



**Interpreter Commission Meeting
Friday, September 24, 2021
9:00 AM – 12:00 PM
Zoom Videoconference**

MEETING MINUTES

Members Present:

Judge Mafe Rajul, Chair
Florence Adeyemi
Anita Ahumada
Ashley Callan
Kristi Cruz
Jeanne Englert
Luisa Gracia
Katrín Johnson
Diana Noman
Frankie Peters
Fona Sugg

AOC Staff:

Kelley Amburgey-Richardson
Michelle Bellmer
Cynthia Delostrinos
Moriah Freed
Bob Lichtenberg
James Wells

Guests Included:

Adrian Arias
Ashleigh Clark
Barbara R.
Carla DN
Carolyn Cole
Chela Fisk
Chris Kunej
Dr. Dana Raigrodski
Deborah O'Willow
Deirdre Murano
Desirae Jones
Dr. Karen Johnson
Elianita Zamora
Ellen Attebery
Emma Garkavi
Greta Nenina
Hemi Pariyani
Iratxe Cardwell
Irene Anulacion
Jenny Tupper
Justice Sheryl Gordon McCloud
Lettie Hylarides
machujl
Maria Lucas
Mario
Michael Zheleznyak
Natsuya Izuka
Nicole Walker
P. Diane Schneider
Pablo Sepulveda
Pinar Mertan
Sierra Rotakhina
Thei
Younghee Kim

CALL TO ORDER

- The Commission meeting was called to order at 9:03 AM
- Commission members and staff introduced themselves.

APPROVAL OF JUNE 4 MEETING MINUTES

- The minutes were adopted as presented.

CHAIR'S REPORT

Member Reappointments and Recognition

- Ashley Callan was introduced to the Commission as the new AWSCA Representative.
- Fona Sugg will be leaving the Commission. She was thanked for her work and contributions made to the Commission. A plaque was presented to her in recognition of her service.
- Three member terms expired and were reappointed: Kristi Cruz, Diana Noman, and Jeanne Englert.

Issues Committee Rules Review

GR 11.4

- The Issues Committee has decided that there should be no changes submitted for GR 11.4. They are proposing that the Commission adopt this suggestion.

MOTION: The Commission moved to keep GR 11.4 as is.

Revisions to GR 11.1

- The proposed revision would form a new Translation Committee, add 5 new Commission members (20 total), and a Co-Chair.
- A typo was noted for correction in the revision proposal.
- A question was raised about getting different perspectives from the legal field – prosecutorial, defense, etc. The Commission agreed that diversity in perspective is important, and that the attorney representative position is intentionally broad for this purpose.
- The language in the translation section was shared with AOC leadership and feedback was received about language and implementation:
 - In (a) “establishing standards” – how will people be held to these standards? What will this look like?
 - Is this for local courts, or across the board? Could this conflict with the Pattern Forms Committee process?
 - What will the Commission’s role be for sharing information, or would it be for guidance?
 - Language – ‘standards’ versus ‘guidance.’ The words ‘guidelines’ or ‘guidance’ to replace ‘standards.’

- Language was proposed to amend section (a) in the proposed rule:
 - “The Commission shall establish and promulgate guidelines on interpreting, translation, and language access matters affecting individuals who are Limited English proficient or who use a signed language.”

MOTION: The Commission approved GR 11.1 with amendments for submission.

Commission Name Change

- Commission members proposed changing the name to something broader, such as “Language Access Commission,” or “Commission on Language Access” to reflect the expanding scope.
- Some members expressed wanting to keep the word ‘interpreter’ in the name. Others suggested that the interpreter is one participant in the process, and the Commission is really about access to the courts for people with language barriers.
- The name “Interpreter and Language Access Commission” was proposed.

MOTION: Commission members moved to change the Commission name to “Interpreter and Language Access Commission.”

Revisions to GR 11.3

- Two options were proposed for subsection (a) by the Issues Committee. They are seeking Commission feedback on selecting one of the options.
- It was suggested to remove “(or on-site)” from option 2. Commission members otherwise support option 2.

MOTION: Commission members moved to adopt option 2 as amended.

MOTION: Commission members moved to adopt GR 11.3 as revised.

Introduction to Dr. Karen Johnson, Office of Equity and Inclusion

- Judge Rajul introduced Dr. Johnson. Commission members previously met with Dr. Johnson to discuss language access issues and collaboration. The Commission expressed wanting assistance with interpreter recruitment because some languages are losing interpreters. Assistance with sign language interpreter certification was also brought up.
- Carolyn Cole will be serving on the OSPI Language Access Workgroup on behalf of the office of equity.
- AOC staff thanked Dr. Johnson for her attendance and emphasized the need for cross-agency collaboration on language access, and the moral obligation we have to provide services for the community. It was added that court interpretation is difficult to recruit for due to the high standards, and due to the cultural under-appreciation of language.

- Dr. Johnson emphasized the importance of funding programs related to equity, including language access. It is not enough to talk about how we appreciate them. This includes expanding the staffing capacity of the Office of Equity to begin these changes.
- It was added that the interpreter career path is difficult due to the lack of college education related to the career. Many colleges and universities have cut their language education programs because they can't retain students. Training has been an ongoing issue that no one agency can solve.
- Commission members expressed hope of moving towards statewide coordination of language access across agencies. Dr. Johnson emphasized that we don't need more reports, work groups, etc. – we know the work that needs to be done and it's time to do it.

BJA Resolution Renewal Changes

- There are three options for renewal of the 2017 BJA Language Access Resolution, which is set to expire in May 2022: do nothing and let it expire, resubmit the same resolution, or submit an amended resolution.
- Judge Rajul proposed updating the current 2017 resolution to include not just LEP, but also deaf and hard of hearing.
 - Refer to RCW 2.42 and 2.43 as authority for the expansion, noting that RCW 2.42 specifically was enacted to protect the language access rights on individuals with hearing loss.

MOTION: The Commission moved and voted to amend the existing resolution to include deaf and hard of hearing individuals.

ACTION: Bob Lichtenberg will begin a first draft of the revised resolution. Katrin Johnson, Donna Walker and Judge Rajul will form an ad-hoc Committee to draft the resolution.

Gender Justice Study Report

- Justice Sheryl Gordon McCloud introduced the Gender Justice Study and thanked Bob Lichtenberg, Kristi Cruz, and Chief Justice González for their work on the language access section. The last similar report was published in 1989 – the GJC decided to do a “lookback” updated study. In addition to the study areas, 5 pilot projects were conducted.
- They would like to discuss areas for the Interpreter Commission to lead, and how the Gender and Justice Commission can collaborate. The recommendations are intended to be actionable items, not just a report.
- Kristi Cruz summarized the chapter her and others contributed to in the Study.
- Bob Lichtenberg highlighted key recommendations that are on page 102 of the meeting packet. The Interpreter Commission is interested in how they can support GJC and AOC in implementing changes and recommendations.
 - What can the Commission do to prompt AOC to further fund and staff language access programs?

- Study is at a “and what?” phase – how do we take actionable steps?
- Commission members were hesitant to move forward on recommendations that placed additional burdens on courts without funding or support.
- Interpreter compensation was brought up in regards to retaining interpreters and making it a viable career option.
- Hesitancy was expressed about providing court funding without accountability in regards to language access. Additional funding from the reimbursement program is sometimes seen as a fiscal benefit and not as a means to provide access to justice. The Interpreter Program is hoping to change this culture. Courts are not accountable to how they are using the money to provide effective services.

ACTION: Commission members and guests were encouraged to look at the recommendations and email Kristi Cruz and Bob Lichtenberg with comments and assistance in prioritizing recommendations. The study will be on the agenda for the December Commission meeting.

Education Committee Chair

- If you are interested in chairing the Education Committee, email Bob Lichtenberg and Judge Rajul by October 1.

2022 Commission Meeting Dates

- Meetings in 2022 will be extended by 15 minutes.
- Proposed 2022 dates are included on page 105 of the meeting packet. An additional meeting during legislative session was proposed.
- The following meeting options were selected: 02/04, 03/04, 06/03, 09/16, and 12/02.

Interpreter Examinations for 2021

- James Wells created a document that he will provide via email to the Commission.
- Credentialing has been suspended due to COVID.
- Written exam has been moved to a digital format. It has been live since May 2021.
- Next step after the written exam is an orientation. The content from the in-person class has been converted to an online learning module. The first version is now available.
- The exams for registered languages will soon be available to take remotely.
- The exams for certified languages have a stricter protocol that requires in-person administration. James Wells is hoping to administer a small round of exams in November. NCSC is working on a remote exam and will provide an update this fall.
- The ethics and protocol class is the last step. An online version was created last year.

COMMITTEE AND PARTNER REPORTS

Issues Committee Report

- Translation Costs: Referral to ATJ Board

Education Committee Report

- The Commission is hoping to develop a new member training in an online format for onboarding Commission members.
- Recent Education Committee meeting minutes were included in the packet for people to review decisions.

Disciplinary Committee Report

- The Committee is hoping to have an updated Disciplinary Process manual by the December Commission meeting.
- Justice Whitener provided a written memo update detailing additional Committee business. It is on page 115 of the packet.

COMMISSION STAFF REPORT

Commission Manager's Report

- Cynthia Delostrinos has taken on a new role as the associate director of the Office of Court Innovation at AOC. She will be in charge of building two new teams related to equity in the courts.
- Kelley Amburgey-Richardson is serving as the interim manager of the Commissions until a manager is hired.
- A law student intern, Natsuya Izuka, will be providing assistance to the Commission and Program on the issue of interpreter recruitment and retention.
- An Equity Researcher is in the process of being hired at AOC. If you have ideas of research topics, please contact Bob Lichtenberg.

The meeting was adjourned at 11:57 AM