


**Washington State Supreme Court
Interpreter Commission**

February 4th, 2022


Meeting Packet

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

 <p>WASHINGTON COURTS</p>	<p>Interpreter Commission Quarterly Meeting Friday, February 4, 2022 9:00 AM to 12 Noon PM https://wacourts.zoom.us/j/91235929138 Meeting ID: 912 3592 9138 Dial by your location: +1 253 215 8782 US (Tacoma)</p>	
AGENDA		
<ul style="list-style-type: none"> • Call to Order: • Member Introductions & Meeting Rules 	Katrin Johnson, Interim Chair	
<p>Chair's Report (<i>Order Subject to Change</i>)</p> <ul style="list-style-type: none"> ➤ Approval of December 3, 2021 Minutes ➤ Updates Affecting Commission Commission Chair and Co-Chair ➤ Departure of Existing Members and New Member Terms of Office ➤ New Member Assignment to Committee(s) ➤ Legislative Session Review ➤ Letter from DMCMA on Statewide LAP ➤ Commission Budget and Future Needs Planning 	<p>Katrin Johnson</p> <p>Chief Justice Steve González</p> <p>Katrin Johnson AOC Staff</p> <p>Katrin Johnson</p> <p>AOC Staff Kelley Amburgey-Richardson</p> <p>Katrin Johnson</p> <p>AOC Staff</p>	<p>Pg. 3</p> <p>Pg 12</p> <p>Pg. 13</p> <p>Pg. 18</p> <p>Pg.19</p>
<p>Committee and Partner Reports <u><i>Issues Committee Meetings Report</i></u></p> <ul style="list-style-type: none"> • Comments from New Issues Committee Chair • LAP Criteria Review/LAP Update <p><u><i>Education Committee Meetings Report</i></u></p> <ul style="list-style-type: none"> • Judicial College 2022 • Judicial College: Working with ASL Interpreters • Fall Judicial Conference Proposals 	<p>Judge Lloyd Oaks</p> <p>Francis Adewale/AOC Staff</p> <p>Luisa Gracia</p>	<p>Pg. 22</p> <p>Pg. 23</p> <p>Pg. 32</p>

<u>Disciplinary Committee Report</u> <ul style="list-style-type: none"> • Disciplinary Process Manual Update <u>Liaison Reports</u>	Justice Helen Whitener or designee OAH and ODHH	
Commission Staff Report <ul style="list-style-type: none"> ➤ <u>Commission Manager's Report</u> ➤ <u>Court Interpreter Program Report</u> <ul style="list-style-type: none"> • Languages Transitioning from Registered to Certified (Vote Needed) • Future Trainings for Interpreters • Court Interpreter Program Update ➤ <u>Reimbursement Program Update</u> 	Kelley Amburgey-Richardson James Wells Michelle Bellmer	
Announcements:		
Next Commission Meeting:	June 3, 2022 8:30 AM – 12 PM; location TBD	

Meeting Minutes

 WASHINGTON COURTS	Interpreter Commission Meeting Friday, December 3, 2021 8:45 AM – 12:00 PM Zoom Videoconference
MEETING MINUTES	

Members:

Judge Mafe Rajul, Chair
Francis Adewale
Anita Ahumada
Ashley Callan
Kristi Cruz
Jeanne Englert
Luisa Gracia
Katrin Johnson
Diana Noman
Frankie Peters
Naoko Inoue Shatz
Donna Walker
Justice Helen Whitener

Liaisons:

Judge Joshua Sundt, OAH
Berle Ross, ODHH

AOC Staff:

Kelley Amburgey-Richardson
Michelle Bellmer
Moriah Freed
Dr. Lisette Garcia
Bob Lichtenberg
Dr. Carl McCurley
James Wells

Guests:

Adrián Arias
Andrea Reef
Carl Tanne
Carla DN
Chela Fisk
Cindy Nosko
Deirdre Murano
Elianita Zamora
Emma Garkavi
Gail Cannon
Helen Eby
Johannes Voogt
Kathy Seymour
Lettie Hylarides
Linda Noble
Maria Elena Montes de Oca Ricks
Maria Lucas
Mario
Michael Zheleznyak
Milena Calderari-Waldron
Natsuya Izuka
P. Diane Schneider
Pablo Sepulveda
Patsy Robinson
raulc
Teresa Garcia
Teri Atwood
Tony
Yolanda Lopez

CALL TO ORDER

- The meeting was called to order at 8:48 AM
- Commission members introduced themselves.

APPROVAL OF SEPTEMBER 24, 2021 MINUTES

- The BJA Resolution Renewal section of the previous meeting minutes was amended for clarification.
- The minutes were adopted with modification.

CHAIR'S REPORT

Recognition of Interpreter Professionals

- Emma Garkavi was recognized for her work on advocating for the interpreter profession. Luisa Gracia shared some words of support and a commemorative plaque presented on behalf of the Commission.
- Martha Cohen was also recognized. Judge Rajul shared some words of support in absentia because she could not attend the meeting.

Commission and Committee Membership Changes

- Judge Matthew Antush has resigned from the Commission, effective 11/8. Francis Adewale is serving as the interim Issues Committee chair. DMCJA has appointed Judge Lloyd Oaks from Pierce County to fill Judge Antush's seat on the Commission.
- Ashley Callan, new AWSCA member representative, has chosen to join the Issues and Education Committees.
- Luisa Gracia has been appointed as the new Education Committee chair and will be replacing Katrin Johnson.

New Supreme Court Commissions Manager

- Kelley Amburgey-Richardson has been promoted as the new Supreme Court Commissions manager, replacing Cynthia Delostrinos. She previously was the primary staff member to the Gender and Justice Commission. The Interpreter Commission is excited to begin working with her in the new role.

Introduce Dr. Lisette Garcia

- Dr. Lisette Garcia has been hired as the new AOC Equity Researcher. Her role is to be responsive to the Supreme Court Commission's research needs – it is a broad role. Dr. Carl McCurley noted that the hiring of a dedicated equity researcher is a positive signal that these issues are being taken more seriously by the judicial branch.
- The following research priorities were shared with Lisette ahead of today's meeting: Interpreter recruitment, language access users, and reimbursement for the courts. She has begun familiarizing herself with the issues in preparation of

supporting the Commission and their research needs, including reading the language barriers section of the Gender Justice Study.

- Judge Rajul emphasized the importance of addressing interpreter recruitment, both for sign and spoken languages.

ACTION: Dr. Lisette Garcia asked for point people from the Commission to be identified for each of the research priorities. She asks that they contact her to set up a meeting at Lisette.Garcia@courts.wa.gov.

Language Access Interpreter Reimbursement Program Update

- **LAP Approval Criteria Workgroup – Francis Adewale**
 - The Issues Committee set up a workgroup to look at the criteria for language access plan (LAP) approval ahead of courts submitting LAPs in the coming months, chaired by Kristi Cruz. They are going to present the workgroup report at the next Issues Committee meeting in January, before presenting it before the full Commission.
- **Program Update – Michelle Bellmer**
 - The Language Access Interpreter Reimbursement Program now has 101 courts participating. As the program is growing, new technology is being developed by AOC to meet the reporting requirements.
 - Educational programs are being developed to support the courts participating in the program. Two, first of their kind, programs have been held so far for courts to meet AOC staff and receive support in developing LAPs.
 - The development of an approved LAP is a requirement in the program. If this requirement is not met by the courts, AOC has the ability to withhold funds.
 - May 1, 2022 is the final deadline for courts in the program to submit LAPs. For courts not in the program, the deadline is being evaluated as to whether it applies to them.
- **Vote to Fund Contractor from Commission Funds – Judge Rajul**
 - Judge Rajul outlined the proposal to hire an individual to review LAPs. She proposes the Commission use its funds to hire this person to provide additional staff support to review LAPs.
 - Bob Lichtenberg and Judge Rajul will work together to determine a funding amount and coordinate with Michelle Bellmer to hire a contractor.
 - Commission members requested to view the job listing before it is released and to have input in the hiring process to ensure the candidate meets the job competencies to review the LAPs.

MOTION AND VOTE: The Commission moves and unanimously votes to approve the use of Interpreter Commission funds to hire a contractor to review Language Access Plans.

COVID-19 Vaccine Mandates for Interpreters

- Not all courts are mandating COVID vaccinations for interpreters, and the Commission is interested in hearing how different courts are navigating this evolving situation. Judge Rajul opened the discussion up to members and guests in attendance to share their experiences at different courts.
- The City of Seattle is asking interpreters to provide proof of vaccination for in-person services.
- Spokane courts have not asked interpreters to provide vaccination status, despite working in-person. Staff from Spokane confirmed that none of the Spokane courts are requiring proof of vaccination, and that a vaccination requirement for interpreters is unlikely because they are not court employees.
- Unvaccinated interpreters shared that they have lost clients due to their choice to be un-vaccinated, but are still able to work remotely. They are no longer working with courts that require vaccines.
- Interpreters shared that courts are still requiring interpreters to be masked in-person, and many clients feel more comfortable if the interpreters are vaccinated.
- It was suggested that the Commission conduct more research to determine what practices are being conducted throughout the state on this subject.

Gender Justice Study Report

- Feedback was solicited from Commission members after the last meeting on the language barriers section of the study. Kristi Cruz and Bob Lichtenberg did not receive any feedback.
- Recommendations from this section of the study are included on page 20 of the meeting packet.

ACTION: A workgroup with AOC staff support will be convened to develop a work plan to incorporate the language barriers section recommendations into the interpreter program and commission work. Kristi Cruz, Jeanne Englert, and Katrin Johnson volunteered for the workgroup.

Recent Rules Actions Update

- The GR 9 rulemaking proposal has been submitted. If the rules are approved, they will become effective in July of 2022. If approved, the Commission will consider adding another Court Administrator Representative as well as more community representatives and a Co-chair.
 - It was added that more rural representation could be helpful on the Commission to diversify perspectives.
- Comments for GR 11.3 will be provided to the Supreme Court by February 28, 2022 and Comments for GR 11.1 at the end of May 2022.
- The revised BJA Language Access Resolution renewal proposal was submitted to include deaf and hard of hearing individuals for coverage under the Resolution.

RCW 2.42 and RCW 2.43 Revisions

- The scope of who is entitled to an interpreter has changed and needs to be reflected in the proposed RCW revisions.
- Judge Rajul is asking for volunteers to draft the revisions.

ACTION: Donna Walker will lead the RCW 2.42 workgroup with Naoko Inoue Shatz and Anita Ahumada assisting. Luisa Gracia will lead the RCW 2.43 workgroup with Katrin Johnson, Donna Walker, Diana Noman, and Naoko Inoue Shatz assisting. Francis Adewale volunteered if either workgroup needs addition attorney support.

Court of Appeals Division I Translation Ruling

- The decision is included on page 46 of the meeting packet.
- The COA Div. I has decided that language access extends to appeals. The question now is who will pay for the translation.
- It will require the Office of Public Defense (OPD) to translate the entire trial transcript, which will be lengthy and costly. OPD will be seeking additional funds from the legislature to cover the costs associated with this decision.
- The decision will allow LEPs to meaningfully participate in the appeals process.

COMMITTEE AND PARTNER REPORTS

Issues Committee Report

- Francis Adewale provided the Issues Committee report under the Chair's Report section of the meeting.

Standards of Practice and Ethics for Washington State Judiciary Interpreters – Emma Garkavi, Linda Noble, and Milena Calderari-Waldron

- The Ethics Manual is a joint project between Seattle Municipal Court and the AOC Interpreter Program.
- Previously, the California manual was used as a similar tool. The new manual is developed in line with GR 11.2 specifically for Washington interpreters.
- Linda Noble shared some content from the section on perceived conflict of interest and impartiality and the section on history as a preview for the Commission.
- Milena Calderari-Waldron shared about the 16th century interpreter code that she researched. She translated it into American English – it is included in the appendix.

Discussion

- Commission members were interested to learn how the manual is being circulated. It was published very recently, and is currently posted online. Printed copy without appendices will be available soon.

- Justice Whitener suggested circulating the manual via the judicial news.
- The disciplinary process is referenced in one chapter where the disciplinary manual is linked for reference.
- It was suggested to include reference to this manual in future education proposals. She suggested the Education Committee look into this approach. The manual will be a good resource for judges to understand the role of interpreters.
- The manual is not considered a document published by the Interpreter Commission. It was produced by the Interpreter Program and Seattle Municipal Court.
- The guidelines included in the document are not enforceable – the enforceable document is GR 11.2. It is a document with real-world guidelines and standards of practice adopted from years of experience.
 - Commission members Luisa Gracia and Katrin Johnson reviewed the document, as well as other experts in the field.
 - Other Commission members are hoping to provide review before printing.

ACTION: Kelley Amburgey-Richardson and Bob Lichtenberg will work to get the Ethics Manual circulated in the Judicial News.

Education Committee Report

- Luisa Gracia is the new Education Committee chair. She thanked Katrin Johnson for her hard work and dedication.
- The Education Committee assisted with the Reimbursement Program meet and greet in October. The event was well received.
- The LAP training webinar in November went well. Templates and tools for developing LAPs were provided to the courts.

Disciplinary Committee Report

- The Disciplinary Manual revision is about halfway completed. The Committee is hoping to have the manual revisions completed by February 2022.
 - AOC has decided that the public records process will apply to disciplinary records under GR 31.

Office of Administrative Hearings (OAH) Liaison Report – Judge Josh Sundt

- Laura Bradley has been hired as the DEI and language access coordinator at OAH. She will now serve as the liaison to the Interpreter Commission.
- Judge Sundt thanked Michelle Bellmer and Bob Lichtenberg for facilitating trainings and letting OAH participate, and Luisa Gracia for speaking to OAH staff about interpreting.
- OAH is seeking guidance on a particular issue. OAH handles a lot of sensitive information, such as social security numbers, as part of the evidence. They would like to know if there are best practices for providing electronic access to evidence for interpreters, like contracting or confidentiality agreements. Please

Interpreter Commission Meeting
September 24, 2021
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contact Judge Josh Sundt if you have any guidance at Joshua.sundt@oah.wa.gov.

ACTION: Please contact Judge Josh Sundt if you have any guidance on confidentiality and providing electronic access to evidence for interpreters at Joshua.sundt@oah.wa.gov.

Interpreter Commission Legislative Work

- Last year, the Commission reacted as they were asked to weigh in on legislation. This year, the Commission has scheduled an extra meeting during the legislative session to better prepare. The Commission is seeking volunteers to help track legislation.

ACTION: Naoko Inoue Shatz and Francis Adewale volunteered to track legislation of interest on behalf of the Interpreter Commission during the 2022 legislative session.

COMMISSION STAFF REPORT

Commission Manager's Report

- Kelley Amburgey-Richardson introduced herself as the new Commissions manager. Formerly, she served as primary staff to the Gender and Justice Commission. She is working to familiarize herself with all of the Commissions work and looks forward to supporting the work of the interpreter commission.

Interpreter Program Report

- Interpreter Program staff collaborated on the Ethics Manual with Seattle Municipal Court.
- In October, an 8 week skill building course for interpreters was completed. 15 people participated.
- Oral exams were recently completed for near-passers of the test in early November. Results are expected in the next week or two.
- Registered exams will begin to be administered online.
- AOC sponsored a class with NOTIS on remote interpreting. Over 90 people participated.
- Ethics classes centered on the manual are being planned for next year.

The meeting was adjourned at 11:57 AM

Chair's Report

The Supreme Court
State of Washington

STEVEN C. GONZALEZ
CHIEF JUSTICE
TEMPLE OF JUSTICE
POST OFFICE BOX 40929
OLYMPIA, WASHINGTON 98504-0929



(360) 357-2030
E-MAIL J_S.GONZALEZ@COURTS.WA.GOV

January 25, 2022

Ms. Katrin Johnson
Washington State Office of Public Defense
P.O. Box 40957
Olympia, WA 98504-0957
Katrin.johnson@opd.wa.gov (via email only)

Re: Letter of Interim Appointment

Dear Ms. Johnson,

Judge Mafé Rajul notified me of her immediate resignation from the Interpreter Commission effective January 17, 2022 due to personal reasons. Administrative Office of the Courts staff assigned to the Commission tells me you have informed Judge Rajul of your ability to serve as interim Chair of the Commission until a new Chair is appointed by the Supreme Court. I am most grateful for your immediate willingness to ensure the important work of the Commission continues under your guidance without delay.

I am hereby appointing you to serve as interim Chair of the Supreme Court Interpreter Commission until further notice, but it shall not extend beyond the term of your representative position, which is scheduled to end on September 30, 2022. I am confident we will be able to appoint a Chair for the Commission well before the end of your term. I have full faith and confidence in your ability to guide the Commission business forward, however please do not hesitate to reach out to me if you have any need for further guidance on administering the business of the Commission.

With sincere regards,

A handwritten signature in black ink, appearing to read "Steven C. Gonzalez".

Steven C. González
Chief Justice
Washington State Supreme Court

cc: via email only

Robert Lichtenberg, Interpreter Commission Staff, Robert.Lichtenberg@courts.wa.gov
Judge Lloyd Oaks, Pierce County District Court, Lloyd.Oaks@piercecountywa.gov
Justice G. Helen Whitener, Washington Supreme Court, Helen.Whitener@courts.wa.gov

The Supreme Court
State of Washington

STEVEN C. GONZÁLEZ
CHIEF JUSTICE
TEMPLE OF JUSTICE
POST OFFICE BOX 40929
OLYMPIA, WASHINGTON 98504-0929



(360) 357-2030
E-MAIL J_S.GONZALEZ@COURTS.WA.GOV

January 24, 2022

The Honorable Rachelle E. Anderson, President
The Honorable Jennifer A. Forbes, President-Elect
Superior Court Judges Association
P.O. Box 41170
Olympia, WA 98504-1170
randerson@spokanecounty.org (via email only)
jforbes@co.kitsap.wa.us (via email only)

RE: NOMINATION OF SUPERIOR COURT JUDGES ASSOCIATION
REPRESENTATIVE TO THE INTERPRETER COMMISSION

Dear Judge Anderson and Judge Forbes,

Members of the public use the Washington State Courts in a wide variety of circumstances. They may be brought into legal actions initiated by the State or other parties, or they may use courts to protect themselves and their rights. While legal procedure and terminology is difficult and intimidating to most people, it is exponentially more complicated for persons with limited English proficiency. Therefore, language access is a fundamental component of access to justice.

The Washington State Court Interpreter Commission develops policies governing the Washington Court Language Access Program. All interpreters who are certified or registered by the Washington Administrative Office of the Courts are subject to rules and regulations specified by policies set by the Interpreter Commission. The Washington State Supreme Court selects members to serve as liaisons between the court, the interpreting community, and the public. Each member is expected to share current information with the constituent groups in which they hold membership or communicate with, as well as bring current issues to the Commission for consideration. It is crucial that the Interpreter Commission involves the input and insight of all stakeholders as we seek to improve language access in the Washington Courts.

Pursuant to Supreme Court General Rule 11.1, the Supreme Court Interpreter Commission shall have a judicial officer representative from each trial court level. The Superior Court Judges Association (SCJA) has been represented very ably since 2020 by King County Superior Court Judge Mafé Rajul. Judge Rajul was eventually appointed to serve as Chair of the Supreme Court Interpreter Commission until the end of her term on September 30, 2023. The Commission and SCJA were very fortunate to have the wise counsel and leadership of Judge Rajul on the Commission as she served in a very important capacity as Chair of the Commission. I received news on January 20, 2022 via email from Judge Rajul informing the Court of her immediate resignation effective January 17, 2022 from her role as member of the Commission due to a need to take extended medical leave.

The Commission respectfully requests that there be a nomination from the current president of the Superior Court Judges Association for a judge to serve on the Court Interpreter Commission for the remainder of Judge Rajul's term. Under the Commission's rules, the person completing the term of another is eligible to be appointed to the Commission for a first three-year term period with the possibility of being re-appointed for a second three year term.

The Commission is seeking an individual with a working knowledge of language access policies and services for persons who are limited-English speakers as well as those who rely on American Sign Language interpreter services. A detailed description of the Commission and duties of its members may be found at:
http://www.courts.wa.gov/programs_orgs/pos_interpret/index.cfm?fa=pos_interpret.display&fileName=interpreterCommission

The Commission would like to have the new representative nominated for my consideration as soon as possible. Would you please nominate an individual or two for consideration and recommendation for an appointment by me? In doing so, please provide a copy of their resume/curriculum vitae and letter of interest, to the address specified below no later than February 15, 2022:

Supreme Court Interpreter Commission
c/o Robert Lichtenberg
P.O. Box 41170
1206 Quince St. SE
Olympia, WA 98504-1170

If you have any questions about the work of the Interpreter Commission or its meeting schedule, please contact Robert Lichtenberg or via email at Robert.Lichtenebrg@courts.wa.gov

On behalf of the Commission, I appreciate your attention to this request.

Very Truly Yours,

A handwritten signature in black ink, appearing to read "Steve González", written in a cursive style.

Chief Justice Steve González
Supreme Court of the State of Washington

cc: Dawn Marie Rubio, Director, AOC, DawnMarie.Rubio@courts.wa.gov
Kelley Amburgey-Richardson, Supreme Court Commissions Coordinator, AOC
Kelley.Amburgey-Richardson@courts.wa.gov
Robert W. Lichtenberg, Senior Program Analyst, Interpreter Commission, AOC
Robert.Lichtenberg@courts.wa.gov
Crissy Anderson, Court Association Coordinator, AOC,
Crissy.Anderson@courts.wa.gov

WASHINGTON STATE COURT INTERPRETER COMMISSION
MEMBERSHIP PROCEDURES

February 2022

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.
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 current member positions have the following terms:

Ending September 30, 2022:

- 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”)
- ASL Interpreter

Ending September 30, 2023:

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

Ending September 30, 2024:

- Appellate Court Representative
- AOC Representative
- Attorney Representative
- Spoken Language Interpreter (1)
- AWSCA Member Representative*

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 Commission Chair 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 or before 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 by email prior to the next scheduled Commission meeting.

Interpreter Commission Committees Members

As of 2/2022

Disciplinary Committee

Justice Helen Whitener, Chair

Florence Adeyemi
Anita Ahumada
Donna Walker
Luisa Gracia Camón
Diana Noman
Katrin Johnson

Education Committee

Luisa Gracia Camón, Chair

Florence Adeyemi
Donna Walker
Jeanne Englert
Francis Adewale
Ashley Callan
Frankie Peters
Katrin Johnson
Kristi Cruz
Naoko Inoue Shatz

Issues Committee

Judge Lloyd Oaks, Chair

Francis Adewale
Ashley Callan
Frankie Peters
Diana Noman
Kristi Cruz
Naoko Inoue Shatz
Anita Ahumada
Judge Laura Bradley

AOC Staff for all committees

Moriah Freed
Robert Lichtenberg
James Wells



DISTRICT AND MUNICIPAL COURT MANAGEMENT ASSOCIATION

PRESIDENT Kris Thompson
 Colfax Municipal Court
 PO BOX 229
 Colfax, WA 99111
 (509)397-3861
 Fax (509)397-3044
Court@colfaxwa.org

PRESIDENT ELECT Ellen Attebery
 Puyallup and Milton Municipal Court
 929 E Main St. STE-120
 Puyallup, WA 98372-3116
eattebery@puyallup.wa.gov

VICE PRESIDENT LaTricia Kinlow
 Tukwila Municipal Court
 6200 Southcenter Blvd
 Tukwila, WA 98188-2544
 (206)433-1840
 Fax (206-433-7160
trish.kinlow@tukwilawa.gov

SECRETARY Serena Daigle
 Des Moines Municipal Court
 21630 11th Ave South, Ste C
 Des Moines, WA 98198
 (206)870-6726
 Fax (206)870-4387
sdaigle@desmoineswa.gov

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@piercecountywa.gov

PAST PRESIDENT Patti Kohler
 King County District Court
 513 3rd Avenue W-1034
 Seattle, WA 98101
 (206)477-0482
 Fax (206)205-8840
Patricia.kohler@kingcounty.gov

Judge Mafe Rajul, Chair
 Washington State Supreme Court Interpreter Commission

Re: Language Assistance Plan Requirements for Courts

Judge Mafe Rajul,

The Washington State District and Municipal Court Management Association (DMCMA) writes to express our concern in the requirements set forth in completion of individualized Language Assistance Plans (LAP). We are requesting consideration of a statewide LAP to be created at the direction of the Supreme Court Interpreter Commission.

The delivery of interpreter services is required to support our fundamental principles of fairness and access to justice. There currently exists multiple parallels of requirements detailing what courts shall do, specifically through RCW 2.43 and GR11 – GR11.4. There are also additional resources and requirements provided to the courts through the Desk book on Language Access in Washington Courts. This includes a statewide LAP document designed around the content requirements laid out in RCW 2.43.090 as well as a legal analysis providing the constitutional and statutory basis to which the courts must adhere.

The intent of providing the information in the above paragraph is to detail the existing guidelines, rules, and statutes to support access to interpreter services. The current process for developing requires courts to dedicate many hours and resources to meet the contractual obligation set forth by this commission. The current processes and procedures pursuant to RCW 2.43.090 do not require the level of detail asked of the courts. However, currently a process or procedure has been created to support the needs for those services. This is identified in RCW 2.43.090 and supported through GR 11 - GR11.4 desk book.

The DMCMA is requesting that a statewide LAP be created at the direction of the Interpreter Commission. Each year courts will sign and return an affirmation to the Interpreter Reimbursement Program acknowledging the requirements set forth in the statewide LAP. In addition, language can be included in the statewide LAP for supplemental information and/or procedures. This is not currently required by statute but supports transparency and access to justice. Taking this opportunity to create a statewide LAP will be consistent with all rules and statutes and will create consistency across the state in the provision of interpreter

Judge Mafe Rajul

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services. Statutes, court rules, and guidelines currently exist, supporting the statutory requirements of RCW 2.43.090. As legislative changes are constantly evolving, a statewide LAP can be easily amended to reflect these changes. This would eliminate multiple iterations and parallel work in creating new templates in addition to individual LAPs each year. It is always our intent to ensure equal access to justice and improve the public's trust and confidence in our courts. It is our belief that a statewide LAP supports this effort and provides consistency in our processes, compliance with statutes and compliance with court rules. We see this as an opportunity to accomplish these goals in an efficient and meaningful manner.

We appreciate your consideration of this proposal and welcome any opportunity to have an open discussion on how the Supreme Court Interpreter Commission, AOC, and DMCMA can work collaboratively to improve access to justice for all court users.


Sincerely,



Kris Thompson
President, DMCMA

Cc: Judge Charles Short, DMCJA President
Cynthia Delostrinos, AOC
Robert Lichtenberg, AOC
Michelle Bellmer, AOC

Committee Reports

 <p>WASHINGTON COURTS</p>	<p>Interpreter Commission – Issues Committee Meeting Tuesday, January 18, 2022 Videoconference Meeting 12:00 PM – 1:00 PM Zoom</p>
<p>MEETING MINUTES</p>	

Present:

Judge Oaks, Francis Adewale, Anita Ahumada, Laura Bradley, Kristi Cruz, Bob Lichtenberg, Diana Noman, Naoko Schatz, James Wells

Introductions

- The meeting attendees introduced themselves to the new Issues Committee chair, Judge Oaks.

Approval of Previous Meeting Minutes

- December 1 minutes approved with modification. Two members abstained from the votes because they were not present at the previous meeting.

Language Access Plan (LAP) Review Subcommittee

- A subcommittee was convened in December to establish criteria that can be used to approve LAPs submitted by courts.
- A tool was developed that includes the criteria. The tool is helping staff review LAPs. The tool is not meant to be used for courts in developing an LAP.
 - The criteria were based on elements in state law.
 - The tool includes elements that are required for the court to include in their plan and the tool include elements that are suggested.
 - The tool includes cross references to the LAP Deskbook and LAP template.
 - The chart in the tool could be used as part of a checklist.
 - Other tools and trainings could be provided to the courts.
- If a court doesn't pass the review, funding for reimbursement could be held from a court. However, the goal is not to withhold funding. The review process can create a dialogue with the court if their LAP is missing an element.

Motion: The Issues Committee voted unanimously to approve the Guidance and Approval Tool.

Future Meeting

- February 8 at noon will be the next Issues Committee meeting.
- Discuss what kind evaluation could be done of the language access services courts are providing. Are there existing court audits that the AOC performs that the Interpreter Commission could add onto?

The Court LAP Review Guidance and Approval Tool was created by the Supreme Court Interpreter Commission to help guide the LAP approval process. Courts are required to submit a LAP and have an approved LAP in order to participate in the court interpreter reimbursement program. This guidance document identifies the minimum requirements for LAP approval based on RCW language. The tool is for staff or a contractor as they review the court LAPs. It is not intended as a tool for courts to use in developing their LAP. That is the role of the *Deskbook* and Template.

Introduction

Trial courts have a statutory requirement to develop language access plans outlined in RCW 2.43.090(1).

Pursuant to RCW 2.43.090, each court's language assistance plan must include provisions addressing the following:

- Procedures to identify and assess the language needs of non-English-speaking persons using the court system;
- Procedures for the appointment of interpreters as required under RCW 2.43.030. Such procedures shall not require the non-English speaking person to make the arrangements for the interpreter to appear in court;
- Procedures for notifying court users of the right to and availability of interpreter services. Such information shall be prominently displayed in the courthouse in the five foreign languages that census data indicates are predominate in the jurisdiction;
- A process for providing timely communication with non-English speakers by all court employees who have regular contact with the public and meaningful access to court services, including access to services provided by the clerk's office;
- Procedures for evaluating the need for translation of written materials, prioritizing those translation needs, and translating the highest priority materials. These procedures should take into account the frequency of use of forms by the language group, and the cost of rally interpreting the forms;
- A process for requiring and providing training to judges, court clerks, and other court staff on the requirements of the language assistance plan and how to effectively access and work with interpreters; and
- A process for ongoing evaluation of the language assistance plan and monitoring of the implementation of the language assistance plan.

LAP Development and Resources

In 2017, the AOC distributed the *Deskbook on Language Access in Washington Courts* to all Washington-state courts. Court staff responsible for developing and reviewing LAPs should familiarize themselves with the *Deskbook* as a basic primer for applying the criteria established below.

Section D of the *Deskbook* addresses the "Development of Language Access Plans" and specifically draws attention to the specifics of what must be in plans pursuant to RCW 2.43.090.

Appendix B of the *Deskbook* contains a template for drafting trial court LAPs. A large majority of the Reimbursement Program (RP) courts submitted their LAPs using the Appendix B template framework, with one or two submitting plans based on the 2009 LAP template.

Appendix B did not specifically create a template for procedures per se as it was expected that courts would add their procedures or processes under their policy and process framework.

Procedure Defined

RCW 2.43.090 uses the word “procedures,” with the expectation that courts will create clear instructions for court staff to ensure that a timely and effective provision of access to court services and programs is in place for non-English speakers (and by extension under the Americans with Disabilities Act, to persons with hearing loss who rely on sign language interpreter services).

Procedures (or also referred to as process in RCW) are detailed explanations that specify the steps to be followed to provide language assistance services, gather data, and deliver services to LEP individuals.¹

The Role of the Commission in Approving LAPs

The role of the Commission in approving LAPs is specified in RCW 2.43.090(3):

“Each court must provide a copy of its language assistance plan to the interpreter commission established by Supreme Court rule for approval prior to receiving state reimbursement for interpreter costs under this chapter.”

The Commission facilitates the LAP approval process for courts participating in the Reimbursement Program. The Reimbursement Program staff responsible for reviewing the LAPs will be guided by the following Approval Tool.

¹ Definition comes from https://www.lep.gov/resources/2011_Language_Access_Assessment_and_Planning_Tool.pdf

LAP Review and Approval Standards

In addition to covering each of the areas outlined below, the court's LAP should identify the court's overall commitment to language services. [Template Section I and II., *Deskbook* page 63]

Each RCW under review is assigned a letter, A – G, that corresponds to the RCW referenced. The bullets under each RCW list the approval criteria that will be used when reviewing LAPs. Some of the criteria are required and others are optional as identified after the criteria.

To assist in the review process, each section includes cross references to the Template as applicable, with page location information from the *Deskbook on Language Access in the Courts*.

RCWs and Approval Criteria

A. Procedures to identify and assess the language needs of non-English-speaking persons using the court system. RCW 2.43.090 (1)(a).

This section has two components, assessing language needs in the community and identifying LEP persons in need of language services.

1) Assessment of language need [Template Section III, Data Collection and Needs Assessment, *Deskbook* pages 63-65]

Does the LAP:

- Identify how often language data is collected and reviewed.
- Identify the most commonly spoken languages in the service area.
- Identify the source of data. (optional)

2) Identification of LEP persons in need of language services [Template Section IV, Language Assistance Identification, and Resources, *Deskbook* page 65]

Does the LAP:

- Establish procedures court staff will use to identify LEP persons and the languages needed. [Template, Section IV B]
- Establish a court process and mechanism for tracking requests for language services. (Specifically how the court tracks language needs).
- LAP refers to I-speak cards or other resources that are available for staff to identify the language needed. (optional)

B. Procedures for the appointment of interpreters as required under RCW 2.43.030. Such procedures shall not require the non-English speaking person to make the arrangements for the interpreter to appear in court. RCW 2.43.090 (1)(b).

Does the LAP:

- Establish a process the court will use to appoint and provide interpreter services in legal proceedings consistent with RCW 2.43.030. [Template Section V, *Deskbook* page 67]
- Identify an individual or department responsible for coordinating language access services and procedures for providing in-person, video remote, and telephonic interpreter services. [See Template Section IV, subsection A, 2, *Deskbook* page 65] (optional)

C. Procedures for notifying court users of the right to and availability of interpreter services. Such information shall be prominently displayed in the courthouse in the five foreign languages that census data indicates are predominate in the jurisdiction. RCW 2.43.090 (1)(c).

[Template Section IV, subsections A and B, Notice of Availability of Language Access Services, *Deskbook* page 65]

Does the LAP:

- Provide a description of how the court notifies court users of the right to and availability of interpreter services and how to request those services.
- Identify specific locations where the notice will be placed or acknowledge that the court will prominently display the translated notice in the languages identified in RCW 2.43.090 (1)(a).

D. A process for providing timely communication with non-English speakers by all court employees who have regular contact with the public and meaningful access to court services, including access to services provided by the clerk's office. RCW 2.43.090 (1)(d).

[While this component is not a specific item in the template, courts may have addressed this in Template Sections III, Intro; Section IV; Section V, subsections A and B, and Section VII]

Considering the entire LAP, does it:

- Establish procedures for providing timely language services outside of the courtroom.
- Identify a mechanism to identify and address delays in access to courts due to language barriers.
- Acknowledge the commitment to provide timely services. (optional)

E. Procedures for evaluating the need for translation of written materials, prioritizing those translation needs, and translating the highest priority materials. These procedures should take into account the frequency of use of forms by the language group, and the cost of orally interpreting the forms. RCW 2.43.090 (1)(e).

[Template Section V C and Section VIII B; *Deskbook* page 70]

Does the LAP:

- Include procedures to evaluate the need for translation of written materials.
- Identify the languages for which translations will be prioritized.
- Identify a process for translation requests, maintenance, and quality.
- Identify how the public is provided access to printed materials where no translation is provided.
- Identify existing translated materials and a process for adding future translations as needed. (optional)
- Identify the qualification of translators and include a prohibition of machine translation. (optional)

F. A process for requiring and providing training to judges, court clerks, and other court staff on the requirements of the language assistance plan and how to effectively access and work with interpreters.

[Template Section VI, *Deskbook* page 73]

Does the LAP:

- Identify a process for requiring and providing training to judges, court clerks, and other court staff.
- Identify the topics of the training to include requirements of the language access plan and how to effectively access and work with interpreters.
- Identify procedures to ensure existing staff and new staff are trained in an ongoing manner. (optional)

G. A process for ongoing evaluation of the language assistance plan and monitoring of the implementation of the language assistance plan. RCW 2.43.090 (1)(g).

[Template Section VIII C and D, *Deskbook* page 76]


Does the LAP:

- Identify a process for ongoing plan evaluation and updating.
- Identify a process for monitoring implementation.
- Include the frequency of review, who is responsible for the review, and how the evaluation will incorporate stakeholder feedback. (optional)
- Include a process to assess utilization of interpreter services, including reports. (optional)

RCW Provision	Template Sections	Must Have:	Optional / Suggested:	Comments
<p>RCW 2.43.090 (a): Procedures to identify and assess the language needs of non-English-speaking persons using the court system;</p>	<p>Section III (DATA COLLECTION AND NEEDS ASSESSMENT) Intro <i>(Data sources, tracking requests)</i></p> <p>Section III, A (Identified Current Needs) <i>(Top 5 Languages)</i></p>	<p>1) As to assessment of language need, does the LAP:</p>		<p>** For approval document, need column to check off must have items</p>
	<ul style="list-style-type: none"> Identify the frequency of language data collection and review. 			
	<ul style="list-style-type: none"> Identify the most commonly spoken languages in the service area. 			
			<ul style="list-style-type: none"> Does the plan identify the source of data? 	
	<p>Section I, B (Identification of Language Access Needs and Notice of Availability) <i>(IDs points of access, justice partner communication)</i></p>	<p>2) As to identification of LEP persons in need of language services, does the LAP:</p>		
		<ul style="list-style-type: none"> Establish procedures court staff will use to identify LEP persons and the language needed. 		
	<ul style="list-style-type: none"> Establish a court process and mechanism for tracking requests for language services; (specifically how the court tracks language needs). 			
		<ul style="list-style-type: none"> Does the LAP refer to I-speak cards or other resources that are available for staff to identify the language needed? 		
<p>RCW 2.43.090 (b): Procedures for the appointment of interpreters as required under RCW 2.43.030. Such procedures shall not require the non-English speaking person to make the arrangements for the interpreter to appear in court;</p>	<p>Section V A (1.Appointment of a Certified, Registered, or Qualified Interpreter for In Court Proceedings, 2.Practices in the Appointment and Use of Interpreters, 3.Calendaring and Scheduling of Interpreters for In-court and Out-of-court Contacts)</p> <p><i>Template includes policy statement to follow RCW 2.43.030 (appoint credentialed unless there is good cause) , list of certain practices (ex: team of interpreters, waiving right to interpreter), scheduling practices</i></p>	<ul style="list-style-type: none"> Establish a process the court will use to appoint and provide interpreter services in legal proceedings consistent with RCW 2.43.030. 		
		<ul style="list-style-type: none"> Does the LAP identify an individual or department responsible for coordinating language access services and procedures for providing in-person, video remote, and telephonic interpreter services? 		

<p>RCW 2.43.090 (c): Procedures for notifying court users of the right to and availability of interpreter services. Such information shall be prominently displayed in the courthouse in the five foreign languages that census data indicates are predominate in the jurisdiction;</p>	<p>Section IV B 2 (Notice of the Availability of Language Access Services)</p> <p><i>Template has place to list the locations of multilingual posters (which reference availability of free interpreter services). Template a place to list other resources to help communication at points of contact</i></p>	<ul style="list-style-type: none"> • Provide a description of how the court notifies court users of the right to and availability of interpreter services and how to request those services. 		
		<ul style="list-style-type: none"> • Identify specific locations where the notice will be placed or acknowledge that the court will prominently display the translated notice in the languages identified in (A). 		
<p>RCW 2.43.090 (d): A process for providing timely communication with non-English speakers by all court employees who have regular contact with the public and meaningful access to court services, including access to services provided by the clerk’s office;</p>	<p>Section V</p> <p><i>Template has several sections which might be considered to constitute the “process” specified here Sections III, Intro, Section IV, Section V, and Section VII</i></p>	<ul style="list-style-type: none"> • Establish procedures for providing timely language services outside of the courtroom. 		
		<ul style="list-style-type: none"> • Identify a mechanism to identify and address delays in access to courts due to language barriers. 		
			<ul style="list-style-type: none"> • Does the plan acknowledge the court’s commitment to provide timely services? 	
<p>RCW 2.43.090 (e): Procedures for evaluating the need for translation of written materials, prioritizing those translation needs, and translating the highest priority materials. These procedures should take into account the frequency of use of</p>	<p>Section V C (Translated Forms and Documents)</p> <p><i>Template has a list of state translated forms, and space for locally translated forms (if any, and a section for what is done if form is not translated).</i></p> <p><i>Template also includes language about not using machine translation</i></p>	<ul style="list-style-type: none"> • Include procedures to evaluate the need for translation of written materials. 		
		<ul style="list-style-type: none"> • Identify the languages for which translations will be prioritized. 		
		<ul style="list-style-type: none"> • Identify a process for translation requests, maintenance, and quality. 		
		<ul style="list-style-type: none"> • Identify how the public is provided access to printed materials where no translation is provided. 		

<p>forms by the language group, and the cost of orally interpreting the forms;</p>			<ul style="list-style-type: none"> • Does the LAP identify existing translated materials and a process for adding future translations as needed? 	
<p>RCW 2.43.090 (f): A process for requiring and providing training to judges, court clerks, and other court staff on the requirements of the language assistance plan and how to effectively access and work with interpreters;</p>	<p>Section VI (Training) <i>Template references training for judicial and court staff on requirements in LAP and has list of additional possible trainings as a checklist.</i></p>	<ul style="list-style-type: none"> • Identify a process for requiring and providing training to judges, court clerks, and other court staff. 	<ul style="list-style-type: none"> • Does the LAP identify the qualification of translators and include a prohibition of machine translation? 	
<p>RCW 2.43.090 (g): A process for ongoing evaluation of the language assistance plan and monitoring of the implementation of the language assistance plan.</p>	<p>Section VIII (Public Notification and Evaluation of Lap) C. Annual Evaluation of the LAP <i>Template has fill in for communicating with stakeholders and a checkbox list of elements included in an assessment such as identifying challenges and trends during review.</i> <i>In the introduction in Section III there is language about tracking internal data and will analyze the data and if services were provided.</i></p>	<ul style="list-style-type: none"> • Identify a process for ongoing plan evaluation and updating. 	<ul style="list-style-type: none"> • Does LAP include procedures to ensure existing staff and new staff are trained in an ongoing manner? 	
		<ul style="list-style-type: none"> • Identify the topics of the training to include requirements of the language access plan and how to effectively access and work with interpreters. 		
			<ul style="list-style-type: none"> • Does the plan include the frequency of review, who is responsible for the review, and how the evaluation will incorporate stakeholder feedback? 	
			<ul style="list-style-type: none"> • Is there a process to assess utilization of interpreter services, including reports? 	

 <p>WASHINGTON COURTS</p>	<p>Interpreter Commission Education Committee Meeting December 20, 2021 Zoom Videoconference 12:00 PM – 1:00 PM</p>
<p>Meeting Minutes</p>	

Present: Luisa Gracia, Jeanne Englert, Katrin Johnson, Naoko Inoue Shatz, James Wells, Moriah Freed, Bob Lichtenberg, Frankie Peters, Kristi Cruz

Approval of November 8 Meeting Minutes

- The minutes will be reviewed and approved via email.

Training Proposal for the Fall Conference

- Justice Whitener has asked the Committee to draft an education proposal. They are due by January 14th.
- Committee members asked if there have been any specific training requests that the Commission can address. There are no specific requests at this time, and it has been observed that many judges and court staff do not understand the extent of interpreter related training opportunities and knowledge.
- It was suggested that there are a lot of new courts being brought into the reimbursement program, and it might provide a good basis to assess education needs.
 - LAP, Court Recovery Task Force related topics – things being seen or not seen in court practices, proposed rules, etc.
 - Remote interpreting issues
- The Committee could look back on previous training evaluations for ideas, or could potentially add a new question to training evaluations to solicit training topics.
- Two main training ideas emerged from the discussion: remote interpreting/hearings and the new ethics manual.
 - Remote interpreting – Showing how it's done successfully, not focusing on failures
 - Ex. Consecutive vs. simultaneous, keeping a record, convening with attorney
 - Audit checklist for courts on their practices as a resource
 - Previous remote hearing training was recorded. A new training could build on the previous one.

- Suggested ideas for speakers included courts with different perspectives, judges using technology well, LEP perspective.

ACTION: James Wells will circulate the link for the previous training recording and LEP perspective video.

ACTION: Bob Lichtenberg will work with Luisa Gracia to draft a proposal by January 4. Jeanne Englert offered to assist in reviewing the proposal.

Judicial College Presentation - ASL Training

- The materials will follow a similar approach of the presentation last year. They will provide additional information about various interpreting credentials, such as DSHC versus WA Courts. The materials are not finalized yet. Some LAP information will be included, such as a clip from the 11/19 info session.
- Requests for ASL training information to be included. It was suggested again to develop an ASL education module.
 - Kristi Cruz will provide a list of suggested subject matter experts, and that these individuals might need to be paid for their expertise.

ACTION: Please send any additional materials to Luisa Gracia for Judicial College.


Meeting Schedule

- Luisa Gracia would like the Committee to meet monthly on a recurring schedule. Committee members agreed to meet on the 3rd Wednesday of each month 12:00 PM – 1:00 PM.

WSBA Webinar Suggestion

- It was suggested to expand education offerings to broader audiences. A 2022 WSBA sponsored webinar on general language access issues, such as how to secure interpreters, was proposed.
- This topic will be on the agenda for the January Committee meeting.

ACTION: Kristi Cruz and Naoko Inoue Shatz will prepare an education proposal for a 2022 WSBA sponsored webinar on general language access issues for the January meeting.

 <p>WASHINGTON COURTS</p>	<p>Interpreter Commission Education Committee Meeting January 12, 2022 Zoom Videoconference 12:00 PM – 1:00 PM</p>
<p>Meeting Minutes</p>	

Present: Luisa Gracia, Jeanne Englert, Katrin Johnson, Naoko Inoue Shatz, James Wells, Bob Lichtenberg, Frankie Peters, Kristi Cruz, Francis Adewale

Training Proposal for the Fall Conference

Remote interpreting

- The session will look at legal requirements and the experiences of Limited English Proficient individuals.
- Recommended faculty were not listed in the circulated proposal but currently Claudia Azar, Judge Shea-Brown, and Tiffney Deaton are potential presenters.
 - It would be important to include an ASL interpreter or someone who can provide a Deaf perspective.
 - Having a court admin and judge from same court is good to give a more complete perspective if it is practical.
- The content should go beyond and build on topics covered in the previous webinars to discuss how meaningful communication can take place. It shouldn't get go into kinds of technical details that have been covered previously.
- A couple weeks before the presentation, a survey or message could be sent to the judges on the listserv to get input about the questions they have to add an interactive element.

Ethics and Standards Manual

- This presentation would include the Ethics and Standards of Practice for court interpreters that was presented at the last Interpreter Commission meeting.'
- Recommended presenters include Judge Rajul and some of the interpreters who authored the manual.
 - The proposed faculty may be too large and should be more limited. It should provide the perspective of a judge and for spoken and sign language interpreters.
- The title of the presentation could be updated to make it emphasize more that the presentation will have information about court interpreter ethics that judges need to know about.
- The presentation clear about how the manual can be used and how it was primarily written for interpreters.

ADA Accommodations

- This presentation would cover a lot of topics regarding how courts can accommodate people with disabilities. There was a concern that most of the

topics fall outside the scope of the Interpreter Commission. It was unclear how much Commission members would be involved or have input into the presentation.

- Some elements do involve communication access. It might be good if the Commission can have the faculty include additional information where it overlaps with providing language access services. It could cover how interpreters are provided in the context where disabilities must also be taken into account.
 - If the session discusses sign language interpreting, then an interpreter should be on the panel or involved in creating the content.
- The Committee discussed the issue of what it means to sponsor a session that it is only partially involved in.
 - The content of the presentation is important and there isn't currently a commission that directly covers this area.
 - The Commission might be able to co-sponsor the event with the Access to Justice board or other entity.
 - There was a concern that sponsoring this session could affect the likelihood of other sessions being chosen or affect the resources the Commission has to commit to other sessions.
 - Sponsoring or co-sponsoring the session could allow the Commission to be more engaged with the content of the presentation.
- The deadline to submit the proposals is this week. The Committee decided to vote on whether or not to sponsor this topic, however, it was felt there were still unanswered questions about what the impact of Commission involvement would be.

Action: The Education Committee will vote on Thursday whether or not to sponsor this session at the Fall conference. AOC staff will look into co-sponsoring the session with another entity and look into the impact of sponsoring the session.

Next Meeting

- Third Wednesday of February

DRAFT

Annual Conference Committee Session Proposal Form

63rd Washington Judicial Conference

September 18-20, 2022

TBD

Please return by January 14, 2022, to Judith.Anderson@courts.wa.gov.

TOPIC AREA:

Educational programs need to relate to the entire judiciary at all court levels. Be specific regarding what will be covered, why it will be covered and how it relates to the judicial officers' daily roles and responsibilities.

PROPOSED SESSION TITLE: Recent court rules changes and understanding Court Interpreter Ethical Standards and Practices		STATUS: <input type="checkbox"/> Received Date: _____ <input type="checkbox"/> Accepted <input type="checkbox"/> Not Accepted <input type="checkbox"/> Reason: _____
PROPOSED BY: WA Supreme Court Interpreter Commission CONTACT NAME: Robert W. Lichtenberg CONTACT PHONE: 360-350-5373 CONTACT EMAIL: Robert.Lichtenberg@courts.wa.gov		TARGET AUDIENCE: <input checked="" type="checkbox"/> Experienced Judges <input checked="" type="checkbox"/> New Judges <input checked="" type="checkbox"/> Court Level: All Court Levels
PROPOSED DURATION: <input checked="" type="checkbox"/> 90 Minutes <input type="checkbox"/> 3 Hours <input type="checkbox"/> Other: _____	SESSION TYPE: <input checked="" type="checkbox"/> Plenary <input checked="" type="checkbox"/> Choice <input type="checkbox"/> Colloquium <input type="checkbox"/> Other: _____	IS THERE A LIMIT TO THE NUMBER OF PARTICIPANTS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, maximum number: _____
REQUIRED COMPONENTS <i>The session must address the following essential areas of information:</i>		
Substantive Knowledge <ul style="list-style-type: none"> Recognition of court interpreting best practices and their relationship to ethical obligations under WA General Rule 11.2 and professional standards. Effective management of proceedings involving spoken language and sign language interpreters and the issuance of proper rulings related to maintaining the integrity and accuracy of the record and public trust in the proceedings. 	How it Relates to Their Work <ul style="list-style-type: none"> Provides jurists and court staff with guidance on the professional standards and actions of court interpreters necessary to ensure accurate interpretation, prevent conflicts of interest, protect confidentiality, and remain engaged in an impartial and neutral manner. 	Skills, Attitudes & Beliefs <ul style="list-style-type: none"> Understand the processes interpreters engage to support the effective communication between users of different languages. Promote public trust in the court's efforts to ensure full and meaningful participation of persons in judicial proceedings.

Proposals due by January 14, 2022, to Judith.Anderson@courts.wa.gov.

Annual Conference Committee Session Proposal Form

63rd Washington Judicial Conference

September 18-20, 2022

TBD

Please return by January 14, 2022, to Judith.Anderson@courts.wa.gov.

RECOMMENDED FACULTY (Include contact information):

Judge Mafé Rajul
Emma Garkavi
Linda Noble
Milena Calderari
Dr. Laurie Reinhardt

SESSION DESCRIPTION: Describe the purpose of the session and key issues to be presented. Explain what judicial officers will learn in the course and how the information will apply to their work in the courts (*this information will be included in the program flyer as your session description*).

The session will introduce jurists to the standards of practice and ethics for Washington State judiciary interpreters working in spoken and signed languages pursuant to the provisions of GR 11.2 and widely accepted court interpreting practices using a recently published Standards of Practice and Ethics created by the Administrative Office of the Courts' Court Interpreter Program.

The perspectives provided by interpreters and a Judge will help you understand best practices. Through an understanding of what court interpreters do when interpreting in consecutive or simultaneous mode and while working in a team or when they are faced with requests to sight-translate printed materials or interpret recordings into the court record, jurists will be able to make appropriate decisions on cases requiring interpretation. This way the rights of the parties to a fair and just proceeding are protected. This also preserves the accuracy of statements entered into the record by the parties, the ancillary participants, and the court.

LEARNING OBJECTIVES: Describe what participants will be able to do as a result of this session.

- Make proper rulings on questions of professional conduct by court interpreters as officers of the court.
- Identify and address potential conflicts of interest the interpreter may have in a proceeding, especially when the interpreter is part of a community which speaks a language of lesser diffusion, where the interpreter is likely to know the parties outside of court.
- Properly manage interpreter assignments in a proceeding involving a team of interpreters pursuant to GR 11.4.
- Ensure the proper use of court interpreters for qualified jurors seeking language accommodations as a result of disability.

Proposals due by January 14, 2022, to Judith.Anderson@courts.wa.gov.

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63rd Washington Judicial Conference

September 18-20, 2022

TBD

Please return by January 14, 2022, to Judith.Anderson@courts.wa.gov.

FUNDAMENTALS COVERED: Describe the case law, best practices, or “nuts and bolts” that will be addressed during the session.

Presenters will orient participants to the important provisions of GR 11.2, and how the cannons are supported by professional court interpreter practices and standards, such as ensuring accuracy, and also understanding some of the impediments to accurate interpretation.

Information about how to deal with errors made while interpreting and the proper use of interpreter teams for one or more parties.

Topics that touch upon the questions of how to avoid situations that would lead to a violation of GR 11.2, and the proper use of interpreters for qualified jurors with disabilities will also be discussed.

PARTICIPANT RESOURCES: Describe the resources faculty will recommend that participants may reference when handling the key issues described in this session (*e.g., bench books, checklists, bench cards, websites, organizations, agencies, etc.*).

Presenters will introduce attendees to the recently distributed “Standards of Practice and Ethics for Washington State Judiciary Interpreters” issued by the AOC’s Court Interpreter Program.

PROPOSED TEACHING METHODS AND ACTIVITIES: Describe how the session will be presented to actively engage the audience in the education (*e.g., small/large group discussion, hypotheticals, case study review, role play, lecturette, etc.*).

This will be a panel presentation introducing the contents of the Standards of Practice and Ethics to the attendees and will demonstrate application of the Code of Conduct for Judiciary Interpreters, GR 11.2., to common and hypothetical situations jurists are likely to have to address when involved in proceedings that require interpretation. Slides, and short lectures will be used to address critical decision-related matters.

Proposals due by January 14, 2022, to Judith.Anderson@courts.wa.gov.

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DIVERSITY AND INCLUSION: Describe how the session will incorporate issues of diversity and inclusion into the topic. (*Consider different perspectives and experiences relating to gender, ethnicity, race, nationality, sexuality, socio-economic status, ability, language, age, etc.*)

This session will provide judges with insight and background to improve access to justice for all court participants regardless of spoken or sign language barrier. It will result in courts improving active participation by limited English proficient court users, leading to meaningful participation in court proceedings and other court services.

If you need assistance with this question, please let us know and we can connect you with a representative who can help with identifying ways to incorporate diversity and inclusion into your topic.

ANTICIPATED COST:

Estimate needed for presenter compensation:
\$4000

FUNDING RESOURCES:

Supreme Court Interpreter Commission

Proposals due by January 14, 2022, to Judith.Anderson@courts.wa.gov.

Annual Conference Committee Session Proposal Form

63rd Washington Judicial Conference

September 18-20, 2022

TBD

Please return by January 14, 2022, to Judith.Anderson@courts.wa.gov.

TOPIC AREA:

Educational programs need to relate to the entire judiciary at all court levels. Be specific regarding what will be covered, why it will be covered and how it relates to the judicial officers daily roles and responsibilities.

PROPOSED SESSION TITLE: Remote interpreting – Lessons learned during the pandemic.

STATUS:

Received Date: _____
 Accepted
 Not Accepted
Reason: _____

PROPOSED BY: Interpreter Commission

CONTACT NAME: Robert Lichtenberg

CONTACT PHONE:

CONTACT EMAIL: robert.lichtenberg@courts.wa.gov

TARGET AUDIENCE:

Experienced Judges
 New Judges
 Court Level:

PROPOSED DURATION:

90 Minutes
 3 Hours
 Other: _____

SESSION TYPE:

Plenary
 Choice
 Colloquium
 Other: _____

IS THERE A LIMIT TO THE NUMBER OF PARTICIPANTS?

Yes
 No
If yes, maximum number:

REQUIRED COMPONENTS

The session must address the following essential areas of information:

Substantive Knowledge	How it Relates to Their Work	Skills, Attitudes & Beliefs
<p>Legal requirements for the provision online interpreter services, including recent changes by Supreme Court Orders</p> <p>Available technology and protocols for effective consecutive and simultaneous interpretation.</p>	<p>Steps to ensure accurate communication with remote court users who are limited English-proficient or deaf/hard of hearing, beginning with the initial court contact and throughout the duration of a case.</p>	<p>Full comprehension and meaningfully active participation of all court-users, regardless of language used and technological platform employed.</p>

RECOMMENDED FACULTY (Include contact information):

Judge Jackie Shea- Brown, Benton & Franklin Counties Superior Court

Tiffany Deaton, Benton & Franklin Counties Superior Court

Claudia A'Zar, Certified Spanish Interpreter, Trainer on Remote Interpreting Techniques

Proposals due by January 14, 2022, to Judith.Anderson@courts.wa.gov.

Annual Conference Committee Session Proposal Form

63rd Washington Judicial Conference

September 18-20, 2022

TBD

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SESSION DESCRIPTION: Describe the purpose of the session and key issues to be presented. Explain what judicial officers will learn in the course and how the information will apply to their work in the courts (*this information will be included in the program flyer as your session description*).

Lessons learned during two years of pandemic. This session will provide best-practice examples, tips, live action demonstrations, and resources to assist courts in providing meaningful language access in and video remote hearings.

Experience different roles perspectives. Use different web platforms to demonstrate effective interpreter participation.

LEARNING OBJECTIVES: Describe what participants will be able to do as a result of this session.

- Recognize language barriers faced by LEP or Deaf individuals with language barriers in the courts.
- Distinguish the particular language access challenges encountered by LEP and Deaf litigants for effectively participating.
- Integrate interpreting technology into remote hearings.
- Plan for jury trials that include court interpreters.

FUNDAMENTALS COVERED: Describe the case law, best practices, or “nuts and bolts” that will be addressed during the session.

- Legal requirements in RCW 2.42, RCW 2.43, GR 11, and interpreter-related case law.
- Best practices to plan for interpretation at web-based hearings in advance – for represented parties and pro se parties who require ASL or spoken language interpreter services.
- Best practices for managing web-based hearings with interpreters.
- Utilizing on-line interpreter services for accommodating unscheduled events and providing more flexibility to language access.

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PARTICIPANT RESOURCES: Describe the resources faculty will recommend that participants may reference when handling the key issues described in this session (*e.g., bench books, checklists, bench cards, websites, organizations, agencies, etc.*).

- Interpreter Commission resources, such as the COVID-19 Guide to Courtroom Interpreting
- Web based platform for remote interpreting – Simultaneous channel
- Online resources from the National Center for State Courts, and other state court systems

PROPOSED TEACHING METHODS AND ACTIVITIES: Describe how the session will be presented to actively engage the audience in the education (*e.g., small/large group discussion, hypotheticals, case study review, role play, lecturette, etc.*).

This session can be delivered in either an in-person or webinar format. It will include an interactive exercise where audience members will learn about the perspective of a person who relies on language interpretation in a web-based hearing. A panel discussion of language access strategies will include the perspectives of court-users, interpreters, attorneys, and judges. Technology intended for interpreting in remote settings will be demonstrated either live or through video.

DIVERSITY AND INCLUSION: Describe how the session will incorporate issues of diversity and inclusion into the topic. (*Consider different perspectives and experiences relating to gender, ethnicity, race, nationality, sexuality, socio-economic status, ability, language, age, etc.*)

This session will provide judges with insight and background to improve access to justice for all court participants regardless of spoken or sign language barrier. It will result in courts improving active participation by limited English proficient court users, leading to meaningful participation in court proceedings and other court services.

If you need assistance with this question, please let us know and we can connect you with a representative who can help with identifying ways to incorporate diversity and inclusion into your topic.

ANTICIPATED COST:
\$500

FUNDING RESOURCES:
Supreme Court Interpreter Commission

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