between courts and the community		How can the program co-exist with other commissions or AOC programs? Are there areas to share resources or other opportunities in outreach?	AOC Commission Program Managers; AOC staff					
<b>Partner with schools and</b>	Establish language preservation and		Identify the areas where pride and partnership would						Engage the interest of Judge Mendoza and Judge Mitchell in working

Updated 4/29/19


Deliverables	Relevant Goal	Goal Metrics	Opportunities / Problems to be solved	Available Resources	Date presented to Justice Gonzalez	Date presented to Commission	Delegation of Assignments	Status	Notes
after school programs	pride partnerships		be a target; identify schools that have a focus in language access or work with developing interpreters; How can they assist us in establishing trust in their communities?						with the Commission to co-sponsor an outreach activity where they can be key presenters at local high schools, etc. Francis may be able to assist in making connections in the area. May be able to request for Justice Gonzalez onboard as a sponsor/speaker.  May be able to leverage the relationship with Heritage University to assist
Partner with faith based and community organizations	Increase public trust and confidence in the ability of Courts to deliver timely and competent language access services		How can they assist us in distributing information to the public? How can they assist us in establishing trust in their communities?						
Access to Resources	Awareness of role and authority of		What should we make available to the public to bring						

Deliverables	Relevant Goal	Goal Metrics	Opportunities / Problems to be solved	Available Resources	Date presented to Justice Gonzalez	Date presented to Commission	Delegation of Assignments	Status	Notes
	Commission; Increase public trust and confidence in the ability of Courts to deliver timely and competent language access services		awareness to language preservation? What online resources can we make available? What language data should we make available?						
<b>Branding strategies (Website content, social media, etc.)</b>	Awareness of role and authority of Commission; Increase public trust and confidence in the ability of Courts to deliver timely and competent language access services		Identify branding issues; review current available content; Determine available resources; What enhanced branding is available for increasing public confidence? Should we utilize social media? How?						
<b>Interpreter Certification</b>	Establish effective framework for language supports and		How can we target communities in areas where we need higher availability of						

Updated 4/29/19

Deliverables	Relevant Goal	Goal Metrics	Opportunities / Problems to be solved	Available Resources	Date presented to Justice Gonzalez	Date presented to Commission	Delegation of Assignments	Status	Notes
	service delivery between courts and the community; Increase public trust and confidence in the ability of Courts to deliver timely and competent language access services		specific interpreters? What methods exist to distribute information?						



 <p>WASHINGTON COURTS</p>	<p align="center"><b>Interpreter Commission – Issues Committee Meeting</b>  <b>Monday, April 2, 2019</b>  Teleconference Meeting  12:00 PM – 1:00 PM  Call-in number: <b>877-820-7831</b>  <b>Passcode: 618272#</b></p>
<b>MEETING MINUTES</b>	

**Members Present:** Francis Adewale, Judge Beall, Kristi Cruz, Thea Jennings, Bob Lichtenberg, Linda Noble, Diana Noman, Frankie Peters, Fona Sugg, James Wells

- **Approval of 3-5-19 Meeting Minutes**  
Meeting minutes were approved.

**Membership Guidelines Workgroup Next Steps**

- The only suggested change to the most recent draft of the bylaws was the addition of language regarding a one year break in service for members who complete two terms.
  - The purpose of the break in service would be to avoid discouraging new people from joining the Commission and allow more opportunity to bring in new perspectives and input.
- The discussion included committee members stressing the importance of keeping a balance between keeping the experience, passion, and knowledge of the Commission’s work while also allowing new ideas to be brought onboard.
- The development of a mentoring/leadership committee could help orient new members to the Commission and allow them to contribute more quickly to the Commission’s work.
- For some seats it can be challenging to find new members and requiring a break in service could make it more difficult to recruit members, especially seats that are nominated from the various judicial organizations.
- Rather than having an automatic break, some committee members felt that the reappointment of people who have already served two terms could be dealt with on a case-by case basis.
- If no language regarding a mandatory break is included, there could be language added to encourage outreach and making vacant seats known publically so that new potential members would have a chance at getting the of previous members.

The following motion was moved and seconded

**Motion: Add one year mandatory break in service after two terms have been fulfilled to the membership rules.**

The Committee did not make a final vote and the discussion will be continued at the next meeting.

### **Clark County Contract**

- Clark County has implemented a new contract for freelance and agency interpreters.
- Interpreters from the area and the county have reached out to the AOC.
- There is a meeting in Clark County this Friday regarding the contract.
- Some initial concerns from interpreters include:
  - Inconsistency in how the contract refers to interpreters.
  - Language regarding the interpreter's responsibility during potential lawsuits and responsibility for legal fees.
  - Language regarding public records request and possible requirements for interpreters to retain information, which interpreters typically get rid of due to confidentiality concerns.
  - Language about compensation.
- Since this contract could affect the ability to provide interpreters for LEP parties, it was felt this did involve the Commission.
- There is no interpreter group that is working on behalf of the interpreters.
- One way forward could be to have interpreters identify what conditions in the contract would prevent them from signing the contract. Then encourage the county to resolve those issues.
- AOC will draft a letter to the county and explain that they have not had enough time to review the issue in detail. The letter should refer them to 2.42 and 2.43 and remind them that the courts have an obligation to providing interpreter services. There is a concern that having an overly burdensome contract could dilute the interpreter pool and prevent the court from meeting its obligations.

### **Interpreter Recordings**

- At the interpreter forum in 2019, an interpreter brought up an issue regarding interpreters making recordings during a court proceeding.
- There are rules regarding the prohibition of any recordings other than the official record without permission by the judge.
- The exact issue at hand would be investigated and discussed at a future meeting.

### **Action Items**

- Committee Members: Send any further recommendations to Judge Beall regarding bylaw membership rules and requiring a break in service.
- AOC – draft a letter to Clark County expressing the concerns discussed during the meeting.
- AOC – Provide Diana with references regarding interpreters making recordings while providing interpretation.



## Interpreter Commission – Issues Committee Meeting

Monday, May 7, 2019

Teleconference Meeting

12:00 PM – 1:00 PM

Call-in number: 877-820-7831

Passcode: 618272#

### MEETING MINUTES

**Members Present:** Judge Beall , Francis Adewale, Kristi Cruz, Thea Jennings, Bob Lichtenberg, Diana Noman, Frankie Peters, Fona Sugg, James Wells

- **Approval of 4-2-19 Meeting Minutes**  
Meeting minutes were approved with modification.

#### **Non-Credentialed Interpreter Policy Workgroup Update**

- The workgroup identified four groups that are involved with non-credentialed interpreters: judges, court interpreter coordinators, the interpreters, and the AOC.
- One main area of confusion for courts is the categories of credentialing of interpreters.
- The workgroup is working on a desk card for the court staff responsible for scheduling interpreters that is similar to the judicial bench card.
- The workgroup is creating something for non-credentialed interpreters to reference.
- The workgroup is looking at creating a directory of non-credentialed interpreters who have met certain standards and undergone some kind of training. The AOC would maintain this list. The workgroup is continuing to work on this topic for eventual recommendation to the Issues Committee.

#### **Complaint regarding Written Exam**

- A non-credentialed Arabic interpreter has submitted a letter expressing a number of concerns about the court interpreter written exam. These concerns included:
  - The validity of the exam and the lack of Arabic interpreters who have been able to pass it.
  - There may be an economic incentive to have people fail the exam and pay repeated test fees.
- Some Arabic interpreters have passed the written exam in Washington and there are many certified interpreters in other states. The exam is an all English exam and interpreters in all languages take the same exam.
- California had concerns about the validity of the exam and performed a study that provided details about the test.
- Judge Beall had a phone conversation with the interpreter.
- The AOC uses the funds from exams to pay for the mandatory interpreter trainings, which are offered free of charge and to have access to the exams.
- A response letter will be drafted to the interpreter

### **Interpreter Scheduling Concern**

- An interpreter has expressed concern about scheduling practices at large court. The court may only be paying interpreters for time they are interpreting on the record and not for actual time the interpreter is being retained for trials.
  - Interpreters work in situations that are off the record such as during conversations between the attorney and the LEP party.
  - Interpreter are scheduled to be at the courthouse but may not be paid for all of the time that they are required to be there.
  - Interpreters may be scheduled for a set amount of time, but may expected to be available outside of that time.
- Interpreters sometimes work under bad conditions without mentioning their concerns to the court worrying that, if they complain, the courts may not use their services again.
- The Commission's role in courts payment policy has been limited, however, it can become a bigger concern if the policy affects the courts ability to hire interpreters and follow through on its obligation provide language access.
- The Commission could request the payment policy from the court and provide commentary.
- A formal complaint has not been received. If the interpreter is reluctant to make a complaint, NOTIS may be able file a complaint on the interpreter's behalf. The complaint could address industry standards and the potential impact on LEP parties receiving language access.

### **Membership Rules Update**

- No new input was submitted to Judge Beall since the previous Committee meeting.

### **Next Meeting**

- June 11 at 12pm

### **Action Items**

- Committee Members: Submit and comments or changes to the membership rules to Judge Beall.
- Diana: Look into the possibility of NOTIS to submit a complaint regarding the court's payment policy.



WASHINGTON STATE COURT INTERPRETER COMMISSION  
MEMBERSHIP PROCEDURES

Per GR 11.1 (c), the Interpreter Commission shall consist of no more than 15 members. The Commission shall include representatives from the following areas of expertise: judicial officers from the appellate and each trial court level (3), spoken language interpreter (2), sign language interpreter (1), court administrator (1), attorney (1), public member (2), representative from ethnic organization (1), an AOC representative (1), and other representatives as needed. The appellate level representative shall serve as Chair of the Commission.

MEMBERSHIP TERMS

1. Commission member appointments are for a three-year term commencing on October 1 of the year of appointment and ending September 30 three years later. In the event the fall Commission meeting is moved to a date beyond September 30, a member whose appointment would otherwise expire on September 30 is to continue to serve on the Commission until the next scheduled meeting.
2. Commission members are eligible for reappointment to the Commission for one additional term. The Appellate Court member, who is appointed to serve as ex officio Chair, may serve for an unlimited number of consecutive terms at the pleasure of the Supreme Court. *[Any member completing his or her final three-year term may be appointed again after being off the Commission for at least one year.]*
3. Mid-term vacancies shall be filled for the unexpired term in the same manner as original appointments, provided, however, the solicitation period for nominations may be abbreviated.
4. The appointee for a mid-term vacancy shall fill the remainder of the vacated term and shall be eligible for reappointment for up to two additional terms.
5. Commission terms shall be staggered in an effort to avoid more than one-third of the positions being open in any given year. The terms of members is staggered as follows (\*denotes ending of 2<sup>nd</sup> full term in 2019, 2020 or 2021):

Ending September 30, 2019 and every three years thereafter:

- Ethnic Organization Representative\*
- Public Member Representative (1)\*
- Public Member Representative (2)
- Spoken Language Interpreter (2)
- DMCMA Representative (an "other representative")
- Public Defender Organization (an "other representative")

Ending September 30, 2020 and every three years thereafter:

- DMCJA Member Representative\*
- SCJA Member Representative\*
- Community Organization Representative (an “other representative”)

Ending September 30, 2021 and every three years thereafter:

- AOC Representative
- Attorney Representative
- Spoken Language Interpreter (1)
- AWSCA Member Representative\*
- ASL Interpreter

ABSENCES/MEMBERSHIP RESIGNATION: Attendance at meetings is expected. If a member misses three (3) consecutive meetings, he or she will be deemed to have resigned from the Commission unless meetings were missed due to unavoidable or unplanned reasons (such as illness or injury). An absence may be excused with advance notice to the AOC Court Interpreter Program staff or upon determination of good cause by the Commission Chair. If a Commission member knows in advance that she or he is unable to attend three (3) consecutive meetings for any reason, he or she shall notify the Commission Chair and tender his or her resignation. The Commission Chair has discretion to choose to accept or decline the resignation.

MEMBERSHIP VACANCIES: Vacancies on the Interpreter Commission shall be filled by appointment of the Washington Supreme Court upon majority recommendation of the Commission.

For association representatives, the Commission shall request nominations from the association leadership. For other membership positions, the Commission shall make every effort to notify interpreter organizations, bar associations and other relevant professional and community organizations/groups of upcoming vacancies to solicit viable and interested candidates. Nominations or applications will be reviewed at the fall Commission meeting for the terms beginning October 1 of that year.

Where there is an unfilled or unexpected vacancy, review or consideration of the applicants and recommendation for appointment to the Commission may be done at any regularly scheduled Commission meeting or by email prior to the next scheduled Commission meeting.



## CITY OF PUYALLUP

---

Municipal Court  
929 E. Main Ave. Suite 120  
Puyallup, WA 98372  
253/841-5450

May 22, 2019

Dr. Salma Arraf-Baker  
sh\_asalma@yahoo.com

Re: Complaint re: Testing for Arabic interpreters

Dear Dr. Arraf-Baker,

Thank you for taking the time to talk to me on the phone a few weeks ago regarding your concerns over the testing process for Arabic interpreters to become certified in Washington state. As you will recall, I am the District and Municipal Court Judge's Association representative to the Interpreter Commission and the Chair of the Issues Committee.

I had the opportunity to bring your concerns to the Washington State Supreme Court Interpreter Commission's Issues committee at our last meeting. I shared your concerns that the test does not accurately reflect the ability or knowledge of an interpreter and that the low success rate over the last several years is revealing of the inability of the current test to accurately measure the qualifications of experienced interpreters.

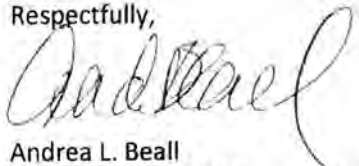
The Administrative Office of the Courts (AOC) Interpreter program uses a test created by the National Center for State Courts (NCSC). This is consistent with the practice of most other states. The test is provided by the NCSC and the testing protocols are established by the NCSC. The written test is the same test used for all certified and registered spoken languages in Washington state. The AOC pays an annual fee to NCSC to have access to the test. When the test is distributed by the NCSC, it comes in three different versions, so if one takes the test more than once, a different version of the test will be offered at the next testing opportunity. I understand your concern that interpreters in other languages seem to have a higher passage rate than interpreters in the Arabic language, but the written exam is the same exam for all credentialed languages.

Per NCSC policy, passage of the written exam is a requirement to take the oral exam. Also per NCSC policy, the interpreter must score at least 80% on the written exam to be eligible to sit for the oral exam. The testing manual is very clear that "no program manager may adopt any policy or practice to make a test easier" or lower the minimum score.

The Issues Committee recognizes the need to expand the pool of certified Arabic interpreters in Washington state. However, there is not a feasible alternative to the current written test. The committee agreed that it is important to be consistent across credentialed languages and to continue to use the NCSC provided written test.

The interpreter program will continue to explore training options or mentoring opportunities for individuals working toward credentials. During our conversation, you expressed frustration that study materials offered on the AOC website did not always have working links or did not seem to be relevant to the test. Please be assured that the program has reviewed those resource materials and worked to update the page.


Respectfully,

A handwritten signature in black ink, appearing to read "Andrea L. Beall". The signature is fluid and cursive, with a long, sweeping tail that extends downwards and to the right.

Andrea L. Beall  
Puyallup Municipal Court Judge

cc: Robert Lichtenberg, Administrative Office of the Courts Interpreter Program



 <p>WASHINGTON COURTS</p>	<p align="center"> <b>Interpreter Commission</b>  <b>Ad Hoc Policy Workgroup Committee Meeting</b>  <b>May 6, 2019</b>          Teleconference Meeting          12:00 p.m. – 1:00 p.m.          Call-in number: <b>877-820-7831</b>  <b>Passcode: 618272#</b> </p>
<p align="center"><b>Meeting Minutes</b></p>	

**Present:** Diana Noman, Francis Adewale, Martha Cohen, Luisa Gracia Camon, Frankie Peters, Judge Rajul, Bob Lichtenberg, James Wells

**Previous Meeting Minutes**

- February 20 meeting minutes approved.

**Court Interpreter Coordinator Flowchart/Desk Card**

- The Committee has been taking a multi-pronged approach with the issue of non-credentialed interpreters, looking at the perspectives from judges, interpreters, court interpreter coordinators and the AOC.
- Diana, Frankie, and Luisa recently created a draft flowchart for court interpreter coordinators that would accompany another document with additional information.
- The audience would be court staff who are new to the job and completely unfamiliar with court interpreting.
- This flowchart is partly based on the new judicial bench card and flowchart being created by Seattle Municipal Court.
- This new flowchart and accompanying document would be available as a physical copy and would also have an online version with hyperlinks.
- The documents are meant to help streamline the process for new court interpreter coordinators.
- There would be a link to the judicial bench card for further information about qualifying the interpreter on the record, administering the oath to the interpreter, and other matters taking place in the court room.
- The last step on the card of “retain the interpreter” would refer to the accompanying document, which would have more detailed information.
- Suggestions for flowchart and information document included:
  - Refer to the limitations of telephonic interpreting to ensure it is used only in appropriate circumstances.
  - Add contact information for courts to use for follow up questions.

**Interpreter Training Video**

- The AOC has been reviewing the internal capabilities to create training videos.
- The AOC most frequently uses Adobe Connect to create webinars, which often uses a PowerPoint presentation with a voiceover.
- Creating a presentation for non-credentialed interpreters to participate would depend on what level of training would be required for non-credentialed interpreters to appear on a list.
- James has reviewed some training that other states have created and that are available and that are online.
  - Links will be sent out to the committee to review.
  - James will contact the states to find out additional information about using the trainings or creating something similar for Washington.

### **Future Meetings**

- Future meetings will be monthly with the next meeting in June.

### **Action Items**

- Committee – Review links to webinars that are sent out.
- James – Send out link to webinars to committee members. Contact the states who created the trainings to find out how we might be able to use the trainings or create something similar in Washington.

# **Court Interpreter Program Reports**



Issues Committee	Education Committee	Disciplinary Committee
Judge Beall (Chair)	Katrin Johnson (Chair)	Judge Doyle (Chair)
Thea Jennings*	Sharon Harvey	Sharon Harvey+
Diana Noman+	Thea Jennings	Luisa Gracia Camon+
Kristy Cruz*	Luisa Gracia Camon+*	Diana Noman
Fona Sugg*	Donna Walker	Donna Walker+
Frankie Peters+*	Kristy Cruz	Katrin Johnson
Francis Adewale+	Fona Sugg+*	Linda Noble*
Martha Cohen+	Frankie Peters+*	Dirk Marler*
Judge Mafe Rajul+	Francis Adewale+*	Alma Zuniga*
	<b>Elisa Young*</b>	
*LAP Criteria Group	*Outreach	*SMC Grievance Only
+Non Credentialed Interpreter Ad Hoc Workgroup	+Webinar Workgroup	+Not on SMC Grievance

**Bold** = Commission Members

Issues Committee	Education Committee	Disciplinary Committee
Judge Beall (Chair)	Katrin Johnson (Chair)	Judge Doyle (Chair)
Thea Jennings*	Sharon Harvey	Sharon Harvey+
Diana Noman+	Thea Jennings	Luisa Gracia Camon+
Kristy Cruz*	Luisa Gracia Camon+*	Diana Noman
Fona Sugg*	Donna Walker	Donna Walker+
Frankie Peters+*	Kristy Cruz	Katrin Johnson
Francis Adewale+	Fona Sugg+*	Linda Noble*
Martha Cohen+	Frankie Peters+*	Dirk Marler*
Judge Mafe Rajul+	Francis Adewale+*	Alma Zuniga*
	Elisa Young*	
*LAP Criteria Group	*Outreach	*SMC Grievance Only
+Non Credentialed Interpreter Ad Hoc Workgroup	+Webinar Workgroup	+Not on SMC Grievance

**Bold** = Commission Members

# DMCJA 2019 SPRING MEETING REPORT

**Supreme Court Interpreter  
Commission**

COMMITTEE

**Judge Andrea Beall, Puyallup  
Municipal Court**

MEMBER

## PRINCIPAL ACTIVITIES SINCE LAST REPORT:

- Held four Commission meetings on the following dates (since last report): July 25, October 19, December 7 (all 2018), and March 29, 2019.
- Chief Justice Fairhurst appointed to the Commission:
  - Ms. Diana Noman, Interpreter Representative and Kristi Cruz, Attorney Representative to three-year terms
  - Mr. Frankie Peters, Deputy Court Administrator, Thurston County District Court, to serve as DMCMA Representative until September 30, 2019.
- Received from all 41 courts in the Court Interpreter Reimbursement Program updated court language access policies and procedures (aka “LAPs”).
- Submitted changes to GR 11.1, which expanded the authority of the Commission to discipline non-credentialed interpreters and to hear grievances filed against a court related to language access services and to GR 11.2 related to the Code of Ethics for Court Interpreters, which were finalized and adopted in March 2019.
- Provided two trainings to judicial officers on interpretation and language access:
  - 2018 Fall Judicial Conference for families and children in juvenile court proceedings and programs which brought in court professionals from California and New Mexico to share their juvenile court and families program structure
  - 2019 Judicial College presentation by Judge David Estudillo, Judge Damon Shadid, and Seattle Municipal Court Staff Interpreter Maria Luisa Gracia Camón
- The BJA Task Force on Court Interpreter Funding, led by Commission Chair Justice González, Issues Committee Chair Judge Andrea Beall and SCJA Past-President Judge Sean O’Donnell, along with BJA Manager Jeanne Englert, held several stakeholder meetings in support of the BJA’s legislative budget request for \$2.1 million in supplemental funding to expand court participation in the Court Interpreter Reimbursement Program administered by the AOC.
- AOC Commission staff and Commission members continue to participate in Joint Commissions Education Committee workgroup meetings to review and strategize on providing training to judicial officers.
- Revised the Court Interpreter Benchcard to remove questions directed to LEP parties that relate to personal history that may have immigration issues involved.
- Wrote and disseminated a Dependency Tip-Sheet to FCJP staff regarding working with spoken and sign language users and court interpreters.

- Invited all court-credentialed interpreters to attend an open-microphone forum before the Interpreter Commission to provide information and guidance to the Commission on the work they do in courts and how the AOC Interpreter Program and Commission can improve policies affecting court interpreters and preserve the rights of limited-English speakers and sign language users.
- Conducted investigative reviews against several courts related to improper appointment and use of court interpreters and language services practices, resulting in advisory communiques to those courts.
- Conducted a grievance proceeding leading to a formal Complaint filed with the AOC against an AOC-credentialed interpreter for a violation of a General Rule 11.2 ethics provision.
- Chartered an Outreach Subcommittee to work with the Education Committee to create collaborative partnerships and communication networks with various stakeholder groups to assist with advancing progress on language access in the justice system.

### **WORKS IN PROGRESS AND PLANNED FUTURE ACTIVITIES:**

- Identification of criteria to be applied for court LAP approval for future participation in the court interpreter reimbursement program pursuant to RCW 2.43.090
- Implementation of funding distribution and data reporting if legislature approves additional funding for the Court Interpreter Reimbursement Program
- Creation of new Court Interpreter Benchcards, one for spoken and one for signed languages
- Collaborative presentation development with faculty for 2019 Fall Judicial Conference training on ensuring effective communication for and by deaf, hard of hearing, and deaf-blind people who rely on sign language interpreters appointed by a court
- Creation of policies related to Commission and AOC Interpreter Program governance over non-credentialed interpreters

**PLEASE RETURN BY THURSDAY, MAY 20, 2019 TO:**

SUSAN PETERSON  
PO Box 41170  
OLYMPIA, WA 98504-1170  
FAX: (360) 956-5700  
**SUSAN.PETERSON@COURTS.WA.GOV**



# SUPERIOR COURT JUDGES' ASSOCIATION 2019 ANNUAL SPRING MEETING REPORT

**Interpreter Commission**  
COMMITTEE

**Judge Theresa Doyle**  
MEMBER

## PRINCIPAL ACTIVITIES SINCE LAST REPORT

- Held four Commission meetings on the following dates (since last report): July 25, October 19, December 7 (all 2018), and March 29, 2019.
- Chief Justice Fairhurst appointed to the Commission:
  - Ms. Diana Noman, Interpreter Representative and Kristi Cruz, Attorney Representative to three-year terms
  - Mr. Frankie Peters, Deputy Court Administrator, Thurston County District Court, to serve as DMCMA Representative until September 30, 2019.
- Received from all 41 courts in the Court Interpreter Reimbursement Program updated court language access policies and procedures (aka "LAPs").
- Submitted changes to GR 11.1, which expanded the authority of the Commission to discipline non-credentialed interpreters and to hear grievances filed against a court related to language access services and to GR 11.2 related to the Code of Ethics for Court Interpreters, which were finalized and adopted in March 2019.
- Provided two trainings to judicial officers on interpretation and language access:
  - 2018 Fall Judicial Conference for families and children in juvenile court proceedings and programs which brought in court professionals from California and New Mexico to share their juvenile court and families program structure
  - 2019 Judicial College presentation by Judge David Estudillo, Judge Damon Shadid, and Seattle Municipal Court Staff Interpreter Maria Luisa Gracia Camón
- The BJA Task Force on Court Interpreter Funding, led by Commission Chair Justice González, Issues Committee Chair Judge Andrea Beall and SCJA Past-President Judge Sean O'Donnell, along with BJA Manager Jeanne Englert, held several stakeholder meetings in support of the BJA's legislative budget request for \$2.1 million in supplemental funding to expand court participation in the Court Interpreter Reimbursement Program administered by the AOC.
- AOC Commission staff and Commission members continue to participate in Joint Commissions Education Committee workgroup meetings to review and strategize on providing training to judicial officers.
- Revised the Court Interpreter Benchcard to remove questions directed to LEP parties that relate to personal history that may have immigration issues involved.
- Wrote and disseminated a Dependency Tip-Sheet to FCJP staff regarding working with spoken and sign language users and court interpreters.

- Invited all court-credentialed interpreters to attend an open-microphone forum before the Interpreter Commission to provide information and guidance to the Commission on the work they do in courts and how the AOC Interpreter Program and Commission can improve policies affecting court interpreters and preserve the rights of limited-English speakers and sign language users.
- Conducted investigative reviews against several courts related to improper appointment and use of court interpreters and language services practices, resulting in advisory communiques to those courts.
- Conducted a grievance proceeding leading to a formal Complaint filed with the AOC against an AOC-credentialed interpreter for a violation of a General Rule 11.2 ethics provision.
- Chartered an Outreach Subcommittee to work with the Education Committee to create collaborative partnerships and communication networks with various stakeholder groups to assist with advancing progress on language access in the justice system.

## **WORKS IN PROGRESS AND PLANNED FUTURE ACTIVITIES**

- Identification of criteria to be applied for court LAP approval for future participation in the court interpreter reimbursement program pursuant to RCW 2.43.090
- Implementation of funding distribution and data reporting if legislature approves additional funding for the Court Interpreter Reimbursement Program
- Creation of new Court Interpreter Benchcards, one for spoken and one for signed languages
- Collaborative presentation development with faculty for 2019 Fall Judicial Conference training on ensuring effective communication for and by deaf, hard of hearing, and deaf-blind people who rely on sign language interpreters appointed by a court
- Creation of policies related to Commission and AOC Interpreter Program governance over non-credentialed interpreters

## **DESERVING SPECIAL RECOGNITION**

- LaTricia Kinlow, Tukwila Municipal Court Administrator, and Linda Noble, Interpreter Representative, for their service to the Commission and tireless support for language access in the courts.

**PLEASE RETURN BY APRIL 11 To:**

SONDRA HAHN  
FAX: (360) 956-5700  
SONDRA.HAHN@COURTS.WA.GOV

n:\programs & organizations\scja\committees\spring conference\2019\outside rpt form.docx

