



Interpreter Commission Meeting
December 2nd, 2022
Zoom Videoconference
8:30 AM – 12:00 Noon PM

Meeting Minutes

Members:

Donna Walker
Jennefer Johnson
Kristi Cruz
Luisa Gracia
Katrin Johnson
Michelle Hunsinger de Enciso
Frankie Peters
Ashley Callan
Judge Lloyd Oaks
Judge Michael Diaz
Naoko Inoue Shatz
Anita Ahumada
Iratxe Cardwell
Diana Noman
Florence Adeyemi

Liasons:

Berle Ross
Ernest Covington

AOC Staff:

Avery Miller
James Wells
Robert Lichtenberg
Alex Donnici
Cynthia Delostrinos
Dr. Carl McCurley
Tae Yoon

Guests:

CALL TO ORDER

The meeting was called to order at 8:30 AM.

Welcome New Members and Committee Appointments— Judge Michael Diaz

- Judge Michael Diaz introduced the two newest commissioners, Judge Erin Okoloko and Ms. Kelly Vomacka. Commission Members and liaisons introduced themselves. The chair noted that the liaisons are welcome to join the new onboarding progress for new members of the Commission. New members of the Commissions selected the committees they would like to join. Chairs of the committees described the focus of each (Education, Issues, Disciplinary) and general structure and expectations.
 - Michelle Hunsinger de Enciso selected Education and Issues.
 - Iratxe Cardwell selected Education, Issues and Disciplinary Committees.
 - Judge Okoloko selected the Disciplinary Committee and will consider a second committee.
 - Kelly Vomacka selected the Issues Committee and the Translation Committee.
- The Commission welcomed Ms. Vanna Sing, newly appointed liaison from the Access to Justice Board and Tony Griego, from the Office of Administrative Hearings and diversity, equity and inclusion manager.

Approval of Previous Meeting Minutes:

- The September 23rd, 2022 Meeting Minutes were approved with the note that Tae Yoon attended at the time as a guest, not Administrative Office of the Courts (AOC) staff.

Misc.

- Donna Walker confirmed that the RCW 2.42 revisions will be discussed at the February meeting of the Commission instead.
- Ernest Covington, new Director of the Office of Deaf and Hard of Hearing (ODHH), shared thoughts on how to recruit deaf members of the community to serve on the Commission.
 - Firstly, make sure that the Commission has an announcement done in ASL, because it's a visual mode of information and may be their first language.
 - It's also important to ensure that BIPOC folks in the community have equitable access, to reflect the Commission's constituency.
 - ODHH is happy to assist in developing that message and reaching out to organizations that serve the community, and they have access to plenty of different avenues to send out the message to find a good candidate.
 - The Commission may want to consider budgeting for compensation for community members, or ensuring some release from their employer for them to be able to serve on the Commission and required committees.
 - Robert Lichtenberg will follow up with Ernest Covington on these ideas.
- The May 12th Meeting has been proposed to potentially be an in-person/ hybrid meeting, and the members will need to coordinate for that with AOC staff to help with logistics and reimbursements of travel.

CHAIR'S REPORT

Bylaws Adoption— Judge Lloyd Oaks

- Judge Lloyd Oaks presents on the draft of the bylaws created by the bylaws workgroup, with appreciation for members and staff time and commitment. An overview of changes was provided and then opened up for member discussion.
 - There were a few clerical errors and typos to be corrected.
 - Discussion occurred around the requirement for members to serve on two committees, especially for interpreter members, who are volunteering their time. This is weighed against occasional difficulty forming a quorum for committee meetings and the importance of participation in the work of the Commission.

- Justice Whitener had a suggestion to consider recruiting liaisons from the law schools to can participate in some of these committees.
- Additional discussion around the topic of consequences for missing the proposed number of committee meetings. Suggestion to add language such as ‘non-responsive’ or ‘non-engaging,’ as some members may not be able to make the scheduled meetings but complete work in the background.
- With the final corrections and discussion points, the group will discuss in the next committee meeting, distribute a final draft and vote for approval electronically.

Strategic Planning Workgroup and Commission Direction for 2023-2024— Judge Michael Diaz

- Judge Diaz presents on the priorities developed by the Strategic Workgroup.
 - Onboarding: With several new members of the Commission joining, it’s important to integrate them into the work of the Commission overall, as well as broaden education around the work of interpreters, clerks, judges, etc.
 - Training Modules: Gather materials and training opportunities for all commission members, and for the broader community as well. This is the core work of the education committee.
 - ASL Test: There has not been a certified test for ASL interpreters, which is a huge concern. Developing a test is a first tier priority, with the short-term action of spotlighting the issue, recruiting stakeholders, and identifying experts.
 - Interpreter pipeline: This is another extremely high priority, first-tier issue, as many courts lack access to qualified interpreters. The Commission is working to partner with local colleges to develop a pipeline and considering how best to recruit, or retain interpreters.
 - Disciplinary manuals—The Disciplinary Committee is currently working on this.
 - Data—This is a broader priority, but in the short-term, the Commission is partnering with the Washington Center for Court Research to conduct an end-user satisfaction survey to see how recent changes in the courts are taking place.
 - RCW 2.42 Revisions—There is an Ad hoc Committee currently working on this, and will put the draft forward to the full commission and for community comment when ready.
 - Translation—This is being addressed in the new committee formed by Commission members who will get it up and running to look at translating pattern forms, which places this as a medium-term issue right now.
 - Needs of the Deaf and Hard of Hearing Community—This should not be considered a standalone issue, but rather woven throughout the rest of the priorities and work areas of the Commission.

- Language Access outside the courtroom: Kristi Cruz discussed the issue of translation and interpretation outside of just the courtroom, which includes signage, interactions with clerks, mandatory court-ordered services. Kelly Vomacka suggested also looking at language access issues in jails and prisons. Anita Ahumada added mental health facilities involving court hearings.
- Language Access Plans: AOC is waiting to hire a statewide LAP coordinator and a lot of the work around this issue will have to wait until that person is hired.
- Robert Lichtenberg added a suggestion that among all these priorities is the commitment to racial equity, and to keep in mind throughout our work the ways in which it intersects.

Court Interpreter User Survey— Dr. Arina Gertseva

- At the last strategic oversight committee, WSCCR received a request from the Commission to develop a court user survey about the quality and efficacy of interpreter services. Researchers designed two forms as examples, and both are included in the meeting packet.
- She offers a suggestion to draft a series of surveys to address some of the Commission's long term priorities as well as immediate questions.
- WSCCR is available to address any corrections or feedback members have for the survey, and to assist with any necessary consultation in programming the survey into Survey Monkey, coding paper forms, cognitive testing, helping with data monitoring, summarizing and analyzing the results.
- Cost of implementing the survey will depend on many factors, such as modes of surveying (paper, web, QR codes, etc.), translation of documents and into how many different languages, estimated between \$200 and \$750 per questionnaire, time for people to collect and analyze survey data, recruitment to potential respondents in small communities (rare languages, etc), incentives to complete the survey (candy, gift certificates, lottery)
- She also suggests a pilot project to assist with learning curve among researchers and to get buy in from local courts, and to get accustomed to local courts physical building and logistics (ie, where to place flyers, drop boxes, etc.) and because this is a difficult to reach and hard to engage population.
- Justice Whitener raises a question about how to predict what languages will be in a given region to translate the survey into. There is data from the Office of Financial Management that can answer the question.
- WSCCR will need an implementation group from the Commission to work with on the design, programming, organizing and creating the structure for the project.

RCW 2.42 Revision and Timeframe— Donna Walker

- Donna Walker provided an overview to the revisions made to the text of RCW 2.42.

- There are a few minor changes of reordering and a few textural changes to make it more consistent and intentional (capitalizing Deaf for ex.) as well as adding several definitions. The following larger revisions were made:
 - Included language about appointing a certified Deaf interpreter.
 - Proposed that AOC become the holder of the interpreter list, which is what is currently done for spoken language interpreters.
 - Added procedure for using qualified interpreters when a certified interpreter is not available.
 - Removed in the current RCW the appointment of interpreters regarding law enforcement and arrest, while important, does not fit with the rest of the RCW regarding courts of record.
 - Added some wording to waiving the right to an interpreter.
 - Restructured the Interpreter Oath
 - Added section on conduct required of interpreters.
 - Added a new section on team interpreting.
 - Visual Recording of testimony. Currently, the RCW says it is only required to have visual recording of an ASL trial during a capitol offense; they are proposing changing that to felony or higher.
 - Restructured section on privileged communication.

AOC Staff Report— Kelley Amburgey-Richardson

- Kelley Amburgey-Richardson, manager for the Supreme Court Commissions, discussed funding request submitted as part of the judicial branch's budget for this coming legislative session.
 - This includes two new staff positions, a language access plan program coordinator and a program assistant.
 - Since many more courts are participating in Language Access and Interpreter Reimbursement program (107 courts up from 33), many of these courts will need assistance in creating their language access plans. The new LAP Program Coordinator would be able to help develop resources, education, templates and work directly with the courts to revise their LAP when needed. The new program assistant would take on administrative duties, such as processing invoices, and free up staff.
 - The full funding request is in the meeting packet, and Kelley is available to answer any questions from members.

ACTION ITEM: Vote on the Extension of the Requirement for Credentialing

- A few years ago, the Commission moved two languages from the 'registered' category to the 'certified' category in Washington, which means those interpreters will take a comprehensive bilingual exam in order to get that credential. There was an initial three-year transition period granted to those

interpreters and then it was further extended during COVID because we weren't able to offer the oral exam.

- The commission is currently discussing issues surrounding credentialing and reimbursements for interpreters. James requests approval from the Commission to continue the extension of the transition period to achieve the credential in those languages.
- Justice Whitener so move. The vote passes.

COMMITTEE AND PARTNER REPORTS

Issues Committee— Judge Lloyd Oaks

- Judge Lloyd Oaks provides an overview of the issue of reciprocity. Currently, the statute prevents reimbursement for interpreters not certified in Washington state. Whether we grant reciprocity to other states credentials may need to be revised.
- A brief discussion of the need for courts to be able to widen the pool of available interpreters versus ensuring that the quality remains at an acceptable level. This is primarily regarding the languages that have very few interpreters in WA and how to identify which ones should be granted this exception.
- The Issues Committee will send recommendations at the February meeting and will include Robert Lichtenberg's September 19th memo as well.

Education Committee— Ashley Callan

- The Education Committee are working on trainings for court staff, onboarding materials, interpreter trainings and refresher courses for judicial officers.
- They are working to ensure ASL interpretation is included in judicial college.
 - Justice Whitener emphasizes the importance of maintaining the trainings for judicial officers at judicial college, and of providing refresher materials for judges who may not have language access cases all the time.
 - Discussion of how to ensure the material presented is not repetitive and fully engages the judges on these issues.
 - If members are interested or know of judges interested in participating at judicial college, let Judge Diaz know. There is also an upcoming Washington State Bar Association training on March 14th, an interpreter or a judge, if anyone is interested.

Disciplinary Committee— Justice Whitener

- The Disciplinary Committee is engaged in rewriting the manual and have met several times over the year. It has been an intensive review, and a draft should be available before the February meeting.
- No information regarding any disciplinary actions in the last quarter.

Liaisons Reports—

- Vanna Sing (Access to Justice Board) and Tony Griego (ODHH) have nothing further to add, but Tony notes they recently had a training on working with interpreters and is working on a language access plan.

AOC Staff Report— Tae Yoon

- Tae Yoon, Language Access and Interpreter Program (LAIRP) Coordinator gives an overview of the program and a status update for Fiscal Year 2023. This report is on page 54 of the meeting packet.
- LAIRP partners with courts to improve language access and saw a large increase in the past year with 42 new contracts, which were sent out on Nov. 2nd.
- About \$3 million is allocated in funding for these courts. The program is also planning to develop some education and training modules, or do a program analysis, depending on the remainder of the funding.
- An upgraded version of the web application to submit A19 invoices has launched. The deadline to submit this invoice is Dec. 31st.
- Court administrators or anyone with questions about the program can contact interpreterreimbursement@courts.wa.gov.

Announcements:

- James highlights on pg. 38 of the meeting packet on March 30th and 31st there will be an ethics and protocol class, the last class interpreters take before they get their credential. It is a half day on court interpreter ethics, and a half day on protocol that covers everything from how to dress in court, to accepting assignments, things to expect and team interpreting, etc. There's an invitation extended to all commission members to attend, to get a better sense of what interpreters job entail. When registration is open, James will send out a link.
- Jonas announced that Bellevue College has gotten their program back on it's feet, and revamped the curriculum. It now has a court translating certificate that runs 22 weeks, not language specific, and then an advanced certificate for another 22 weeks in one of three languages (Portuguese, Spanish and Japanese) This spring just launched the first cohort.

Next meeting will be via Zoom February 10th, 2023 at 8:45 AM.

The meeting was adjourned at 12:00 PM