

**Washington State Supreme Court
Interpreter Commission**

June 3, 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**



WASHINGTON
COURTS

Interpreter Commission Quarterly Meeting

Friday, June 3, 2022, 8:30 AM to 12 Noon PM

<https://wacourts.zoom.us/j/86754189342>

Meeting ID: 867 5418 9342

Dial by your location:

+1-253-215-8782 Meeting ID: 867 5418 9342

AGENDA

- Call to Order
- Member Introductions & Meeting Rules

Judge Mike Diaz

Chair's Report (*Order Subject to Change*)

- Approval of December 4, 2021 Minutes Edits and February 24, 2022 Minutes Draft
- Member Reappointments; Candidate Applications Update
- Recognition to Mafe Rajul, Damon Shadid, and Luisa Gracia
- Commission Priorities for FY 2023
 - *Commission Self-Assessment*
 - *GR 11.1 Implementation*
 - *GR 11.3 Bench Card Update*
 - *Court Interpreter Survey*
 - *Court Coordinator Survey*
 - *Interpreter Training Pipeline*
 - *RCW Revisions Timeline*
 - *Funding of ASL SC:L Exam*
- 2023 Commission Meetings Dates and Location(s)

Judge Diaz

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Judge Diaz

Pg. 19

Judge Diaz

**Judge Diaz
AOC Staff**

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Judge Diaz

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BREAK

- King County Auditor's Report
 - Discussion/Follow-Up
- Racial Justice Consortium Report


**Judge Diaz
Kristi Cruz**

**Naoko Shatz
Florence Adeyemi**

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<ul style="list-style-type: none"> • Interpreter Program Report <ul style="list-style-type: none"> ➤ LAP Approval Interim Report ➤ DMCMA Comments ➤ AWSCA Comments 	James Wells Robert Lichtenberg LaTricia Kinlow/Frankie Peters Ashley Callan	Pg. 80
Committee and Partner Reports <u>Issues Committee Meetings Report</u> <ul style="list-style-type: none"> ➤ Topics TBD with Judge Oaks <u>Education Committee Meetings Report</u> <ul style="list-style-type: none"> • 2022 Judicial and Court Officer Training • Commission Member Training <u>Disciplinary Committee Report</u> <ul style="list-style-type: none"> • Disciplinary Process Manual Status Liaison Reports (placeholder)	Judge Lloyd Oaks Luisa Gracia Camón James Wells, AOC Justice Helen Whitener or designee OAH and ODHH	Pg. 84 Pg. 92
Commission Staff Report <ul style="list-style-type: none"> • Commission Manager’s Report <ul style="list-style-type: none"> ➤ Reimbursement Program Update 	Kelley Amburgey-Richardson	
Announcements:		
Next Commission Meeting	September 24, 2022 8:30 AM-12 PM Via Zoom	

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

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- 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.

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- 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

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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

Suggested Clarifying Statements for December 3, 2021 Commission Meeting Minutes:

- Commission members asked what the process is for any feedback that the commissioners may have as this is the first time the full commission is seeing the document. The answer to this during this meeting was that feedback was not required at that time.
- Commission members had a discussion about how to circulate the manual. It was published very recently, and is currently posted online. A printed copy without appendices will be available soon.
- Justice Whitener suggested circulating the manual via the judicial news and to find other opportunities to share it widely within the legal community. 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.
- Commission members recognize the value of this work for educating interpreters who work in Washington Courts. Concerns were raised about sections that appear to be inconsistent with some court and interpreter practices. These inconsistencies could create confusion, particularly if this Manual is used as a guide for reviewing disciplinary complaints.
- Concerns were raised about how the standards document is related to the disciplinary process, given the commission's role in disciplinary actions. The disciplinary process is referenced in one chapter where the disciplinary manual is linked for reference.
- 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 member Luisa Gracia participated and reviewed the document, and Commission member Katrin Johnson reviewed the section on Attorney – Client communications.
- Other Commission members are hoping to provide review before printing, but panelists indicated there was no opportunity for feedback on the document.

 WASHINGTON COURTS	Interpreter Commission Meeting Friday, February 4th, 2022 9:00 AM – 12:00 PM Zoom Videoconference
MEETING MINUTES	

Members:

Katrin Johnson, Interim Chair
 Francis Adewale
 Florence Adeyemi
 Ashley Callan
 Kristi Cruz
 Jeanne Englert
 Luisa Gracia
 Diana Noman
 Judge Lloyd Oaks
 Frankie Peters
 Naoko Inoue Shatz
 Donna Walker
 Justice G. Helen Whitener

Liaisons:

Judge Joshua Sundt, OAH
 Berle Ross, ODHH

AOC Staff:

Kelley Amburgey-Richardson
 Michelle Bellmer
 Cynthia Delostrinos
 Moriah Freed
 Dr. Lisette Garcia
 Bob Lichtenberg
 Nico Salas
 James Wells

Guests:

Adrián Arias
 Kathy Chang
 Helen Eby
 Amine Fajri
 Chela Fisk
 Emma Garkavi
 Chief Justice Steven González
 Fred Harriman
 Natsuya Izuka Shiki
 Jovi Lee
 Nancy Leveson
 Andrea Levin
 Yolanda Lopez
 Maria Lucas
 Mary
 Jonas Nicotra
 Cindy Nosko
 Rebecca Ortega
 Raul
 Andrea Reef
 Patsy Robinson
 Thei
 Tonya
 Elianita Zamora

CALL TO ORDER

The meeting was called to order at 9:00 AM.

Welcome and Introductions

- Katrin Johnson introduced herself as Interim Chair of the Interpreter Commission. Commission members and liaisons introduced themselves.

Approval of December 4, 2021 Meeting Minutes

- Approval of the minutes was postponed and will be finalized via email pending corrections.

ACTION: Approval of the minutes was postponed until Kristi Cruz sends an edit for approval via email. The edit will address a discussion point raised in the Ethics Manual presentation and discussion.

CHAIR'S REPORT

Resignation of Judge Mafe Rajul as Interpreter Commission Chair

- Chief Justice González addressed the Commission about the resignation of Judge Rajul as Interpreter Commission Chair. This leaves both the Chair and Supreme Court Judges' Association (SCJA) position vacant. At least one Superior Court Judge has expressed interest in the position.
- The Chief Justice expressed interest in hearing what the Commission is seeking in appointment of a new Chair. He can be contacted via email or through Bob Lichtenberg.
 - Concerns were raised by Commission members about having a newly appointed SCJA representative also serve as Chair. They expressed desire to have someone familiar with the Commission's work as chair, such as Justice Whitener.
 - Justice Whitener stated that while she appreciates the support, she does not have the capacity to serve as Chair, and supports the appointment of a bilingual Superior Court Judge. She also recognized that there are experienced members on the Commission who could serve as Co-Chair if that position is added.
 - Commission members expressed agreement with Justice Whitener, and emphasized the importance of the new Chair possessing knowledge on language access issues, even if they do not have experience with the Interpreter Commission specifically.
 - After Chief Justice González stepped down as Commission Chair, it was decided that the Commission did not need a Supreme Court Justice as the Chair, and that trial judges have more routine experience working with interpreters.
- The Chief Justice is hoping to hear about a final nomination from SCJA by next week.

- The Chief Justice attended a meeting earlier today where trial judges expressed a strong desire to have interpreters present in court if possible. On their behalf, the Chief Justice is conveying their desire for the Commission to explore this issue.

Membership Procedures Changes

At a past meeting, the Commission voted on amended GR 11.1 to expand the scope and add members to the Commission. [The rule has been posted for public comment.](#) In September 2022, 5 current members will be outgoing. If GR 11.1 passes, that adds 5 new members, meaning there will be 10 new members total joining the Commission. What type of onboarding process should the Commission consider, and should there be some type of staggering in of members so that all of the terms do not end at once?

- GR 11.3 (remote interpreting) has also been published for comment. The comment period closes in February, 2022. The comment period for GR 11.1 will close at the end of April 2022 and likely be published late Summer 2022.
- The Commission will need to form a nominations Committee or leadership committee to review applicants and help ensure a smooth transition.
- Commission members suggested an early on-boarding process to ease transition, such as sitting in on meetings for identified candidates. The outgoing members come from different groups, and these organizations can be contacted early to nominate a replacement.
 - Commission member mentors to help new members navigate onboarding. This could either be done early, or current members could attend a meeting after their term formally ends.
 - All members are vetted by the Supreme Court before formal appointment. This means if individuals are on-boarded early, it will need to be confirmed prior that they will both be approved by the Court and their nominating organization, and agree to serve for the full Commission term.
 - Outgoing members can email their organization and copy Bob Lichtenberg.
- Emphasis was put on new members understanding the interpreter profession and receiving training to understand the process.
- A 2023 start was proposed for the 5 new positions added under GR 11.1.
- It was suggested to recruit users of interpreter services for the Commission and conduct outreach from a leadership committee to find good candidates.
- Commission members asked staff to share a timeline with dates on when to send recruitment announcements, application deadlines, etc.
- Katrin Johnson, interim Commission Chair, proposed the following next steps:
 - Representatives with expiring terms should contact their organizations to assist with recruiting. For those who do not represent organizations, work with AOC staff to determine who to contact for recruitment, and ensure recruitment notices reach interested applicants, such as interpreters.
 - Issues Committee will clarify which positions require direct nomination from an organization.

- Education/mentoring new members – will be assigned to the Education Committee.
- Procedural elements such as timeline and terms will be looked at by the Issues Committee. Bring proposal to June meeting. They will also look at the current Commission meeting schedule and possibly meeting more frequently.
- There was concern expressed by staff if staggering the terms will require an amendment to the rule, or if this could be addressed by the appointment letters issued by the Supreme Court. This will be referred to the Issues Committee.
- If non-members are interested in the Commissions work, they can contact Bob Lichtenberg or a Committee chair to join a Committee.

Legislative Session Updates

- Commission staff circulated a document of legislative changes that could possibly impact the Commission.
- HB 5255 will not be moving forward this session. As there are no current legislative action items for the Commission, it is not necessary for the Commission to meet in March.
- If Commission members become aware of language access bills that affect the court, please alert staff.
- Katrin Johnson reminded members of the two RCW 2.42 and 2.43 workgroups that were recently formed at the last meeting and to contact Donna Walker or Luisa Gracia to join.

Letter from DMCMA re: Uniform LAP Suggestion

- The letter is included on page 19 of the meeting packet.
- Under statute, each court in the state is required to have a written language access plan (LAP). This is also a requirement for courts to be eligible for interpreter reimbursement funding. There is currently a template provided that courts can modify to suit their individual court's needs.
- DMCMA has submitted a request for a statewide LAP instead of individualized plans by court. The AOC and the Commission has not yet responded to the letter.
- The Commission could consider having both a statewide option and an option for courts to create individualized plans. There is concern that this could create additional work for AOC staff members and Commissioners.
- Commission members expressed the importance of the courts understanding and being involved in the document they are signing, as opposed to just agreeing to a set of rules.
- It was suggested to refer this issue to the Issues Committee and invite in additional stakeholders from DMCMA and AWSCA to facilitate discussion before a decision is made.
 - There is a pending deadline of May 1, 2022 for the completed LAPs to be submitted to AOC. The deadline complicates the timeline of facilitating discussion.

- There could be tension between a statewide LAP and Washington’s non-unified court system. It could conflict with the individual jurisdictions of judges.
- Staff pointed out that there is no enforcement of all courts needing a LAP, regardless of participation in the reimbursement program. AOC does not currently track or enforce this requirement.

VOTE: The Commission voted to approve referring the DMCMA letter and related statewide LAP discussion to the Issues Committee for guidance.

Commission Budget and Legislation Planning

- AOC will open the biennium budget proposal period soon. There has been discussion of additional funding needs for the Commission and associated programs. It is anticipated a budget proposal will be submitted, and they are open to feedback from Commissions. The increase would not start until July 2023 if funding is approved.
- The state fiscal year runs July 1 – June 30.
- The current Commission budget is around \$20,000 per year. This covers contracts with experts to develop resources, speakers for trainings, and travel when appropriate. The Interpreter Program and Reimbursement Program have separate budgets.
 - Commission members expressed interest in hybrid meetings and the value of gathering in-person.
- There likely will be increased funding needs for translation of additional court forms, like plea forms with amended court rules.
- In the past, there was a full time staff member at AOC who assisted courts with LAPs. The budget for this position was cut during the last recession.

ACTION: Kelley Amburgey-Richardson will circulate in writing details about the funding and budget amounts of other Commissions. Committees should let AOC staff know about any upcoming anticipated work that might require long term funding.

COMMITTEE AND PARTNER REPORTS

Issues Committee – Judge Lloyd Oaks

- Judge Oaks summarized the new DMCMA letter response and facilitated discussion that was assigned to the Issues Committee during today’s meeting.
 - Staff noted that if the LAP submission deadline is extended that the contracts might need to be amended as well. This additionally will impact the contractor hired to review LAPs.
 - Commission members expressed concern over the potential change in position on individual LAPs and a deadline change. There has been considerable work done to develop review tools, and the deadlines have been approved for months.
 - It was clarified that the deadlines will remain the same and the LAP approval tool will be utilized. The only change is that the Issues Committee will facilitate a discussion with the DMCMA. If any

changes are proposed resulting from the discussion, they would not take effect this LAP cycle.

- Court staff in attendance remarked that due to limited resources LAPs have not been submitted, but not with the intention of non-compliance.
- Cynthia Delostrinos shared that the interpreter reimbursement tool has gone live online and additional courts have been on-boarded to the program. She suggested a grace period for courts who have not submitted a LAP due to the extenuating circumstances.
- Commission members emphasized not wanting to change deadlines, but that feedback is important in the courts' ability to submit LAPs.
- Judge Oaks reviewed the Committee's ongoing projects:
 - Review of CEU credits.
 - LAP Approval Criteria Workgroup and finalized criteria template.
- Judge Oaks requested a color-coded spreadsheet of the Commission membership that indicates voting members, outgoing members, guests, liaisons, etc., in order to recommend a process for handling membership vacancies.

ACTION: Katrin Johnson will draft a response letter to the DMCMA. The letter will invite them to continue the discussion about a proposed statewide LAP, and inform them that the deadlines for this LAP cycle have not changed.

Education Committee – Luisa Gracia

- Judicial College 2022 – Judge Rajul, Claudia A'Zar, and Judge Riquelme presented.
 - Remote interpreting was emphasized during the presentation, such as GR 11.3 and GR 11.4.
 - This year, Judge Rajul was the only Commission member present. It was recommended that the Education Committee chair attend in the future.
- The Education Committee submitted two proposals for the 2022 Fall Judicial Conference. One is about remote interpreting. The other proposal covers recent court rule changes related to interpreter ethics and practices.
 - Justice Whitener shared that both Interpreter Commission proposals have been approved to move forward for consideration at Fall Conference.
- The matter of working with ASL interpreters was not fully covered during Judicial College. There was intention to provide an additional session to cover this topic but this needs additional work by the Education Committee.
- There was not opportunity for Judge Rajul to have a shadow while presenting at Judicial College. The discussion about number of presenters for panels and identifying judges for future panels will be discussed by the Education Committee.
 - It was suggested in the future to have one Judge and one interpreter to present on the panel.

Disciplinary Committee – Justice Whitener

- There are about 15 certification matters that will be reviewed by the Disciplinary Committee.

- Disciplinary Manual – The revision workgroup, led by Florence Adeyemi, has been meeting diligently to revise the manual. Justice Whitener has received a first draft for review. She recognized the importance of having interpreters provide input on the process.
 - Florence Adeyemi shared that the group will continue meeting to fine tune some sections, such as reviewing CEU compliance and actions that will be eligible for revocation.
 - The hope is to have a final draft of the revised Disciplinary Manual for review by the June Commission meeting.

Office of Administrative Hearings (OAH) Report – Judge Bradley

- In reviewing the previous minutes, OAH is still discussing how to provide case documents to interpreters. Judge Bradley is proposing new contract language to their contractor that will stipulate that documents cannot be downloaded or added to external storage devices, and that downloads will be purged every 24 hours. The contract will be renewed in March 2022.

AOC STAFF REPORT

Interpreter Program Report – James Wells

- There is a request to allow more time for interpreters registered in Portuguese and Tagalog to take the certified language exam. During COVID, there have been a few extensions for these interpreters to pass the certified exam, but the pandemic has limited the ability to conduct the exams, which need to be done in-person. The Interpreter Program is requesting an extension of one more year for these interpreters to take and pass the certified exam until February 2023.
 - If the registered Tagalog and Portuguese interpreters fail to take and pass the certified exam, these interpreters will “fall off” the list of credentialed court interpreters in Washington.
- The next ethics and protocol class will be held in March 2022. James Wells has extended an invitation to Commission members and other interested parties to become more familiar with interpreter’s work and expectations by attending the class. He will send the invite to the Commission listserv.
- A refresher on registered versus certified interpreter credentials will be added to the agenda at the next Commission meeting.
 - The RCW 2.43 can further refine this language to assist with clarification.

VOTE: The Commission unanimously approved to extend the testing deadline until February 2023 for registered Tagalog and Portuguese interpreters to pass the certified exam.

Language Access Interpreter Reimbursement Program – Michelle Bellmer

- The application is moving forward with building and development. AOC did not have resources in the past to update technology. As of January 2022, a beta version of the technology is live for users to test and provide feedback. This allows the program staff to incorporate changes and feedback.

- 2700 data entries have been collected in the first 10 days the application has been live. This acknowledges that users are entering information and moving forward with use. While not perfect, the application is a big step forward.
- The next step is to invite additional courts to use the application in addition to the pilot courts. By the next Commission, they are hoping to phase out of beta and move into version 1.

Announcements – Bob Lichtenberg

- A webinar announcement will be sent via email about a language access conference. The Commission is able to reimburse attendees for the registration cost.

The meeting was adjourned at 11:57 AM

DRAFT

Chair's Report



April 11, 2022

Washington State Supreme Court Interpreter Commission
Seattle, WA 98104

Re: Nomination to the Interpreter Commission

To Whom it May Concern:

NOTIS is proud to nominate Maria Lucas, a Spanish and English certified Court Interpreter, to serve on the Interpreter Commission.

Maria is a member of NOTIS in good standing and has been an active member of the Society for one-and-a-half years. Maria serves as a director on the NOTIS Board of Directors and is Head of the Legal Division, one of our key programming divisions. She works well with colleagues and is well regarded for her deep experience in the field of legal interpreting, her quick mind and her clear, analytical approach to issues.

I am confident that Maria Lucas will be an excellent addition to the Court Interpreter Commission and will serve well as an Interpreter Representative.

Best regards,

A handwritten signature in cursive script that reads "Laura Friend".

Laura Friend
President
The Northwest Translators and Interpreters Society (NOTIS)

To Whom It May Concern,

My name is Maria J. Lucas Perez, and I am a federal and state courts Spanish certified interpreter, as well as an ATA certified English/Spanish translator. I am currently serving as co-chair of the Legal Division, as well as chair of the Interpreters Advocacy Committee, of NOTIS. I have been a member of the NOTIS Board of Directors since September 2020. As co-chair of the Legal Division I am tasked with organizing continuing education opportunities for our members, as well as assisting with the regular business of the board. As chair of the advocacy committee, I lead discussions on all the current issues affecting professional interpreters and translators in the Pacific Northwest.

As you may have seen on my resume, I have extensive experience as a legal interpreter and translator and as an educator. I have taught both Spanish and English abroad and am very aware of the significance of language barriers, both as a traveler and as an expat living in countries where I did not speak the language. I believe there is still a lot to be done to elevate our profession and to better serve the communities that benefit from our services. This is one of the main reasons why I would like to apply for this position. Additionally, I realize that society at large needs to be aware of our scope and limitations and the fine line we walk between often being the only cultural liaisons and the ethics code we have sworn to obey; between reaching out linguistically but holding back emotionally to be able to perform our job to the best of our abilities.

It would be an honor to serve in the commission to further the needed conversations in already established areas and starting new ones where diversity and inclusion are the default framework.

Sincerely,

Maria Lucas

MARIA J. LUCAS PEREZ

Certified Spanish Interpreter and Translator

Mercer Island, WA 98040 | (310) 595-4936 | mariaj.lucas@gmail.com | www.linkedin.com/in/maria-lucas-ma

Professional linguist fluent in Spanish (native), Catalan (native), English, German, and Italian. Skilled at translating and interpreting documents from English to Spanish/Spanish to English within various settings, including the District Court, Attorney's office, classrooms, and private companies. Strong communicator with the ability to coordinate the development and delivery of high-quality Spanish output for a wide range of global stakeholders in Asia, Europe, and the US. Detailed-oriented professional who is well-versed in applying interpretation and translation best practices.

Core Competencies

- Translation and Interpretation
- Project Management
- Data Analysis and Reporting
- Documentation
- Style Guides
- Microsoft Office Suite
- English/Spanish Communications
- Analytical Skills
- Cross-Functional Collaboration

PROFESSIONAL EXPERIENCE

Court Interpreter | United States District Court – Western District, Seattle, WA Oct 2013 – Present

- Interpret legal terminology for defendants and/or witnesses within criminal and civil proceedings at King County Superior and District Court, Seattle Municipal Court, and Immigration Court.
- Provide sight translation of pleas, statements, police reports, medical reports, probation reports, sentencing memorandums, letters of support, and other legal documents and forms.
- Serve as Chair of Legal Division of Northwest Translators and Interpreters Society and help coordinate continuing education sessions.

Language Access Services Manager | King County Prosecuting Attorney's Office, Seattle, WA Sep 2019 – Apr 2020

- Fulfilled Spanish staff interpreter needs and coordinated interpreters/ translators for other languages.
- Translated forms and communications into Spanish language to send to witnesses and victims.
- Interpreted legal terminology for victims, families, and witnesses both in court proceedings and at pre-trial meetings for criminal, adult, juvenile, and civil cases.
- Crafted and managed policies, procedures, and fee schedules related to contract interpreters, invoices and contracts.

Certified Interpreter and Translator | Contra Costa Superior Court, Martinez, CA Aug 2008 – Sep 2013

- Interpreted legal information related to criminal, family law, and juvenile cases for defendants, witnesses, attorney/client meetings, and prosecutor meetings with witnesses, victims, and families.
- Translated pleas, statements, and letters of support using court-specific terminology for state of California.
- Participated in Union California Federation of Interpreters to help organize continuing education sessions.

Teaching Assistant | University of California, Los Angeles, CA Sep 2006 – Jun 2007

- Taught various level of Spanish language classes and introduction to linguistic courses attended by 40-100 students.
- Created worksheets, assessment tests, reading comprehension exercises, and graded exams.
- Coordinated TA meetings to discuss curriculum and improvements and create content for daily lessons.

Spanish Teacher (Grades K-8) | St. Timothy School, Los Angeles, CA Oct 2004 – Jun 2006

- Created, structured, and taught Spanish program from scratch for entire school – 120 students.

Translator (English/Spanish) | Englishtown, Shanghai, China Mar 2003 – Jun 2007

- Translated website, educational, and marketing content into Spanish (Spain) and Catalan using proprietary software.

Previous Roles include

English Teacher at Canilx Modern English (China); Airport Office Staff at Iberia Spanish Airlines (Germany); Translator – Italian/Spanish at Sociedad De Desarrollos Postales (Spain); Spanish Teacher at University of St. Andrews (Scotland), and Telecommunication Manager at Olympic Games Organizing Committee Member (Spain).

EDUCATION AND PROFESSIONAL DEVELOPMENT

Federally Certified English/Spanish Court Interpreter, United States District Court

Certified English/Spanish Court Interpreter, State of California, Washington, Delaware and Wyoming

Certified English/Spanish Translator, ATA

Master of Arts, Spanish, University of California, Los Angeles (UCLA)

Bachelor of Arts, Philology, Universidad De Barcelona

April 19th, 2022

Robert Lichtenberg
AOC Language Access Program Coordinator

Dear Robert Lichtenberg:

I would like to express my interest to be considered for the interpreter position in the Washington State Interpreter Commission.

I am a Court Certified Spanish Interpreter in Washington State, and I have been working in the Washington State Courts since 2007. My unique perspective from a multicultural background, skills, and experience while working as an interpreter, are just a few of the assets that I would bring with me into the commission.

Besides wanting to contribute to better interpreter practices in the courts, and add to the improvement of my profession, it is my greatest desire to be a part in creating change to provide equal access to justice for everyone, but specially, to those who face a language barrier in the US Court System.

Please consider my submission for this position.

Sincerely,

Iratxe Cardwell
Washington State Court Certified Spanish Interpreter

IRATXE CARDWELL

1915 106 Dr. SE Lake Stevens, WA 98258 (425) 445-5242 i_cardwell@hotmail.com

Recent Work History:**Washington State Court Certified Spanish Interpreter**

Court Interpreter, 12/2007- present

Simultaneous, consecutive and sight translation and interpretation in a great variety of court settings and hearings. Snohomish County Superior Court criminal and civil trials, Snohomish County District and Municipal courts, King County Courts, Skagit County, Yakima Courts, DSHS dependency cases, Family law matters, attorney client meetings, depositions, traffic court, truancy hearings etc.

VOLUNTEER WORK IN THE JUDICIAL SYSTEM

- In 2018 I volunteered in Dilley, TX for a week in a Federal Family Detention Center working by providing interpretation services to the mothers of the detained families to help them prepare for the CFI for them to be able to claim Asylum in the US.
- In 2021 I participated and presented in a meeting for the Snohomish County Office of Social Justice on language access issues in the court system.
- 2021 Presentation before Snohomish County Superior Court Judges and Commissioners on GR 11.1, GR 11.2, GR11.3, GR11.4
- In 2021 Presentation before Snohomish County District Court Judges on GR 11.1, GR 11.2, GR11.3, GR11.4
- In 2021 I spearheaded an initiative by interpreters to request and increase in compensation in Snohomish County, which included organizing monthly meetings with interpreters. As part of this initiative, I was in contact and met with members of the local government such County Executive and County Council members. I also met and contacted Presiding Judges in both Superior and District Courts, Court Administrators, County Public Defenders Association, Municipal Court Judges, and others. I also participated in the Snohomish County Council Budget meeting advocating and representing interpreters and advocating for equal access to justice for the citizens of the county who do not have English as a first language by having access to interpreters, specially in any kind of court proceeding or setting.
- I currently participate in Snohomish County District Court stakeholder meetings where I give input on issues or concerns that might arise regarding interpreter services, access to justice, or interpreter issues.
- March 2022 presented before the Snohomish County Public Defenders. The presentation included issues like cultural awareness, language access, ways to become a court certified interpreter (for staff who is bilingual and has shown an interest in the profession), nuances related to working with interpreters.
- In March 2022 met with District Court Presiding Judge Jen Rancourt to provide input and insight from an interpreter's perspective on how to approach the "In person" return to court hearings for interpreter's and LEP clients.
- In 2022 I have met with Snohomish County Court Administrators to discuss issues about scheduling, equal access to justice, interpreter dynamics in the courtroom.

- I am currently also participating with King County interpreters, in a similar interpreter initiative to the one that I led in Snohomish County, to improve interpreter compensation where we hold monthly meetings and are organizing a similar approach to contact local government.

OTHER PROFESSIONAL EXPERIENCE NOT RELATED TO THE JUDICIAL SYSTEM

April 2022 Interpretation services for the Minister of Industry, Commerce and Tourist from Spain.

March 2021 Microsoft Ignite International Conference

Live broadcast and simultaneous interpretation for Microsoft for developers and clients.

2018 Simultaneous Interpreting for RootsTech Conference in Salt Lake City, UT

Provided interpretation for presenters during the international genealogy conference.

Simultaneous Interpreting for Microsoft conferences

Bill and Melinda Gates Foundation

Business Development Conference

Microsoft, Redmond WA Localization 3/2011-7/2011

Part of the Spanish localization team for Microsoft

FORMAL EDUCATION

Computer Skills:

MS Office Suite, PowerPoint, Excel, Outlook, QuickBooks.

Certifications:

2012 Written portion of the Federal Court Interpreter exam

Washington State Court Certified Spanish Interpreter 2007

Washington State Certification for Medical / DSHS Interpreter (Spanish)

Language Proficiency:

Fluent and well-accented in English, Spanish, and Basque

Collegiate Education:

AA in Business from LDS Business College, Salt Lake City Utah.

AA in Accounting, Administration and Commerce, Llodio, Spain



110 Prefontaine Pl. S., Suite 610
Seattle, WA 98104
www.defensenet.org

Heather Carroll, President
Christie Hedman, Executive Director

May 13, 2022

Supreme Court Interpreter Commission
c/o Robert Lichtenberg
PO Box 41170
1606 Quince St. SE
Olympia WA 98504-1170

RE: WDA Nomination of Shoshanah Epstein to Interpreter Commission

Dear Mr. Lichtenberg,

I am writing on behalf of the Washington Defender Association (WDA) to nominate Shoshanah Epstein of the Cowlitz County Office of Public Defense to succeed Francis Adewale as a public defense representative on the Supreme Court Interpreter Commission. Ms. Epstein has been a certified ASL interpreter since 1997 and has experience working with an interpreter advisory board in New Mexico. She is excited by the opportunity to serve on the commission in Washington.

Thank you for your consideration. Please let me know if you have any questions or if I may provide you with further information.

Sincerely,

A handwritten signature in black ink that reads 'Christie Hedman'.

Christie Hedman
Executive Director

Shoshanah Epstein
PO Box 961
Ridgefield, WA 98642

I am writing to express my interest in the Washington Supreme Court Interpreter Commission. I have been a certified ASL interpreter since 1997. I completed my interpreting degree at Seattle Central Community College with Lou Fant and Shannon Christy as lead instructors. I interpreted full-time for seven or eight years before trying court interpreting, at that point I began studying law enough to attain the Specialist Certification in Legal interpreting from RID, and that led me to law school. I was awarded the SC:L in 2008 and graduated from the law school at the University of New Mexico in 2009.

I was on the interpreting advisory committee in New Mexico through the Administrative Office of the Courts helping draft Supreme Court rules there. We met regularly and successfully improved standards, encouraging ASL interpreters to seek and attain legal training and certification. Since that time, New Mexico increased the number of ASL court-certified interpreters from two to eight, and the courts started using Deaf interpreters for the first time. We created an in-state pathway to legal training and certification and now there are three tiers of court certification for ASL legal interpreters, accessible and available for Deaf interpreters as well. The courts started using Linda Carroll, a Deaf Interpreter who had court interpreting experience from Boston, which was a wonderful change for access to justice for the Deaf community.

I participated in the online legal interpreter training program at the University of Northern Colorado. This was an excellent opportunity to discuss interpreter ethics and protocols in depth with some of the leading experts nationally. I attended legal interpreting training in Little Rock, Arkansas through their AOC, collaborating with ASL interpreters both hearing and Deaf.

As a bilingual attorney and law student, I worked with UNM's law school to provide NES mock jurors and interpreters for the evidence-trial-practice class so that future attorneys could work with interpreters prior to graduation and interpreters could practice legal interpreting in a safe but realistic setting. Partnering with law school classes and clinics is a great way to give attorneys opportunities to work appropriately with interpreters; to ask questions and get training at the beginning of their careers.

Please let me know if I can be of further assistance, thank you.

Shoshanah Epstein

WSBA # 48956, RID Certified ASL Interpreter- CI, CT, SC:L
(971) 278-3430; Shoshanah.epstein@gmail.com

SHOSHANAH D. EPSTEIN

P.O. Box 961 – Ridgefield, WA 98642

(971) 278-3430

shoshanah.epstein@gmail.com

Senior Defense Attorney, Cowlitz County Office of Public Defense, Longview, WA February 2018 – present

- Represent adults in felony trial matters up to and including class-A strike offenses with a specialty in defending severely mentally ill clients. Mentor, train, and co-counsel less experienced attorneys in the office.

Staff Attorney, CNMI Public Defender Office, Saipan, N. Mariana Islands May 2017 – December 2017

- Represented adults and juveniles charged with misdemeanor and felony crimes on Saipan and Rota in the Commonwealth of the Northern Mariana Islands.

Litigation Attorney, Shoshanah Epstein Law, LLC, Santa Fe, NM December 2015 – April 2017

- Represented clients in New Mexico in criminal, abuse/neglect, civil rights, guardianship, and other proceedings. Child welfare attorney for children and youth in abuse and neglect cases. Assisted families seeking guardianship of children. Criminal defense attorney representing defendants statewide. Mediator and settlement facilitator in state district courts.

Attorney, New Mexico Office of the State Engineer October 2014 – November 2015

- Attorney in the Administrative Litigation Unit (ALU), represented the State in contested litigation regarding water rights at the administrative hearing level and in state district and appellate courts. Represented Water Resource Specialists and worked with state hydrologists to collect and present data for hearings. Negotiated resolutions with water rights claimants. Based in Santa Fe, New Mexico, traveled statewide.

Assistant Trial Attorney, Office of the Third Judicial District Attorney June 2013 – October 2014

- Prosecuted felony trial cases with an emphasis on adult felony violent charges; worked with support staff, advocates, investigators, and senior attorneys to resolve cases in ways that satisfied all stakeholders. Acted as co-counsel and assisted misdemeanor attorneys with trial preparation and presentation.

Assistant Public Defender, New Mexico Office of the Public Defender February 2010 – June 2013

- Defended indigent clients in criminal hearings and trials, wrote and argued motions, tried cases at all levels in both Metro court (misdemeanors) and District court (felonies) in Albuquerque, New Mexico.

Legislative Bill Analyst, New Mexico House of Representatives Judiciary Committee January - February 2010

- Analyzed bills and prepared written reports to all members of the House Judiciary Committee (HJC) on the constitutional, fiscal, and practical implications of proposed legislation in Santa Fe, New Mexico.

Public Interest Law Initiative (PILI) Intern, Equip for Equality, Chicago, IL May - August 2008

- Worked full-time at the Illinois Protection and Advocacy office assisting attorneys in the antidiscrimination and self-determination team advocating for the civil and legal rights of individuals with disabilities. Mentored by Howard Rosenblum, now Chief Executive Officer of the National Association of the Deaf.

Bilingual Work Experience

Certified American Sign Language Interpreter

1997- present

Interpret for Deaf and hearing participants facilitating communication in legal, behavioral health, medical, workplace, and university settings. Certificate of Interpretation, Certificate of Transliteration, and Specialist Certificate in Legal Interpreting from the Registry of Interpreters for the Deaf – RID C.I., C.T., SC:L.

Education

Juris Doctor, *cum laude*

May 2009

University of New Mexico School of Law, Albuquerque, New Mexico. Honor Roll, Constitutional Law Fellow. Fellowship included placements assisting the chambers clerks of Federal Judge James O. Browning, assisting the ACLU of NM with litigation and monitoring of youth detention facilities, working at Pegasus Legal Services for Children in special education federal litigation cases and CLE presentation. Acted as an expert witness with Professor Barbara Bergman on proposed legislation repealing the guilty but mentally ill verdict.

Associates of Applied Science

June 1997

Associates degree in ASL Interpreting from Seattle Central Community College, Seattle, Washington.

Bachelor of Arts

March 1995

Bachelor's degree in Cross-cultural Studies from the Evergreen State College in Olympia, Washington.

First three years of undergraduate education at the University of Chicago in Chicago, Illinois; completed common core curriculum, emphasis on physics, math, biology.

Publications, Presentations, Honors

2009 Julia Raymond McCulloch Memorial Award for Excellence and Interest in the field of Constitutional Law.

2009 Margaret Keiper Dailey Award *for awareness of social problems, concern for people in trouble, and dedication to a professional responsibility to provide equal justice for all.*

Alan M. Goldstein and Shoshanah D. Epstein, *Personality Testing in Employment: Useful Business Tool or Civil Rights Violation?* 24 Labor Lawyer 243 (American Bar Association, Section of Labor and Employment Law, 2008).

Assistant editor and researcher for Amicus Briefs written by James W. Ellis in the Supreme Court of the United States and United States Circuit Courts of Appeals on behalf of the American Association on Intellectual and Developmental Disabilities, 2007-2009.

Bar Admissions and other relevant experience

Admissions: State Bar of New Mexico, 2009, Federal District of New Mexico, 2016. Commonwealth of the Northern Mariana Islands Bar Assoc., 2017, Washington State Bar Association, 2015.

Certified as a mediator, summer 2007 - Volunteer Mediator for Metropolitan Court in Albuquerque, 2007-2009. Family law/Advanced mediation training, February 2009 - Mediation training in Santa Fe, February 2016. Mediator/Settlement facilitator for the First and Thirteenth judicial districts in New Mexico, 2015-2017.

Acted as the Defense representative on the team that formed and ran the Cowlitz County Superior Court Adult Mental Health Court program, 2018 - 2020.

Volunteer trial skills coach for Justice Advocacy Africa online program training litigators in Kenya, 2021.

Language skills include fluency in American Sign Language, some conversational and reading abilities in French and Hebrew, beginner literacy in Spanish.

KHALID KHOSHAL

LYNNWOOD, WA 98036 | 801.688.9167 | KHALID_KHOSHAL@YAHOO.COM

March 30, 2022

Ref: Public Member Representative Position

Dear Robert Lichtenberg,

Please consider this letter of introduction a strong expression of my interest in Public Member Representative Position within the Supreme Court Interpreter Commission.

I would like to take the opportunity to introduce myself. My name is Khalid Khoshal. I have currently been working as a Housing Specialist with the Housing Authority of Snohomish County.

As a former contractor and Utah State employee, I have worked with the Department of Commerce, (State of Utah), Department of Workforce Services, (State of Utah), and Joint Language Training Center (JLTC) at Utah National Guard, (State of Utah) where I was providing linguistic support in the following languages, Farsi, Dari, Pashto, Urdu, and Tajik to the military.

In addition to my professional experiences working in a wide variety of settings, including state agencies and non-profits, as a freelancer, I have been using my multi-lingual skills and experience providing translations/interpretation for over 15 years which includes but not limited to providing language-training courses to U.S. Army, Air Force and worked as a cultural advisor the Special Forces.

With native fluency & extensive knowledge of code of ethics, colloquialism, regionalisms in the target languages, I have a great deal of respect for and understanding of culture, dialect, beliefs and preferences as it relates to legal/medical care. In fact, and have been a voice for people who need help communicating and bridging language barriers in culturally appropriate ways.

In additional to my resume, I attached a skill summary sheet outlining my linguistic experience.

I am sure that you require people who can be trusted to carry out their responsibilities with minimal supervision and I would bring the technical and analytical skills necessary to get the job done.

I consistently maintain the high level of service, and as the occasion demands, I am able to re-prioritize my work to adjust to circumstances.

My multi-lingual skills as well as my experience in translation, transcription, and determining eligibility for Welfare programs, support of military, law enforcements, coupled with my professionalism, reliability, and my multilingual skills will undoubtedly contribute to Supreme Court Interpreter Commission's mission and its increasing diverse clients.

I'm looking forward to hearing from you, and appreciate your time and consideration of my interest.

Sincerely,

Khalid Khoshal

KHALID KHOSHAL

LYNNWOOD, WA 98036 | 801.688.9167 | KHALID_KHOSHAL@YAHOO.COM

Language Navigator/Support Specialist

Self-motivated professional with strong organizational and communication skills. Collaborates cross-functionally to build consensus with individuals at all levels of an organization. Forges partnerships with key stakeholders to develop effective business strategies. Provides comprehensive administrative support by managing calendars, planning, and coordinating complex domestic and international travel itineraries, and reconciling expenses. Comfortable working in ever-changing environments, with the ability to work well in high pressure situations, and ensures compliance with administrative operations policies and procedures. Proficient in Microsoft Office software (Word, PowerPoint, Outlook, advanced Excel) and internal tools. Provides multilingual support and fluency in Farsi, Dari, Pashto, Urdu, Tajik, and English.

CORE PROFICIENCIES

- Administrative Skills
- Customer Service
- Strong Planning Skills
- Organizational Skills
- Cultural Awareness
- Calendar Management
- Policy Development
- Program Development
- Program Management
- Team Leadership & Team Building
- Strong Analytical Skills
- Travel Coordination
- Budget Management
- Strategic Planning
- Regulatory Compliance
- Training & Mentoring
- Team Support
- Written & Verbal Communication

KEY SKILLS ASSESSMENT

- Cultivated relationships with clients through exemplary service and relationship building.
- Facilitated team meetings to communicate important information.
- Interpreted and analyzed reports, trends, and quantitative data to support critical decision making for future strategies.
- Orchestrated bottom-line factors affecting daily operations including staff coordination, staff development, program development, quality control, conflict management, and customer relations.
- Enforced and complied with an organization's policies / procedures and local / state / federal regulations.
- Organized, managed, and performed administrative functions by maintaining precise and accurate records, analyzing and processing documents in a timely manner, and drafting / submitting clear reports to meet critical deadlines.
- Worked closely with individuals from various social, cultural, and economic populations.
- Exhibited attention to accuracy, timeliness, conflict resolution, and alignment to the business's priorities by providing in-depth administrative support.

PROFESSIONAL HISTORY

HOUSING AUTHORITY OF SNOHOMISH COUNTY (HASCO) | WA

3/2019 – Present

Housing Specialist

Prepare leases and contracts, as well as other documents in a timely manner. Conduct client intakes, addresses inquiries, and resolves conflicts. Analyze client income to determine rent. Process rent adjustments to guarantee adequate notice to tenants and property owners. Cultivate long-term, positive relationships with a diverse group of individuals. Coordinate the involvement of tenants and landlords for Section 8 program, including inspections, lease negotiations, renewals, document execution, tenant/landlord disputes, and tenancy terminations.

Accomplishments:

- Respected for excellent communication skills and consistently meeting or surpassing HASCO's performance standards.
- Relayed technical information to program participants in an accessible and simplified manner. Explains complex HUD policies clearly and concisely to a broad range of clients, and gains trust by collaborating with clients to stay compliance with the program.
- Contributed to brainstorming sessions and meetings to identify solutions for process improvements.

JOINT LANGUAGE TRAINING CENTER @ UTAH NATIONAL GUARD | UT**8/2012 – 2/2019****Language Support Specialist / Intelligence Analyst / DOMEX Analyst**

Managed missions by creating operation orders, assessed orders to determine level of, support, analyzed findings, established Priority Intelligence Report based on findings, and set deadlines to produce and deliver final products. Communicated regular updates to the team chief regarding progress of the mission and held daily briefings on mission progress. Submitted weekly updates to the team and conducted quality control. Provided intelligence analysis and produced thousands of pages of court-ready transcripts. Reported findings from the analysis of all investigative material on a daily basis. Provided gist, extracts, full and verbatim translations of audio and written material.

Accomplishments:

- Maintained comprehensive knowledge of the language, culture, history, religion, and politics of various Mideastern countries to work with a diverse group of individuals from various backgrounds, cultures, religious and political affiliations.

DEPT OF COMMERCE / DEPT OF WORKFORCE SERVICES, STATE OF UTAH | UT**3/2007 – 8/2012****Eligibility / Office Specialist**

Cultivated positive relationships with clients. Conducted clients need assessments and determined eligibility for programs such as Medicaid, Food Stamps, Financial Assistance, Medicaid, and Child Care Assistance. Processed emergency requests. Educated a diverse group of clients on policies and procedures, responsibilities, benefits, and services. Worked with employers to update training information, verify employment, and manage large caseloads. Ensured Caseworkers complied with federal and state law and agency guidelines. Provided comprehensive administrative support including reviews data, records and files for detail and accuracy. Researched and compiled documents and maintained computerized evidence tracking.

Accomplishments:

- Respected by the Team Chief for delivering strong work ethic, professionalism, integrity, dedication, and excellent contributions to the mission of the organization.
- Served as a consummate team player to quickly and accurately complete work in a high quality and timely manner.

COMPLEMENTARY EXPERIENCE**PART-TIME FREELANCER****3/2014 – 3/2019**

- Provided language training courses to U.S. Army and Air Force, collaborating as a cultural advisor/role player/interpreter with the Special Forces.
- Prepared audio transcriptions and triage summaries for Deputy District Attorneys, and delivered medical interpretation and translations.

EDUCATION AND CREDENTIALS**American Public University | Bachelor of Arts in International relations and Conflict Resolution | 2021****Certificate**

- Bing Ads Accredited Certificate

Awards and Honors

- Achievement Medal for Civilian Service
- Numerous Letters of Recommendation, Award Letter, and Letters of Appreciation

TECHNICAL SKILLS

File Vision | Acranet | The Work Number | INTELLA | PENLINK | Electronic Imaging Filing System (efind) | Microsoft Office Suite (Word, Excel, PowerPoint, Outlook)

CAREER HIGHLIGHT SUMMARY

Knowledge, Qualifications, and Experience relative to Telephonic Interpretation Services

Name & Title

- Name: **Khalid Khoshal**
- Phone: 801-688-9167
- Email: Khalid_khoshal@yahoo.com

Linguistic Proficiency & Certification

- Native skills in Pashto and Dari
- Second language fluency in English
- Dari/Pashto Certification and public Trust Clearance to provide telephonic interpretation to USCIS
- Professional working proficiency and Defense Language Proficiency Test (DLPT) certification:
 - Pashto DLPT: 3/3
 - Dari DLPT: 3/3

Professional Translation and Interpretation (T&I) Experience

- Over six years (2012-2019) as a multilingual Translator/Interpreter and Intelligence Analyst with the Joint Language Training Center (JLTC) and Utah National Guard (UTNG)
 - **Language Support Specialist**
 - Provided gists, extracts, verbatim, and full translations of audio and written material
 - Produced thousands of pages of court-ready transcripts

Freelance & Pro Bono Experience

- Provided over 11,166 minutes telephonic interpretations to Certified Languages International
- Provided transitions for King County COVID Language Access
- Provided language training to U.S. Army and Air Force personnel between with
- Served as role player/interpreter/cultural adviser with U.S. Army Special Forces
- Prepared audio transcriptions and triage summaries for Deputy District Attorney's Office
- Provided medical interpretation to clients with Pentkiff interpretation services

Experience/Knowledge/Skills/Abilities:

- Extensive knowledge of code of ethics and standards plus knowledge of colloquialism, regionalisms and code words in the target languages
- Familiarity with the medical profession and its privacy laws and maintaining patient confidentiality at all times (HIPAA) as well as other state and federal laws applied to medical interpreting.
- Experience in culturally sensitive translations/interpretations, cultural awareness and competency
- Annual Medicaid fraud, waste, and abuse prevention certification

Michelle Lynn Hunsinger de Enciso
1735 116th St. S.
Tacoma, WA 98444

April 13, 2022

Attn: Mr. Robert Lichtenberg
Supreme Court Interpreter Commission
P.O. Box 41170
1206 Quince St. SE
Olympia, WA 98504-1170

Dear Mr. Robert Lichtenberg:

I am pleased to submit my résumé for consideration for the public member representative position on the Washington State Supreme Court Interpreter Commission. My professional experience will reflect that I have close to 20 years of experience providing direct advocacy for limited- or non-English proficient individuals. In addition, my current position in the King County Prosecuting Attorney's Office requires me to facilitate access to court processes via interpreter or bilingual services on a regular basis. Most importantly, I am passionate about working to eliminate the systemic barriers that result in the limited accessibility of services available to individuals who rely upon interpreter services. I would be pleased to have the opportunity to utilize my experience to help create meaningful language access policies to benefit court users across Washington state who have limited English proficiency and hearing loss.

Before coming to work at King Co. Superior Court in 2018, I gained managerial experience as the Shelter Director for LifeWire, one of King County's largest domestic violence service agencies. As Shelter Director, one of my priorities was making our program accessible to diverse populations. During my tenure managing the program, we went from being a program that rarely requested interpreters to having anywhere from 2 to 6 out of the 10 families we housed at any given time utilizing interpreter services. At LifeWire, I was also one of the key staff participants in the Multilingual Access Model (MLAM) workgroup, a project developed to increase the agency's capacity to respond to the needs of underserved survivors. I took the lead on writing the United Way New Solutions grant proposal that was successfully funded to implement the project.

You will see that my résumé also reflects extensive prior experience working in organizations that specifically target, attract and recruit members of multi-cultural populations. I have over nineteen years of experience providing direct client services to survivors of domestic violence and, for most of that time, those services were focused on supporting limited- or non-English proficient survivors. As the Domestic Violence Program Manager at Consejo Counseling and Referral Service, I oversaw all of the agency's domestic and sexual assault programs, which were primarily targeted to the non-English speaking immigrant Hispanic community.

Please find attached a copy of my résumé. If you have any further questions, I can be reached at (360) 789-5952. I look forward to speaking with you to discuss how my experience could help the Washington State Court Interpreter Commission continue to promote meaningful language access for court users with limited English proficiency and hearing loss. Thank you for your time and consideration.

Sincerely,



Michelle Lynn Hunsinger de Enciso

1735 116th St. S., Tacoma, WA 98444

360.789.5952

chellehunsinger@gmail.com

OBJECTIVE

To obtain a position as a public member representative on the Washington Supreme Court's Interpreter Commission, where my extensive experience advocating for limited English proficient individuals can make a meaningful contribution to the development of equitable language access policies

SUMMARY OF QUALIFICATIONS

- Over 19 years' experience providing one-on-one, survivor-centered advocacy, legal advocacy, safety planning and crisis intervention to domestic violence and sexual assault survivors.
- Specialized experience providing individual and systems advocacy on behalf of limited-English proficient, immigrant Latinx survivors.
- Over 3 years' managerial experience of a confidential, residential domestic violence shelter program.
- Managerial experience of a culturally-specific Latino domestic violence/sexual assault program.
- Extensive experience conducting training presentations in both English and Spanish.
- Excellent verbal and written communication skills.
- State certified Spanish social services interpreter.
- Personal experience living abroad as an immigrant in a marginalized slum community.

PROFESSIONAL EXPERIENCE

King County Prosecuting Attorney's Office, Protection Order Advocacy Program, Kent, WA

Victim Advocate, June 11, 2018- present

- Conduct interviews with petitioners to determine statutory eligibility for protective orders
- Provide support and assistance in completing documents required to file, renew, modify and terminate DV Protection Orders against current or former intimate partners
- Extensive support completing paperwork and accompaniment interacting with court personnel in cases involving non-English speaking Petitioners
- Provide information, education and instructions regarding court procedures in DV Protection Order cases
- Provide referrals to civil legal partner organizations for support outside the scope of the POAP program
- Prepare proposed orders and prep Petitioners prior to return hearings
- Staff phone line with a high-volume of assistance calls

Carolyn Hunsinger, Rainier, WA

Individual Provider, August 2017-January 2018

- Provided personal caretaker services to a parent with Alzheimer's disease, including assistance with Activities of Daily Living (ADLs) and essential transportation

Instituto Thomas Jefferson, Querétaro, Querétaro, México

English Teacher, January 2017-July 2017

- Planned English lessons to meet curriculum standards
- Prepared English classroom and coursework materials, homework assignments, and handouts
- Selected/integrated appropriate instructional materials for classroom instruction
- Evaluated the students' class work and assignments

Universidad Aeronáutica en Querétaro, Colón, Querétaro, México

English Teacher, May 2016-December 2016

- Developed curriculum, lesson plans, quizzes and exams necessary to teach assigned grammatical content
- Delivered lessons to assigned student groups.
- Assessed and monitored student progress through the evaluation of oral and written instruments.

Berlitz de México S.A. de C.V., Santiago de Querétaro, Querétaro, México

English Teacher, April 2015-April 2016

- Planned, prepared and delivered lessons to classes.
- Taught small groups and individual private students.

Transformación Urbana Internacional, Chimalhuacán, Edo de México, México**Executive Assistant**, August 2012-April 2015

- Assisted the Executive Director with his correspondence, schedule coordination and itinerary logistics.
- Assisted the Executive Director in the implementation and management of a communications strategy.
- Maintained websites and social networking sites in both English and Spanish.
- Created communications, quarterly newsletter, appeal letters, annual reports, etc., in English and Spanish.
- Elaboration of grant proposals in English and Spanish.
- Ensured compliance with reporting requirements for funders and donors.

LifeWire, Bellevue, WA**Social Change Director**, May 2012-June 2012

- Coordinated social change strategy implementation.
- According to annual social change strategy, planned and implemented community engagement projects.
- Wrote and maintained training curriculums for various audiences according to current relevant research and the social change strategy.
- Facilitated training for relevant staff regarding messaging, public speaking and training curriculums

Shelter Director, September 2008-April 2012

- Responsible for contract management and compliance of all program contracts for agency's emergency shelter and hotel voucher programs.
- Oversaw and managed services to address the rights and needs of highly diverse shelter and hotel residents.
- Assisted in identifying, implementing and coordinating services/activities in order to meet resident needs.
- Supervised, trained and mentored assigned staff, interns and volunteers.

Consejo Counseling & Referral Service, Seattle, WA**Domestic Violence Program Manager**, January 2007-August 2008

- Oversaw and managed services which address the rights and needs of primarily Spanish-language domestic violence, sexual assault and crime victim clients.
- Oversaw and managed a wide range of agency support programs including, but not limited to domestic violence community and legal advocacy, sexual assault, transitional housing, teen advocacy, batterers' treatment, crime victims' services, etc. specifically targeted to Spanish-language clients.
- Assisted in identifying, implementing and coordinating services/activities in order to meet client needs.
- Supervised, trained and mentored assigned staff, interns and volunteers.
- Conducted community outreach and educational presentations in both Spanish and English.
- Conducted DV/SA training, education and workshops in both Spanish and English.

Domestic Abuse Women's Network, Tukwila, WA**Latina Program Community Advocate**, June 2005-December 2006

- Performed individual advocacy with Spanish-speaking domestic and sexual violence survivors.
- Provided systems-based advocacy for immigrant survivors with cultural and language barriers.
- Interpreted and translated for Spanish-speaking domestic and sexual violence survivors.
- Transcribed clients' verbal Spanish domestic violence declarations into English.
- Translated corroborative written Spanish witness declarations into English.
- Court accompaniment, including explanation and preparation for hearings and explanation of processes.
- Co-facilitated Spanish-speaking domestic and sexual violence survivors support group.
- Improved and expanded Spanish Domestic Violence/Sexual Assault Advocacy Training from 30 hours annually to 50 hour bi-annually and implement enhanced training courses.
- Conducted educational domestic violence presentations in Spanish for Hispanic/Latino community.
- Developed and conducted annual Spanish Domestic Violence Training for clergy and religious leaders.

Eastside Domestic Violence Program, Bellevue, WA**Shelter Advocate**, February 2005-June 2005

- Provided case advocacy, crisis intervention, conflict resolution and skill building for domestic and sexual violence survivors in apartments, hotel and crisis line.
- Facilitated Support groups, Education groups, and House meetings with residents.
- Provided culturally appropriate services and referrals to shelter residents as needed.

Crisis Line Advocate, Data Coordinator August 2004-January 2005

- Provided crisis line advocacy, emotional support, and referrals to callers during business hours.
- Provided education and information to callers about domestic violence.
- Prepared quarterly demographic reports in compliance with contracts.
- Prepared statistical, summary reports, and contract progress reports as needed.

Law Office of Betsy Rodriguez Silva, Tacoma, WA***Legal Assistant***, October 2002-August 2004

- Performed client intake screening, assessed client eligibility based on likelihood of successful claim outcome for primarily Spanish-speaking clients.
- Acted as attorney's liaison with claims managers, vocational counselors, judges, other attorneys, and Spanish-speaking clients
- Communicated with Spanish-speaking clients throughout the length of claim to obtain information vital to handling of claim

Centro Latino SER, Tacoma, WA***Domestic Violence Advocate/Community Outreach Worker***, January 2001-October 2002

- Performed individual advocacy with Spanish-speaking domestic and sexual violence survivors.
- Provided systems-based advocacy for immigrant survivors with cultural and language barriers, to ensure access to services within other agencies.
- Interpreted and translated for Spanish-speaking domestic and sexual violence survivors.
- Facilitated Spanish-speaking survivors' education about community resources and provided referrals.
- Created, implemented and facilitated Spanish-speaking domestic and sexual violence survivors' support group.
- Developed, coordinated and conducted 30 hour Spanish Domestic Violence/Sexual Assault Advocacy Training.

Family Support Worker/Domestic Violence Specialist, October 1997-December 2000

- Conducted home visits and coordinated support for Spanish-speaking families in need.
- Provided Spanish-language home-based skill-building in parenting, health promotion, and child development.
- Advocated for families within other community agencies and programs.
- Provided crisis intervention and emergency stabilization to Spanish-speaking clients as necessary.
- Interpreted and translated for Spanish-speaking client families.
- Created, implemented and facilitated Spanish-speaking women's support group.

English as a Second Language Instructor, August 1997-October 1997

- Researched appropriate curriculum materials.
- Designed and developed lesson plans.
- Provided classroom supervision and instruction.
- Assessed student progress and maintained student records.
- Supervision of volunteer instructors.

EDUCATION**Bachelor of Arts, Cum Laude**, in Spanish Language and Literature

University of Puget Sound, Tacoma, WA, December 1997

LANGUAGES

English, Native proficiency

Spanish, Advanced verbal and written proficiency

COMPUTER PROFICIENCIES

MS Word, MS Excel, PowerPoint, Adobe Acrobat Pro, Outlook, KC Script, JABs, PbK, PeopleSoft

Commissions, Boards, and Committees Self-Assessment Questions

- 1) *Please provide your Equal Justice Vision Statement and Core Values around Inclusion, Diversity and Cross-Difference Competence, as developed by your entity.*
- 2) *How, why and when was your entity established?*
- 3) *What is important/effective about the current structure of your entity?*
- 4) *What hampers functioning effectively?*
- 5) *What improvements are needed to utilize time and resources to maximize impact?*
- 6) *What vision/recommendations do you have for an appropriate model or structure?*
- 7) *Which areas of your work overlap the work done by other Boards/Commissions?*
- 8) *To what extent, if any, does your entity engage in the following roles and functions (describe briefly):*
 - a) *Education, Training, and Prevention (please describe what, who and how often).*
 - b) *Research and Development (please describe)*
 - c) *Communication, Coordination and Collaboration*
 - d) *Identification of Critical and Emerging Issues (please describe)*
 - e) *Best Practices and Innovation*
 - f) *Accountability and Oversight*
 - g) *Strategic Planning*

Commissions, Boards, and Committees Self-Assessment Questions

1) *Please provide your Equal Justice Vision Statement and Core Values around Inclusion, Diversity and Cross-Difference Competence, as developed by your entity.*

The following values were identified at the Interpreter Commission strategic planning session held in 2007:

- Equal Access – provide opportunities for language assistance so litigants can fully participate in the court process.
- Fairness – eliminate language-based advantages and disadvantages in the court setting.
- Effective Communication and Understanding – assure that language assistance leads to common understanding about what is happening in court among all participants.
- Due Process – assure consistent processes for all litigants regardless of their language.
- Timeliness – eliminate delays in case processing attributable to language assistance needs.
- Professionalism – employ skilled, well-trained, neutral language assistance staff who are respectful to those who come before the court.
- Collaboration – share a common purpose and vision among all court actors, and respect the important role interpreters play in the delivery of justice.
- Integrity – promote trust and confidence in the courts and justice system.

2) *How, why and when was your entity established?*

The Washington courts began efforts to improve legal interpretation in the mid-1980's. In 1985, the Supreme Court appointed the Court Interpreter Task Force, a statewide committee of judges, attorneys, court administrators and others. The Task Force met for two years and produced two reports that established Washington's urgent need for an education and certification program for court interpreters, and drafted proposed amendments to the Court Interpreter Act to establish a certification program.

After the amendments to the Court Interpreter Act passed in 1989 creating the court interpreter program, the Supreme Court appointed the Court Interpreter Advisory Committee to advise the program and formulate education, testing, and other policies. In 2005 the Court Interpreter Advisory Committee changed its structure, becoming the Interpreter Commission. It became established in rule, reduced the number of members, and limited its scope of authority over the court interpreter program.

3) *What is important/effective about the current structure of your entity?*

- The Interpreter Commission includes members representing different stakeholder groups, leading to robust discussion and sound decision-making. This also helps in promoting interpreter issues within each of their representative communities.
- The Interpreter Commission has authority over the policies guiding the court interpreter program, which tests, trains and credentials certified and registered interpreters. Commission members become experts in this very unique field, and adapt policy to meet the changing needs and demands of the court interpreter program. Without the Commission, policy changes would likely go through some other judicial committee which lacks the expertise and experience of the Interpreter Commission members.
- The Disciplinary Committee makes the decisions as to revocation or suspension of interpreter credentials. This allows staff to maintain a neutral working relationship with interpreters without having to make such judgments.

4) *What hampers functioning effectively?*

As a regulatory body, the Interpreter Commission functions very effectively. However, the focus is specifically on regulation of court interpreter services, and the Commission could expand its scope by identifying other ways to eliminate barriers to justice caused by court customers' inability to communicate in English.

5) *What improvements are needed to utilize time and resources to maximize impact?*

The Interpreter Commission's impact is limited due to funding. The Commission's funding comes from the same source as the testing and training of court interpreters. Therefore, the Commission operates on a shoe-string budget in order to preserve more funding for testing and training interpreters.

The Interpreter Commission lacks technological expertise. Even in the interpreting realm, technology is beginning to have more of an impact on the scheduling and delivery of interpreter services. Staff and members do not have the expertise needed to assess current technological possibilities, and provide advice to courts that are interested in such products.

6) *What vision/recommendations do you have for an appropriate model or structure?*

Creation of a new committee (I'll use "Diversity Committee" for lack of a better name) which services as a communication and collaboration clearinghouse for the diversity-related boards and commissions. Either the chair of each board/commission or his/her designee would serve on this group along with the board/commission staff person. This Diversity Committee would have its own chair and staff person as well.

The Diversity Committee would meet on a regular basis, perhaps bimonthly or quarterly. Members would not only inform each other of the accomplishments in

each representative board/commission, but also identify collaborations which better utilize time, resources and expertise to develop projects, educational events, tools and resources to improve access to justice in Washington Courts.

The Diversity Committee should also include at least one member from the Judicial Education Unit at the AOC, so that a systematic approach is taken towards identification of and selection of diversity related programming for judicial and court manager educational events.

7) *Which areas of your work overlap the work done by other Boards/Commissions?*

The primary focus of the Interpreter Commission has been on regulation of the court interpreter credentialing program, and education on interpreter matters. Crossover tends to occur when other groups address issues such as cultural and ethnic diversity, particularly for non-English speakers. Cultural and language barriers are inseparable topics.

8) *To what extent, if any, does your entity engage in the following roles and functions (describe briefly):*

a) *Education, Training, and Prevention (please describe what, who and how often).*

- Regular training for court interpreters. A minimum of five training events occur annually.
- Regular sessions on effectively working with interpreters at the Judicial College and the Institute for New Court Employees.
- On a somewhat regular basis, presentations are given at judicial and court manager conferences. Session submissions are made regularly, yet are not always selected by the educational event planning committees.
- Staff and Commission members also deliver trainings as requested to attorneys and the broader legal community.

b) *Research and Development (please describe)*

Statistics are maintained and evaluated regarding non-English language usage in the courts, and their frequency in relation to the languages accredited by the court interpreter program.

Statistics are also maintained and evaluated regarding the testing instruments used by the court interpreter program for the credentialing of certified and registered interpreters.

c) *Communication, Coordination and Collaboration*

Communication, coordination and collaboration with other boards and commissions do not occur on a regular basis, but rather arise in an ad hoc

manner. One very successful example was the Gender & Justice Commission's delivery of domestic violence training to court interpreters in multiple areas around the state.

d) Identification of Critical and Emerging Issues (please describe)

The Interpreter Commission works with staff to continually address its requirements for interpreter credentialing, analyze improvements (or lack thereof) in performance, and identify ways to promote greater improvements to quality in interpretation.

e) Best Practices and Innovation

The Interpreter Commission developed standards for the qualification of state reimbursement funds, and those standards emphasized multi-court collaboration and development of best practices in the hiring, paying, and scheduling of interpreters. As a result, some of the funding recipients have made great improvements to their awareness of interpreter issues, allocation of funding resources, and commitment to improving the quality of interpretation.

f) Accountability and Oversight

Rule 11.1 establishes the Interpreter Commission and prescribes its activities. The Interpreter Commission is chaired by Justice Susan Owens, who updates the Supreme Court and BJA on Commission activities.

g) Strategic Planning

The most recent strategic planning session occurred in 2007. That year marked a pivotal change in court interpreter services, because the legislature provided money for the development of language assistance plans and the reimbursement of interpreter expenses. Statutory language also obligated all Washington courts to develop language assistance plans regardless of their interpreting demands.

Interpreter Program Strategic Priorities Implementation Report Card September 2007-June 2022

Establish Interpreter Services LAPs and Reimbursement Program		
<u>Project Purposes</u>	<u>Implementation Activities</u>	<u>AOC Staff Notes</u>
<ol style="list-style-type: none"> 1. Establish contracts to support continued and increased state funding of trial court interpreter services. 2. Provide incentives to courts for innovation and implementation of best practices in provision of interpreter services. 3. Create service models that can be replicated in jurisdictions around the state. 4. Generate widespread awareness of interpreter service best practices and how they can be implemented in a range of court settings. 5. Document how to innovate successfully in a range of court settings. 6. Cultivate models for collaborative effort across multiple courts within a county or region. 7. Expand service provision networks to include groups throughout the community. 8. Identify and address gaps in service provision. 9. Develop predictable, consistent scheduling and payment policies and practices. 10. Implement data collection, analysis, and reporting mechanisms. 	<ol style="list-style-type: none"> 1. Distribute LAP Plan and LAP template to trial courts. 2. Distribute Interpreter Services Funding Application to trial courts. 3. Assist local jurisdictions – including clusters of courts – to complete LAP’s. 4. Assist applicant jurisdictions – including clusters of courts – to complete and submit funding applications. 5. Create AOC process for reviewing / approving LAP’s. 6. Create AOC process for reviewing interpreter funding applications. 7. Create an evaluation plan for initial implementation sites and identify what data will be collected via the interpreter invoicing / payment process. 8. Create uniform interpreter invoice, invoicing and payment process for courts in reimbursement program, including process for reimbursing. 9. Create an interpreter database to be populated by interpreter invoice data, and identify what reports will be generated from the database. 10. Create regular reporting process 11. Approve funding applicant LAP’s. 12. Identify and address the policy issues raised by establishment of the existing reimbursement participant courts. 13. Identify and involve stakeholder groups in local communities to support implementing and expanding local resources. 14. Determine how to assess gaps in interpreter services across jurisdictions and language access features. 15. Implement state-level LAP enhancements (forms translation, signage, etc.). 	<p>5. Few “innovations” reported</p> <p>6. There is little collaboration across courts in a county or region.</p> <p>8-10/15-18: This needs to be reviewed in light of the long-term buildout of language access services beyond interpreting per se under the revised GR 11.1</p>

Assess Interpreter Services LAPs and Reimbursement Program Outcomes		
<u>Project Purposes</u>	<u>Implementation Activities</u>	<u>Staff Notes</u>
	<ul style="list-style-type: none"> 16. Develop application process for LAP implementation funds. 17. Develop AOC review process for LAP funding applications and distribute LAP funds. 18. Develop reporting / monitoring process for LAP funding recipients. 19. Develop and monitor work plans and timelines for establishing and supporting LAP implementation 20. Educate courts and court stakeholders about the role, purpose and mechanics of the LAPs and their relation to the long-range plan for solidifying and increasing state funding of interpreter services. 21. Assist initial implementation sites to identify, design and implement innovations and best practices in interpreter service provision. 22. Identify strategies to optimize partnerships and collaboration between AOC, the Interpreter Commission and trial courts to enhance the effectiveness of the reimbursement program. 23. Develop relevant criteria and implement application process for interpreter services funds 24. Select additional funding implementation sites 25. All courts report to AOC the amount spent on interpreter services and non-participating courts should submit LAPs annually 26. Review / assess / refine AOC interpreter certification / registration testing policies and procedures to support certification and registration of greater numbers of interpreters, especially in needed languages in trial courts. 	<ul style="list-style-type: none"> 25. Limited AOC involvement; RCW silent; Only courts in reimbursement program have a legal requirement to do so consistently

Establish Data Collection, Analysis, and Reporting		
<u>Project Purposes</u>	<u>Implementation Activities</u>	<u>Staff Notes</u>
<ol style="list-style-type: none"> 1. Develop consistent and accurate statewide data regarding interpreter demand, interpreter availability / skill levels, and interpreter usage and costs. 2. Develop means to measure and assess the impact of state funding and best practices implementation. 3. Develop reliable and consistent performance measures for interpreter service provision and user satisfaction. 4. Develop accurate and reliable models for forecasting demand for interpreter services. 	<ol style="list-style-type: none"> 1. Collect and analyze interpreter cost data 2. Establish reliable data collection, analysis and reporting process for interpreter services funding. 3. Identify and pursue possible ways of capturing consistent interpreter data through the new statewide Case Management System (CMS), and determine what data can reliably and consistently be captured via the CMS. 4. Lay the groundwork for collection of uniform statewide interpreter cost and usage data by all trial courts, including, e.g.: <ol style="list-style-type: none"> 1. Language 2. Interpreter Identification Number 3. Case File No. 4. Payment Rate 5. Time (In and Out) 6. Telephone Interpreting Time 7. Travel / Mileage 8. Whether Reimbursed with State Funds 9. Hearing Type 10. Participant Type 5. Create automated scheduling systems that can be utilized regionally and by all levels of court. 6. Develop standard measures of cost, time and other measures of input, output and outcome. 7. Develop caseload and workload assessment tools. 8. Assessment device created by AOC Research Department. 9. U.S. Census, OSPI, and reported Cost Data/Usage to monitor language access needs. 	<p>This is an internal AOC issue as court administrators are not onboard with additional data reporting thru a common reporting format. Each court has their own data capture application.</p> <p>5. King County muni and a few district courts</p>

Develop Language and Interpreter Service Resource Networks		
<u>Project Purposes</u>	<u>Implementation Activities</u>	<u>Staff Notes</u>
<ol style="list-style-type: none"> 1. Build statewide infrastructure to support enhanced interpreter service provision 2. Significantly expand interpreter service resources statewide. 3. Establish courts as the hub of an effective and multi-partner statewide interpreter resource network. 	<ol style="list-style-type: none"> 1. Create translation standards and translator skill qualifications for translating AOC pattern forms. 2. Translate AOC pattern forms for use by trial courts, with language priority determined by demographic needs statewide. 3. Post local trial courts' bilingual forms on AOC's Web site for use by other trial courts. 4. Post the statewide Limited English Proficiency (LEP) plan on AOC's Web site. 5. Post local trial court LAP plans on AOC's Web site. 6. Post local trial court interpreter policies on AOC's Web site. 7. Establish and maintain interpreter inventories – including certified, registered, and other categories. 8. Create standardized payment policies and procedures and post on AOC's Web site. 9. Create a mentoring program for newly credentialed interpreters. 10. Create additional partnerships with private and public entities to provide continuing educational training for credentialed interpreters, judges, court managers, and staff as well as law enforcement. 11. Identify actual and potential interpreter program stakeholder agencies and groups, justice and community partners, etc. and do outreach to enlist their participation in the interpreter resource network. 12. Develop plan and framework for courts to be responsible for sustaining the network – coordinating participation by justice and community partners, training, mentoring, and providing scheduling systems. 13. Develop plan and schedule for interpreter policy forums. 14. Document and promulgate interpreter service best practices. 	<ol style="list-style-type: none"> 2. Limited languages available 3. Not done 4. AOC does not have its own.

Implement Career and Workforce Development Programs		
<u>Project Purposes</u>	<u>Implementation Activities</u>	<u>Staff Notes</u>
<ol style="list-style-type: none"> 1. Develop a well-trained, qualified interpreter and language assistance workforce of sufficient numbers and in needed languages. 2. Develop a reliable means to forecast interpreter demand and a reliable process to cultivate an interpreter workforce to meet that demand. 	<ol style="list-style-type: none"> 1. Identify and implement interpreter and language service approaches that can accommodate a variety of staffing patterns, including: <ol style="list-style-type: none"> a. Use of FT and PT court staff; b. Sharing of personnel with other justice and human service agencies; c. Contract interpreters; d. Contracts with private agency providers; e. Cross-court agreements within a jurisdiction; f. Regional labor pools. 2. Identify improvements to interpreter scheduling practices to minimize interpreter down time. Work with trial courts to develop best practices for utilization of court interpreters' time. 3. Develop and implement consistent and predictable interpreter invoice and payment policies, practices and processes. 4. Increase the use of technology based tools. AOC will establish data collection, billing, invoicing via the JIS, CMS, or other electronic means. 5. Explore and develop ways to better integrate interpreter and language specialists into the culture of the courts. 6. Develop and implement a plan to better integrate interpreters and language specialists into the culture of the courts. 7. Increase the status and appreciation of interpreters and language service providers within the court and justice communities. AOC's Interpreter Program will provide training at judicial, court administrators and court clerks' educational conferences. 8. Work with educational institutions to establish interpreter career paths and training programs. E.g. – work with high schools and community colleges to develop court interpreter training programs. 9. Develop and implement a plan for outreach and linking to non-English language communities. 10. Develop and implement a plan to partner with NOTIS, ATA, NAJIT and WASCLA to increase the awareness of the need for interpreters as well as the value of being a credentialed court interpreter. 11. Develop and implement a plan to increase the use of technology-based tools – e.g. for interpreter scheduling, invoicing / payment, etc. 	<p>5-6: Cultural competency advice is not seen as a role for an interpreter</p> <p>7. Needs a formal working group.</p>

Implement Career and Workforce Development Programs		
<u>Project Purposes</u>	<u>Implementation Activities</u>	<u>Staff Notes</u>
<ol style="list-style-type: none"> 1. Develop a well-trained, qualified interpreter and language assistance workforce of sufficient numbers and in needed languages. 2. Develop a reliable means to forecast interpreter demand and a reliable process to cultivate an interpreter workforce to meet that demand. 	<ol style="list-style-type: none"> 12. Work to increase the status, recognition and appreciation of interpreters and language service providers within the court and justice communities. 13. Explore and develop interpreter certification, registration and certification / registration training programs that move beyond current approaches that are largely written-language-proficiency based. 14. Develop and implement training programs that support interpreter and language specialists' knowledge and skills in addition to language-specific skills – e.g.: <ol style="list-style-type: none"> a. How courts work; b. Business practices and time management. 15. Coordinate with public and private vendors who already provide this type of training. Enhance existing training programs such as the AOC Introduction to Interpreting class and the Written Exam Orientation. 16. Develop and implement comprehensive interpreter mentoring programs. E.g. – assign a "senior" interpreter to a new credentialed interpreter. 17. Review / assess / refine AOC interpreter certification / registration testing policies and procedures to support certification and registration of greater numbers of interpreters, especially in needed languages 	

DRAFT

Supreme Court Commissions

2022 Strategic Priorities

Commission: Interpreter Commission

Chair(s): Judge Michael Diaz

Staff: Robert Lichtenberg, James Wells

Mission: To develop policies for the Interpreter Program and the Program Policy Manual; General Rule 11.1 sets forth additional responsibilities for the Commission's standing committees to address, such as interpreter education and professional conduct, judicial officer and court staff training, and review of issues affecting court interpreters, language services or policies of local courts, translation best practices and resources and other matters related to interpreters as may be delegated by the Commission Chair.

2022 Priority Projects	Deliverables (What will be accomplished in the process?)	Timeline	Assigned Committee, Task Force, or Workgroup
<p>1. Language Access Plans: Reviews and Updates</p>	<ul style="list-style-type: none"> • Review criteria for trial court LAPs consistent with RCW requirements after comments from associations • Provide technical assistance to courts on LAPs • All courts in reimbursement program have LAPs with procedures identified • Assist with creation of AOC LAP 		<p><i>Ad hoc workgroup of Commission members (K. Cruz serves as lead)</i></p> <p><i>AOC staff using in person training and possible webinar approach</i></p> <p><i>AOC Staff</i></p> <p><i>AOC Staff</i></p>
<p>2. Court Officer and Court Staff Education</p>	<p>2022 Conferences:</p> <ul style="list-style-type: none"> • <i>Judicial College: Need Faculty Shadow for 2023</i> 		<p><i>Commission's Education Committee</i></p>

	<ul style="list-style-type: none"> • <i>Fall Conference: Two Presentations</i> <p><i>2023 Conferences:</i></p> <ul style="list-style-type: none"> • <i>Applications Due Early Fall for 2023</i> 		<i>Commission's Education Committee</i>
3. Commission Member Orientation	<ul style="list-style-type: none"> • <i>Identify scope, timing and length of orientation of current and new members</i> 		<i>AOC staff and Interpreter Commission members</i>
4. Outreach to Limited-English Speaking Communities	<ul style="list-style-type: none"> • <i>Outreach to LEP communities to become more informed about their language barrier experiences in courts</i> • <i>Open <u>ongoing</u> communication channels with LEP community groups to get input on language access issues in courts</i> 		<i>Interpreter Commission sub Outreach Committee and AOC staff</i>
5. Revise RCW Statutory Provisions for RCW 2.43 and RCW 2.42	<ul style="list-style-type: none"> • <i>Update statutes to reflect current practices, needs, and emerging issues</i> 		<i>Sub-Committees</i>
6. Create Translation Committee and define its tasks and roles in light of newly adopted GR 11.1	<ul style="list-style-type: none"> • <i>Onboarding of new members need to align with turnover of expiring terms of other members so that fewer member vacancies will occur</i> 		<i>Commission Bylaws Committee</i>

Interpreter Commission – Retreat Follow-up 5/12/17

The WHY

To ensure that language is not a barrier to accessing the courts in Washington state and to provide sustainable support infrastructure for high quality mechanisms that ensure that all have the right to comprehend and be heard in court.

PROBLEMS & PATHWAYS TO ACTION

Challenges and opportunities identified from Commission member input at retreat:

A. VISION SPACE

1. **Better mechanisms to differentiate differing language access needs for different groups (Strategic Planning & Operations)**
 - a. Can be combined with need for better communication mechanisms with community.
2. **Inadequate resources for appropriate interpreter reimbursement (Operations & Institutional Advancement & Defense)**
 - a. What would adequate resources look like?
 - b. Also in SOLUTION – legislative request pending
3. **Lack of community support for the work and mission of the IC (Institutional Advancement & Strategic Planning)**
 - a. Who do we need support from? What does “support” look like?
 - b. How will this support sustain the work of the Commission?
4. **Lack of adequate strategic communications capacity for branding, messaging and garnering of political support. (Institutional Advancement & Strategic Planning)**
 - a. Who do we need support from? What does “support” look like?
 - b. How will this support sustain the work of the Commission?
5. **(NEW) Lack of support for identifying and recommending new technologies to improve interpreter services in the courts. (Operations)**
 - a. What new technologies are there that we need to be sharing with the courts?
 - b. In what way/medium can we share these new technologies?
6. **Lack of clarity over who “owns” or has responsibility to ensure people’s rights to comprehend and be heard? (Operations)**
 - a. Whose responsibility is it to translate forms (AOC), ensure that case management systems are tracking interpreter data and other important interpreter functions?
 - b. What are AOC’s duties vs. individual courts’ duties?

- c. What role does the Interpreter Commission want to fill? Where are there big gaps/ where is there a need?
- 7. Inadequate supply of qualified interpreters both geographically as well as linguistically. (Operations)**
- a. What would it take for there to be an adequate number?
 - b. Who can we partner with to help us fill the needs?
 - c. Also in SOLUTION space because the interpreter program is constantly working on this, however it may need some new vision, new ways of doing business.
- 8. Role confusion between State and Federal levels of government. (Institutional Advancement & Defense)**
- a. Need to envision how state and federal work together toward a vision of equal access.

B. PROBLEM SPACE

- 1. Inadequate resources for program support infrastructure and expansion; including recruitment, training, mentoring and quality control of interpreters (Strategic Planning & Operations)**
 - a. Continue to identify PROBLEM
 - b. Also needs VISION
- 2. Inconsistency between state and federal laws re: levels of compensation (Operations)**
 - a. Continue to identify where there are problems, i.e. where courts are using one interpretation over the other, in order to determine a solution on the best way to address the problem moving forward
- 3. IC not meeting frequently enough to achieve and sustain cohesion and strategic focus to upset the status quo in favor of the changes necessary to improve/transform (Operations)**
 - a. Need to figure out whether this is a real problem, survey commission members and also identify what work needs to get done that needs more frequent commission meetings. Most of the work of the Commission either gets done by staff or by committees.
- 4. Maintaining quality and integrity are a challenge. (Operations & Strategic Planning)**
 - a. Identify weak areas of the Commission
 - b. Also needs VISION on what this ideally looks like.

C. SOLUTION SPACE

- 1. Lack of adequate technology and other support. (Operations)**
 - a. Currently working with AOC Web Development team on long term and short term plans for web-based improvements to reimbursement application and interpreter application.

- b. Will be holding meeting with reimbursement courts to get feedback on what they would like to see in a new reimbursement application, and whether they want an online interpreter scheduling tool or the same as what they have now.
- 2. **Role confusion/ lack of clarity between AOC Staff & IC Volunteers (Operations)**
 - a. Need to put together a clarifying document of roles and responsibilities of staff and IC Volunteers. Help Commission members understand what staff do.

FILED
SUPREME COURT
STATE OF WASHINGTON
March 31, 2022
BY ERIN L. LENNON
CLERK

THE SUPREME COURT OF WASHINGTON

IN THE MATTER OF THE PROPOSED
AMENDMENTS TO GR 11.3—REMOTE
INTERPRETATION

)
)
)
)
)
)
)

ORDER

NO. 25700-A-1414

The Washington State Supreme Court Interpreter Commission, having recommended the adoption of the proposed amendments to GR 11.3—Remote Interpretation, and the Court having considered the proposed amendments, and having determined that the proposed amendments will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

- (a) That the proposed amendments as attached hereto are adopted.
- (b) That pursuant to the emergency provisions of GR 9(j)(1), the proposed amendments will be expeditiously published in the Washington Reports and will become effective upon publication.

Page 2
ORDER
IN THE MATTER OF THE PROPOSED AMENDMENTS TO GR 11.3—REMOTE
INTERPRETATION

DATED at Olympia, Washington this 31st day of March, 2022.


González, C.J.

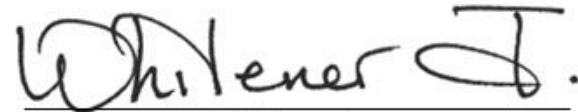

Johnson, J.

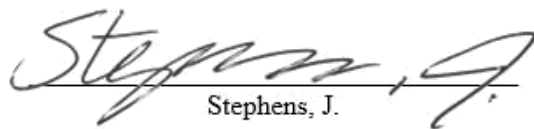

Gordon McCloud, J.


Madsen, J.


Yu, J.


Owens, J.


Whitener, J.


Stephens, J.

1 **GR 11.3**

2 **REMOTE INTERPRETATION INTERPRETING**

- 3
- 4 (a) ~~Whenever an interpreter is appointed in a legal proceeding, the interpreter shall appear in~~
 5 ~~person unless the Court makes a good cause finding that an in-person interpreter is not~~
 6 ~~practicable, and where it will allow the users to fully and meaningfully participate in the~~
 7 ~~proceedings. The court shall make a preliminary determination on the record, on the basis of~~
 8 ~~testimony of the person utilizing the interpreter services, of such ability to participate and if~~
 9 ~~not, the court must provide alternative access.~~

10

11 Interpreters may be appointed to provide interpretation via audio only or audio-visual
 12 communication platforms for non-evidentiary proceedings. For evidentiary proceedings, the
 13 interpreter shall appear in person unless the Court makes a good cause finding that an in-
 14 person interpreter is not practicable. The Court shall make a preliminary determination on the
 15 record, on the basis of the testimony of the person utilizing the interpreter services, of the
 16 person's ability to participate via remote interpretation services.

17

18 **Comment**

- 19 1. ~~Section (a) is a significant departure from prior court rule which limited the use of telephonic~~
 20 ~~interpreter services to non-evidentiary hearings. While remote interpretation is permissible, in-~~
 21 ~~person interpreting services are the primary and preferred way of providing interpreter services~~
 22 ~~for legal proceedings. Because video remote interpreting provides the participants and litigants~~
 23 ~~and interpreters the ability to see and hear all parties, it is more effective than telephonic~~
 24 ~~interpreter services. Allowing remote interpretation for evidentiary hearings will provide~~
 25 ~~flexibility to courts to create greater accessibility. However, in using this mode of delivering~~
 26 ~~interpreter services, where the interpreter is remotely situated, courts must ensure that the~~
 27 ~~remote interpretation is as effective and meaningful as it would be in-person and that the LEP~~
 28 ~~(Limited English Proficient) litigant person or person with hearing loss is provided full access to~~
 29 ~~the proceedings. Interpreting in courts involves more than the communications that occur~~
 30 ~~during a legal proceeding and courts utilizing remote interpretation should develop measures to~~
 31 ~~address how LEP and persons with hearing loss will have access to communications occurring~~
 32 ~~outside the courtroom where the in-person interpreter would have facilitated this~~
 33 ~~communication. Courts should make a preliminary determination on the record regarding the~~
 34 ~~effectiveness of remote interpretation and the ability of the LEP litigant to meaningfully~~
 35 ~~participate at each occurrence because circumstances may change over time necessitating an~~
 36 ~~ongoing determination that the remote interpretation is effective and enables the parties to~~
 37 ~~meaningfully participate.~~

38

39 Interpreting in courts involves more than the communications that occur during a legal
 40 proceeding and courts utilizing remote interpretation should develop measures to address how
 41 LEP and persons with hearing loss will have access to communications occurring outside the
 42 courtroom where the in-person interpreter would have facilitated this communication. Courts
 43 should make a preliminary determination on the record regarding the effectiveness of remote
 44 interpretation and the ability of the LEP litigant person utilizing the interpreter service to
 45 meaningfully participate at each occurrence, because circumstances may change over time

1 necessitating an ongoing determination that the remote interpretation is effective and enables
2 the parties to meaningfully participate.

- 3
4 (b) Chapters 2.42 and 2.43 RCW and GR 11.2 must be followed regarding the interpreter's
5 qualifications and ~~€Code of pProfessional rResponsibility for-jJudiciary iInterpreters.~~

6
7 Comment

8 Section (b) reinforces the requirement that interpreters appointed to appear remotely must
9 meet the qualification standards established in RCW 2.42 and 2.43 and they must be familiar
10 with and comply with the ~~€Code of pProfessional rResponsibility for-jJudiciary iInterpreters.~~
11 Courts are discouraged from using telephonic interpreter service providers who cannot meet
12 the qualification standards outlined in RCW 2.42 and 2.43.

- 13
14 (c) In all remote interpreting court events, both the ~~litigant~~LEP individual and the interpreter must
15 have clear audio of all participants throughout the hearing. In video remote court events, the
16 ~~litigant~~person with hearing loss and the interpreter must also have a clear video image of ~~the~~all
17 participants throughout the hearing.

18
19 Comment

20
21 Section (c) discusses the importance of courts using appropriate equipment and technology
22 when providing interpretation services through remote means. Courts should ensure that the
23 technology provides clear audio and video, where applicable, to all participants. Because of the
24 different technology and arrangement within a given court, audio transmissions can be
25 interrupted by background noise or by distance from the sound equipment. This can limit the
26 ability of the interpreter to accurately interpret. Where the ~~litigant~~LEP person or person with
27 hearing loss is also appearing remotely, as is contemplated in (h), courts should also ensure
28 that the technology allows ~~litigants~~for full access to all visual and auditory information.

29 When utilizing remote video interpreting for persons with hearing loss, the following
30 performance standards must be met: real-time, full-motion video and audio over a dedicated
31 high-speed, wide-bandwidth video connection or wireless connection that delivers high-quality
32 video images that do not produce lags, choppy, blurry, or grainy images, or irregular pauses in
33 communication; a sharply delineated image that is large enough to display the ~~interpreter and~~
34 ~~person using sign language's face, arms, hands, and fingers~~ the face, arms, hands, and fingers
35 of both the interpreter and the person using sign language; and clear, audible transmission of
36 voices.

- 37 (d) If the telephonic or video technology does not allow simultaneous interpreting, the hearing
38 shall be conducted to allow consecutive interpretation of all statements.

- 39
40 (e) The court must provide a means for confidential attorney-client communications during
41 hearings, and allow for these communications to be interpreted confidentially.

42
43 Comment

1 (f) Section (e) reiterates the importance of the ability of individuals to consult with their attorneys,
 2 throughout a legal proceeding. When the interpreter is appearing remotely, courts should
 3 develop practices to allow these communications to occur. At times, the court interpreter will
 4 interpret communications between an LEP or Deaf litigant and an attorney just before a
 5 hearing is starting, during court recesses, and at the conclusion of a hearing. These practices
 6 should be supported even when the court is using remote interpreting services. To ensure
 7 accuracy of the record, ~~the court and the parties should,~~ where practicable, courts should
 8 provide relevant case information and documents to the interpreter in advance of the hearing
 9 including, but not limited to:

10 (i) Copies of documents furnished to other participants such as complaints, guilty
 11 pleas, briefs, jury instructions, infraction tickets, police reports, etc.

12 (ii) Names of all participants such as the parties, judge, attorneys, and witnesses.

13 (iii) If not practicable to provide documents in advance, courts should allow time for
 14 the interpreter to review documents or evidence when necessary for accurate interpretation.

15
 16 (g) Written documents, the content of which would normally be interpreted, must be read aloud
 17 by a person other than the interpreter to allow for full interpretation of the material by the
 18 interpreter.

19
 20 (h) Upon the request of a party, the court may make and maintain ~~an audio~~ recording of the spoken
 21 language interpretations or a video recording of the signed language interpretations made
 22 during a hearing. Any recordings permitted by this subparagraph shall be made and maintained
 23 in the same manner as other audio or video recordings of court proceedings. ~~This subparagraph~~
 24 ~~shall not apply to court interpretations during jury discussions and deliberations.~~

25 26 Comment

27
 28 ~~Section (h) first recognizes that interpreted testimony is part of the official record. For court~~
 29 ~~interpreting, it is the industry standard to use simultaneous interpreting mode when the LEP~~
 30 ~~or Deaf individual is not an active speaker or signer part. The use of consecutive interpreting~~
 31 ~~mode is the industry standard general practice for witness testimony where the witness is~~
 32 ~~themselves LEP or Deaf, is to utilize the consecutive interpreting mode. This allows for the~~
 33 ~~English interpretation to be on the record. The second portion of ¶ This section, also~~
 34 ~~addresses high-stakes situations where, at the request of a party, the court is to make a~~
 35 ~~recording of the interpretation throughout the hearing, aside from privileged~~
 36 ~~communications. If the court is not able to meet this requirement, an in-person hearing is~~
 37 ~~more appropriate to allow recording of both the statements made on the record and the~~
 38 ~~interpretation throughout during the hearing. Recordings shall not be made of~~
 39 ~~interpretations during jury discussions and deliberations off the record.~~

40
 41 (i) When using remote interpreter services in combination with remote legal proceedings, courts
 42 should ensure the following: the LEP person or person with hearing loss is able to access the
 43 necessary technology to join the proceeding remotely; the remote technology allows for
 44 confidential attorney-client communications, or the court provides alternative means for these
 45 communications; the remote technology allows for simultaneous interpreting, or the court shall

1 conduct the hearing using with consecutive interpretation and take measures to ensure
 2 interpretation of all statements; translated instructions on appearing remotely are provided, or
 3 alternative access to this information is provided through interpretation services; audio and video
 4 feeds are clear; and judges, court staff, attorneys, and interpreters are trained on the use of the
 5 remote platform.

6
 7 **Comment**
 8

9 Section (i) contemplates a situation where the legal proceeding is occurring remotely,
 10 including the interpretation. In this situation, all or most parties and participants at the
 11 hearing are appearing remotely and additional precautions regarding accessibility are
 12 warranted. This section highlights some of the additional considerations courts should make
 13 when coupling remote interpretation with a remote legal proceeding.

14 **Comments:**
 15

16 ~~(1) Section (a) is a significant departure from prior court rule which limited the use of telephonic~~
 17 ~~interpreter services to non-evidentiary hearings. While remote interpretation is permissible, in-~~
 18 ~~person interpreting services are the primary and preferred way of providing interpreter services~~
 19 ~~for legal proceedings. Because video remote interpreting provides the litigants and interpreters~~
 20 ~~the ability to see and hear all parties, it is more effective than telephonic interpreter services.~~
 21 ~~Allowing remote interpretation for evidentiary hearings will provide flexibility to courts to create~~
 22 ~~greater accessibility. However, in using this mode of delivering interpreter services, where the~~
 23 ~~interpreter is remotely situated, courts must ensure that the remote interpretation is as~~
 24 ~~effective and meaningful as it would be in-person and that the LEP litigant is provided full access~~
 25 ~~to the proceedings. Interpreting in courts involves more than the communications that occur~~
 26 ~~during a legal proceeding and courts utilizing remote interpretation should develop measures to~~
 27 ~~address how LEP and persons with hearing loss will have access to communications occurring~~
 28 ~~outside the courtroom where the in-person interpreter would have facilitated this~~
 29 ~~communication. Courts should make a preliminary determination on the record regarding the~~
 30 ~~effectiveness of remote interpretation and the ability of the LEP litigant to meaningfully~~
 31 ~~participate at each occurrence because circumstances may change over time necessitating an~~
 32 ~~ongoing determination that the remote interpretation is effective and enables the parties to~~
 33 ~~meaningfully participate.~~

34
 35 ~~Interpreting in courts involves more than the communications that occur during a legal~~
 36 ~~proceeding and courts utilizing remote interpretation should develop measures to address how~~
 37 ~~LEP and persons with hearing loss will have access to communications occurring outside the~~
 38 ~~courtroom where the in-person interpreter would have facilitated this communication.~~
 39

1 (2) Section (b) reinforces the requirement that interpreters appointed to appear remotely must
2 meet the qualification standards established in RCW 2.42 and 2.43 and they must be familiar with
3 and comply with the code of professional responsibility for judiciary interpreters. Courts are
4 discouraged from using telephonic interpreter service providers who cannot meet the qualification
5 standards outlined in RCW 2.42 and 2.43.

6
7 (3) Section (c) discusses the importance of courts using appropriate equipment and technology
8 when providing interpretation services through remote means. Courts should ensure that the
9 technology provides clear audio and video, where applicable, to all participants. Because of the
10 different technology and arrangement within a given court, audio transmissions can be interrupted
11 by background noise or by distance from the sound equipment. This can limit the ability of the
12 interpreter to accurately interpret. Where the litigant is also appearing remotely, as is contemplated
13 in (h), courts should also ensure that the technology allows litigants full access to all visual and
14 auditory information.

15
16 When utilizing remote video interpreting for persons with hearing loss, the following performance
17 standards must be met: real time, full motion video and audio over a dedicated high speed, wide-
18 bandwidth video connection or wireless connection that delivers high quality video images that do
19 not produce lags, choppy, blurry, or grainy images, or irregular pauses in communication; a sharply
20 delineated image that is large enough to display the interpreter and person using sign language's
21 face, arms, hands, and fingers; and clear, audible transmission of voices.

22
23 (4) Section (e) reiterates the importance of the ability of individuals to consult with their attorneys,
24 throughout a legal proceeding. When the interpreter is appearing remotely, courts should develop
25 practices to allow these communications to occur. At times, the court interpreter will interpret
26 communications between a litigant and an attorney just before a hearing is starting, during court
27 recesses, and at the conclusion of a hearing. These practices should be supported even when the
28 court is using remote interpreting services.

29
30 (5) Section (h) contemplates a situation where the legal proceeding is occurring remotely, including
31 the interpretation. In this situation, all or most parties and participants at the hearing are appearing
32 remotely and additional precautions regarding accessibility are warranted. This section highlights
33 some of the additional considerations courts should make when coupling remote interpretation
34 with a remote legal proceeding.

35

36

Interpreter Commission

2022 Meeting Dates

Date	Time	Location
Friday, 2/04/2022	8:30 AM – 12:00 PM	Zoom Videoconference
<u><i>Special Meeting:</i></u> Legislative Session Matters Friday 3/04/2022	9 AM – 12:00 PM	Zoom Videoconference
Friday, 6/03/2022	8:30 AM – 12:00 PM	<i>TBD*</i>
Friday, 9/16/2022	8:30 AM – 12:00 PM	<i>TBD*</i>
Friday, 12/02/2022	8:30 AM – 12:00 PM	<i>TBD*</i>

*Meetings Held By Videoconferencing Until Further Notice

Please contact Bob Lichtenberg at Robert.Lichtenberg@courts.wa.gov or 360-350-5373 if you have any questions.

Ensuring Fairness, Equity and Justice in Every Instance, in Every Courthouse



The Washington State Racial Justice Consortium

The Supreme Court's Call to Action

The Supreme Court
State of Washington



June 4, 2020

Dear Members of the Judiciary and the Legal Community:

We are compelled by recent events to join other state supreme courts around the nation in addressing our legal community.

The devaluation and degradation of black lives is not a recent event. It is a persistent and systemic injustice that predates this nation's founding. But recent events have brought to the forefront of our collective consciousness a painful fact that is, for too many of our citizens, common knowledge: the injustices faced by black Americans are not relics of the past. We continue to see racialized policing and the overrepresentation of black Americans in every stage of our criminal and juvenile justice systems. Our institutions remain affected by the vestiges of slavery: Jim Crow laws that were never dismantled and racist court decisions that were never disavowed.

The legal community must recognize that we all bear responsibility for this on-going injustice, and that we are capable of taking steps to address it, if only we have the courage and the will. The injustice still plaguing our country has its roots in the individual and collective actions of many, and it cannot be addressed without the individual and collective actions of us all.

As judges, we must recognize the role we have played in devaluing black lives. This very court once held that a cemetery could lawfully deny grieving black parents the right to bury their infant. We cannot undo this wrong—but we can recognize our ability to do better in the future. We can develop a greater awareness of our own conscious and unconscious biases in order to make just decisions in individual cases, and we can administer justice and support court rules in a way that brings greater racial justice to our system as a whole.

As lawyers and members of the bar, we must recognize the harms that are caused when meritorious claims go unaddressed due to systemic inequities or the lack of financial, personal, or systemic support. And we must also recognize that this is not how a *justice* system must operate. Too often in the legal profession, we feel bound by tradition and the way things have "always" been. We must remember that even the most venerable precedent must be struck down when it is incorrect and harmful. The systemic oppression of black Americans is not merely incorrect and harmful, it is shameful and deadly.

"The legal community must recognize that we all bear responsibility for this on-going injustice, and that we are capable of taking steps to address it, if only we have the courage and the will.

The injustice still plaguing our country has its roots in the individual and collective actions of many, and it cannot be addressed without the individual and collective actions of us all."



Creation of the Racial Justice Consortium

Flowing from the Court's Call to Action, the Racial Justice Consortium was created:

- Over 55 members from judges, attorneys, to court staff, law schools, community advisors and those with lived experience.
- With the goal of building a roadmap to justice, in each and every instance, in every courthouse in Washington.



Grounded in Belonging and Racial Equity

- Began with a series of trainings and facilitated discussions about Othering and Belonging, racial bias, structural racism, privilege and oppression with a focus on personal responsibility.
- We intentionally implemented a Racial Equity Toolkit process.
- Each court reform discussion included community-led organizations and/or individuals with lived experience.



The Racial Justice Consortium's Racial Justice Focus

- A deep dive into cultivating spaces of belonging and building racial equity muscle
- Child Welfare and Dependency system
- Youth justice system
- Sentencing
- Legal Financial Obligations
- Re-entry





RACIAL JUSTICE CONSORTIUM

1
**SPRING
2021**
Grounding
Ourselves in
Belonging

2
**SUMMER
2021**
Building
Knowledge and
Awareness in
Different Contexts

3
**EARLY FALL
2021**
Applying the Racial
Equity Toolkit
Framework

4
**LATE FALL
2021**
Knowledge to
Action: Identifying
Priorities

5
**WINTER
2022**
Setting Outcomes
and Involving Key
Stakeholders

6
**SPRING
2022**
Determining
Strategies for
Change and
Structures of
Accountability

A Roadmap for Our Work Together

Action Plan

Racial Justice Consortium Action Plan, 2022,

<https://racialjusticeconsortium.net/our-action-plan>

Washington State Racial Justice Consortium



2022 | ACTION PLAN

DRAFT v.1

Our Action Plan Includes:

- Education – ensuring judges and court staff receive the trainings needed to advance Belonging and Racial Equity.
- Advocacy – partnering with other government agencies and community organizations for collective action.
- Implementation of new programs and policies – we can start today.
- Future measurement and evaluation – we are accountable to those furthest from justice.



Reform Area - Belonging

- Make courthouses more humanizing and accessible.
- Make documentation more accessible.
- Remove barriers to accessing the court and community resources.



Reform Area – Child Welfare and Dependency

- Advocate for legal reforms to prioritize family connections and allow for more flexible care arrangements.
- Prioritize family preservation, family supports, and family connection (even with removal).
- Address the capacity of court players to reduce or eliminate racial bias in implementing services and procedures.



Reform Area – Youth Justice

- Examine youth systems to ensure that they are designed around more recent brain science specific to ACES and youth development.
- Reduce the use of detention and change probation practices to divert more youth out to community partnerships.
- Examine the ways the juvenile justice system reinforces expectations of adult systems.



Reform Area - Sentencing

- Expand the use of more incentive-based and diversion models to address behavior and the underlying needs of individuals.
- Expand successful rehabilitative elements of juvenile courts to adult courts.
- Interrogate the ways that plea bargains are efficient tools in upholding systemic racism.



Reform Area – LFOs

- Eliminate LFOs, except victim restitution, which needs to be tailored to the circumstances of individual victims and defendants.
- Eliminate incarceration as a penalty for nonpayment.
- Eliminate LFOs for juveniles altogether.



Reform Area – Re-entry

- Work to expunge criminal records for youth and adult populations.
- Before release, provide a reentry "tool kit" and a corresponding navigator.
- Before release, provide incarcerated individuals an opportunity to engage in comprehensive, shared family support sessions or trainings.



Next Steps

- Engage Stakeholders
- Implementation Map
- Roll-up our Shirtsleeves – The work has begun, there will be many obstacles, we will not get it right all the time – we walk forward, nonetheless.



Racism and Belonging

“We will not end [racism] by trying to tear it to pieces. Instead, we can offer people better ways to belong, and better things to belong to.” – Resmaa Menakem

To: Interpreter Commission
 From: Naoko Inoue Shatz and Francis Adewale
 Re: Quarterly Meeting Report re: Racial Justice Consortium
 Date: June 3, 2022

Racial Justice Consortium was called by nine justices of the Washington Supreme Court to address responsibility for on-going injustice in the legal community in 2020. The Consortium is comprised of 55 members, including judges, court staff, court interpreters, attorneys, law school representatives, community members and advocates. From the Interpreter Commission, Florence Adeyemi, Francis Adewale and Naoko Shatz are the members.

The Consortium had a 4 hour meeting the last Friday every month, starting March 2021, and ended April 2022. Through these monthly discussions, the members investigated specific areas that we are accountable for and created an action plan as the product of our collective efforts.

Action Items:

- A deep dive into cultivating spaces of belonging and building racial equity muscle
- Child Welfare and Dependency system
- Youth justice system
- Sentencing
- Legal Financial Obligations
- Re-entry

Action plan includes:

- Education – ensuring judges and court staff receive the trainings needed to advance Belonging and Racial Equity. (Cultivating Belonging)
- Advocacy – partnering with other government agencies and community organizations for collective action.
- Implementation of new programs and policies – we can start today.
- Future measurement and evaluation – we are accountable to those furthest from justice.

As part of the community member, the Interpreter Commission is also called for reforming the court system in some specific areas particularly to make the court room accessible to immigrants. The action items requested for the Interpreter Commission are 1) to make the court forms/pleadings more accessible for immigrants whose native language is not English and 2) to create signs in multiple languages in the court rooms.

Justice Mary Yu specifically asked to introduce interpretation and translation software and share the software relating to languages if possible.

Report By FLORENCE ADEYEMI, MSW-- Public Representative Member, Washington State Supreme Court Interpreter Commission (IC).

Reflective Report on Racial Justice Consortium (RJC)- Held From March 2021-April 2022.

Two nominated representatives- (Myself)- Florence O. Adeyemi and Naoko Inoue Shatz from the IC participated at the Racial Justice Consortium Zoom meetings from March 2021 through April 2022 for four hours each month. The notable year-long project was led by Patricia Lally.

The RJC is a Washington State-sponsored consultant-led forum consisting of community members, court users, litigants and members of the justice system-- in pursuit of improving racial equity by identifying issues and intensifying efforts to ensure that the courts consider new policy options to sustain in the long term-- relevant, equitable and direct response to community needs and that the community members are heard in their own voice and equally respected by the justice system, particularly now in the transforming post-pandemic era.

My interactions with Patricia began early in the process with a Zoom meeting and later emails, just to ease into the process and part of her requirements to start—

Dear Patti, I want to commend you for leading this innovative effort to open up a potentially difficult dialogue, yet, one which must be had on our way towards true social justice and equity for us to attain a society where all can feel an authentic sense of belonging....Although, the adopted mantra for RJC as posted on our monthly meeting agendas might be culturally worded in the African proverb as... “If you do not see me, I do not exist...”, it literarily translates to- “...the fact that you may not see me does not mean that I do not exist; because I, indeed, do exist, perhaps beyond your sight capacity”. That basically captures the essence of the message in a robust manner. In other words, the power to establish my being, does not reside in the hands of whomever may choose ‘not to see me’ and who by the way, may change their mind and acknowledge me as fellow human being deserving justice and enjoyment of equitable treatment meant for all of us.

Patricia’s Response- Good morning Florence, not a day has gone by since our last communication that I haven’t given thought to the depth of “Sawubona” it is so much more than I originally perceived, simply as a greeting. With your mentoring, I see more clearly the potential for connection, one human to another, as well as a statement of my own connection to my higher being. I thank you many times over, for opening my eyes to these more subtle interpretations. In Spanish, there are many sayings that lose their impacts upon translations.... You are a gift; thank you for urging me along. Best, Patti.

2.

Reflecting on the forty-six page comprehensive report produced by the RJC, it is apparent that there is a global recognition and presence of sufficiently anemic equity and social justice which could be better systematically reversed and would benefit from intentionally-focused blueprint for racial justice. This is a highly recommended focus for the Justice System.

Take the Legal Financial Obligations (LFO- included along with this report in the June 2022 IC Meeting Packet) for example, statistically noted, there are generations of residents in our State that are affected by this aspect of the law and even some yet-unborn humans are almost guaranteed into the plight unless this cord of 'punishment' is severed and replaced with other more humane measures. These are some key areas that the justice system can dynamically lead and formulate equitable policies and procedures for legislation.

By the way, a survey result obtained by RJC from participants in the process-- reveals that most of the participants, albeit from diverse racial and professional backgrounds, do agree that LFO should be permanently revoked in the State of Washington as a case in point....

The Washington State Administrative Offices of the Courts (AOC) among other Justices, Judges and representatives-- are visibly standing in the gap in representation of the Interpreter Commission and Cynthia Delostrinos ensures that our role to directly engage with the language communities is kept in focus and strongly through the new Equity and Access Program at AOC.

I recommend that we engage and strongly support the AOC in their work efforts as we jointly formulate innovative ideas to reach out to the communities that are not necessarily or ordinarily represented at the table and to meaningfully impart communication in the language of their right. Our work on behalf will be more effective and better felt through direct impact.

It's been a pleasure and honor on behalf of the Interpreter Commission.

Washington State Supreme Court Interpreter Commission

COMMISSION MEMBERS

Katrin Johnson, Interim Chair
Public Member Representative

Honorable G. Helen Whitener
Appellate Court Representative

Vacant
Superior Court Judges Representative

Honorable Lloyd D. Oaks
District and Municipal Court
Judges Representative

Ashley Callan
Superior Court
Administrators Representative

Frankie Peters
District and Municipal Court
Administrators Representative

Jeanne Englert
Administrative Office of the Courts
Representative

Luisa Gracia Camón
Interpreter Representative

Diana Noman
Interpreter Representative

Donna Walker
American Sign Language
Interpreter Representative

Kristi Cruz
Attorney Representative

Francis Adewale
Public Defender Representative

Anita Ahumada
Community Member Representative

Naoko Inoue Shatz
Ethnic Organization Representative

Florence Adeyemi
Public Member Representative

February 9, 2022

Ms. Thompson:

Thank you for reaching out to the Interpreter Commission. As we understand from your letter, the DMCMA has concerns regarding the requirement for courts participating in the Language Access Reimbursement Program to develop local Language Assistance Plans (LAPs), and has suggested that the Interpreter Commission create instead a statewide plan that individual courts could opt to join.

The Interpreter Commission is interested in better understanding the reasons for this request, and has asked the Commission's Issues Committee to meet with members of your Association to discuss the matter. Robert Lichtenberg from the Administrative Office of the Courts (AOC) will be in contact with you to coordinate a date & time that is beneficial for all.

The Interpreter Commission is committed to ensuring compliance with state and national language access requirements, and providing the public with clear, concise directions on how to access language assistance in all Washington state courts. Similarly, we are committed to working collaboratively with court managers and providing helpful resources to ensure the provision of language access in all court services.

Please note that this discussion does not change the current contractual deadlines for courts participating in the Program to submit draft and final versions of their LAPs to the AOC (draft 1 on January 31, draft 2 on March 31, and final on May 1).

Thank you again for reaching out, and we look forward to the conversation.

Sincerely,



Katrin Johnson
Interim Chair, Interpreter Commission

cc: Judge Charles Short, DMCJA President
Judge Lloyd Oaks, Interpreter Commission Issues Committee Chair
Cynthia Delostrinos, AOC
Robert Lichtenberg, AOC
Michelle Bellmer, AOC



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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, February 08, 2022 Videoconference Meeting 12:00 PM – 1:00 PM Zoom</p>
<p>MEETING MINUTES</p>	

Present:

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

Approval of Previous Meeting Minutes

- Approved without modification.


Membership

- Judge Oakes created a spreadsheet to show the different Commission seats and terms.
- Luisa Gracia has already contacted Northwest Interpreters and Translators Association (NOTIS) about submitting a new nomination. Frankie Peters has some possible candidates to take his seat.
- Some seats are nominated by an association while others are not. This affects the outreach to find new members.
- If the amended court rule is approved by the Supreme Court, the Commission may be adding 5 new seats to the commission. An additional 4 new Commission members will be added to the Commission this fall as part of the turnover of current seats. If all of the terms begin and end at the same time, there will be large portion of the Commission resetting at the same time.
 - The new members could be delayed and on boarded in 2023. The final approval of GR11.1 may be too late to begin recruitment in 2022.
 - If the terms are delayed until 2023, future members could attend Commission meetings and work with committees beforehand.
- In the past, candidates who hope to join the Commission come to the June meeting, and those that are approved begin their terms during the fall meeting.
- Co-chairs who share the same authority can cause problems if there is a disagreement. A deputy-chair or vice-chair could avoid those issues.
 - Some language in the bylaws may need to be updated.
 - Having the terms for co-chairs staggered could be beneficial.
- September as a start time can be a problem when there are issues involving legislation.
- In the membership rules, there is a reference to missing 3 meetings being deemed as a resignation. There needs to be more clarification whether this refers to quarterly commission meetings versus committee meetings.

- Could the start date of terms be moved to January from September? Multiple start dates could be cumbersome and be very time consuming.
- Having deadlines for recruitment was suggested. Recruitment should be early, often and broad.
- The education committee will be looking at orientation training for new members.
 - Training should include historical background and current issues that the Commission is handling.

Interpreter Email to Naoko Schatz

- An issue related to conflict of interested was raised in a letter from a credentialed interpreter. The issue related to an interpreter who worked for a law firm and then is hired by the court.
- Role of the interpreter is different from an attorney. Interpreters are not an advocate for a particular side. Some people may perceive a conflict when they see an interpreter working on a particular side.
 - An interpreter can bring up with the court that they previously worked for a particular party outside of court to make it clear ahead of time. The court can then decide whether or not to hire the interpreter.

	<p>Interpreter Commission – Issues Committee Meeting Tuesday, March 08, 2022 Videoconference Meeting 12:00 PM – 1:00 PM Zoom</p>
<p>MEETING MINUTES</p>	

Present:

Francis Adewale, Anita Ahumada, Laura Bradley, Luisa Gracia Camon, Kristi Cruz, Judge Diaz, Bob Lichtenberg, Diana Noman, Judge Oaks, Frankie Peters, Naoko Schatz, James Wells

Approval of Previous Meeting Minutes

- Approved with modification

Letter Regarding to GR11.3 Letter

- A group of Commission members and others who worked on drafting the changes to GR11.3 met to review comments that had been received.
 - The comments were on topics that the workgroup had discussed when the amendments to GR11.3 were being drafted.
 - Bob Lichtenberg and Kristi Cruz drafted some language for a letter that will go to the Supreme Court to provide context for why the workgroup's proposed amendments were made the way they were.
 - The Commission were not asked to draft a letter, but it was felt that further context should be provided to the Supreme Courts as they review the public comments that were submitted.
 - Nine Interpreter Commission members were involved in the recent meeting.
 - The Supreme Court rules committee will be meeting soon, so the letter will need to be sent quickly.
 - Judge Diaz reviewed the letter and will sign the letter along with Judge Oakes when it is ready.
 - The letter will provide context of describe the compromises in language that were made during the original drafting of 11.3.
 - Given the short time frame and the number of Commission members already involved in the recent meeting, the Committee discussed sending the letter to the Supreme Court without the ability for the entire Commission to review the letter.


Motion: A motion was made and passed unanimously to send the letter to Judge Diaz who will forward it onto the Supreme Court.

Membership Terms and Onboarding of New Positions

- GR 11.1 comment period will be until April 28 and then the Supreme Court will decide on the rule in June.
- The committee discussed how the solicitation letters for the public representative is going out.
 - ATJ community group can help send out to help get notice out to communities impacted by the Commission. Other suggested contacts included the Racial Justice Consortium, La Raza or other platforms to reach a wide audience.
 - The application deadline will be April 15.
 - Members suggested encourage people who already have a background in the issues.
- For seats that are nominated by associations, there isn't a review of the nominees.
- In creating rules of soliciting new members, it may be good to start with establishing best practices before codifying a process to allow some flexibility to see what works.
 - There are some current procedures about open positions in the bylaws.
- An orientation for new members could likely take place in August or September based on the timeline of nominations and appointments.

Action Item

- Put the matter from the previous meeting about independent contractors and conflict of interest on the agenda for the next meeting.

 <p>098` WASHINGTON COURTS</p>	<p>Interpreter Commission – Issues Committee Meeting Tuesday, April 19, 2022 Videoconference Meeting 12:00 PM – 1:00 PM Zoom</p>
<p>MEETING MINUTES</p>	

Present:

Ashley Callan, Kristi Cruz, Bob Lichtenberg, Diana Noman, Judge Oaks, Frankie Peters, Naoko Schatz, James Wells

Approval of March Meeting Minutes

- Approved with modification

Postponement

- The Issues Committee meeting originally scheduled for April 12 was postponed due to a quorum not being available.

Interpreter Reporting on Attorney

The Committee discussed whether or not it is appropriate for an interpreter to make a complaint about an attorney when the interpreter is working as an interpreter.

- Interpreters are experts in their field but not as attorney. Interpreters may develop a sense of how certain kinds of cases proceed and could develop a viewpoint on how an attorney should perform but that may be out of their capacity.
- There are avenues for reporting about the performance of attorneys.
- The element of trust between the interpreter and the attorney is important for the working relationship.
- The Committee discussed whether or not this is an issue that the Interpreter Commission should be involved in.
 - A main question would be is there violation of the interpreter code of ethics involving confidentiality if an interpreter brings a complaint against an attorney.
- Further research is necessary.
 - Committee members should send information or discussion points they have to Bob and Judge Oakes. They can be put together and distributed for committee member review. The discussion points should state the issue, the discussion, and make a recommendation.

Interpreter Conflict of Interest

- An interpreter asked a question regarding an interpreter's potential conflict of interest when an interpreter works for one party outside of the court room and then works for the court.


- Every circumstance will be different and whether or not it's a conflict will depend on the situation. The interpreter should disclose that they worked with the party to the court and then the court can decide whether or not the interpreter should continue working in the court room.

Action Item: Judge Oakes will draft a reply, run it by the committee and then it would go to Justice Whitener for her approval to send it to the interpreter. The interpreter representatives on the committee could co-sign.

Interpreter Scheduling for Deaf Jurors

The Committee discussed issues that Deaf individuals had faced around jury duty.

- There was a report that a court would schedule ASL interpreter for 2 days for a jury pool when the jury session is two weeks. A Deaf individual is only in the pool for two days rather than the full session.
- Another report indicated that a Deaf individual showed up for jury duty the court immediately released them.
- A letter could go to the courts or to their ADA coordinator addressing the situation. The letter could come out of the Issues Committee and then go to the Commission.
- Bob Lichtenberg could send an email to the ADA coordinator at the AOC to start a conversation about the issues and how it could be addressed.

 <p>098` WASHINGTON COURTS</p>	<p>Interpreter Commission – Issues Committee Meeting Tuesday, May 10, 2022 Videoconference Meeting 12:00 PM – 1:00 PM Zoom</p>
<p>MEETING MINUTES</p>	

Present:

Anita Ahumada, Ashley Callan, Kristi Cruz, Judge Diaz, Katrin Johnson, Bob Lichtenberg, Diana Noman, Judge Oaks, Frankie Peters, Naoko Schatz, James Wells,

Approval of April Meeting Minutes

- Approved without modification. Anita Ahumada abstains as she was not present at the April meeting.

In-person Interpreting

- A question came in from a court about requiring interpreters to appear in-person in future proceedings.
- Some interpreter have expressed concerns about interpreting in-person because some interpreters do not feel safe going to the king county court house.
- The state of emergency is still in place and many interpreters may not feel safe because of COVID.
- Not all courts may have the technology to allow a mechanism to allow attorney and clients to communicate.
 - Litigants have a right to have to communicate with their attorney. Courts that don't have the technology to allow that communication remotely the court shouldn't be holding that proceeding remotely anyway.
 - Courts have a number of ways of allowing this communication such as break out rooms, texting, pausing proceeding,
- Vaccination status varies among interpreters who may not be able go to the court house. Many interpreters fall into a vulnerable age category, access to sick days, and
- Interpreters can have difficulty in working remotely due to acoustic environment. Some circumstances such as when litigants mental health is involved, interpreting remotely can be an issue.

Review of Membership Bylaws

- Draft bylaws have been created based on the Gender and Justice Commission's bylaws as a starting point.
- Committee members can submit changes to Bob Lichtenberg.
- Work could be done over the summer
- The ATJ board operational rules could also be useful to look at.


- Committee members can send suggestions in the next two weeks. This item will be the June Issues Committee meeting.

Interpreter Confidentiality and Reporting

- An interpreter reported seeing alarming conduct of an attorney in a one-on-one conversation with their client. Interpreter was very concerned and didn't want these kinds of problems perpetuated.
- The interpreter's code of conduct includes the need for confidentiality.
- The jurisdiction where this happened doesn't have a public defense attorney for the interpreter to go to.
- If an interpreter makes this complaint to the bar association, would that be a violation of the code of conduct?
- Possible remedies discussed included:
 - Language could be added to GR 11.2.
 - The Commission has authority over its disciplinary policy. An exception for these situations could be included.
 - Training or some other mechanism could be created to prevent a similar situation.

Interpreter Scheduling for Deaf Jurors

- Postponed to next issue.

 <p>WASHINGTON COURTS</p>	<p>Interpreter Commission Education Committee Meeting February 16, 2022 Zoom Videoconference 12:00 PM – 1:00 PM</p>
<p>Meeting Minutes</p>	

Present: Francis Adewale, Florence Adeyemi, Ashley Callan, Kristi Cruz, Luisa Gracia, Bob Lichtenberg, Frankie Peters, James Wells

Orientation for New Commission Members

Suggestions for onboarding new members of the Interpreter Commission:

- Provide new members with:
 - One or two recent meeting packets.
 - List of who is on the commission and their roles.
 - Mission statement of the Commission and recent work.
 - Information about the committees and their work.
 - Information about the reimbursement program and example Language Access Plan.
- Other activities:
 - Attend a meeting before their appointment begins to observe.
 - Attend the Ethics and Protocol class or a recording.
 - Meet with outgoing member for mentoring.
- A list of expectations could be available before someone applies for nomination to give them a fuller picture.
- The Commission website could be updated to include some of information suggested.
 - Making more materials public and accessible could also increase awareness of the Commission.
- The old Commission handbook could be updated and provided to members.
- New members could be required or incentivized to complete an orientation.
 - They can be given a list of items to review to check off to encourage them.
 - They could be provided a certificate when they have finished reviewing the materials.

Action:

- **Committee Members:** submit suggestions about new member orientation to Bob.
- **Bob:** Send copy of member handbook to Committee.

Previous Meeting Minutes


- January 12, 2021 - Approved
- December 20, 2021 - Approved
- November 8, 2021 - Approved with modification.

Court Interpreter Coordinators Conference

- A previous conference was held in 2017.
- Potential Content:
 - Topics could be beyond the courtroom and include the perspective of people who use the language access services.
 - Some topics and content from the LAP Deskbook
 - Certain settings such as protection orders.
 - A survey could be done to identify topics of interest to court staff.
- Fall date could be an issue because there are two potential conference proposals. End of October or beginning of November may be a good time.
- Format:
 - Hybrid requires a lot of planning. For this year we may want to stick to online for this year. We also don't know what the situation will be at the time of the conferences
 - Preferences could be collected by survey.
 - Presenters could come from large and small courts.
 - The Committee can look for courts with good practices and ask them about sharing at the conference.
- AOC's education group offered to come to an education committee and they could help

Action:

- **Committee Members:** Think about who could be good presenters and of potential topics for a conference.
- **Committee Members:** Review fall conference proposals

 <p>WASHINGTON COURTS</p>	<p>Interpreter Commission Education Committee Meeting March 23, 2022 Zoom Videoconference 12:00 PM – 1:00 PM</p>
<p>Meeting Minutes</p>	

Present: Francis Adewale, Florence Adeyemi, Ashley Callan, Kristi Cruz, Jeanne Englert, Luisa Gracia, Bob Lichtenberg, Naoko Schatz, James Wells, Justice Whitener

February meeting minutes

- Approved without modification.

Presentations

- The Education Committee submitted to proposals and both session were accepted.
- The Committee reviewed their role in preparing the presentation:
 - The amount of involvement varies depending on the topic and the presenters. Some presentations are mostly ready to go while other presenters require more help with creating content.
 - Having clear communication with the presenters is important to avoid future issues. Starting that communication earlier is better and setting deadlines is important.

Session on recent court rule changes and standards of practice manual.

- There was a discussion about limiting it to certain topics.
- Since much of the content will be relevant to court administrators not just judges, it was suggested that court administrators be able to attend.
- Presenters:
 - Judge Rajul was listed as one of the precentors she may be still be available. If she is not, someone from the Commission should still be included.
 - Five presenters may be too many. Both spoken and sign language interpreters should be represented.
 - The Interpreter Commission didn't have an opportunity to review the content in the standards of practice manual so the committee should review the content that will presented at the conference.

Action:


- **Bob:** contact the recommended faculty for each session to see if they are available.

Session on remote interpreting and lessons learned

- Commission members could present as well if their expertise could help the presentation.
- Potential elements to include:
 - The perspective of a pro se litigant.
 - Hybrid situations and how people participate.
 - Good model of how to handle specific situations.
 - Video snippets for people to share their stories.
 - Other ideas can be sought from the court administrator associations.
 - The difficulty public defender often have communicating with their incarcerated clients when there is a need for an interpreter.
 - Capturing community experiences, which can report on the experiences of those using language access services.
 - Demonstrations or pre-recorded demonstrations.

Other Trainings

- Follow up the Judicial College to discuss sign language interpreters
- Legal financial obligations and how interpreters can prepare for these situations.

 <p>WASHINGTON COURTS</p>	<p>Interpreter Commission Education Committee Meeting April 20, 2022 Zoom Videoconference 12:00 PM – 1:00 PM</p>
<p>Meeting Minutes</p>	

Present: Claudia A’zar, Francis Adewale, Florence Adeyemi, Ashley Callan, Kristi Cruz, Jeanne Englert, Luisa Gracia, Katrin Johnson, Bob Lichtenberg, Naoko Schatz, Judge Shea-Brown, James Wells

March Meeting Minutes

- Approved

Fall Conference

Remote Interpreting

- Guests Judge Shea-Brown and Claudia A’zar joined the meeting and will be part of the panel that will present at the Fall Conference
- Commission members on panel:
 - Justice Whitener will be introducing the presentation. She could be provided with some items to mention.
 - The Committee should have the opportunity to review the content and provide input.
- The session can include:
 - The Deaf and Hard of Hearing perspective is mentioned.
 - A question and answer session.
 - Interpreter issues and equity issues which are not always covered in the national presentations.
- Sources for content mentioned:
 - the session proposal.
 - previous SCJA presentation.
 - an NCSC report and other more recent information.

For Ethics presentation


- Judge Rajul will be available to present. The other potential presenters are not confirmed yet.
- Panelist members may not need to join an Education Committee meeting itself. The Committee members can review the materials and someone can serve as a point of contact.

Onboarding

AOC staff presented possible topics and other information for onboarding new Interpreter Commission members. The Committee discussion included:

- Have topics on Commission website as a reference.
- Have a sit down with new members and walkthrough on where to find resources.
- Do not require any training as a requirement to be on the Commission.
- The commission started off as a regulatory body for court interpreting. Although the role as become broader it is still creating the policy for that profession and member should know about the profession.
- Do a survey of recent commission members to ask what they wish they had known.
- Some training could be committee specific.
- Mentorship from current members would be effective.

DRAFT

 <p>WASHINGTON COURTS</p>	<p>Interpreter Commission Education Committee Meeting May 25, 2022</p> <p>Zoom Videoconference 12:00 PM – 1:00 PM</p>
<p>Meeting Minutes</p>	

Present: Claudia A'zar, Ashley Callan, Kristi Cruz, Luisa Gracia, Katrin Johnson, Bob Lichtenberg, Frankie Peters, James Wells, Justice Helen Whitener

Fall Conference

- A deadline in August was proposed for the presenters to send their draft materials to the Education Committee so the Committee has time to review the materials and discuss them at a meeting.
- Sign language should be included in both presentations.

Remote Interpreting

- Two of the presenters have had at least one meeting and are working on putting together a more defined structure.
- Materials from Seattle Municipal Court will be made available for the presenters to use if they would like.
- One of the presenters who is a court administrator may not be able to be on the panel. Judge Shea-Brown should be contacted to get her thoughts on finding a new panelist since she works with the court administrators.

New Rules and Standards of Practice

- The authors have provided trainings to interpreters on the new standards of practice and some of the materials for those trainings could be adapted for the Fall Conference.
- Judge Rajul will be available.
- The content of the presentation will focus on what is specified in court rules.

Onboarding New Commission Members

- The handbook for new commission members is being updated. Much of the content in the handbook is similar or identical to content on webpages on the Court Interpreter Program website, so creating an online version should work well.
- A short survey will be sent out to current Commission members to ask about their opinions on what they think is important for Commission members to know and ask what information would have been useful for them when they joined. The survey could also be sent to former Commission members who recently left the Commission.

AOC staff presented possible topics and other information for onboarding new Interpreter Commission members. The Committee discussion included:

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- Have a sit down with new members and walkthrough on where to find resources.
- Do not require any training as a requirement to be on the Commission.
- The commission started off as a regulatory body for court interpreting. Although the role as become broader it is still creating the policy for that profession and member should know about the profession.
- Do a survey of recent commission members to ask what they wish they had known.
- Some training could be committee specific.
- Mentorship from current members would be effective.

Next Meeting

- June 15