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| final_logo_pc [Converted] | **Interpreter Commission Meeting**  **Friday, June 3rd, 2022**  **8:30 AM – 12:00 PM**  **Zoom Videoconference** |
| **MEETING MINUTES** | |

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| **Members:**  Judge Mike Diaz, Chair  Florence Adeyemi  Anita Ahumada  Ashley Callan  Kristi Cruz  Jeanne Englert  Luisa Gracia  Katrin Johnson  Diana Noman  Judge Lloyd Oaks  Frankie Peters  Naoko Inoue Shatz  Donna Walker  **Liaisons:**  Judge Laura Bradley, OAH  **AOC Staff:**  Kelley Amburgey-Richardson  Cynthia Delostrinos  Moriah Freed  Bob Lichtenberg  Cherif Sidiali | **Guests:**  Adrian Arias  John Botero  Frehiwot Bruce  Iratxe Caldwell  Shoshanah Epstein  Emma Garkavi  Chief Justice Steve González  Michelle Honey  Jennefer Johnson  LaTricia Kinlow  Carol Landwehr  Jovi Lee  Nancy Leveson  A Levin  Yolanda Lopez  Maria Lucas  Maria Elena Montes de Oca Ricks  Yoseph Petros  Kathy Seymour  Judge Damon Shadid  Thei  Socorro Villeda  Johannes Voogt  David Williams  Elianita Zamora  Michael Zheleznyak |

**CALL TO ORDER**

The meeting was called to order at 8:34 AM.

**Welcome and Introductions**

* Newly appointed Chair of the Interpreter Commission, Judge Diaz, called the meeting to order.
* Judge Diaz thanked attendees at today’s meeting, and for the Commission’s members work in preparing him for this role.
* Commission members and staff introduced themselves.
* Judge Diaz introduced himself to the Commission and how language access has been pivotal to his life and work.

**Presentation of Plaques**

* Judge Damon Shadid and Luisa Gracia were recognized for their role in serving as faculty to the Washington Judicial College and presenting on language access matters to new judges. A commemorative plaque was presented.
* Judge Shadid thanked Seattle Municipal Court and Bob Lichtenberg for working on interpreter issues, and Luisa Gracia thanked the Commission for the opportunity to present on their behalf.

**Approval of December 4, 2021 Meeting Minutes**

* The December 4 meeting minutes were approved as presented.
  + 1) Katrin Johnson 2) Luisa Gracia

**Approval of February Meeting Minutes**

* The February meeting minutes were approved as presented.
  + 1) Naoko Inoue Shatz 2) Katrin Johnson

**CHAIR’S REPORT**

**New Members Appointments**

* A number of long term Commission members will be leaving the Commission. Applicant materials have been provided in the meeting packet for review. There is not a rush to nominate members, and prospective Commission members will attend the September meeting to answer questions from the Commission.
* Nominations will be made to the Chief for October 1, 2022 appointment.
* Judge Diaz is being mindful of the orientation process and him and Bob Lichtenberg have been working on a thorough on-boarding process.
* Naoko Inoue Shtaz suggested more attorney members. She has noted that many attorneys do not understand language access needs, including how to work with interpreters, or LEP individuals. There should also be more education for attorneys.
  + It was suggested to consider interpreter related topics for the WSBA legal lunchbox trainings and CLE trainings at courthouses.
  + WSBA does not always consider language access a substantive area of law worth CLE credits. Past presentations have awarded the “professional development” category and not “law/legal procedure.”
* DMCMA has nominated a replacement for Frankie Peters. Jennefer Johnson from Des Moines Municipal will replace him on the Commission.
* Judge Diaz emphasized the value of Commission feedback on the membership nomination process.
* Some of the ambiguities in the nomination process should be cleared up before the fall nominations.

**Interpreter Commission Strategic Planning**

* In addition to the Committees, there are opportunities for the Commission to be proactive on other policy issues. Judge Diaz noted overlap in topical areas from his discussions with Commission members.
  + Efficient functioning / value of time – allow members to provide expertise and not work in a staff role.
* Last 2 years have been hard and drastically shaped how courts function. Instead of focusing on creating new policy, the Commission could shift its focus to improving existing policy and practice.
* Commission members suggested focusing on retention, education and recruitment of interpreters.
  + Looking at needs demographically, linguistically, and by numbers. Observed rural counties lack access to credentialed interpreters – using technology to reduce geographic limitations. Compensation levels of interpreters is also still an issue.
  + Judge Oaks suggested assigning this suggestion of priorities to the Issues Committee. Mapping interpreters by county and language density.
  + It was noted that some interpreters are court credentialed but don’t regularly take court assignments.
* There is also a need for attention on what is happening outside of courtroom but related to access. There are significant barriers to accessing the courts such as navigating the clerks desk, websites, forms, etc.
  + Court ordered services/programs not providing interpretation services
* While hourly payment amounts for interpreters is a large issue, the length of assignments is also an issue. Interpreters will often take a longer assignment over a one hour assignment.
* Members and staff emphasized the additional need to educate LEP individuals on their language access needs and rights. Self-advocacy and empowerment is crucial in navigating these issues. In the deaf community, it is common knowledge to advocate for one’s own language access needs, but not as common for spoken languages.
* Judge Díaz referred members to the “report card” of progress on Commission priorities included in the packet on page 42. Commission members discussed the various priorities.
  + It was suggested to ask for input on strategic priorities from new commissioners when they are appointed.
  + GR 11.1 implementation and GR 11.3 bench card update
    - RCW 2.42 and 2.43 work – if RCW is updated, the bench card will need to be updated.
    - **ACTION:** Donna Walker will work on establishing a RCW revision timeline
  + Workgroup to design survey questions re: interpreter recruitment / survey
    - Commission members supported outreach and recognized the benefit of receiving feedback from other communities and stakeholders. Need to build stakeholder relationships to increase response rate.
    - Funding request document for training to recruit individuals to the profession.
    - The Commission recognized the importance of the Interpreter Training Pipeline as a priority
  + Funding of ASL exam
    - RID believes there are enough interpreters to take exam for court certification. Decided to no longer support exam.
    - AOC can create a funding request to create a new SC:L test.
    - Could possibly overlap with the needs of other states. There have been discussions of states pooling resources to fund the test.
    - Lots of interpreters are retiring – most/all court certified ASL interpreters in WA are 50+ years of age.
    - Chief Justice González offered to bring a proposal to the Conference of Chief Justices. State Court Administrator Dawn Marie Rubio might be able to bring this to the Conference of Court Administrators.
      * Cynthia Delsotrinos and Bob Lichtenberg have been working with Dawn Marie Rubio. There is a desire within Washington to lead on this issue nationally.
    - The input of individuals involved in the prior spoken language exam creation will be helpful.
    - SJI grant funding possibility

**ACTION:** Bob suggests creating a strategic planning workgroup to identify priorities and create a multi-year plan.

**2023 Commission Meeting Dates and Locations**

* Commission members expressed a desire to have in-person meetings in some capacity, and are hoping to have one in-person meeting this year. If 2022 is not possible, 2023 will remain as backup. A hybrid setup will be utilized to accommodate people’s varying comfort levels with in-person meetings.
  + An all-day meeting would maximize the time of individuals flying to attend.
* The AOC SeaTac office space is still not an option for meetings. However, there are other groups who have offered their space as an option. Staff can complete paperwork, etc.
* Staff asked if Commission members are content with meeting quarterly, or if meetings should be increased to 6 times per year, like other Commissions. The topic will be tabled for later discussion.

**King County Auditor’s Report Discussion**

* The report [*Protection Orders: User-Focused Approach Could Help Address Barriers*](https://kingcounty.gov/~/media/depts/auditor/new-web-docs/2022/protection-orders-2022/protection-orders-2022.ashx?la=en) was released by the King County Auditor’s Office on May 3, 2022.
* In looking at multiple protection order related issues, language access played a large role.
* Among other key findings, the report discovered that LEP litigants seeking protection orders did not have sufficient language access needs met during the process.
* The findings touch on the recently passed bill [E2SHB 1320](https://app.leg.wa.gov/billsummary?BillNumber=1320&Year=2021&Initiative=false). This bill modernizes the protection order process and requires translation of certain documents. Just learned that AOC will delay release of translated forms 5-6 months after English versions are released.
* Commission members found the recommendations on page 47 to be valuable to the Commission’s work, particularly technical support in other languages.
* King County Superior Court welcomes the feedback – addresses “band aids” implemented in response to COVID that can be improved and revised.

**LANGUAGE ACCESS PLAN (LAP) REVIEW UPDATE**

**Report by Mr. Izuka**

**ACTION:** Mr. Izukawill be available at next Commission meeting to answer questions. Commission members should review the report in anticipation and to assist in creating a strategic plan.

**LAP Submissions Update** – Bob Lichtenberg

* There have been two rounds of LAP review thus far. Bob Lichtenberg will be conducting the third round of reviews.
* AOC has received feedback on the LAP template. Courts have expressed confusion on how to use the template, that was then clarified during the first round of reviews.
* AOC has decided to waive LAP compliance for courts due to the approaching submission deadline. None of the courts will be able to comply fully, in part due to the translation section and unfunded mandates that cannot be met. Courts cannot fully comply with the criteria set forth by the Commission and the criteria needs to be reviewed.
* AOC is seeking funding to assist the LAP implementation be successful, and is considering re-contracting with the consultant.

**DMCMA LAP Concerns** – LaTricia Kinlow, Frankie Peters, Jennefer Johnson and Ashley Callan

* There was a short timeline for the Commission to set the LAP criteria. This left a lot of unanswered questions about the LAP, and a short timeline for courts to submit their finalized LAP for compliance with the reimbursement program.
* DMCMA is hoping to change the direction and goals of the program, which will take more time and discussion to implement changes. Courts would like to provide more input and receive clarification of the scoring criteria.
* Importance to get notice in a timely manner to courts with any changes to ensure they have support and resources to implement the feedback.
* DMCMA expressed support for establishing a statewide LAP, despite the non-unified Washington court system.
* There is an expectation that the LAP will address every scenario that might present in court, which is unrealistic. It was suggested to provide a fact sheet or instructions for guidance in new situations. Agree with the spirit of LAP, but not the product.

**ACTION:** Further discussion of the LAP concerns expressed by DMCMA will be on the agenda at the September Commission meeting.

**COMMITTEE AND PARTNER REPORTS**

**Racial Justice Consortium (RJC)** – Naoko Inoue Shatz, Francis Adewale, and Florence Adeyemi

* Summaries can be found on page 77 and 78 of the meeting packet.
* Naoko Inoue Shatz summarized the RJC membership and meeting schedule. Monthly discussions focused on accountability, learning, and formation of an action plan. 6 areas of focus were identified:
  1. Cultivating spaces of belonging
  2. Child Welfare and Dependency
  3. Youth Justice
  4. Sentencing
  5. Legal Financial Obligations (LFOs)
  6. Re-entry
* Stemming from discussions with the RJC, the Interpreter Commission liaisons asked the Commission with support for the following:
  + Make court forms more accessible to non-English speakers
  + Create signage in multiple languages for courthouses
  + Introduce interpretation tools and interpretation software as a resource
    - Luisa Gracia offered to provide guidance on this topic
    - Commission members that while machine interpretation is a tool, nothing is as accurate as human faculty of judgement and accurate translation.
* Florence Adeyemi valued the opportunity to interact with different stakeholders in the group. The variety of backgrounds made the work challenging but allowed for discussion in addressing different perspectives, power dynamics, identities, etc. She also spoke to her work with different community groups and how the RJC’s reform areas impact those communities, particularly undocumented immigrants, and people who cannot read or write.
* Value of judicial leadership participating in the RJC – justices, judges, etc.

**ACTION:** A discussion about LFO relief will be added to the agenda at the next Commission meeting stemming from recommendations made by the Racial Justice Consortium.

**Issues Committee –** Judge Lloyd Oaks

Judge Oaks reported on the various projects that the Issues Committee is currently undertaking:

* Exploring ideas for a Commission Co-Chair – exploring scenarios, such as staggered terms.
* GR 11.2 – Discussions ongoing. Will be discussing ranges for disclosing conflicts of interest.
* The topic of requirements for interpreters to report possible violation of rights has been discussed.
* Hearing impaired juror issues. Look at making a report into disparities between counties.
  + Important to connect with ADA coordinators.
* GR 11.3 – Work is ongoing
* Judge Oaks has a reply letter drafted to Mr. Harrison to circulate to the Committee.
* Issues Committee minutes can be found on page 84 of the packet.

**Education Committee** – Luisa Gracia

* Two Interpreter Commission proposals were approved for judicial education:
  + Interpreter Ethics
  + Remote Interpreting – lessons learned
* Both groups of presenters are working on finalizing content. The Committee has set some deadlines for materials and planning. Presenters have been identified and have been meeting.
* James Wells was recognized for a great job presenting on Commission members training and onboarding. The information is available on the Interpreter Program website. Some content might need to be presented in a more palatable way or better format. Would like affidavit of completion.
  + No deadline identified to transition materials.
  + The idea of a Commission mentor was discussed for new members
* Luisa Gracia offered herself as a resource to Commission candidates seeking a spoken language position.

**Disciplinary Committee** – Justice G. Helen Whitener

* Disciplinary Manual Update – Florence Adeyemi
  + A subcommittee group, led by Florence, has been meeting for the past year. Justice Whitener is incorporating the changes and will send the manual back to the subcommittee for final review.

**Office of Administrative Hearings (OAH)** – Judge Laura Bradly

* OAH just completed an unemployment insurance (UI) pilot project where single party cases were held in Spanish without the intervention of an interpreter by appointing a Spanish speaking Judge. Received feedback that some parties felt interrupted or unheard speaking through an interpreter.
* The pilot is moving into phase II, which involves continued hearings with a Spanish speaking judge. OAH also will be exploring if any staff have language or Spanish skills, and incorporating that skill into hiring considerations.
* Contact [Laura.Bradley@oah.wa.gov](mailto:Laura.Bradley@oah.wa.gov) for questions. Judge Bradley will circulate the PowerPoint to the Commission that overviews the pilot project. .

**Office of Deaf and Hard of Hearing (ODHH)** – Berle Ross

* ODHH has hired a new director. They have been invited to attend the September Interpreter Commission meeting.

**STAFF REPORTS**

**Commission Manager’s Report** – Kelley Amburgey-Richardson

* Collaboration between the Interpreter Commission and the Gender and Justice Commission was highlighted in addressing language access needs for protection order proceedings.
* Language Access Interpreter Reimbursement Program (LAIRP) – Michelle Bellmer has taken another position at AOC. The position will be filled this summer while Michelle Bellmer and James Wells cover key program tasks until a hiring decision is made.
  + The new web application (beta) has collected over 15,000 individual events since going live at end of January 2022.
  + Developers and AOC staff have been meeting with a workgroup to provide feedback. Jennefer Johnson, new DMCMA nominee, is on the workgroup. New app version will be released this fall incorporating changes.

**Announcements**

* It was clarified that next meeting is September 23, not 24.

**The meeting was adjourned at 11:52 AM.**