



Interpreter Commission Meeting
May 12th, 2023
Zoom Videoconference
8:30 AM – 11:45 AM

Meeting Minutes

Members:

Karen Atwood
Naoko Shatz
Florence Adeyemi
Donna Walker
Judge Okoloko
Laura Friend
Kristi Cruz
Judge Diaz
Jeanne Englert
Michelle Hunsinger de Enciso
Judge Oaks
Anita Ahumada
Iratxe Cardwell
John Plecher

Liasons:

Berle Ross
Tony Griego

AOC Staff:

James Wells
Robert Lichtenberg
Kelley Amburgey-Richardson
Tae Yoon

Guests:

Carolyn Putvin
Lu Zhu
Brenden Higashi
Rogelio Rigor
Crissy Blank
Nicole Pierce
Soccoro Villeda
Joseph Mansor
Adam Keller
Katie Faro
Adrian Arias
Maria Elena Montes de Oca Ricks
Yelena Kazatskaya
Yolanda Lopez
Linda Noble
Milena Calderari-Waldron
Rosemary Nguyen
Deirdre Ruth Murano
Amine El Fajri
Jovi Lee
Buck Rogers
Stacey Romero
Michelle Honey
Marguerite Friedlander
Johannes Voogt
Shane Feldman
Nancy Leveson

CALL TO ORDER

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

Approval of Previous Meetings Minutes— February 10, 2023 Minutes approved unanimously with amendments.

Welcome and Introductions

- Judge Diaz called the meeting to order.
- Commission members and staff introduced themselves.

CHAIR'S REPORT

Current Member Reappointments

- Judge Oaks – District and Municipal Court Judge's Association representative
- Judge Okoloko – Superior Court Judge's Association representative
- Anita Ahumada - Nominated to the commission with no concerns

NOTIS Ethics Panel Presentation – Deirdre Ruth Murano, Milena Calderari-Waldron, Rosemary Nguyen, and Linda Noble

The panel members delivered a presentation on the recently established Ethics panel, which operates under NOTIS, a chapter of the American Translation Association (ATA). The panel consists of five legal and medical working interpreters and translators. Questions are received through a designated email address and any identifying information is redacted to ensure anonymity. The panel then conducts research to provide well-informed answers, which are posted on the NOTIS website with resource links. The questions and answers are also compiled in a searchable knowledge base with subscribe options. The panel's work is partially funded by the ATA and the bylaws are aligned with the ATA guidelines.

- ASL specific questions will be directed to ASL experts; RID also has resources for ASL related questions.
- The panel clarified that it does not provide any legal advice. Instead, questions seeking legal advice will be referred to appropriate resources.
- The panel emphasized that it does not engage in disciplinary actions. Its role is to offer a safe space for questions and expert opinions which are based on general rules, Standard of Practice for Ethics of Judiciary Interpreters in WA, and other resources. Sanctions and disciplinary actions are beyond the scope of this group. Any complaints or violations should be dealt by the NOTIS board or the disciplinary commission as deemed appropriate.
- The standard turnaround time to answer questions is approximately 1 week, with accelerated response time for urgent matters.
- Judge Diaz and Bob invited the panel to collaborate with the commission to ensure consistency of practice. Bob raised concerns about conflicting opinions.
- Florence inquired about NOTIS and ATA membership and non-Spanish language representation. Laura Friend, president of NOTIS, mentioned the annual conference on September 30th, 2023 in celebration of the international translation day which will primarily focus on language neutral topics.

- Email: ethics@notisnet.org
Website: <https://notisnet.org/Ethics-Panel>

New Member Appointments:

- Karen Atwood discussed her background and interest in the Deaf Community representative on the Commission.
- John Plecher discussed his background and interest in the CDI representative on the Commission.
- Buck Rogers discussed his background and interest in the CDI representative on the Commission.
- Nouri Marrakchi who was nominated as one of Deaf Community representative was not present.

ACTION: The Commission split into a separate break-out room to discuss the candidates and vote for the nominees. Karen Atwood and John Plecher were selected for appointment to the Commission by the Supreme Court as a Deaf Community member representative and CDI member representative, respectively.

Judge Diaz also highlighted additional opportunities to serve in an ad hoc capacity to support the works of the commission for limited projects.

Interpreter Recruitment Model Presentation – Shane Feldman, Innivee Strategies

Shane shared projects, strategies, and approaches regarding recruitment of both ASL and spoken language interpreters. Strategic plans to address long-term goals for WA court system's needs were discussed with the following agenda:

- 4 phases of the Tseng Model in Professionalization of Interpreting Framework
 - Recruitment Strategy and Data Collection Framework to Develop the foundation
 - Potential Challenges and Opportunities
 - Building Pipeline and Strategy for the Future
 - Louisiana ASL Interpreter Needs Assessment Project
- Naoko pointed out the compensation disparity between court reporters and court interpreters. Shane emphasized that interpreters do not have opportunities to discuss compensation or raise rates incrementally due to anti-trust laws. Hence, a study on interpreter compensation is crucial in addressing this issue.
 - James inquired about an effective collaboration model with other groups, particularly in the education setting. While there is no formal model, it was suggested that we can refer to strategies implemented in other states. Kentucky, for example, requires all ASL interpreters to be RID certified and covers the costs for all tests and professional development. Forming partnership with other organizations to gather interpreter feedback, assess attrition rates, and focus on narrowing down the reasons behind the compensation gap was also discussed.

Adoption of Proposed RCW Changes – Donna Walker

An Ad-hoc workgroup has been diligently working on proposed language changes to the RCW 2.42 and 2.43. Donna presented the summary of changes, which are i) consistency in language throughout RCW 2.42 and 2.43, ii) modernization of the language, iii) reorganization and removal of sections.

- Ashley Callan previously noted that the term ‘party or witness’ in RCW 2.43.030 should be changed to ‘potential juror’ in relation to jury duty. Melina Calderari-Waldron pointed out a typing error in RCW 2.43.070, suggesting that ‘2.42.070’ should be corrected to ‘2.43.070’. Amendments will be made accordingly.
- Melina also expressed concern about the addition of team interpreting in the RCW as it may face opposition from some legislators due to future fiscal implications.
- Kristi Cruz addressed the inconsistency in ‘appointment and payment’ between the two RCW’s. There is additional concern about the removal of certain elements, such as ‘compensation’ in the title of RCW 2.43.030. Donna proposed scheduling a meeting with Kristi to address the issues. Kristi agreed and abstains from voting.
- Bob provided an overview of the application process. The deadline for proposal is set for June 15th, 2023. There will be an opportunity to review and refine the language afterwards.

Any comments or feedback to be sent to Donna and Bob by 5:00pm Wednesday, May 17th, 2023. Final version will be circulated to the Commission members by Friday, May 19th, 2023. Voting will be opened until Monday, May 22nd, 2023.

Strategic Priorities – Robert Lichtenberg

Bob presented a report about the presentation on ‘Qualifying American Sign Language Interpreters for Court Interpreters’ at the Council of Language Access Coordinators (CLAC) conference. He highlighted the current shortage and crisis of ASL interpreters, with an estimate of 50% of ASL interpreters expected to retire soon in some states. In response to this issue, the NCSC has agreed to sponsor the seed funding for national credentialing and performance-based examination process for ASL interpreters.

Legislative Action Report: Senate Bill 5051 for 2024 – Judge Diaz

The proposed Senate Bill 5051 on the translation of documents for family proceedings did not pass. It was emphasized that this remains an ongoing issue and the commission expressed its commitment to working with the bill sponsors to seek clarification and offer continued partnership in finding a more comprehensive and holistic solution.

Interpreter Program Report – James Wells

- During the recent Ethics and Protocol training class held in March, 12 new interpreters have successfully completed their credentialing process, and 4 others are close to completion.
- A special oral exam session is being held in June for previous exam candidates who fall in the near-passer category, court staff, and Office of Administrative Hearings.
- The Interpreter Program along with other commission members have been preparing for an online webinar on court interpreting in June. This will be an introductory webinar, primarily targeting people who have not yet initiated the process of becoming a court interpreter.
- The Interpreter Program staff conducted an informative presentation at the Snohomish County Superior Courthouse for students from Sno-Isle Tech Skills Center Interpreting Class, highlighting the court interpreter credentialing process and training opportunities.
- The Interpreter Program staff conducted a couple of presentations focusing on recruitment of new court interpreters and collaboration with other states at the CLAC conference.

Language Access and Interpreter Reimbursement Report— Tae Yoon

- Language Access and Interpreter Reimbursement Program approved reimbursement for a total of \$1.3 million to participating courts, out of the \$1.4 million claimed for the first two quarters of FY23
- An additional budget of \$428,000 has been distributed among 30 courts to ensure sufficient budgetary coverage for each court's needs. The allocation determination was made based on a thorough assessment of the court's projected expenditures for the remainder of the year, taking into account the first and second quarter invoices.
- In order to provide language access support to more courts, the Language Access and Interpreter Reimbursement Program is planning an early outreach effort in collaboration with AWSCA and DMCMA.
- Currently several projects are underway to enhance language access in courts, including the interpreter compensation study, development of a brochure on becoming a court credentialed interpreter, and an update to our language access materials.

September ILAC Meeting Location— Judge Diaz

There is consideration for a hybrid meeting at the Seatac AOC Building in September, which will not be partnered with a community meeting at that time. Several commission members expressed their interest in attending an in-person meeting.

COMMITTEE AND PARTNER REPORTS

Issues Committee— Judge Lloyd Oaks

Judge Oaks presented a variety of topics the Issues Committee has been addressing; Proposed revision on RCW 2.42 and 2.43, Written exam challenges, Extension for exams, Jury Eligibility and Deaf and hard of hearing issues, Notice of language access services, Noon CJE's and other education initiatives, Balance between non-credentialed interpreters vs credentialed interpreters, Interpreter shortage issues, and Proactive work on Senate 5051 bill.

Education Committee— Iratxe Cardwell

- The Education Committee is sponsoring a session in partnership with Commissioner Jonathan Lack and Latricia Kinlow at the National Consortium on Racial and Ethnic Fairness in the Courts (NCREFC) conference in May on the topic: Language Access in Judicial Environments and Implicit Bias and Trauma-Informed Training for Court Staff.
- AOC staff is currently in the process of implementing an online Language Access Basic Training (LABT) modules with WA state specific content. The resources have provided by New Mexico and the customized modules are expected to be available to court staff by the end of July 2023.
- Several members of the commission conducted a training for the Washington Bar Association.
- The Judicial College Evaluation received general positive feedback. The Committee will continue to work on enhancing aspects of the training that may benefit from supplemented pre- or post-conference training modules.
- The Committee has been discussing strategies to offer support for interpreter coordinators. Surveys are underway to gather input and provide guidance for the development of a training session. This training session will be conducted through a remote platform, ensuring accessibility to all participants.
- Judge Diaz mentioned that there has been interest from the Federal Bar Association of Western Washington regarding training opportunities.

Disciplinary Committee— Florence Adeyemi

- Judge Okoloko will temporarily serve as the chair for the Disciplinary Committee in the absence of Justice Whitener.
- Since 2021, a workgroup has been working on the Disciplinary Manual Revisions. Florence provided an overview of the manual's key objectives, which include identifying and delineating the rights and responsibilities of the commission, outlining the disciplinary process, and establishing guidelines for the AOC staff and the Disciplinary Committee members.
- An interpreter complaint has been received by the AOC, which was subsequently forwarded to the Disciplinary Committee for review and appropriate action. It was emphasized that the Disciplinary Committee convenes only in response to

specific issues and does not hold regular meetings or circulate materials unless necessary to address an identified issue. Currently, the committee is actively reviewing and addressing the matter at hand.

Liaison Report - Berl Ross

- In response to the increasing need for ASL interpreter in courts, there has been more active recruitment efforts. A legal workshop is scheduled for the weekend and 14 interpreters have signed up to participate.
- Training opportunities will also be offered this fall to further support interpreters, and a study group will be established to address issues on shortage of interpreters impacting not only the courts but the entire state of Washington. Efforts will be made to incorporate the finding and recommendation from the study group into the training modules.

COMMISSION STAFF REPORT

Commission Manager's Report — Kelley Amburgey-Richardson

Kelley provided an update on the Legislative funding. The budget package for 2 new positions has been approved; LAP program coordinator and an additional program assistant.

Plan for July New Member Orientation Training— Robert Lichtenberg

Informal training session is scheduled to take place in July to onboard new Commission members.

Disability Justice Workgroup Funding – Kelley Amburgey-Richardson

Disability Task Force has been funded for a 2-year needs-analysis project with full time staff positions.

In-person/ Hybrid Commission Meeting and Community Forum— Robert Lichtenberg

AOC SeaTac office is anticipated to reopen at some point in 2023, but there is no specific date yet. Bob is taking the lead in facilitating discussions regarding a Community Forum. The forum aims to engage member of the public who are interested in interacting with the commission. Additionally, commission members are collaborating with the Access to Justice Board to explore strategies for community engagement and participation.

The next meeting will be on September 8, 2023 at 8:30 AM, location TBD.

The meeting was adjourned at 12:00PM.