

**Washington State Supreme Court
Interpreter and Language Access
Commission
(ILAC)**

February 23, 2024

Meeting Packet

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

Meeting Agenda



WASHINGTON
COURTS

Language Access and Interpreter Commission Quarterly Meeting

Friday, February 23, 2024 - 8:30 AM to 12 Noon PM
Via Zoom

AGENDA

<ul style="list-style-type: none"> • Call to Order • Member Introductions & Meeting Rules 	Judge Diaz	
Chair's Report (<i>Order Subject to Change</i>)		
<ul style="list-style-type: none"> • Approval of previous meeting minutes • New Commission Representatives Candidates Meet and Vote (breakout and return) • In-Person Meeting • RCW 2.43 Revisions • Not Lost in Translation CLE • ABA Standards of Practice Update and the upcoming • ASL Exam Update • Introduction to new AOC staff • Language Access Team Update <ul style="list-style-type: none"> - Testing and Training Update - Interpreter Scheduling - Language Access and Reimbursement Program (LAIRP) - Interpreter Compensation Study 	<p>Judge Diaz</p> <p>Judge Diaz</p> <p>Judge Diaz / James Wells</p> <p>Judge Diaz</p> <p>Kristi Cruz</p> <p>Kelley Amburgey-Richardson</p> <p>James Wells</p> <p>Eunyoung Kim</p> <p>James Wells</p> <p>Tae Yoon</p>	<p>P 4</p> <p>P 12-38</p> <p>P 39</p> <p>P 40-55</p> <p>P 56</p> <p>P 59</p>
Committee and Partner Reports		
<u>Issues Committee Meetings Report</u>		
<ul style="list-style-type: none"> • Comments for revisions to GR 11.3 • Courts using non-Credentialed Interpreters • Concerns that courts have reported with remote interpreting 	Judge Oaks or Designee	<p>P 61-66</p> <p>P 67-68</p> <p>P 69-70</p>
<u>Education Committee Meetings Report</u>		
	Ashley Callahan or Designee	P 71-74

<ul style="list-style-type: none"> • Remote Interpreting Materials • Judicial College • Fall Conference Proposal <p><u>Disciplinary Committee Report</u></p> <ul style="list-style-type: none"> • Complaint Report • Disciplinary Manual Revision <p><u>Translation Committee Report</u></p> <ul style="list-style-type: none"> • Charter • Appellate Courts Language Access Committee <p><u>Liaison Reports</u></p> <ul style="list-style-type: none"> • Office of Administrative Hearings (OAH) • WSCCR Report 	<p>Judge Okoloko or Designee</p> <p>AOC Staff AOC Staff Judge Diaz</p> <p>Tony Griego / Cristina Labra Karl Jones</p>	<p>P 75 P 76-78</p> <p>P 79-82 P 83-84</p> <p>P 86-90</p>
<p>Announcements</p>		
<p>Next Commission Meeting</p>	<p>May 10, 2024 8:30 AM-12 PM</p>	

Meeting Minutes



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

Meeting Minutes

Members:

Judge Diaz
Donna Walker
Kristi Cruz
Naoko Shatz
Kelly Vomacka
Florence Adeyemi
Judge Okoloko
Diana Noman
Anita Ahumada
Annalisa Mai
Michelle Hunsinger de Enciso
Jeanne Englert
Judge Oaks
Ashley Callan

AOC Staff:

James Wells
Kelley Amburgey-Richardson
Robert Lichtenberg
Tae Yoon
Leonard Alvarez

Liasons:

Tony Griego
Karl Jones

Guests:

Chief Justice Gonzalez
Cristina Labra
Erin Lennon
Jacquelynn Martinez
Laurie Reinhardt
Francis Adewale
Sarah Augustine
Amrik Kang
Christina Zubelli
Elianita Zamora
Joseph Mansor
Jovi Lee
Yelena Kazatskaya
Berle Ross
Morgan Jericho

CALL TO ORDER

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

Approval of Previous Meetings Minutes - September Meeting Minutes will be provided at a later date.

Welcome and Introductions

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

CHAIR’S REPORT

ILAC Meeting Dates for 2024

- Scheduled meeting dates: February 23rd, May 10th, September 27th, December 6th

Committee Membership

- Current list of committees and their members have been shared for review.
- Kelly Vomacka needs to be added to the Issues Committee and the Translation Committee members list.

ILAC Vacancies – James Wells

- There are currently two vacancies; a deaf community representative and a translator representative. Solicitations for these vacant positions will be sent in December with a January deadline. New members will be voted at the next meeting.

Appellate Court Language Access Plan (LAP) – Judge Diaz

Over the past 6 months, a preliminary LAP draft was created, outlining basic principles and guidelines. There are concerns regarding next steps, particularly implications on court proceedings and identifying translation needs. Further discussions will take place during the next executive committee meeting in February, where more concrete plans for the scope of the Commission's involvement will be established.

Reduce Barriers to Appellate Access – Erin Lennon, Jacquelynn Martinez, Francis Adewale, Sarah Augustine

Based on the 2020 public letter from the Supreme Court, a workgroup comprised of volunteers has been established to address barriers to appellate access. The workgroup introduced the 'Pathway to Action' model and seeks the Commission's support for a budget proposal. This proposal aims to fund a research study to identify and systematically address barriers to the appellate justice system for low-income and unrepresented appellants. The budget package also includes AOC staffing and related expenditures to support the research study.

The workgroup has already identified a research partner and plans to present the findings, including both quantitative barriers such as language access, as well as qualitative considerations at the next legislature. The project is currently in its first phase of researching barriers and anticipates the second phase to focus on cost considerations, including filing and transcript expenses and cost of document translation for LEP individuals.

Judge Diaz and James will write a letter of support for this project. Any comments or objections from the Commission members should be shared by the end of the day.

Recognition for Bob Lichtenberg

Chief Justice Gonzalez and James expressed appreciation for Bob's service within the ILAC Commission, acknowledging his commitment and dedication to language access issues. Bob transitioned to a new position at the AOC, and is now working on the Disability Justice Task Force.

RCW changes status update – James Wells

The Board for Judicial Administration (BJA) reviewed the updated language for RCW 2.43 and RCW 2.42. RCW 2.43 will be submitted for the legislative session in 2024 and Rep. Peterson will be the prime sponsor in House. The updated language for RCW 2.42, being more substantive in nature, was not submitted due to its significant fiscal impact. The BJA supports the RCW 2.42 proposal and plans to submit it for the extended 2025 session, where budget impacts will more likely to be considered.

- James will circulate the final version of the updated language, edited for typos and non-substantive changes since the last Commission meeting.
- Judge Diaz highlighted the importance of creating and rebuilding connections with the legislature for future proposals.
- Commission members voiced concerns about ASL typically being treated as an afterthought, emphasizing the need for spoken language and ASL to progress in synchronization moving forward.

Revisions to GR 11.3 – James Wells

The Board of Judicial Administration Remote Proceedings Task Force requested the Commission to review the proposal to amend GR 11.3 that addresses remote interpreting. Despite the Commission's concerns and time constraints, the GR11.3 revision has been submitted to the Supreme Court and will be up for public comment in January until April.

Additionally, a subcommittee has been formed to provide guidance to courts regarding remote proceedings. James and Diana from the Commission are part of this group. A draft document will be circulated for review by other committee members by December.

ASL Exam Update – Bob Lichtenberg

The AOC supports funding for a formal ASL testing initiative that will enhance ASL interpreter services through implementation of performance exams. The current portfolio model requiring interpreters to submit credentials to work in courts is not effective for ASL since different states uses different models. A task analysis group will be assessing costs to further evaluate the need for additional legislative funds for this project. If existing funds are available, the second phase of this project will start in FY25 and will run till FY27. Collaboration opportunities with national organizations and other states to co-produce the testing was also mentioned.

ASL Interpreter Survey – Laurie Reinhardt

Laurie Reinhardt gave a presentation on “The Future of Legal ASL-English Interpreters in Washington State: Building a Pathway”. ODHH contracted with Laurie to conduct a survey of ASL interpreters to assess barriers and evaluate their implication on pursuing legal interpreting.

The presentation featured a demographic overview, an examination of current practices, compensation structures, and strategies to address Sign Language interpreter shortage with considerations and recommendations.

COMMISSION STAFF REPORT

Court Interpreter Program Update – James Wells

- AOC recently administered certified interpreter oral exams for 32 candidates in 7 languages, with pending results.
- An Ethics and Protocol class is scheduled for March, 2024. Commission members are welcomed to join and observe the class.
- AOC is currently working on developing or procuring a statewide interpreter scheduling application. The initial business analysis phase is focused on system requirement assessment and options analysis.

Language Access and Reimbursement Program (LAIRP) – Tae Yoon

- 113 contracts were sent out for FY24, with 13 new courts joining the program.
- LAIRP hosted an application training webinar featuring a presentation on the program overview and application demonstration showcasing recent updates. The webinar concluded with a live Q&A session.
- AOC is collaborating with a vendor for an Interpreter Compensation Study to analyze and address challenges in providing interpreter services in WA courts. The study is being funded by the LAIRP and is expected to be completed by early 2024.
- In an effort to bridge language gaps in courts and improve access to justice, 10 commonly used court forms have been translated into three of the most frequently used foreign languages: Spanish, Russian and Vietnamese. The forms are housed on the online platform, OCourt which is used by 40 municipal courts. AOC provided funding through the LAIRP to Tukwila Municipal Court who led this project.

AOC Hiring Update - Kelley Amburgey-Richardson

AOC hired a new Court Interpreter Program Coordinator (Eunyoung Kim) and LAP Coordinator (Leonard Alvarez). Leonard was present and introduced himself.

COMMITTEE AND PARTNER REPORTS

Issues Committee

- WSBA Advisory Opinion on Language Access
The Washington State Bar Association's (WSBA) Committee on Professional Ethics has drafted an advisory opinion and requested ILAC's input. A subcommittee was established that sent a response letter with about 11 recommendations, which include reassessing the burden of interpreter costs and modifications to the language around interpreter qualifications.
- Extension for Tagalog and Portuguese Interpreters
Motion to approve a one-year extension to registered Tagalog and Portuguese Interpreters to obtain a certified credential for their respective language. Approved unanimously.
- SSB 5051
Proposal to collaborate with the translation committee due to overlapping issues.
- Written Exam Validation Timeframe
Motion to extend the written exam validation timeframe to 10 years, allowing interpreters more time to take the oral exam after successfully passing the written exam. Approved unanimously.

Education Committee

- LABT Modules
The AOC's Education Team recently completed the revision of the Language Access Basic Training (LABT) modules which have been streamlined to be more approachable and user friendly. The modules are hosted on the Rise platform, and deployment options are being considered.
- Western District Court of Washington Training in 2024
The United States District Court for the Western District of Washington and Washington's Interpreter and Language Access Commission, together with the Federal Bar Association for the Western District and the King County Bar Association is hosting a training – "Not Lost in Translation: Innovations in Language Access". Flyer is included in the meeting packet for details.

Disciplinary Committee

- There is an ongoing investigation with complaints; details of the current investigation cannot be shared at the moment.

Translation Committee

- The committee is in the process of reviewing a charter, which outlines the committee's objectives, general workplan, and scope of work.

- The Commission proposed assigning a standing sub-committee within the translation committee to oversee the work of LAP in the appellate courts.

Liaison Reports

- **Office of Administrative Hearings (OAH)** – Tony Griego
 - OAH is recruiting for the position of an Administrative Hearings Interpreter for Spanish.
 - The Language Access Policy has been finalized which will be undergoing its first implementation.
 - On January 24th, 2024, OAH is hosting a presentation about holding hearings in Spanish, without an interpreter and with a bilingual Administrative Law Judge, to increase meaningful participation by the self-represented claimants.
- **WSCCR Report** – Karl Jones
 - Karl shared insights into language assistant needs using court data and understanding it with local context.
 - Research project is underway on assessing LEP population by size and county with demographic data from US census for the translation committee.
 - A dashboard for the Interpreter reimbursement program has been created which will allow quarterly tracking of LAIRP utilization. The dashboard is currently in its beta version

The meeting was adjourned at 12:00PM.

Chair's Report

February 21, 2024

James Wells
Language Access Supervisor
Supreme Court Commissions

Dear Mr. Wells,

it's an honor to be able to submit to you my resume and cover letter in applying to be a Deaf Community member of the ILAC in Washington State.

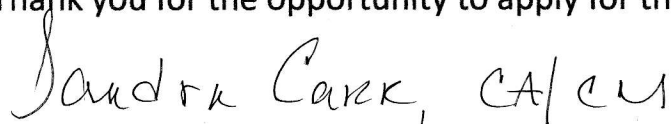
I have 30 plus years working in the arena of services for the Deaf, Deaf-Blind, Hard of Hearing, Deaf-plus and other disabilities.

I have served on multiple councils and committees over the years that gear toward addressing the needs and finding better ways to serve this population.

I'm currently a board member of WASCLA (Washington State Council for Language Access) as I'm passionate about equal access for the Deaf and Hard of Hearing individuals.

I am a staunch advocate for the rights of Deaf and Hard of Hearing to have their communication needs met whether at the Dr or Clinic or in the court. I feel that I can lend a voice of experience to this Commission.

Thank you for the opportunity to apply for this position.



Sandra J Carr
WADHH CA/CM
200 N Mullan Rd #217
Spokane, WA 99206
509-530-2002 VP
509-475-3430 text
Sandra.Carr@WADHH.org

Spokane Valley, Washington

509-475-3430 Text

Qualifications:

- 30+ plus years of experience working with deaf, deaf-blind and hard of hearing individuals.
- Experienced in facilitating workshops for accessibility issues related to the ADA and section 504 of the Rehabilitation act of 1974
- Fluent in American Sign Language, SEE, PSE
- Knowledge and experience working with people with Cochlear Implants, Hearing Aids, Braille, AM/FM systems, Social Media.
- Extensive knowledge of various assessments, suitable placements and referrals
- Able to maintain confidential files in compliance with regulations and policies in regard to the Act of 1974 and other related laws.
- Experienced in public speaking and marketing
- Over 30 years as liaison between community nonprofit and for-profit agencies, health care providers, social workers and other community advocates.
- 100's of volunteer hours dedicated to various community services, held positions on the Governor's council, advisory teams, chair, co-chair, board members and President of Board positions.
- 20 years' experience training consumers in independent living Skills who were deaf, deaf blind and with other disabilities referred through DVR in Washington and Northern Idaho.
- Wide range of training experience including the ADA, Accessibility, Advocacy. Training agencies staff on deaf culture, accessibility issues.
- Working knowledge of Microsoft Office including Word, Outlook, PowerPoint and Publisher. Able to create documents, reports, memos, spreadsheets and presentations. Capable of utilizing Outlook for emails, scheduling and updating calendars.

Education:

Bachelor's Degree in general studies with emphasis on Social Work from Eastern Washington University Cheney, Washington. 1995

AA Degree from Spokane Community College 1995

5-day workshop for Train the Trainer in ADA at the University of Southern California sponsored by Gallaudet University.

Various week trainings in Independent Living Skills Training

One-week training in Chicago, Illinois on Grant Writing sponsored by Gallaudet, University.

Yearly 10-day training for Washington State Certification for in home care.

Training for conducting Vocational Evaluations to individuals to determine employment possibilities referred by various agencies.

Relevant Experiences:

5 years Working for WADHH as a Community Advocate/Case Manger

Provide Client Advocacy/Case Management services to the deaf, Hard of Hearing. Deaf/Blind, Late-Deafened and Deaf+ Community. Assist consumers with applying for services from various state and government agencies. Prepare, Implement and present topics for Community Education and Outreach. Provide Advocacy on accessibility issues pertaining to home, work or school, and their rights and responsibilities. Experience in Payee Program services. Outreach to 10 counties. Collaborating with other agencies to educate them in providing accessibility to the Deaf and Hard of Hearing Community.

6 years working as a home care provider for Aging and Elderly Services

Provides in-home care to Deaf individuals who are not able to help themselves which may include but not limited to, and according to the individuals care plan could include helping with daily activities, personal care, task and hygiene, ambulation, eating, dressing toileting and shaving. Providing healthy meals. Assisting in client's mobility in and out of beds, baths, wheelchairs and or chairs. Transportation to grocery stores, doctor offices etc. Providing and implementing safety practices.

4 years working for Purcell Systems Inc. – Accounts Payable/Finance Clerk

Receive and verify invoices and requisitions for goods and services, verify that transactions comply with financial policies and procedures, prepare batches of invoices for data entry, Data Entry invoices for payment, Process backup reports after data entry, Utilize the SAP System and WZ Labor. Maintain listing of accounts payable, maintain the general ledger and paid invoices. Process all employee Expense Reports weekly for payment. Process all incoming and outgoing freight. Match check stubs with paid Invoices and file same. Maintain Open/Closed files as well as paid Expense Reports.

12 years working for Robert Cornell and Associates

Conducted Vocational (Work) Evaluations on a wide variety of people with various disabilities, which include, but not limited to, Deaf and Hard of Hearing, Deaf/Blind referred by Washington DVR. Answers directly responsible to Senior Vocational Evaluator (CVE). Administered & interpreted numerous tests including: interests, aptitude, achievement, and computerized ability tests; Administered and interpreted numerous work samples; conducted career and educational exploration; interpreted results and counseled clients on appropriate career possibilities. Independent Living Skills Training. Maintained rapport with referral sources in Washington DVR.

11 years working for the Eastern Washington Center for the Deaf and Hard of Hearing.

Duties performed but not limited to:

Provide Client Advocate/ Case Management Services to the Deaf and Hard of Hearing community. Assist consumers with applying for services from various state and government agencies. Prepare and implement workshops, training, orientations on deafness and deaf culture. Educate and advocate for the community on accessibility issues pertaining to home, work or school, and their rights and responsibilities. Event planning, researching, leading and networking to enable services for the deaf and hard of hearing. Experience in Payee Program services. Traveling to 11 counties collaborating with other agencies to educate them in providing services to the deaf and hard of hearing community.

Please request references.

Current VP of WASD (Washington State Association of the Deaf)

Current Board member of WASCLA (Washington State Council of Language Access)

Member of WSRID (Washington State Registry of Interpreters for the Deaf)

David E. Poland, MSW

February 1, 2024

James Wells
Administrative Office of the Courts Commission
1112 Quince Street, SE
Olympia, Washington 98504

Dear James Wells or whoever this may concern,

I am interested in volunteering to assist our state with understanding how to use American Sign Language interpreters for the Deaf, DeafBlind, Deaf low vision, and hard of hearing. I am a life-long Vancouverite, and have a degree in social work with minor in government from Gallaudet University, in Washington DC, the only university on earth for ASL using Deaf people. I am also a Support Service Provider for the Seattle-based DeafBlind Service Center, providing assistance through PTASL to my clients so they can do reports, shop, and read mail when technology isn't enough.

While I am seeking a full time job, and am unemployed, I currently volunteer a couple times a year for the Joint Elections Advisory/Voting Accessibility Committee. A few years ago, the Deaf community signed a petition requesting me to be the first Deaf Representative to Clark County Council on the Community Action Advisory Committee, a nine year term, where I explain how Deaf people are impacted by government policies that are ignorant of what the needs are. Most recently after contacting the Secretary of State with a proposal for an ASL version of the voter pamphlet since many Deaf do not read any printed languages well enough to vote, I was added to the Secure + Accessible Voting Work Group to collaborate with the blind to try to remove barriers for voters. If I am found a good fit for your committee, I would welcome the chance to make our courtrooms equitable.

Sincerely,

David E. Poland, MSW

"I am a motivated community advocate seeking opportunities to partner to improve our society!"

Proficient in Microsoft Office, American Sign Language, data analysis, and providing group presentations

EDUCATION

Gallaudet University, Washington, DC

MSW - GPA: 3.91/4.0; BSW with minor in Government - Summa Cum Laude- GPA: 3.86/4.0

EMPLOYMENT

Support Service Provider

DeafBlind Services Center, Vancouver, WA

Since 2022

- ◆ Provide access to community living through Pro-Tactile American Sign Language

Case Manager

Lifeline Connections, Recovery Resource Center, Vancouver, WA

2021 – 2023

- ◆ Created data collection methods, archived the center's history, and saved them money
- ◆ Designed tabbed training book designed for volunteer staff with various learning styles
- ◆ Built partnerships, shared resources, and educated on Deaf trauma and inclusion

Community Intern

TDI: Telecommunications for the Deaf, Inc., Silver Spring, MD

Spring Semester 2021

- ◆ Created technology access surveys that are unbiased and using data to improve policies
- ◆ Provided members excellent customer service, clear directions, and practical referrals

Census Enumerator

U.S. Census Bureau, Vancouver, WA

2020

- ◆ Accurately input resident data into Federal database, collaborating with team as needed
- ◆ Explained rights, how data will be used and benefit them, and built trust in government

Inclusion Mentor

City of Vancouver Parks and Recreation, Vancouver, WA

Seasonal 2017 – 2019

- ◆ Encouraged campers with disabilities to try new things, and practice respectful behavior
- ◆ Maintained flexibility and teamwork to support inclusion staff

Community Advocate

Washington Advocates for the Deaf and Hard of Hearing, Vancouver, WA

2017 – 2018

- ◆ Established relationships with housing, mental health, YWCA, and Vancouver police
- ◆ Helped seniors regain independence and workers improve resumes and learn new skills

Center Global Intern

The DC Center, Washington DC

2014 – 2015

- ◆ Created first statistical LGBT model to track and project migration trends analyzing raw data
- ◆ Ensured access for LGBT, Russian, African, and Middle Eastern asylum seekers

Congressional Intern

Office of House Representative Mark Takano, Washington DC

Summer 2014

- ◆ Took notes meeting with lobbyists and sent responses to constituents as an intern

REPRESENTATIVE POSITIONS

Deaf Community Low-Income Representative

Clark County Community Action Advisory Board Since 2019

- ◆ Advising the county council of policy conflict with Deaf norms excluding our homeless

Deaf Community Representative

Elections Advisory Committee Board Since 2019

- ◆ Providing the county auditor perspectives to improve ADA compliance and access
- ◆ Successfully got auditor on-board with advocating for ASL version of voter pamphlets

Deaf Community Representative

C-Tran Citizens Advisory Committee Board 2019 – 2021

- ◆ Providing cultural, equity, and inclusion perspectives, to improve relations and services

President

Graduate Student Association Fall Semester 2016

- ◆ Recruited diverse students as representatives for each program, and facilitated council
- ◆ Created organized inventory for archiving GSA historical records

Vice President

Graduate Student Association Spring Semester 2016

- ◆ Represented students' rights in committees with faculty and administration

VOLUNTEERISM

Association of Late Deafened Adults (ALDA) Social Media Chair 2019

- ◆ Researched target groups, and strategized ways to increase membership

Clark County ASL & Deaf Pride Parade 2017 – 2019

- ◆ Founder, sole planner, advertiser, and organizer for annual cultural event

City of Vancouver Position 6 Panel for the Deaf Community 2019

- ◆ Acquired interpreting sponsor, and created video and flyer advertising for social media

Clark County Council Panel for the Deaf Community 2018

- ◆ Planned and organized candidate panel for the Deaf, and made video transcription

Housing and Homelessness Advocacy Day 2018

- ◆ Lobbied with Washington Low Income Housing Alliance and Council for the Homeless

Leadership Clark County Class of 2018

- ◆ Created tool for Battle Ground Healthcare social media marketing to save \$1k monthly

Washington State School for the Deaf Spring 2017

- ◆ Mentored Deaf children in after-school programs on and off campus three days a week

"In my free time, I enjoy patio gardening and philosophical discussions in respectful debate."

HELENA V. GREEN

14710 NE 396th St., Amboy WA 98601 ● (360) 241-5617 (Cell) ● helenagreen691@gmail.com

**Supreme Court Interpreter and Language Access Commission
c/o James Wells
P.O. Box 41170
Olympia, WA 98504-1170**

Dear James/ILAC recruiting commission,

I'm writing to express interest in the position of Translator Representative.

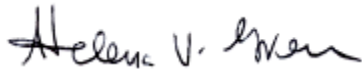
As you will see from my resume, I have experience both as a certified Court Interpreter (which gives me a working knowledge of court procedures in general, court ethics and of the legal documents associated with the court process), AND written document translation project management.

As an example, I've been working for Transperfect, Inc. since 2010 performing both translation, QA and project management assignments. Thus, I'm familiar with all sides of the process, including the use of software used to ensure quality and consistency.

Because of the nature of my current freelance structure of work, I would be comfortable with both a full time, as well as a part time position, and will not be looking for any adjustments in either setting.

Please consider the attached Resume, and feel free to reach out to me at any time with any questions.

Sincerely,



**Helena Green
(360) 241-5617
helenagreen691@gmail.com**

HELENA V. GREEN

14710 NE 396th St., Amboy WA 98601 ● (360) 241-5617 (Cell) ● helenagreen691@gmail.com

RUSSIAN LANGUAGE

**OR and WA CERTIFIED INTERPRETER • TRANSLATOR
(Remote-Conference-Onsite; Simultaneous/Consecutive)**

EDUCATION SUMMARY: *MA in Linguistics*
Over 500 hours CE courses in translation, linguistics and ethics
(see details below)

QUALIFICATIONS SUMMARY:

- Russian and English: native speaker capability in **both** languages –
Successfully passed state, government and private testing as a master level translator/interpreter, including an Intelligence Agency Screening Test at the Senior level (2014)
- **Over 15+ years of full time, documented interpreting and translation experience** (legal, healthcare, business, marketing, insurance)
- *Translation project management and translation QA: 10+ years experience*
- *Document and media translation experience in diverse fields*
- *Literary translations (including poetry), marketing and Transcreation*
- **Certified Court** (States of OR, WA, OH, AK) and **Medical** (WA DSHS) interpreter and translator
- **Telephone and Video/Remote** experience
- **ATA and NAJIT** member
- **CAT tools:** Trados Studio (active license); Wordfast
- **Instruction experience** (classroom and online)

EXPERIENCE SUMMARY:

- *Legal Documents translation and Interpreting: contracts, patents, court orders, etc.*
- *Criminal and Civil Trial interpreting experience – simultaneous and consecutive*
- *Audio transcription and translation, Recorded Statements*
- *Advertising and Marketing (Transcreation) experience*
- *Medical, hospital and healthcare interpreting and translation experience*
- *Client-facing team lead*
- *Open source research and gisting.*

Core Competencies:

- **Over 15+ years of translation/interpreting/VRI experience**
- **Translator Certifications (ATA, NAJIT)**
- Translation software experience: Trados, WordFast
- **Court and Medical Interpreter Certification (OR, WA, ID, AK, OH, MN)**
- Simultaneous and Consecutive Interpreting
- Technical/Document Translation

- Extensive remote experience (video and telephonic interpreting)
- **Experience with 502/WCAG ADA website and document translation compliance**
- Patent translation experience
- Internships in phonetics and morphology
- Published Author
- Presentation and Instruction
- Diplomatic visits, conference and escort interpreting (International Red Cross conference, USCG and other)
- Telephone and virtual interpreting
- Published literary and professional work
- Product positioning
- Project management
- Cultural and language consulting

EMPLOYMENT:

2008 - Present: Washington and Oregon Judicial Departments –Certified Court Interpreter and translator, Expert Linguist (Freelance Contractor)****

Provide consecutive and simultaneous on-site interpreting and translation of legal documents, simultaneous (using equipment) and consecutive video and telephone interpreting, phone interpretation, document site translation, audio/video interpreting, recordings transcription and translation. (Court trials, government programs, attorney/client communications, business agreements/negotiations, investigations, law enforcement, arrests/questioning, polygraph, court documents and contracts).

Provide transcription of audio tapes (often with excessive noise – wiretap), translation of such Perform full range of linguistic activities, translate materials that can be idiomatic, ambiguous or lack correct grammar. Prepare summaries of collected information when needed.

Work with diverse government programs/procedures, State Courts, Homeland Security and the Department of Corrections, be familiar and abide by the code of interpreter ethics and government/private company policies. Work alone and tandem with another interpreter, travel state-wide.

Hold active certification as a Certified Court Interpreter

To verify: **Kendra Strubel**, Interpreter Scheduler. Court Interpreter Services, Oregon Judicial Department. 503-986-5607 SCA.CLAS.Rivets@ojd.state.or.us

Bryan Day Interpreter Services Coordinator, Clark County Washington Interpreter Services, 564.397.5784 ext. 5784 DistrictCourtIntCoor@clark.wa.gov

2010 – Present: TRANSPERFECT (Translations.com) - Language Lead; Lead QA, Translation Project Manager

Proofread translated documents for accuracy, punctuation and correct formatting as the last step before delivery to the client.

Work with client's ICR to ensure consistency and quality of translations. Review ICR changes/suggestions/questions and train linguists accordingly (prepare reports, find and site appropriate grammar/punctuation rules/references, review and update Glossary and Term Manager). Circulate regular training emails to the linguists' team. Be responsible for the final translation quality, design; initiate and monitor actions to improve it (reduce the number of typos, mistranslations, terminology inconsistencies, etc.) Prepare weekly quality reports for the linguists. Prepare monthly reports for the client, reflecting possible translation issues and action taken to remedy error margin.

Related experience:

- *Published author* (Literary Magazines, 1994, 1999, 2001)
- *International Red Cross conference – 1989.* On-site cultural support/interpreter.
- *World Trade Center* Translation of documents and product descriptions. Working under strict deadlines.

2013 – Present: QUICK TRANSLATION SOLUTIONS, LLC

Perform translations with and without use of CAT tools (WordFast, Trados). Provide on-site, telephone and virtual interpretation. Provide educational, training and teaching support. Provide translation of written, electronic and multi-media material: legal, compliance, patent, educational, academic, financial and business documents, technical descriptions and manuals, research and thesis documents, software and equipment manuals.

Research open source materials and provide summaries/synopses/gists.

Provide transcription and translation of audio materials, subtitle translation.

2016 – 2017: VIA, Inc. - Senior Project Manager

Manage business development and localization projects for best revenue growth, introducing products and services (B2B, B2C), monitor key analytics to ensure growth and profitability. Manage and organize team effort through defining, scheduling and distributing appropriate tasks and roles.

1997 – Present: Columbia Language Services - Interpreter/translator

Certified by WA DSHS as Medical Interpreter, Medical Translator, and Social Services Interpreter.

Interpreting: Provide on-site and telephonic interpreting for doctor and clinical visits and follow up calls, hospitals, benefit eligibility reviews, etc.

Provide onsite interpreting between patients and their healthcare providers during doctor visits, hospital stays, emergency room visits, Health Department screenings, routine checkups and insurance coverage verification. Work with different government programs (SNAP, DDD, Oregon Health Plan, CARES, Agency on Aging, etc.), assist during assessments.

Translation: Perform translations with and without use of CAT tools, translate medical and benefit-related documentation.

Freelance Interpreting and Translation Work (INCLUDES MULTIPLE OTHER COMPANIES):

Provide on-site, telephone and virtual interpretation for private and group meetings, conferences, training seminars and webinars for private and public entities, businesses and government offices. (Hospital stays, surgeries, doctor office visits, Emergency medical services, DSHS, SSA, Agency on Aging, Department of Developmental Disabilities, etc.). Interpret in different settings: technical, business conferences and meetings

(simultaneous and consecutive), medical offices, state program administrations, worksite training and safety meetings, etc. Interpret oral communication from English and Russian, to include but not limited to consecutive, escort, telephonic and voiceovers. Interpret forums, meetings, conferences, briefings, training, business and technical operations, and provide educational, training and teaching support. Interpret oral communication from English and Russian, to include but not limited to consecutive, escort, telephonic and voiceovers. Interpret forums, meetings, conferences, briefings, training, business and technical operations, and provide educational, training and teaching support. Work with insurance enrollment projects/Healthcare Reform—perform enrollments, advise on HIPPA requirements.

Translation: Provide translation of written, electronic and multi-media material: legal, compliance, patent, educational, academic, financial and business documents, technical descriptions and manuals, research and thesis documents, software and equipment. Perform translations with and without use of CAT tools for diverse industries (medical, legal, compliance, business)

Consulting: Provide cultural consulting (marketing and buying psychology, information perception, etc.) and localization services. Advise on industry trends and buying behaviors.

Website localization: Content development, program management, localization, campaign testing and management, ROI monitoring. Determine potential cultural/language problems, suggest resolutions, define new strategy/improvement plan, test and monitor results. Translate website content from Russian to English and from English to Russian; create marketing content, edit content and edit it to best communicate its marketing message to the intended audience. Perform keyword research and execute marketing campaigns.

Business development: Manage translation projects. Analyze industry and marketing trends, buying and response behaviors and patterns, use collected information to design, test and execute marketing campaigns. Negotiate contracts. Test, hire and train translators and interpreters, assign and monitor tasks, perform quality control.

EDUCATION:

California University FCE, Los Angeles - 2012

MA in Adult Education/Business Communications

Courses in Business Communications, Presentation, Business Administration, Management, Motivation, Workplace Psychology, Counseling, Public Speaking and Education.

Major: Linguistics and Literature.

Courses in: Theoretical Linguistics, Language Study, Creative Writing, Literature, Performing Arts, Production Techniques

American Writers and Artists Institute - 2002

Business Development/Direct Marketing

2yr. certificate

Courses in Direct Marketing, Business Development, Sales Psychology, Business Relationship Building, Presentation Mastery and Impact.

1992-1994 Flathead River Community College, Kalispell, MT

AA in General Studies, graduated with honors

Courses in: Public speaking, Oral and Written Communications, Research,

Continuing Education Seminars:

Presentation:

-- *Court Interpreter Ethics*

-- *Managing multiple priorities and projects*

--Intensive simultaneous Skill Building

-- Tony Jerry Presentation Mastery

-- Telephonic Customer Service Skills

-- Working Remotely

-- Goals and Motivation

-- Results-oriented communication strategies

-- CI Techniques for Legal Interpreters

-- Terminology management

-- Results-oriented communication strategies

-- Translation of Specialized Documents

Linguistics:

- ATA Language and Ethics Seminars
- State of Oregon Court Interpreter ethics seminars
- Comprehensive data and research
- Oral, Written Communications and PR
- Creative writing
- Psychology of Language (Linguistics)
- Language and Communications (Linguistics)
- Cognitive Control (Linguistics)
- Ambiguity Resolution (Linguistics)

Honors/Awards:

- High school: Valedictorian
- Flathead Valley Community College (FVCC): graduated with honors
- Rotary club – VIP guest speaker
- Lions club – VIP guest speaker
- Numerous *Thank you* letters from present customers

Published work:

Kinesis, 1996 (Whitefish, MT – literary magazine): *Will Kill for Food: Will Russia Survive the new Democracy?*

Master's Thesis: The use of the methods of psycholinguistics and socio-linguistics in culture-specific instruction. Cognitive and Educational Psychology.

Performing arts: Flathead Valley Community College Theater

Volunteer/other relevant experience:

Lutheran Bible Institute of Seattle – Fundraising speaker

Whitefish School District – ESL consultant

References:

Patricia Kiley
State of Oregon
Interpreter Scheduler/Coordinator
patricia.j.kiley@ojd.state.or.us
(503) 650 – 3022

Heidi Murelleile
Interpreter supervisor

(503) 988 – 3515

“Very responsible and reliable... Knowledgeable of professional ethics, and strictly adhering to it,”
Roger Leo, attorney. 520 SW Yamhill, Portland OR 97204 **(503) 222-1414**

“Strong interpersonal and communication skills... Maintains excellent communication,”
Professional evaluation, Pacific Interpreters, Portland, OR. 707 SW Washington St, Portland, OR
97205 **(503) 223-8899**

“Good decision making skills,” George Shryock, FVCC, academic advisor 777 Grandview Dr,
Kalispell, MT 59901 **(406) 756-3668**

“Determined, quick learner with superb analytical ability. Highly intelligent and versatile,”
Dale Harvey, FVCC professor **(406) 755 – 2229**

“Upstanding citizen with remarkable integrity,” Kris Jackola, engineer **(406) 892-1565**

Greetings

I would very much like to be considered for participation on the Commission as translator representative if I may be of service.

Attached is an abbreviated CV outlining my interest in promoting language access.

I frequently encounter court materials which have Spanish translations which are lacking and on more than one occasion have sent examples to the Commission expressing my concerns about our commitment to assure constitutional guarantees to equal access to justice. I am told we have similar challenges with other languages as well.

Thank you for your consideration.

P Diane Schneider

P Diane Schneider
6000 Maxwellton Rd
Clinton, WA 98236
425 232 2326

Profile

Washington State court certified Spanish interpreter 1992 to present

Also perform transcriptions-translations for use in court

Hobbies include translating novels into English and operating a cattle-horse ranch

Professional experience

Worked for the State of Washington in several agencies and positions from 1967 to 1970 and 1973 to 1985 including DSHS, DOC, Western State Hospital.

During a sabbatical from 1970 through 1973 lived and worked for the Institute of American Studies in Athens, Greece teaching English as a foreign language.

Worked for the USDOJ from 1985 to 2008 conciliating and mediating conflicts relating to race, color and national origin. During this time initiated and secured translations of the National Black Police Association document What to do when stopped by the police into multiple languages to coincide with current demographics. Shared with communities.

Received Washington State court certification as Spanish interpreter in 1992.

Work as independent contractor since 2009.

Education

Bachelor of Arts from the University of Washington majoring in Spanish language,

Master of Public Administration from Seattle -University

Mediation short course from University of Washington School of Law

Continuing education courses in the field of interpretation and translation to maintain interpreter certification.

Affiliations

Life member, American Translators Association

Member, National Association of Judiciary Interpreters and Translators

Member Northwest Translators and Interpreters Society

Member Daughters of Penelope a Greek womens organization

Commissioner Emeritus Washington State Minority and Justice Commission

Current Board member Washinton State Coalition for Language Access

Member Washington Immigrant Solidarity Network



Washington State Supreme Court
Interpreter and Language Access Commission
Seattle, WA 98104

February 15, 2024

RE: Nomination of Translator Representative to the Interpreter and Language Access Commission

Attention:
Honorable J. Michael Diaz, Chair
Mr. James Wells
Members of the Commission

Dear Judge Diaz, James Wells and Commission Members,

In response to your request, NOTIS is pleased to nominate Ms. María Luisa Gracia Camón to serve as Translator Representative to the Interpreter and Language Access Commission and as a member of ILAC's Translation Committee.

Luisa is a long-time member of NOTIS in good standing. I have known her since 2018 through the NOTIS Board of Directors. During her tenure on the Board, she was one of our most active and productive directors, and she remains an active member of the society. As Chair of the Legal Division, she provided an especially rich program of workshops for legal interpreters and translators. In her work she exhibits awareness of existing systems and ideas for their improvement, vigilance and attention to detail. She is deeply concerned with implementing best practices in the profession, as shown in her training sessions providing guidance for judges on how to work successfully with interpreters.

I believe Luisa would be an excellent addition to the Commission. She is familiar with the workings of the court system from her years as a professional legal translator and interpreter and, since 2019, as Court Interpreter Program Lead, Coordinator and Strategic Advisor for the Seattle Municipal Court. In the past she has served as Interpreter Representative to the Washington Supreme Court Interpreter Commission. Because of all this she is likely to hit the ground running. She is already familiar with court forms used in the State of Washington, having translated, proofread and edited them and other, related documents.

As a translator, Luisa has advanced education and practice under the U.S. and Spanish systems, in addition to Law Studies at the Universidad de Zaragoza. She has a B.A. in Translation and Interpreting and has also taught classes at Bellevue College and Seattle Central College, including Advanced Translation Skills. Although Luisa is not ATA-certified, her extensive training and experience should be more than equivalent to that credential, and she is a DSHS Certified Translator and Interpreter and is an Official Translator and Interpreter for the Ministry of Foreign Affairs in Spain.

Luisa is extremely energetic and dedicated and will be a great asset to any venture she chooses to join.

Please consider Luisa for the position of Translator Representative to ILAC.

Thank you and best regards,

NOTIS President

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

Laura Friend



National Association of Judiciary Interpreters & Translators
2002 Summit Blvd. ▪ Suite 300 ▪ Atlanta, GA 30319
Tel: (404) 566-4705 ▪ Fax: (404) 566-2301 ▪ www.najit.org

Via Email james.wells@courts.wa.gov

Attn: Mr. James Wells, Language Access Supervisor

Washington State Supreme Court Interpreter and Language Access Commission

**RE: ENDORSEMENT FOR MARIA LUISA GRACIA CAMON AS TRANSLATION
REPRESENTATIVE CANDIDATE**

Dear Mr. Wells:

We are writing to extend our enthusiastic endorsement for Maria Luisa Gracia Camon, a dedicated member of our Training and Education Committee, who is considering running for the position of Translation Representative at the Washington State Supreme Court Interpreters and Language Access Commission (ILAC).

Ms. Gracia Camon has been an active member of one of our most productive committees, the Training and Education Committee, which works to shape our educational initiatives, foster collaboration among interpreters, and contribute to growth in our profession. The leader of this committee, who has worked with her for many years, describes her as someone knowledgeable, dedicated, and reliable, with a breadth of experience. We are fully confident that she will be a valuable asset to the ILAC as well and will contribute meaningfully to ensuring language access in Washington State.

Please do not hesitate to contact us should you require any further information.

Sincerely,

Board of Directors,
National Association of Judiciary Interpreters and Translators

M Luisa Gracia Camón
Redmond, Washington

February 14th, 2024

RE: Translator Representative of the Interpreter and Language Access Commission

Attention:

Interpreter and Language Access Commission

James Wells

James.Wells@courts.wa.gov

Dear ILAC members,

My name is Maria Luisa Gracia Camón. I am a professional translator, Washington State Certified Court Interpreter, and currently, the Manager of Seattle Municipal Court's Interpreter Services Office.

I am interested in the position of Translator Representative of ILAC. I would love to serve our courts in developing and implementing best practices and guidelines for the translation of legal documents and other information necessary to provide proper access to justice.

Translation has been very dear to my heart from the beginning of my career. I started my language access career as an official translator in Spain.

My professional experience acquired at the European Commission Translation Service in Brussels (Legal and Economic Unit), as a Manager of Seattle Municipal Court's Interpreter Services Office, and through my work as a freelance translator both in Europe and in the United States, would be a very valuable asset for the Commission.

In Spain's Asociación Aragonesa de Traductores e Intérpretes (ASATI), I was a representative for official translators and interpreters for several years. Within the Association, I led the project that regulated the translation profession in Spain. I, along with three of my colleagues, drafted the Quality Guidelines for Translation, as you will appreciate on my résumé.

In 2014, I was invited to join NOTIS' Board of Directors, where I served for years as the Chair of the Legal Division. In 2022, I was invited to be part of the University of

Washington Translation Hub. Finally, in 2023 I was invited to be a part of NAJIT's Education Committee. Translation always played a role in some capacity within the activities of these three professional organizations.

Also, I have been an instructor of the Advanced Translation and Interpretation Skills (Spanish) in Bellevue College's Translation and Interpretation Program. In Seattle Central's Translation and Interpretation Program, I am an instructor of Translation and Interpretation Basics and Advanced Interpretation Skills. I successfully taught my students the importance of proper bilingual glossary creation as part of that opportunity.

As some of you may recall, I have served as the Interpreter Commission's Interpreter Representative, and I worked passionately on different projects under the auspices of the Commission for the betterment of access to justice.

It shall be my pleasure to serve on, or collaborate with the Interpreter and Language Access Commission and bring to bear my years of relevant and dedicated experience to accomplish ILAC's intended goals regarding the proper translation of crucial legal documents that will provide equal language access to all. Thank you very much for your time and consideration.

Respectfully,

M Luisa Gracia Camón

Affiliations: ASATI (Asociación Aragonesa de Traductores e Intérpretes, Spain)
NOTIS (Northwest Translators and Interpreters Society)
NAJIT (National Association of Judiciary Interpreters and Translators)
ATA (American Translators Association)

- ✓ Traductora e Intérprete Jurada (Official Translator and Interpreter, Ministry of Foreign Affairs, Spain)
- ✓ Certified Court Interpreter – Spanish. Washington State Administrative Office of the Courts.
- ✓ Former Interpreter representative- Washington Supreme Court Interpreter Commission. Co-author of GR 11.4, review of GR 11.3 and RCW 2.43.
- ✓ Translator and proofreader for English and Spanish. Proofreader of GR 11.2 Spanish version.
- ✓ Advanced Translation and Interpreting Skills instructor at Bellevue College and Seattle Central.
- ✓ DSHS Certified Interpreter and Translator, Washington State Department of Social & Health Services

Education

- B.A. Degree in Translation and Interpretation (Licenciada en Traducción e Interpretación).
Universidad Alfonso X El Sabio, Villanueva de la Cañada, Madrid, Spain. Spanish (A), English (B) and French (C).
- Law Studies, Universidad de Zaragoza, Spain.
- Official Certificate of Teaching Proficiency (Certificado de aptitud pedagógica) Instituto de ciencias de la educación. Universidad Complutense de Madrid, Spain. Specialty: English.
- Specialized Training for instructors of SPANISH as a foreign language. Initial and Specialist training (2008 and 2009). Universidad de Zaragoza, Instituto Cervantes and Aragon’s Regional Government. Jaca, Spain.

Translation and Interpretation experience (Brief)

2021-Present Seattle Municipal Court; Interpreter Services and Language Access Manager.

- Strategic advisor on language access. Schedule interpreters.
- Developed protocol for translation repository, request, tracking and monitoring translation of documents. Use of Computer Assisted Translation tools.
- Translate, proofread, and edit court forms, documents, web content, Interactive Voice Recognition prompts, online payment system (Spanish), video scripts and outreach.

- Implemented protocol for simultaneous remote interpretation using “dual architecture” in court hearings.
- Prepared and implemented protocol for court-mandated classes for remote simultaneous interpretation using simultaneous features in Webex and Zoom.
- Provide training for judges, interpreters, and attorneys.
- Provide assistance and advice to other courts or parties in need of language access services.

2019-2021 Seattle Municipal Court; Court Interpreter Coordinator.

- Worked in video-remote interpreting set-up and implementation for courts.
- Translator and proofreader for English and Spanish.
- Implemented protocol for remote interpretation in court.
- Provided training for judges, interpreters, and attorneys.

2017-2019 Seattle Municipal Court; Court Interpreter – Program Lead.

- Developed first ever in-state mentoring program, now **Advanced skills for court interpreters**, to train interpreters of languages of lesser dissemination.
- Worked in video-remote interpreting set-up and implementation for courts. V-See platform.
- Served as a Spanish interpreter in court hearings and trials. Translate, proofread, and edit court forms and documents. Translated, recorded, and reviewed Probation tracking IVR and IVR payment system (Spanish versions).
- Advised and educated different parties about the interpreting industry standards, court policies and procedures.
- Scheduled interpreters as needed.

2002-Present Freelance

- **Official Translator.** Translate and notarize documents needed for official purposes, specializing in Legal, Education, Administrative.
- Court Interpreter in Spain and U.S. and Conference Interpreter (UN, E.U., and other events).

2004-2011 Easy Words Traducciones S.L. Zaragoza, Spain.

- Director and manager of a variety of translation projects. Hire translators. Proofreading. Interpreter. Initiated a database specific to translation companies www.easywords.es.

2002 European Commission Translation Service in Brussels, Belgium.

- Internship in the Legal and Economic Unit. Translation of official confidential documents of the E.U. Worked in translation projects and used one of the greatest translation repositories in the world.

Instructor experience

Translation and Interpretation programs

- 2020-2024 Instructor at Seattle Central College - Translation and Interpretation Basics. Advanced Interpreting Skills I, II.
- 2018-2023 Instructor at Bellevue College. Translation and Interpretation Certificate Program. Advanced Translation and Interpreting Skills I, II and III – Spanish.

Other Professional Education sessions

- 2021 & 2023 **Pro-Tem Judges instructor.**
- 2019 to 2021 **Judicial College instructor.**
- 2018 Co-presenter in the Regional Law Safety & Justice Committee. Interpreter Services.
- 2021-Present Ethics and Protocol session for new interpreters- AOC Interpreter Program.
- 2020-2021 Developed and taught Webinar on Remote interpreting 101.
- 2019-Present Provide education sessions in collaboration with Seattle University, University of Washington, Youth Court, WSBA.

Other related activities

- 2024 Najit – Education Committee member
- 2024 Najit – Scholarship Subcommittee
- 2022 Member of the University of Washington Translation Hub
- 2017- 2020 Chair of the Legal Division (NOTIS)
- 2014-2016 NOTIS (Northwest Translators and Interpreters Society). Member of the Board and Co-Chair of the Court Interpreters Division (Legal Division). Preparation of continuing education training for court interpreters.
- 2008-2010 ASATI (Translators and Interpreters Association of Aragon) Zaragoza, Spain. Representative of the Official translators and interpreters.
- 2009 Participated in the project for the Regulación de la profesión del traductor en España. (Regulation of the translation profession in Spain)
- 2009 Prepared Guía de calidad en la traducción for ASATI. **(Quality Guidelines for Translation).**
- 2006 Presented on Official Translators and Interpreters. I Jornada de Orientación Profesional para traductores. ASATI. Official translators' liabilities and duties. Zaragoza, Spain.
- 2005 Workshop of ASATI on working conditions of the translators and interpreters (May). Provided lecture on Prevention of occupational risks 06/20/2005. Working conditions related to translators' and interpreters' liabilities. Ergonomics.



**INTERPRETER AND LANGUAGE
ACCESS COMMISSION
(ILAC)
2024 MEETING DATES**

DATE	TIME	LOCATION
February 23, 2024	8:30 am to 12:00 pm	Zoom Videoconference In-person: TBD
May 10, 2024	8:30 am to 12:00 pm	Zoom Videoconference In-person: TBD
September 27, 2024	8:30 am to 12:00 pm	Zoom Videoconference In-person: TBD
December 6, 2024	8:30 am to 12:00 pm	Zoom Videoconference In-person: TBD

SUBSTITUTE HOUSE BILL 2006

State of Washington

68th Legislature

2024 Regular Session

By House Appropriations (originally sponsored by Representatives Peterson, Mena, Ryu, Ramel, Cortes, Reed, Ormsby, Kloba, Cheney, Doglio, Goodman, Thai, Ortiz-Self, Lekanoff, Hackney, and Davis; by request of Administrative Office of the Courts)

READ FIRST TIME 01/31/24.

1 AN ACT Relating to court interpreters; amending RCW 2.43.010,
2 2.43.030, 2.43.050, 2.43.060, 2.43.080, 2.43.070, 2.43.040, 2.43.090,
3 2.56.030, 7.105.245, 13.04.043, and 2.42.120; reenacting and amending
4 RCW 2.43.020; adding new sections to chapter 2.43 RCW; and
5 recodifying RCW 2.43.040 and 2.43.080.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 **Sec. 1.** RCW 2.43.010 and 1989 c 358 s 1 are each amended to read
8 as follows:

9 It is hereby declared to be the policy of this state to secure
10 the rights, constitutional or otherwise, of persons who, because of a
11 non-English-speaking cultural background, are unable to readily
12 understand or communicate in the English language, and who
13 consequently cannot be fully protected in legal proceedings unless
14 ((qualified)) interpreters are available to assist them.

15 It is the intent of the legislature in the passage of this
16 chapter to provide for the use and procedure for the appointment of
17 such interpreters. ((Nothing in chapter 358, Laws of 1989 abridges
18 the parties' rights or obligations under other statutes or court
19 rules or other law.))

1 **Sec. 2.** RCW 2.43.020 and 2010 c 190 s 2 are each reenacted and
2 amended to read as follows:

3 As used in this chapter:

4 (1) (~~"Appointing authority" means the presiding officer or~~
5 ~~similar official of any court, department, board, commission, agency,~~
6 ~~licensing authority, or legislative body of the state or of any~~
7 ~~political subdivision thereof.~~

8 ~~(2) "Certified interpreter" means an interpreter who is certified~~
9 ~~by the administrative office of the courts.~~

10 ~~(3))~~ "Credentialed interpreter" means an interpreter who is
11 credentialed by the administrative office of the courts in a spoken
12 language.

13 (2) "Judicial officer" means a judge, commissioner, or magistrate
14 of any court.

15 (3) "Language access plan" means a plan that is publicly
16 available which contains the elements required by RCW 2.43.090.

17 (4) "Legal proceeding" means ((a)) any proceeding in any court
18 ((in this state, grand jury hearing, or hearing)), and in any type of
19 hearing before ((an inquiry judge,)) a judicial officer, an
20 administrative law judge, or before an administrative board,
21 commission, agency, or licensing body of the state or any political
22 subdivision ((thereof)).

23 ~~((4) "Non-English speaking person"))~~ (5) "Person with limited
24 English proficiency" means ((any)) a person involved in a legal
25 proceeding who cannot readily speak or understand the English
26 language, but does not include ((hearing-impaired persons)) deaf,
27 deaf-blind, and hard of hearing individuals who are covered under
28 chapter 2.42 RCW.

29 ~~((5) "Qualified interpreter" means a person who is able readily~~
30 ~~to interpret or translate spoken and written English for non-English-~~
31 ~~speaking persons and to interpret or translate oral or written~~
32 ~~statements of non-English-speaking persons into spoken English.))~~

33 ~~(6) ("Registered interpreter" means an interpreter who is~~
34 ~~registered by the administrative office of the courts.))~~ "Presiding
35 officer" means the judicial officer or similar official of any court,
36 department, board, commission, agency, or licensing authority of the
37 state or of any political subdivision thereof.

38 **Sec. 3.** RCW 2.43.030 and 2005 c 282 s 3 are each amended to read
39 as follows:

1 (1) (~~Whenever an interpreter is appointed to assist a non-~~
2 ~~English-speaking person in a legal proceeding, the appointing~~
3 ~~authority shall, in the absence of a written waiver by the person,~~
4 ~~appoint a certified or a qualified interpreter to assist the person~~
5 ~~throughout the proceedings.~~

6 ~~(a) Except as otherwise provided for in (b) of this subsection,~~
7 ~~the interpreter appointed shall be a qualified interpreter.~~

8 ~~(b) Beginning on July 1, 1990, when a non-English-speaking person~~
9 ~~is a party to a legal proceeding, or is subpoenaed or summoned by an~~
10 ~~appointing authority or is otherwise compelled by an appointing~~
11 ~~authority to appear at a legal proceeding, the appointing authority~~
12 ~~shall use the services of only those language interpreters who have~~
13 ~~been certified by the administrative office of the courts, unless~~
14 ~~good cause is found and noted on the record by the appointing~~
15 ~~authority. For purposes of chapter 358, Laws of 1989, "good cause"~~
16 ~~includes but is not limited to a determination that:~~

17 ~~(i) Given the totality of the circumstances, including the nature~~
18 ~~of the proceeding and the potential penalty or consequences involved,~~
19 ~~the services of a certified interpreter are not reasonably available~~
20 ~~to the appointing authority; or~~

21 ~~(ii) The current list of certified interpreters maintained by the~~
22 ~~administrative office of the courts does not include an interpreter~~
23 ~~certified in the language spoken by the non-English-speaking person.~~

24 ~~(c) Except as otherwise provided in this section, when a non-~~
25 ~~English-speaking person is involved in a legal proceeding, the~~
26 ~~appointing authority shall appoint a qualified interpreter.)~~ (a)
27 Credentialed interpreters shall be appointed in legal proceedings
28 involving participation of persons with limited English proficiency,
29 unless good cause is found on the record for appointing a
30 noncredentialed interpreter.

31 (b) For purposes of this chapter, "good cause" includes, but is
32 not limited to, a determination that:

33 (i) Given the totality of the circumstances, including the nature
34 of the proceeding and the potential penalty or consequences involved,
35 the services of a credentialed interpreter are not reasonably
36 available; or

37 (ii) The current list of interpreters maintained by the
38 administrative office of the courts does not include an interpreter
39 credentialed in the language spoken by the person with limited
40 English proficiency.

1 (2) If good cause is found for using an interpreter who is not
2 (~~certified or if a qualified interpreter is appointed, the~~
3 ~~appointing authority shall make a preliminary determination, on the~~
4 ~~basis of testimony or stated needs of the non-English-speaking~~
5 ~~person, that the proposed interpreter is able to interpret accurately~~
6 ~~all communications to and from such person in that particular~~
7 ~~proceeding. The appointing authority shall satisfy itself on the~~
8 ~~record that the proposed interpreter:~~

9 ~~(a) Is capable of communicating effectively with the court or~~
10 ~~agency and the person for whom the interpreter would interpret; and~~

11 ~~(b) Has read, understands, and will abide by the code of ethics~~
12 ~~for language interpreters established by court rules)) credentialed,~~
13 ~~the judicial or presiding officer shall make a preliminary~~
14 ~~determination that the proposed interpreter is able to interpret~~
15 ~~accurately all communications to and from the person with limited~~
16 ~~English proficiency in that particular proceeding. The determination~~
17 ~~shall be made on the basis of testimony or stated needs of the person~~
18 ~~with limited English proficiency.~~

19 (3) The judicial or presiding officer shall satisfy itself and
20 state on the record that:

21 (a) The proposed interpreter is capable of communicating
22 effectively in English and in the non-English language. If the
23 interpreter is assigned to interpret between two non-English
24 languages (relay interpreter), the interpreter shall not be required
25 to communicate in English;

26 (b) The proposed interpreter has read, understands, and will
27 abide by the code of professional responsibility for judiciary
28 interpreters established by court rule. If the interpreter does not
29 meet this requirement, the interpreter may be given time to review
30 the code of professional responsibility for judiciary interpreters;
31 and

32 (c) The person with limited English proficiency can understand
33 the interpreter.

34 (4) The court shall inquire whether the interpreter can
35 accurately interpret in the consecutive mode and whether the
36 interpreter can accurately interpret in the simultaneous mode.

37 (5) If the proposed interpreter does not meet the criteria in
38 subsection (3) of this section, another interpreter must be used.

1 **Sec. 4.** RCW 2.43.050 and 2017 c 83 s 2 are each amended to read
2 as follows:

3 (1) (a) Upon ~~((certification or registration with the~~
4 ~~administrative office of the courts, certified or registered))~~
5 obtaining an interpreter credential with the administrative office of
6 the courts, credentialed interpreters shall take ~~((an))~~ a permanent
7 oath, affirming that the interpreter will make a true interpretation
8 ~~((to the person being examined))~~ of all the proceedings ~~((in a~~
9 ~~language which the person understands,))~~ and that the interpreter
10 will repeat the statements of the person ~~((being examined))~~ with
11 limited English proficiency to the court or agency conducting the
12 proceedings, in the English language, to the best of the
13 interpreter's skill and judgment.

14 (b) The administrative office of the courts shall maintain the
15 list of credentialed interpreters and a record of the oath in the
16 same manner ~~((that the list of certified and registered interpreters~~
17 ~~is maintained))~~.

18 (2) Before any person serving as an interpreter for the court or
19 agency begins to interpret, the ~~((appointing authority))~~ judicial or
20 presiding officer shall require the interpreter to state the
21 interpreter's name on the record and whether the interpreter is a
22 ~~((certified or registered))~~ credentialed interpreter. If the
23 interpreter is not a ~~((certified or registered))~~ credentialed
24 interpreter, the interpreter must ~~((submit the interpreter's~~
25 ~~qualifications))~~ be qualified on the record.

26 (3) Before beginning to interpret, every interpreter appointed
27 under this chapter shall take an oath unless the interpreter is a
28 ~~((certified or registered))~~ credentialed interpreter who has taken
29 the oath as required in subsection (1) of this section. The oath must
30 affirm that the interpreter will make a true interpretation to the
31 person being examined of all the proceedings in a language which the
32 person understands, and that the interpreter will repeat the
33 statements of the person being examined to the court or agency
34 conducting the proceedings, in the English language, to the best of
35 the interpreter's skill and judgment.

36 **Sec. 5.** RCW 2.43.060 and 1989 c 358 s 6 are each amended to read
37 as follows:

38 (1) The right to ~~((a qualified))~~ an interpreter may not be waived
39 except when:

1 (a) A ~~((non-English-speaking))~~ person with limited English
2 proficiency requests a waiver on the record; and

3 (b) The ~~((appointing authority))~~ judicial or presiding officer
4 determines on the record that the waiver has been made knowingly,
5 voluntarily, and intelligently.

6 (2) ~~((Waiver of a qualified interpreter))~~ The waiver of the right
7 to an interpreter may be set aside and an interpreter appointed~~((7~~
8 ~~in))~~ at the discretion of the ~~((appointing authority,))~~ judicial or
9 presiding officer at any time during the proceedings.

10 (3) The waiver of the right to an interpreter does not preclude a
11 person with limited English proficiency from exercising the right to
12 an interpreter at a later time.

13 **Sec. 6.** RCW 2.43.080 and 1989 c 358 s 8 are each amended to read
14 as follows:

15 All language interpreters serving in a legal proceeding, whether
16 or not ~~((certified or qualified))~~ credentialed, shall abide by a code
17 of ~~((ethics))~~ professional responsibility for judiciary interpreters
18 established by supreme court rule.

19 NEW SECTION. **Sec. 7.** A new section is added to chapter 2.43 RCW
20 to read as follows:

21 The court shall appoint a team of interpreters as required by
22 supreme court rule.

23 **Sec. 8.** RCW 2.43.070 and 2005 c 282 s 4 are each amended to read
24 as follows:

25 (1) Subject to the availability of funds, the administrative
26 office of the courts shall establish and maintain a credentialing
27 program for spoken language interpreters and administer ~~((a))~~
28 comprehensive testing ~~((and certification program for language~~
29 ~~interpreters))~~.

30 (2) The administrative office of the courts shall work
31 cooperatively with ~~((community colleges and other))~~ public or private
32 ~~((or public))~~ educational institutions, and with other public or
33 private organizations to establish ~~((a certification preparation~~
34 ~~curriculum and))~~ suitable training programs and engage in recruitment
35 efforts to ensure the availability of ~~((certified))~~ credentialed
36 interpreters. Training programs shall be made readily available in
37 both eastern and western Washington locations.

1 (3) The administrative office of the courts shall establish and
2 adopt standards of proficiency, written and oral, in English and the
3 language to be interpreted.

4 (4) The administrative office of the courts shall conduct
5 periodic examinations to ensure the availability of ((certified))
6 credentialed interpreters. Periodic examinations shall be made
7 readily available in both eastern and western Washington locations.

8 (5) The administrative office of the courts shall compile,
9 maintain, and disseminate a current list of interpreters
10 ((certified)) credentialed by the office.

11 (6) The administrative office of the courts may charge reasonable
12 fees for testing, training, and ((certification)) credentialing.

13 (7) The administrative office of the courts may create different
14 credentials and provide guidance for the selection and use of
15 credentialed and noncredentialed interpreters to ensure the highest
16 standards of accuracy are maintained in all judicial proceedings.

17 **Sec. 9.** RCW 2.43.040 and 2023 c 102 s 1 are each amended to read
18 as follows:

19 (1) Interpreters appointed according to this chapter are entitled
20 to a reasonable fee for their services and shall be reimbursed for
21 actual expenses which are reasonable as provided in this section.

22 (2) (a) ~~In all legal proceedings ((in which the non-English-~~
23 ~~speaking person is a party, or is subpoenaed or summoned by the~~
24 ~~appointing authority or is otherwise compelled by the appointing~~
25 ~~authority to appear, including criminal proceedings, grand jury~~
26 ~~proceedings, coroner's inquests, mental health commitment~~
27 ~~proceedings, and other legal proceedings initiated by agencies of~~
28 ~~government, the cost of providing the interpreter shall be borne by~~
29 ~~the governmental body initiating the legal proceedings.~~

30 ~~(3) In other legal proceedings, the cost of providing the~~
31 ~~interpreter shall be borne by the non-English-speaking person unless~~
32 ~~such person is indigent according to adopted standards of the body.~~
33 ~~In such a case the cost shall be an administrative cost of the~~
34 ~~governmental body under the authority of which the legal proceeding~~
35 ~~is conducted.~~

36 ~~(4))~~ and court-mandated classes, a person with limited English
37 proficiency is not responsible for the cost of the interpreter if
38 that person is:

39 (i) A party;

1 (ii) Subpoenaed or summoned;

2 (iii) A parent, guardian, or custodian of a juvenile; or

3 (iv) Compelled to appear.

4 (b) In legal proceedings initiated by agencies of government, the
5 cost of providing the interpreter shall be borne by the governmental
6 body initiating the legal proceedings.

7 (3) Subject to the availability of funds specifically
8 appropriated ((therefor)) for this purpose, the administrative office
9 of the courts shall reimburse the ((appointing authority for up to
10 one-half of the payment to the interpreter where an interpreter is
11 appointed by a judicial officer in a proceeding before a court at
12 public expense and:

13 (a) The interpreter appointed is an interpreter certified by the
14 administrative office of the courts or is a qualified interpreter
15 registered by the administrative office of the courts in a
16 noncertified language, or where the necessary language is not
17 certified or registered, the interpreter has been qualified by the
18 judicial officer pursuant to this chapter;

19 (b) The court conducting the legal proceeding has an approved
20 language assistance plan that complies with RCW 2.43.090; and

21 (c) The fee paid to the interpreter for services is in accordance
22 with standards established by the administrative office of the
23 courts)) participating state court for language access services costs
24 and one-half of the payment of interpreter costs unless a higher
25 reimbursement rate is established in the omnibus budget.

26 **Sec. 10.** RCW 2.43.090 and 2008 c 291 s 1 are each amended to
27 read as follows:

28 (1) ~~((Each trial court))~~ Trial courts organized under this title
29 and Titles 3 and 35 RCW must develop and maintain a written language
30 ~~((assistance))~~ access plan to provide a framework for the provision
31 of ~~((interpreter))~~ language access services for ~~((non-English-~~
32 ~~speaking))~~ persons with limited English proficiency accessing the
33 court system and its programs in both civil and criminal legal
34 matters. Courts may use a template developed by the administrative
35 office of the courts in developing their language access plan.

36 (2) The language ~~((assistance))~~ access plan must at a minimum
37 include((, at a minimum, provisions addressing)) provisions designed
38 to provide procedures for court staff and the public, as may be
39 necessary, that address the following:

1 (a) Procedures to identify and ~~((assess))~~ provide the language
2 needs of ~~((non-English-speaking))~~ persons with limited English
3 proficiency using the court system;

4 (b) Procedures for ~~((the appointment of))~~ requesting and
5 appointing interpreters as required under RCW 2.43.030 ~~((. Such~~
6 ~~procedures shall not require the non-English-speaking person to make~~
7 ~~the arrangements for the interpreter to appear in court))~~);

8 (c) Procedures for notifying court users of the right to an
9 interpreter and the availability of interpreter services. Such
10 information shall be prominently displayed in the courthouse in the
11 five ~~((foreign))~~ or more languages other than English that ~~((census))~~
12 reputable data indicates are predominate in the jurisdiction;

13 (d) A process for providing timely communication ~~((with non-~~
14 ~~English speakers by))~~ between individuals with limited English
15 proficiency and all court employees who have regular contact with the
16 public and ~~((meaningful))~~ effective access to court ~~((services,~~
17 ~~including access to))~~ services provided by the clerk's office and
18 other court-managed programs;

19 (e) Procedures for evaluating the need for translation of written
20 materials, and prioritizing and providing those ~~((translation needs,~~
21 ~~and translating the highest priority materials. These procedures))~~
22 translated materials. Courts should take into account the frequency
23 of use of forms by the language group, and the cost of ~~((orally~~
24 ~~interpreting))~~ providing the forms by other means;

25 (f) A process for ~~((requiring and providing))~~ training ~~((to))~~
26 judges, court clerks, and ~~((other))~~ court staff on ~~((the requirements~~
27 ~~of the language assistance plan))~~ best practices in serving
28 individuals with limited English proficiency in legal proceedings and
29 how to effectively ~~((access))~~ assign and work with interpreters and
30 provide interpretation; and

31 (g) A process for an ongoing evaluation of the language
32 ~~((assistance))~~ access plan and a process for monitoring ~~((of))~~ the
33 implementation of the language ~~((assistance))~~ access plan.

34 ~~((+2))~~ (3) Each court, when developing its language
35 ~~((assistance))~~ access plan, must consult with judges, court
36 administrators ~~((and))~~, court staff, court clerks, interpreters, and
37 members of the community, such as domestic violence organizations,
38 pro bono programs, courthouse facilitators, legal services programs,
39 and/or other community groups whose members speak a language other
40 than English.

1 ~~((3) Each court must provide a copy of its language assistance~~
2 ~~plan to the interpreter commission established by supreme court rule~~
3 ~~for approval prior to receiving state reimbursement for interpreter~~
4 ~~costs under this chapter.~~

5 ~~(4) Each court receiving reimbursement for interpreter costs~~
6 ~~under RCW 2.42.120 or 2.43.040 must provide to the administrative~~
7 ~~office of the courts by November 15, 2009, a report detailing an~~
8 ~~assessment of the need for interpreter services for non-English~~
9 ~~speakers in court-mandated classes or programs, the extent to which~~
10 ~~interpreter services are currently available for court-mandated~~
11 ~~classes or programs, and the resources that would be required to~~
12 ~~ensure that interpreters are provided to non-English speakers in~~
13 ~~court-mandated classes or programs. The report shall also include the~~
14 ~~amounts spent annually on interpreter services for fiscal years 2005,~~
15 ~~2006, 2007, 2008, and 2009. The administrative office of the courts~~
16 ~~shall compile these reports and provide them along with the specific~~
17 ~~reimbursements provided, by court and fiscal year, to the appropriate~~
18 ~~committees of the legislature by December 15, 2009.)~~

19 (4) Beginning January 1, 2025, and every two years thereafter,
20 all courts must submit their most recent language access plan to the
21 administrative office of the courts.

22 (5) The administrative office of the courts shall provide
23 technical assistance to trial courts in developing their language
24 access plans.

25 (6) Each court must provide a copy of its language access plan to
26 the administrative office of the courts in accordance with criteria
27 for approval recommended by the interpreter and language access
28 commission for approval prior to receiving state reimbursement for
29 interpreter costs under this chapter.

30 (7) Each court shall make available on its website translated
31 information that informs the public of procedures necessary to access
32 a court's language access services and programs. The information
33 shall be provided in five or more languages other than English that
34 reputable data indicates are predominant in the jurisdiction.

35 **Sec. 11.** RCW 2.56.030 and 2019 c 271 s 5 are each amended to
36 read as follows:

37 The administrator for the courts shall, under the supervision and
38 direction of the chief justice:

- 1 (1) Examine the administrative methods and systems employed in
2 the offices of the judges, clerks, stenographers, and employees of
3 the courts and make recommendations, through the chief justice, for
4 the improvement of the same;
- 5 (2) Examine the state of the dockets of the courts and determine
6 the need for assistance by any court;
- 7 (3) Make recommendations to the chief justice relating to the
8 assignment of judges where courts are in need of assistance and carry
9 out the direction of the chief justice as to the assignments of
10 judges to counties and districts where the courts are in need of
11 assistance;
- 12 (4) Collect and compile statistical and other data and make
13 reports of the business transacted by the courts and transmit the
14 same to the chief justice to the end that proper action may be taken
15 in respect thereto;
- 16 (5) Prepare and submit budget estimates of state appropriations
17 necessary for the maintenance and operation of the judicial system
18 and make recommendations in respect thereto;
- 19 (6) Collect statistical and other data and make reports relating
20 to the expenditure of public moneys, state and local, for the
21 maintenance and operation of the judicial system and the offices
22 connected therewith;
- 23 (7) Obtain reports from clerks of courts in accordance with law
24 or rules adopted by the supreme court of this state on cases and
25 other judicial business in which action has been delayed beyond
26 periods of time specified by law or rules of court and make report
27 thereof to supreme court of this state;
- 28 (8) Act as secretary of the judicial conference referred to in
29 RCW 2.56.060;
- 30 (9) Submit annually, as of February 1st, to the chief justice, a
31 report of the activities of the administrator's office for the
32 preceding calendar year including activities related to courthouse
33 security;
- 34 (10) Administer programs and standards for the training and
35 education of judicial personnel;
- 36 (11) Examine the need for new superior court and district court
37 judge positions under an objective workload analysis. The results of
38 the objective workload analysis shall be reviewed by the board for
39 judicial administration which shall make recommendations to the
40 legislature. It is the intent of the legislature that an objective

1 workload analysis become the basis for creating additional district
2 and superior court positions, and recommendations should address that
3 objective;

4 (12) Provide staff to the judicial retirement account plan under
5 chapter 2.14 RCW;

6 (13) Attend to such other matters as may be assigned by the
7 supreme court of this state;

8 (14) Within available funds, develop a curriculum for a general
9 understanding of child development, placement, and treatment
10 resources, as well as specific legal skills and knowledge of relevant
11 statutes including chapters 13.32A, 13.34, and 13.40 RCW, cases,
12 court rules, interviewing skills, and special needs of the abused or
13 neglected child. This curriculum shall be completed and made
14 available to all juvenile court judges, court personnel, and service
15 providers and be updated yearly to reflect changes in statutes, court
16 rules, or case law;

17 (15) Develop, in consultation with the entities set forth in RCW
18 2.56.150(3), a comprehensive statewide curriculum for persons who act
19 as guardians ad litem under Title 13 or 26 RCW. The curriculum shall
20 be made available July 1, 2008, and include specialty sections on
21 child development, child sexual abuse, child physical abuse, child
22 neglect, domestic violence, clinical and forensic investigative and
23 interviewing techniques, family reconciliation and mediation
24 services, and relevant statutory and legal requirements. The
25 curriculum shall be made available to all superior court judges,
26 court personnel, and all persons who act as guardians ad litem;

27 (16) Develop a curriculum for a general understanding of hate
28 crime offenses, as well as specific legal skills and knowledge of RCW
29 9A.36.080, relevant cases, court rules, and the special needs of hate
30 crime offense victims. This curriculum shall be made available to all
31 superior court and court of appeals judges and to all justices of the
32 supreme court;

33 (17) Develop, in consultation with the criminal justice training
34 commission and the commissions established under chapters 43.113,
35 43.115, and 43.117 RCW, a curriculum for a general understanding of
36 ethnic and cultural diversity and its implications for working with
37 youth of color and their families. The curriculum shall be available
38 to all superior court judges and court commissioners assigned to
39 juvenile court, and other court personnel. Ethnic and cultural
40 diversity training shall be provided annually so as to incorporate

1 cultural sensitivity and awareness into the daily operation of
2 juvenile courts statewide;

3 (18) Authorize the use of closed circuit television and other
4 electronic equipment in judicial proceedings. The administrator shall
5 promulgate necessary standards and procedures and shall provide
6 technical assistance to courts as required;

7 (19) Develop a Washington family law handbook in accordance with
8 RCW 2.56.180;

9 (20) Administer state funds for improving the operation of the
10 courts and provide support for court coordinating councils, under the
11 direction of the board for judicial administration;

12 (21) Administer the family and juvenile court improvement grant
13 program;

14 (22)(a) Administer and distribute amounts appropriated under RCW
15 43.08.250(2) for district court judges' and qualifying elected
16 municipal court judges' salary contributions. The administrator for
17 the courts shall develop a distribution formula for these amounts
18 that does not differentiate between district and elected municipal
19 court judges.

20 (b) A city qualifies for state contribution of elected municipal
21 court judges' salaries under (a) of this subsection if:

22 (i) The judge is serving in an elected position;

23 (ii) The city has established by ordinance that a full-time judge
24 is compensated at a rate equivalent to at least ninety-five percent,
25 but not more than one hundred percent, of a district court judge
26 salary or for a part-time judge on a pro rata basis the same
27 equivalent; and

28 (iii) The city has certified to the office of the administrator
29 for the courts that the conditions in (b)(i) and (ii) of this
30 subsection have been met;

31 (23) Subject to the availability of funds specifically
32 appropriated therefor, assist courts in the development and
33 implementation of language (~~(assistance)~~) access plans required under
34 RCW 2.43.090.

35 **Sec. 12.** RCW 7.105.245 and 2021 c 215 s 33 are each amended to
36 read as follows:

37 (1) Pursuant to chapter 2.42 RCW, in order to ensure that parties
38 have meaningful access to the court, an interpreter shall be
39 appointed for any party who is deaf, hard of hearing, deaf-blind, or

1 has a speech impairment and cannot readily understand or communicate
2 in spoken language. Notwithstanding the provisions of chapter 2.42
3 RCW, the court shall not:

4 (a) Appoint an interpreter who is not credentialed or duly
5 qualified by the court to provide interpretation services; or

6 (b) Appoint a person to provide interpretation services if that
7 person is serving as an advocate for the party.

8 (2) Pursuant to chapter 2.43 RCW, in order to ensure that parties
9 have meaningful access to the court, an interpreter shall be
10 appointed for any party who (~~cannot readily speak or understand the~~
11 ~~English language~~) has limited English proficiency. Notwithstanding
12 the provisions of chapter 2.43 RCW, the court shall not:

13 (a) Appoint an interpreter who is not credentialed or duly
14 qualified by the court to provide interpretation services; or

15 (b) Appoint a person to provide interpretation services if that
16 person is serving as an advocate for the party.

17 (3) Once an interpreter has been appointed for a party, the party
18 shall no longer be required to make further requests for the
19 appointment of an interpreter for subsequent hearings or proceedings.
20 The clerk shall identify the party as a person who needs interpreter
21 services and the clerk or the court administrator shall be
22 responsible for ensuring that an interpreter is available for every
23 subsequent hearing.

24 (4) The interpreter shall interpret for the party meeting with
25 either counsel or court staff, or both, for the purpose of preparing
26 forms and participating in the hearing and court-ordered assessments,
27 and the interpreter shall sight translate any orders.

28 (5) The same interpreter shall not serve parties on both sides of
29 the proceeding when not on the record, nor shall the interpreter
30 appointed by the court for the proceeding be the same interpreter
31 appointed for any court-ordered assessments, unless the court finds
32 good cause on the record to do so because it is not possible to
33 obtain more than one interpreter for the proceeding, or the safety of
34 the litigants is not compromised, or any other reasons identified by
35 the court.

36 (6) Courts shall make a private space available for parties,
37 counsel, and/or court staff and interpreters to sight translate any
38 written documents or to meet and confer.

1 (7) When a hearing is conducted through telephone, video, or
2 other electronic means, the court must make appropriate arrangements
3 to permit interpreters to serve the parties and the court as needed.

4 **Sec. 13.** RCW 13.04.043 and 1993 c 415 s 6 are each amended to
5 read as follows:

6 The administrator of juvenile court shall obtain interpreters as
7 needed consistent with the intent and practice of chapter 2.43 RCW,
8 to enable ((non-English-speaking)) youth with limited English
9 proficiency and their families to participate in detention,
10 probation, or court proceedings and programs.

11 NEW SECTION. **Sec. 14.** RCW 2.43.040 and 2.43.080 are each
12 recodified as sections in chapter 2.43 RCW.

13 **Sec. 15.** RCW 2.42.120 and 2008 c 291 s 2 are each amended to
14 read as follows:

15 (1) If a hearing impaired person is a party or witness at any
16 stage of a judicial or quasi-judicial proceeding in the state or in a
17 political subdivision, including but not limited to civil and
18 criminal court proceedings, grand jury proceedings, proceedings
19 before a magistrate, juvenile proceedings, adoption proceedings,
20 mental health commitment proceedings, and any proceeding in which a
21 hearing impaired person may be subject to confinement or criminal
22 sanction, the appointing authority shall appoint and pay for a
23 qualified interpreter to interpret the proceedings.

24 (2) If the parent, guardian, or custodian of a juvenile brought
25 before a court is hearing impaired, the appointing authority shall
26 appoint and pay for a qualified interpreter to interpret the
27 proceedings.

28 ~~(3) ((If a hearing impaired person participates in a program or~~
29 ~~activity ordered by a court as part of the sentence or order of~~
30 ~~disposition, required as part of a diversion agreement or deferred~~
31 ~~prosecution program, or required as a condition of probation or~~
32 ~~parole, the appointing authority shall appoint and pay for a~~
33 ~~qualified interpreter to interpret exchange of information during the~~
34 ~~program or activity.~~

35 ~~(4) If a law enforcement agency conducts a criminal investigation~~
36 ~~involving the interviewing of a hearing impaired person, whether as a~~
37 ~~victim, witness, or suspect, the appointing authority shall appoint~~

1 and pay for a qualified interpreter throughout the investigation.
2 Whenever a law enforcement agency conducts a criminal investigation
3 involving the interviewing of a minor child whose parent, guardian,
4 or custodian is hearing impaired, whether as a victim, witness, or
5 suspect, the appointing authority shall appoint and pay for a
6 qualified interpreter throughout the investigation. No employee of
7 the law enforcement agency who has responsibilities other than
8 interpreting may be appointed as the qualified interpreter.

9 ~~(5)~~ If a hearing impaired person is arrested for an alleged
10 violation of a criminal law the arresting officer or the officer's
11 supervisor shall, at the earliest possible time, procure and arrange
12 payment for a qualified interpreter for any notification of rights,
13 warning, interrogation, or taking of a statement. No employee of the
14 law enforcement agency who has responsibilities other than
15 interpreting may be appointed as the qualified interpreter.

16 ~~(6))~~ Where it is the policy and practice of a court of this
17 state or of a political subdivision to appoint and pay counsel for
18 persons who are indigent, the appointing authority shall appoint and
19 pay for a qualified interpreter for hearing impaired persons to
20 facilitate communication with counsel in all phases of the
21 preparation and presentation of the case.

22 ~~((7))~~ (4) Subject to the availability of funds specifically
23 appropriated therefor, the administrative office of the courts shall
24 reimburse the appointing authority for up to one-half of the payment
25 to the interpreter where a qualified interpreter is appointed for a
26 hearing impaired person by a judicial officer in a proceeding before
27 a court under subsection (1) ~~((7))~~ or (2) ~~((7 or (3))~~) of this section
28 in compliance with the provisions of RCW 2.42.130 and 2.42.170.

--- END ---

ABA CONFERENCE ON

Language, Justice, and Technology

SEATTLE UNIVERSITY SCHOOL OF LAW
MARCH 1-2, 2024

Sponsored by the ABA Standing Committee on Legal Aid and Indigent Defense and the Seattle University School of Law Technology, Innovation Law, and Ethics Program

This interdisciplinary conference occurs at the intersection of language access, cross-cultural communication, technology, and access to justice. Sponsored by the American Bar Association (ABA), and co-sponsored by Seattle University School of Law and its Technology, Innovation Law, and Ethics (TILE) Program, the conference is a significant initiative in line with the ABA's ongoing process of revising the 2012 Standards for Language Access in Courts. As part of this revision process, the conference will offer an overview of crucial updates that will impact courts and court users. Your participation in this event provides a unique opportunity to contribute your insights and shape the future landscape of language services in legal settings.

Key Conference Highlights:

- ▶ **Language Justice Principles:** Delve into the concept of Language Justice, where affected communities take the lead in designing services that surpass minimum standards. Explore how these principles contribute to a holistic language services model.
- ▶ **Panel Discussions:** Engage in thought-provoking discussions on the role of Language Justice, cross-cultural communication, and technology in achieving access to justice. Together, we will explore the benefits and considerations necessary for the use of machine interpretation, machine translation, and plain language models.
- ▶ **Input Opportunities:** Seize the chance to actively participate in shaping the ABA's Standards for Language Access in Courts. Provide your input on the revisions and be part of the collaborative effort to enhance language access in the legal system, including incorporating language and communication access for individuals who are Deaf, Hard of Hearing, or Deafblind.

Join us for two days of insights, collaboration, and meaningful discussions as we navigate the evolving landscape of language justice and plain language. Gain diverse perspectives from technology creators, advocates for appropriate use, and those potentially left out.

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For those attending the conference in person, 4.0 hours of MCLE and CE credit has been applied for.

ABA CONFERENCE ON
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the Seattle University School of Law Technology, Innovation Law, and Ethics Program*

Registration Information:

In Person Attendance: In-person registration fee is \$125, which includes 4.0 hours of MCLE credit for attorneys and 4.0 hours of CE credit for interpreters. The fee also includes breakfast and lunch on Saturday.

Online Attendance: The conference will be webcast on Zoom at no cost. The programs will be recorded, and registered attendees will be provided links to the recordings after the conference ends. (No CLE credit is provided for attending the free webcast but WA AOC interpreters can receive credits for virtual attendance).

Register Here

Draft Agenda

Friday, March 1, 2024

2:00 p.m. - 2:30 p.m.	Welcome
2:30 p.m. - 3:30 p.m.	Community Voices: From Language Access to Language Justice
4:00 p.m. - 5:00 p.m.	Keynote Address

Saturday, March 2, 2024

8:30 a.m. - 9:30 a.m.	Innovation at the Intersection of Language Justice and Technology
9:30 a.m. - 10:30 a.m.	Emerging Issues for Translators and Interpreters
11:00 a.m. - 12:00 p.m.	New Trends in Courts: Language Justice, Plain Language, and Technology

Conference Sponsors



Language Access Team Reports

LANGUAGE ACCESS AND INTERPRETER REIMBURSEMENT PROGRAM

February 2024 Update

PARTNERS , STATUS UPDATE , AND NEXT STEPS



FY2024 PARTICIPATING COURTS

Total number of executed contracts -111



STATUS UPDATE - FY24 Q1

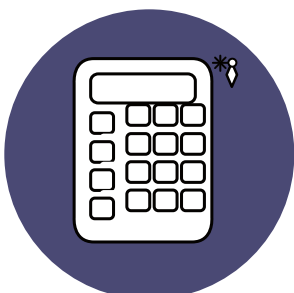
- 90 Invoices Received
 - Total reported cost - \$2.2 million
- 88 Review completed
 - Total approved cost - \$1 million (10% denied due to non -qualifying events)
 - 27% of total program funds
- 2 Courts pending LAP for invoice processing



LAIRP APPLICATION UPDATES

- Cleaning up interpreter profile data
- Pop up window added with information on interpreter credentials
 - Flowchart/table and resources

"Thank you for the opportunity to participate in this partnership to provide improved interpreter access to the community."



WHAT'S NEXT


- Deadline for FY24 Q2 Submission
 - February 29, 2024
- Revenue Sharing
 - Reallocate funds amongst participating courts based on Q1 & Q2 data
- Roster for active non-credentialed court interpreters
 - Non-credentialed languages



INTERPRETER COMPENSATION STUDY

- Current Update: Data Collection Stage
 - Surveys by end of February
 - Focus groups in March
- Evaluation, Recommendations, and Final Report
- Scheduled to be completed by June 2024

Committee Reports

 <p>WASHINGTON COURTS</p>	<p align="center">Interpreter Commission Issues Committee Meeting January 16, 2024 Zoom Videoconference 12:00 PM – 1:00 PM</p>
<p align="center">Meeting Minutes</p>	

Participants: Anita Ahumada, Ashley Callan, John Plecher, Iratxe Cardwell, Judge Oaks, Diana Noman, James Wells, Tae Yoon, Eunyong Kim, Laura Sanchez, Robert Lichtenberg

Previous Meeting Minutes

- December meeting minutes approved. John and Iratxe abstain from voting.

HB 2006 – Updates to RCW 2.43 proposed by ILAC

Several sponsors have endorsed the bill which has been heard in the House Committee. There is no significant fiscal impact on the proposal due to the Language Access and Interpreter Reimbursement Program absorbing the financial burden. The bill is progressing as per standard procedure and James will be providing updates as it moves along the process.

Section 15 of the bill refers to RCW2.42. The language regarding law enforcement has been stricken and combined with the RCW 2.43 proposal by the code revisor. Although this has not been previously addressed by the ILAC, the language was stricken as it was declared to be unconstitutional for provisions of law enforcement and judicial branch to be in the same statute.

SSB 5051 - Concerning language understanding of documents used in dissolution proceedings.

This bill has been previously discussed by the ILAC and went before the legislature at the last session. There is nothing else scheduled as of now. James will reach out to SCJA for any updates and insights on the bill.

The only fiscal note included was for additional staff at AOC, presumably related to translation, but no funding for the cost of translation itself. A cost comparison is needed to evaluate a one-time document translation vs sight interpretation for each hearing. Ethical considerations related sight interpretation also needs to be addressed.

HB 2221 - Establishing an American sign language and protractile sign language interpreter work group.

The ODHH will be establishing a work group to address the shortage of qualified and certified American sign language interpreters and protractile sign language interpreters in the state. The workgroup will continue until 2025, and they are seeking funding for the study.

Currently, there is lack of awareness about the pathway to becoming a professional interpreter. Although there are programs that help build general interpreting skills, there is no formal or professional training for working in a court setting. Collaboration with higher education was proposed to establish a pipeline for training and recruitment. Roundtable discussion with other states and working with different agencies would also generate ideas and raise interest. Additionally, this approach can be served as as a model for spoken language in the coming year.


5995 - Creating a professional license for spoken language interpreters and translators.

This bill involves moving the credentialing of medical/social services interpreters from DSHS to DOL. There are several concerns, including cost considerations for licensing fees to administer the program, the differing functions of DSHS and DOL, and the need for a threshold and due process for managing qualifications.

The medical interpreter's union is advocating for this bill due to DSHS's lack of support and no funding for exams. A workgroup was formed to explore alternatives, and their report will be presented to the legislature soon. Additionally, DSHS started alternative testing, moving from having internal interpreter exams to utilizing third party for testing. National certification is too expensive and does not offer many languages. The union anticipates that the transfer will retain the DSHS exam.

Notably, this bill does not substantially affect courts and court interpreter credentials.

Meeting adjourned – 1:00pm

 <p>WASHINGTON COURTS</p>	<p>Interpreter Commission Issues Committee Meeting February 13, 2024 Zoom Videoconference 12:00 PM – 1:00 PM</p>
<p>Meeting Minutes</p>	

Participants: Judge Oaks, Anita Ahumada, Iratxe Cardwell, Diana Noman, Kristi Cruz, James Wells, Leonard Alvarez, Eunyoung Kim, Laura Sanchez.

Previous Meeting Minutes

- January meeting minutes approved. Kristi abstained from voting.

GR 11.3 – Public comment period

Task force looking at remote proceedings and updating various general rules related to that met in September 2023. Changes related to remote proceedings under GR 11.3 were presented to ILAC. ILAC had various concerns and such were shared in a letter that was sent to the Taskforce. The Taskforce submitted their proposed changes to the Supreme Court and the changes are now in the public comment period. Next steps include pending feedback regarding what the committee wants to do while considering the feedback ILAC provided in their proposed changes and what ILAC wants to do when feedback from Supreme court has been received.

Judge Oaks wanted to ensure that the cover letter for the proposed changes included all the full comments submitted by ILAC for the Supreme Court to review. Comment period is at the end of April.

Iratxe asked if this all meant Supreme court is moving ahead with proceedings with request of the revision of GR 11.3 even after this committee said there needs to be more data gathered. Judge Oaks stated he believes they are looking at all the comments first to determined what to do next. He further explained that once something is out to public comment, it comes back for final decision making. James stated he believes they will take in consideration all of ILAC’s feedback.

Iratxe shared that creating a comprehensive pros/cons list regarding remote interpretation which include what type(s) of hearings are good to be conducted remotely and which are not suitable for remote settings. Iratxe created awareness regarding some Judges being set in their ways and always wanting interpreters to always do their work in person. Courts argue that when there is remote interpretation there is no availability of confidential accommodations. Iratxe does not agree with such points as she believes there are several ways to ensure confidentiality (such as private chat rooms in Zoom or a number where to call into to speak in private). Iratxe stated most

interpreters are independent contractors which the court has not right to make them come in person. For those interpreters that work remotely, she suggested that there needs to be some sort of minimal required guidelines they must abide by to avoid improper settings like being in a car or not using head sets during a hearing while in a public setting. Judge Oaks agrees that something needs to be created to stipulate concerns, suggest different types of hearings for remote interpretation and statutory and constitutional requirements for interpreters.

Kristi asked if we are at a point where we need to submit comments (some sort of letter) to the commission to ensure concerns are in front of the court and rationale why the changes are not needed. Kristi stated that their focus is on jurisdictions that can't afford in person interpreters or do not have access to in-person interpreters in certain languages and the reality is that there is a WA-State Supreme case that says those are not sufficient reasons to use a non-credential interpreter. Kristi does fundamentally does not agree with how the issues are being presented as she sees that they want to remove the cause finding in civil matters as in civil matters you can used remote interpreting without a good cause finding which to her it seems like a strategy to "hide the ball." Judge Oaks and Iratxe agreed.

Diana asked if the changes to the current rule where made during or prior to pandemic. Kristi confirm changes where made during pandemic and further added that change expanded the use of remote interpretation in evidentiary hearings as long as good cause was found.

The Committee approved a motion to present a draft of comments to the full commission meeting. Committee members can send their comments to Judge Oaks and James via email prior to commission meeting.

Kristi asked if it was possible to have a stand-alone agenda item instead of having it submitted to a committed report where we are also trying to act. James stated this can be called out a special agenda item.

Concerns Courts have with Remote Interpreters

The Committee discussed some concerns that courts have expressed about remote interpreting:

- During remote interpreting there is a lost of confidentiality.
- Hearings take longer as consecutive mode of interpretation is most often being used.
- Interpreters not wanting to come in person even for trial or subsidy hearings and charging more for these types of need.
- Interpreters not being in suitable public space to sustain confidentiality.
- Double booking or leaving early due to double booking.

A Committee member followed up on some of the concerns.

- For the 1hr minimal requirement that interpreter is booked for, some courts think that this 1hr means the interpreter will stay for all long as the assignment lasts and regardless of the hour that was paid and scheduled. As independent contractors that is not how interpreters manage their work assignments. Once the hour committed to a specific assignment is over, the independent contractor leaves to their next assignment and the courts can't stop them from doing so. Clarification on what the courts define interpreters leaving early is needed.
- Some interpreter chose inappropriate locations for hearings such as their cars. Each court should address these inappropriate locations being used with the interpreter.
- Courts should provide minimal requirements to follow for when doing remote interpreting to ensure the privacy and professionalism of the work being provided.
- Courts need to remember that interpreters are independent contractors with rights and courts can't force them to stay pass the scheduled time.

Diana shared that King County District court was known to request an interpreter for a few hours, yet the court expects that interpreter to remain available for the full day. Judge Oaks sees this problem and wants to know if this can be fixed with an update to GR. Iratxe added Booking is an issue across all courts and she does not know if this can be fixed with a GR, yet confirms that currently these different practices and unrealistic expectations are causing issues. Kristi added the idea of considering using interpreter calendars and James shared considering communicating via a Court Interpreter Coordinator and improving communication across all courts and how they practice communicating their needs regarding interpreter service.

Concerns Courts using non-credential Interpreters

Report from city of Tacoma using non-credential interpreters as a last resort for not being able to find a credential interpreter in a timely manner. Iratxe shared that City of Tacoma is choosing to use a non-credential interpreter they know and have preference for knowing that this preferred non-credential interpreter does not meet court minimal qualifications. Over 100 interpreters got together and wrote a letter to city of Tacoma expressing their concerns regarding the use of non-credential interpreter preference. Regarding non-credential Spanish interpreters, Iratxe shared that Tri-cities courts, Everett municipal court, Lynnwood municipal court and Snohomish District court are courts known to use non-credential interpreters. This practice is raising concerns as most often non-credential interpreters do not do a good job of interpretation causing delays and rescheduling of events due to mistakes that were identified and are in need to be corrected. There're non-credential interpreters calling themselves "Court qualified" making judges believe they do not need to ask questions to ensure these interpreters have the minimal qualifications to do a proper interpreting service. During long proceedings, non-credential interpreters leave their colleague interpreter alone to do interpretation for periods extending over an hour, which causes interpreter's mistakes due to burnout.

Anita shared the importance to remember that for individuals with mental health issues, Individuals with cultural limitations and education benefit from in person interpretation. She continues to share that she has heard and witness non-court interpreters often call themselves “State Certified” by DSHS, yet these individuals are not qualified for services. DSHS certification should not be thought of being court certified. Judges must recognize the need to ask certification questions before using these individuals during hearings.

Judge Oaks agrees that these matters need to be brought to the ILAC’s attention.

Kristi asked if there was a known reason as to why courts chose to use these non-credential interpreters. The general assumption is that they may charge less than court certified interpreters, yet this is not confirmed.

Meeting adjourned – 1:10pm

Draft Language for ILAC Comment on Proposed Changes to GR 11.3

Language will be added to ILAC letterhead and submitted by email to the Supreme Court

The Interpreter and Language Access Commission (ILAC) asks you to reject the proposed change to GR 11.3 as it relates to removing the good cause finding requirement in civil matters before using remote interpretation.

By way of background: Prior to December 2020, GR 11.3 restricted the use of telephonic interpreter services to non-evidentiary hearings and did not include any mention of other modalities of remote interpretation, such as video. In December 2020, GR 11.3 was modified by this body to permit the use of remote interpretation, with some safeguards. The COVID-19 pandemic prompted that rule change as our courts were starting to use video interpretation in a range of hearings. The 2020 rule change was enacted without comment. In October 2021, the ILAC submitted a GR 9 rulemaking requesting to further amend GR 11.3. In that proposed rule change, the ILAC sought to expand the use of remote interpreting to evidentiary hearings, with safeguards designed to ensure that limited English proficient (“LEP”) and deaf court users were able to meaningfully participate and have their rights protected when using this medium. The Supreme Court received comments from various organizations, some of whom thought the rule was too permissive, some of whom thought the rule did not go far enough in permitting remote interpretation.¹ In response, the ILAC convened a workgroup to address the concerns. As we explained to the Supreme Court last spring, the ILAC’s proposed rule was a compromise, resulting after much discussion and seeking to balance the interests of the courts, LEP and other court users, interpreters, and other stakeholders. This Court passed the rule change, making it effective in November of 2022. With that background, we provide the following comments on the proposed changes to GR 11.3 now before the court.

We agree that remote interpreting is a valuable tool in the delivery of language services. The current rule already envisions and allows for remote interpretation in all types of hearings in all types of cases and requires a court to find good cause for its use in evidentiary hearings, where the rule has long counseled caution. In short, we believe GR 11.3 already grants the courts the flexibility they need to adequately provide access to justice, while ensuring that legal and procedural safeguards are firmly in place. See GR 11.3(c)-(i).

We ask the court to reject the proposed change to strike “non-evidentiary” and to replace it with “all non-criminal proceedings and those criminal proceedings in which good cause is shown,” and to reject the proposal to strike “For evidentiary proceedings, the interpreter shall appear in person unless the court makes a good cause finding that an in-person interpreter is not practicable.” If these proposed amendments are adopted, we are concerned that remote interpretation in many types of important civil matters will proceed remotely without due regard to the above-mentioned legal and procedural safeguards. Our concern with the proposed change is that civil matters include protection order hearings and involuntary treatment act matters, where an LEP or deaf person may be at their most vulnerable. While the proposed rule may reflect the current reality that those civil matters are conducted remotely without a finding of good cause, when you couple that with remote interpretation, we believe that additional safeguards are warranted and that more guidance and training is required, not that legal and procedural bulwarks should be lowered.

We believe additional study would be warranted before amending the rule again. Following the 2022 changes to GR 11.3, ILAC has not received any operational or other concerns from any stakeholders. We believe a critical stakeholder is the LEP or deaf individual, whose views no one has solicited since the 2022 amendment. We do not know whether remote interpretation is working effectively for those who would be most impacted by this proposed change. ILAC would be happy to work with the BJA Task Force to study these issues further and provide guidance and training as needed, while leaving the rule in its current form.

For now, we ask the court to do the following:

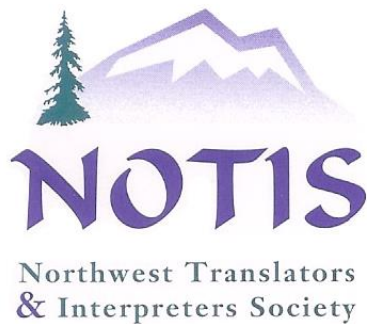
- 1) Sentence one: Accept revision in the first sentence to replace “audio only or audiovisual communication platforms” with “remote means.” ILAC agrees that this change helps with clarity and applies plain language principles.
- 2) Sentence one: Reject revisions striking “non-evidentiary” and replacing it with “all non-criminal proceedings and those criminal proceedings in which good cause is shown.” The proposed amendment would remove the requirement for courts to conduct a good cause inquiry when using remote interpreter services in all civil matters. ILAC does not believe this proposed change appropriately safeguards limited English proficient or deaf individuals and their fundamental right to access to justice.
- 3) Sentence two: Reject deletion of “For evidentiary proceedings, the interpreter shall appear in person unless the court makes a good cause finding that an in-person interpreter is not practicable.” ILAC believes the important distinction is between evidentiary and non-evidentiary hearings, not between civil and criminal matters. Therefore, this change is not needed.
- 4) Modify the proposed language in the final sentence to combine the current rule with some of the proposed language from the BJA, as ILAC agreed that the phrasing, “clearly communicate with each other,” is a reasonable modification for this sentence. The final sentence would read, “The court shall make a preliminary determination on the record, on the basis of the testimony of the person utilizing the interpreter services, of the ability of the interpreter and the person utilizing the services of the interpreter to clearly communicate with each other.”

Therefore, ILAC would support these revisions to GR 11.3:

- (a) Interpreters may be appointed to provide interpretation via remote means for non-evidentiary proceedings. For evidentiary proceedings, the interpreter shall appear in person unless the court makes a good cause finding that an in-person interpreter is not practicable. The court shall make a preliminary determination on the record, on the basis of the testimony of the person utilizing the interpreter services, of the ability of the interpreter and the person utilizing the services of the interpreter to clearly communicate with each other.”

Thank you for considering our input on this important topic,

ⁱ See: https://www.courts.wa.gov/court_rules/?fa=court_rules.commentDisplay&ruleId=5885



February 16, 2024

To Whom it May Concern:

The Northwest Translators and Interpreters Society (NOTIS) is a chapter of the American Translators Association with almost 900 active members in five states, including many judiciary interpreters who work in state courts. One of NOTIS's objectives is to protect the rights and interests of professional interpreters and translators.

We are deeply concerned about the increasing use of non-AOC-credentialed (Certified or Registered) interpreters in many Washington courts. NOTIS members have witnessed many non-AOC-credentialed interpreters serving in several courts, typically without finding good cause on the record. If the court has exhausted every avenue to retain an AOC-credentialed interpreter for in-person services, the court may look for AOC-credentialed interpreters to render services remotely by videoconference or phone, thereby increasing the odds of finding a credentialed interpreter.

Failure to use AOC-credentialed interpreters can have serious consequences for Limited English Proficient (LEP) individuals, the courts, and the community in general.

LEP individuals cannot fully participate in legal proceedings unless they receive reliably accurate interpreting by trained and tested AOC-credentialed interpreters, and to this end, the State of Washington has mandated the use of AOC-credentialed interpreters since 1989 (RCW 2.43).

RCW 2.43.030 provides that "...when a non-English speaking person is a party to a legal proceeding...the **appointing authority shall use the services of only those language interpreters who have been certified by the Administrative Office of the Courts (AOC), unless good cause is found and noted on the record by the appointing authority.**" [emphasis added]

The use of non-AOC-credentialed interpreters increases the likelihood of mistrials and appeals due to the potential violation of an LEP's constitutional right to accurate interpretation as mandated by RCW 2.43.030.

AOC-Certified interpreters have had their language and interpreting skills tested in three modes of interpreting, while AOC-Registered interpreters have had their language skills tested. AOC-credentialed interpreters must follow the ethics and standards of practice, have passed a criminal background check, and must complete continuing education courses to renew their credentials.

Courts can hire AOC-credentialed interpreters directly or through language companies. When hiring interpreters through language companies, the court must be very clear that they require an AOC-credentialed interpreter.

Additionally, when a court hires a non-AOC-credentialed interpreter, it cannot claim the 50% reimbursement that the Administrative Office of the Courts (AOC) offers to all courts specifically to encourage the use of AOC-credentialed interpreters.

For the reasons listed above, NOTIS respectfully requests that courts prioritize contracting with AOC-credentialed interpreters. If an interpreter lacking AOC credentials is hired, NOTIS requests adherence to the requirements of RCW 2.43.030 regarding noting good cause for failing to hire an AOC-credentialed interpreter. The judicial officer must qualify that non-AOC-credentialed interpreter on the record using the process outlined in the AOC Bench Card (link below).

Thank you for your consideration.

Sincerely,



Laura Friend
President, NOTIS
and the NOTIS Board of Directors

Link to RCW 2.43.030

<https://app.leg.wa.gov/RCW/default.aspx?cite=2.43.030>

Link to AOC-Credentialed Court Interpreter Directory


https://www.courts.wa.gov/programs_orgs/pos_interpret/

Link to Standards of Practice and Ethics for Washington State Judiciary Interpreters

<https://www.courts.wa.gov/content/publicUpload/Interpreters/StandardsofPracticeandEthics-Online.pdf>

Link to Bench Card

<https://www.courts.wa.gov/content/publicUpload/Interpreters/BenchCard.pdf#search=bench%20card>

 <p>WASHINGTON COURTS</p>	<p>Interpreter Commission Education Committee Meeting January 31, 2024 Zoom Videoconference 12:00 PM – 1:00 PM</p>
<p>Meeting Minutes</p>	

Present: Ashley Callan, Chelle Hunsinger de Enciso, Iratxe Cardwell, John Plecher, Jeanne Englert, Donna Walker, James Wells, Eunyoung Kim, Laura Sanchez.

Introduction of New AOC team members

James provided a brief background on the expansion of AOC language access team and introduce the new AOC Court Interpreter Coordinator- Eunyoung Kim and Court Program Specialist-Laura Sanchez. Eunyoung and Laura shared a brief introduction of themselves.

Fall Conference: Judicial Conference scheduled to convene in September of 2024

- James created awareness to the upcoming Judicial conference where all judges go to. AOC frequently sponsors a session at this conference and James is looking to have a sponsor session for this September 2024 conference. The conference committee is currently soliciting proposals. All proposal ideas are due 02/23/2024 for consideration. Proposals may be any length we want.
- Ashley stated that previously AOC has partner with the newly created Disability Rights Task Force to help co-sponsor a session.
- Ashley shared that the Supreme court who leads the charge wants us to participate, yet Ashley feels a bit paralyzed as to what that participation request might look like.
- Iratxe shared she is already thinking of proposals ideas. She further inquired as to who will be presenting what the presentation will be about and further provided ideas to present about spoken language interpreters' ordeals when in court.
Idea concept: GR11.2-Specifically about evidence that come in via 911 calls or recordings from wire taps or forms. In her experience prosecutors come to trial expecting Interpreters to translate and or interpret on the record-which is against GR11.2.
Idea concept: Private attorney thinking they can do translations because the are familiar with the targeted language. A class regarding GR11.2 will be to support/reinforce the knowledge of what GR11.2 supports and prohibits.
- Ashley shared that she believes the Idea concepts Iratxe shared also applies to ASL translation. Donna and John agree that the request to translate those very are chaotic recordings is unrealistic, cannot uphold the promise that they will be accurate and extends the time of court proceedings.

- Jeanne shared 3 proposal ideas for Judicial conference. It will be helpful to plan and target what we think is very critical to provide throughout the year. We need to keep track of what we are planning to do and have done. That means: Are we doing any other workshops in any other conferences? If yes, we should probably not re-do the same ideas in the September conference.

Information with lots of technical pieces will be best to have the webinar recorded that people can refer back to. Some trainings are best to have in webinars that are recorded due to amount of technical information being provided. Consider shorter training session, options to be in person or remote and consider the targeted audience (judges, court administrators, interpreters, lawyers). Jeanne wants to come up with a suggested plan of trainings needs to see where trainings best fit.

Idea concept: remote proceedings court rules

Request to consider facilitating training after the conference in September. Answer the question of: *“What is really critical around Language Access that we have to talk about and use best practice, and bench marks”* and avoid duplication of efforts.

Idea concept: Regarding the new translation component in part of ILAC

Will we want to have conversations about what that mean for courts around translation?

- Ashley stated that she agrees all of the above ideas and that she further recognizes we have been reactionary and not planning out what our priorities are and creating plans to create classes or webinars to achieve set goals. Ashley acknowledge that we have not submitted a session for the court administrators, super court administrators or superior court association. Aside from the online base training the forms she sent out yesterday, we do not have anything slated for 2024 as far as a class goes. James confirmed Ashley’s comment.
- James shared that he was recently ask to present at the AWSCA conference with Leonard to talk about Language Access. Ashley stated that her organization might have been the one that had contacted James, James corrected his reference to AWSCA and confirmed it was Superior courts who contacted him with request to present alongside Leonard-New Court Program Analyst coming to Language Access Team on 02/01/2024. James added that the Education Committee at the AOC have been more willing to be involve in our work and also big supporters of planning and setting up curriculum of where we want to go. James believes we may be able to reach out to them more to get that sort of planning. James further stated that we will not have anything from the translation committee by September, but it’s a good suggestion for next year.
- Ashley added that the September conference is exclusively for judges, and court commissioners. She thinks that anything presented regarding translation court administrators **need to participate** because they will be the ones to do that work with support and guidance from the bench. If we are not considering a conference were both sets of people would be there we will need to ensure a plan a corresponding training for court administrators that align with what is being taught to the judges.

- James shared that for the remote proceedings, there is a sub-committee working with the task force, and they are more or less leaving up to us to work on remote proceedings. He also mentioned that RCWs may or may not have changes this year by March.
- Jeanne asked if we could pair some remote proceedings best practices and other things to consider with the court rule changes that are coming. James stated there will be a session on that task force of the BJA, yet can't confirm.
- Ashley made suggestion to create condense training sessions for judges to fall back to as freshers when they "forget" what their best practices are within Language Access strategies.
- Donna made suggestions regarding remote hearings:
Suggestion: Identify what really judges need to know and look into efforts to closed the loop of all the unknowns.
Suggestion: Use concrete examples, as such "stick" stronger to people's minds. Stories that actually happen in courts stick to people's mind and help them remember learned concepts and best practices. Use role play to help people remember what they are being taught. "Show them, rather than tell them" approach.
- Iratxe supported Donna's suggesting and added that specific court examples help the judges understand the limitations of interpreters and interpreters feel like the judges "have their backs."
- Ashley added that hearing from someone that was directly affected "it drives it home" Role play is what helps others understand best.
- James added that it is important to teach the roles of everyone involved to help judges understand the process the interpreters go by and the importance of using certified court interpreters.
- Eunyoung suggested to consider including Ethics and Protocol trainings for interpreters and all other stakeholders so that they can learn to advocate for themselves (She underline the fear some interpreters experience during court proceedings for speaking up for themselves to a judge)
- Ashley added that it is important to let judges know that all audio evidence must be translated ahead of time. Iratxe added that interpreters need to be train and empowered (underline that court interpreters are often identified as "Court pleasers") to know the right words to say when a judge is asking them to do something that is not authorized by GR11.2.
- Donna made the recommendation to make a checklist and examples of what will make stronger and better presentations that can help people remember, and put to practice.
- Ashley proposal for September session:
 1. Nuts and bolts of interpreters' work
 2. Ways to avoid pitfalls
 3. Best practices for trials
 4. Q&A

Speakers will TBD. Ashley asked how long should the training. She also added that she loves the idea of scenarios. Ashley will work with James on the proposal and will submit to judge Diaz for feedback and edits. Ashley will make announcement that ILAC will submit a proposal for September conference during annual conference

committee meeting tomorrow. Collaboration will be via emails. Donna suggested for John Plecher to be a presenter. John agree to help.

Action Items

- James review of interpreter materials, if there is feedback please share suggestions online.
- Ashley asked for feedback regarding all documents.

Next meeting: 2/28/24 at noon.

Preliminary Feedback for Judicial College 2024

(final evaluations will be available at a later date)

Did the session's content meet your needs?

(22 Responses or about 50% response rate)

	YES	NO	SOMEWHAT	TOTAL	WEIGHTED AVERAGE
All. Working with Court Interpreters Comments (3)	100.00% 22	0.00% 0	0.00% 0	22	5.00

More practical tips for m the interpreters

1/30/2024 01:32 PM

Not much else. It was informative.

1/29/2024 09:04 PM

Whether interpreting may occur in advance of court date to go over a plea.

1/29/2024 08:17 PM

What was your key take away from any of today's material/sessions?

Court interpreters help level the playing field. Judges are the gatekeepers of fairness. We all have biases. Being conscious about proclivity for bias is hard work. Objective observer is new reasonable person standard. I can do better in the courtroom and now have ideas how to go about it -- especially with DV cases. The way I (as judge) have control is to take a recess.

TOPIC AREA:

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

SUBMITTING ORGANIZATION:

PROPOSED SESSION TITLE:

STATUS: Received Accepted Not Accepted Notes:

PROPOSED BY:
CONTACT NAME:
CONTACT PHONE:
CONTACT EMAIL:

TARGET AUDIENCE:
 Experienced Judges
 New Judges
 Other:

SUBMITTING ORGANIZATION:

COURT LEVEL AUDIENCE:

PROPOSED DURATION:

90 Minutes
 3 Hours
 Other:

SESSION TYPE:

Plenary
 Choice
 Colloquium
 Other:

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

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

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

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

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

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

RECOMMENDED FACULTY (include contact information):

NUMBER OF DAYS HOUSING FOR FACULTY:

ANTICIPATED COST:

FUNDING RESOURCES:

A/V AND ROOM SETUP:

CAN SESSION BE RECORDED (hosted in LMS):

CAN FACULTY MEET AN AUGUST 16 DEADLINE:



**Interpreter and Language Access Commission
Translation Committee Meeting
December 18, 2023
Zoom Videoconference
4:00 PM – 5:00 PM**

Meeting Minutes

Present: Tae Yoon, James Wells, Laura Friend, Luisa Gracia, Annalisa Mai, Joy Moore, Laurie Garber

Notes:

- The Committee discussed the draft charter that was introduced at last meeting and discussed related issues.
- Suggestions from the Committee
 - The currently available translated forms vary in quality. Auditing translations would keep the quality more consistent.
 - The language in the forms should be simple as possible. The original English versions of the form should be high quality and in plain English. Awareness of the importance of plain language should be raised. There are contractors that could be used to specialize in plain language.
 - Formatting, presentation, and readability are very important. Interlinear translated text can be very hard to read. Many people are moving to a parallel columns format. The right formatting may depend on the language and the type of form.
 - To ensure quality and consistency, glossaries should be created. The AOC would be a good place to maintain the glossaries. The AOC currently has limited glossaries. Maintaining glossaries would require a staff person to manage them.
 - Seattle Municipal Court uses WordFast.
 - Create a hub for forms translated by different courts. Quality control would be an issue since if courts are not consistent in their practices.
 - Develop a communication strategy to increase awareness of the forms. The forms should be easy to find when people are looking for them.
 - Translated forms need to be updated whenever there
- Some courts using OCourts engaged in a translation project with the 10 most commonly used forms translated into three languages. They are working on adding more forms.
 - 10 most commonly used form translated in 3 language. They are working on adding additional forms.
- Translation projects require management, which the AOC has limited capacity for at the moment. Additional staff would be needed to make large changes.



**Interpreter and Language Access Commission
Translation Committee Meeting
January 23, 2024
Zoom Videoconference
12:00 PM – 1:00 PM**

Meeting Minutes

Present: Laura Friend, Joy Moore, Laurie Garber, Annalisa Mai, Diana Noman, Latricia Kinlow, Tae Yoon, Eunyoung Kim, James Wells, Laura Sanchez

Greetings and Introductions

- The meeting attendees introduced themselves.

Reviewing the Existing Protocol

- The Committee reviewed the draft charter comments.
- Suggestions made related to the III. Scope of Work section- Committee Work and Objectives:
 - Protocols need to seek and sustain the generation of the language being used.
 - Establish guidelines and protocol for translation work that is similar across regional services.
- Suggestions made related to the Scope of Work section under- Needs Assessment:
 - The currently available information regarding translation services is not applicable to all Washington region.
 - RE: Review utilization and raise awareness of currently available resources:
 - Members recognized that further unknown specified needs and budget questions will rise.
 - If the project needs more budget a request can be submitted for consideration of need.
- Suggestions made related to the Scope of Work section under- Guidance and Technical Assistance:
 - The Committee recognized the need for having translation formatting and a written protocol for translation activities.
 - More specific references to where courts can find translators could help courts when doing their own translation.
 - Additional information could be added for translating items that may not require the same rigorous process.

- Suggestions made related to the Scope of Work section under- Outreach and Facilitation
 - The Committee recognized that hubs where common translation material can be uploaded statewide is something to consider implementing.
 - Find courts that already have translated forms and find a way those forms could be more easily shared.

Update Protocol for Translators of State Court Forms created March 2008

- Suggestion to create protocols for court forms and non-court forms.

Feedback related to the qualification requirements:

- The Committee recognized the need to reduce or omit for translators to provide 5-work references as this can create a huge barrier. Modifying this was highly recommended.
- The Committee questioned what will be the best requirements to meet and further shared that not all languages have an opportunity to become a certified language for translation services due to lack of training and or need.

Suggestions made related to Procedural Requirements:

- Some Committee members made recommendations of a 2-tier or 3-tier system for certification of translation services. Other Committee member reinstated their awareness regarding barriers that come when seeking certified translators and oppose the idea of certified translators.
- ATA is the currently the entity being used to certify, but ATA does not certify all languages.
- Committee acknowledges that AOC may not be able to obtain guidance in ALL languages, yet its important to ask courts about their experiences and further asked to narrow down what are the target languages we want to certified and create a protocol there after that apply to ALL languages.
- Currently most translations are being managed by in-house services throughout the courts. AOC cannot enforce requirements to ensure the quality of translations.
- DES office has resource information regarding contracts for translation services which are mostly used by agencies.
- James suggested to look at King County and California for protocols WA can borrow.
- The Committee suggested to look at other States to compare and learn strategies and adopt steps that will make the process simple. James created awareness regarding the contract for translation within DES that is coming up for review soon as an opportunity to embellish the court forms protocol.
- Tae recommended to create a new protocol instead of editing the one created in 2008 and being discussed at this meeting. The committee agreed.

Action Items

- Approved charter must be presented to ILAC on the next meeting set for 02/23/2024

Next meeting

- February 23.

ILAC Translation Committee Charter

I. Introduction

The Supreme Court General Rule 11.1 has broadened the role and responsibilities of the Interpreter and Language Access Commission (ILAC), including its work related to translation services in WA courts. In response to this expansion, the Translation Committee was established in 2023 to enhance language access in courts through text-based documents.

II. Our Mission

The committee's primary mission is to support and promote equitable access to court services and information for LEP individuals by:

- 1) Developing strategic action objectives to enhance translation services in courts.
- 2) Establishing guidelines and protocols for translation of court forms and court related documents.
- 3) Providing resources and recommendations on best translation practices.
- 4) Working collaboratively with various stakeholders to improve access to court information and services through translation efforts.

III. Scope of Work

- Committee Work and Objectives
 - Develop and identify short-term and long-term goals with implementation strategies and action steps.
 - Develop an infrastructure and framework for translating mandatory forms from English into foreign languages.
 - Develop a decision package and proposal to fund a translation staff position at AOC to support court-related translation work.
 - Prioritize agenda items for committee discussions as needed.
- Needs Assessment
 - Assess current practices of translation services across WA state courts to identify needs and barriers.
 - Create tools for periodically identifying and assessing high-demand languages, both across WA state and by region.
 - Review utilization and raise awareness of currently available resources.
- Guidance and Technical Assistance
 - Update translation protocols for court forms and create new protocols for other court related documents.
 - Create resource materials and develop tools such as templates for translation formatting or glossaries for languages with the highest need to guide courts streamline translation operations.
 - Review and provide recommendations on policies and guidelines for translation.

- Outreach and Facilitation
 - Broaden awareness of the importance of translated documents in providing equitable access to court services and information.
 - Develop a communication strategy to increase awareness of the translated forms and build a state-wide database for reference materials.
 - Facilitate communication and establish a forum for information sharing on translation issues among courts, legal professionals, translators, and LEP individuals.
 - Identify collaborative opportunities with various committees or organizations and create effective strategies for improved accessibility to accurate text-based documents in courts.

Additional Reading Material



WASHINGTON COURTS

Local Contexts for Spoken Language Assistance in Courts

Karl Jones, PhD
December 7, 2023

WASHINGTON COURTS 1

Measuring Local Characteristics

- **Proportion of county population who are limited English proficient (LEP):** US Census Bureau 2022 5-year estimates of total LEP population (B16003) and total population (B16004) ages 5 and over.
- **Diversity of county LEP population:** US Census Bureau 2022 5-year estimates of LEP population over 14 language groups (C16001) used to calculate Simpson's Diversity Index (*What is the probability that two randomly selected people in the local LEP population will speak different languages?*)

Proportion of local population who are LEP

State: 4%

Counties:

Adams: 16%

Franklin: 9%

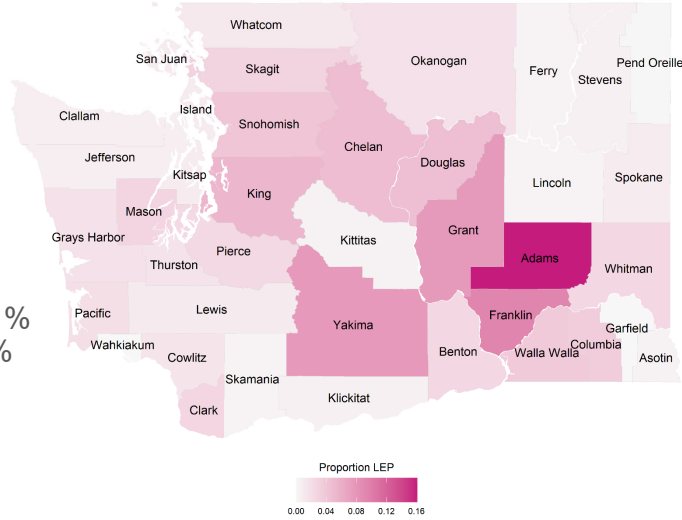
Yakima: 8%

...

Pend Oreille: <1%

Wahkiakum <1%

Garfield: <1%



Diversity of local LEP population

State: 76%

Counties:

King: 86%

Snohomish: 84%

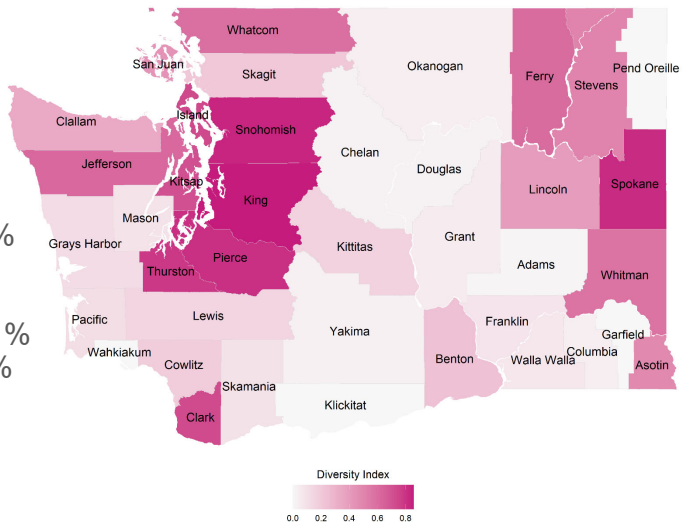
Spokane: 82%

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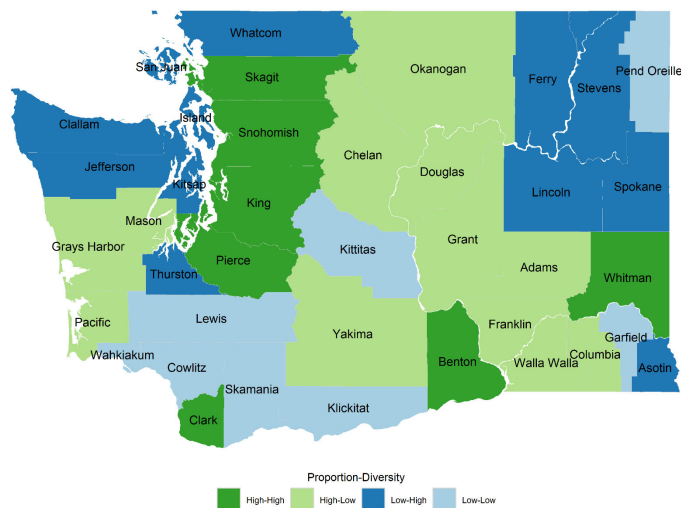
Pend Oreille: <1%

Wahkiakum <1%

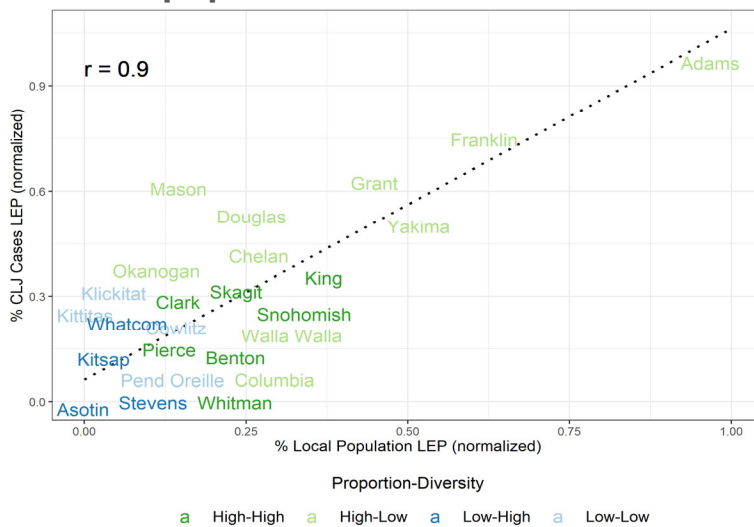
Garfield: <1%



LEP Proportion & Diversity

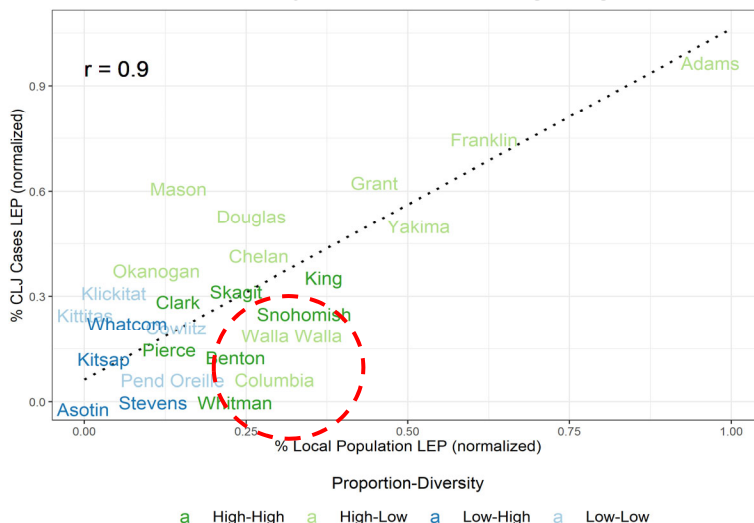


CLJ language assistance needs increase with proportion of population that is LEP.



NOTE: Correlation reflects all counties; chart includes select counties for illustration

Researching lower than expected language assistance needs may support language access.

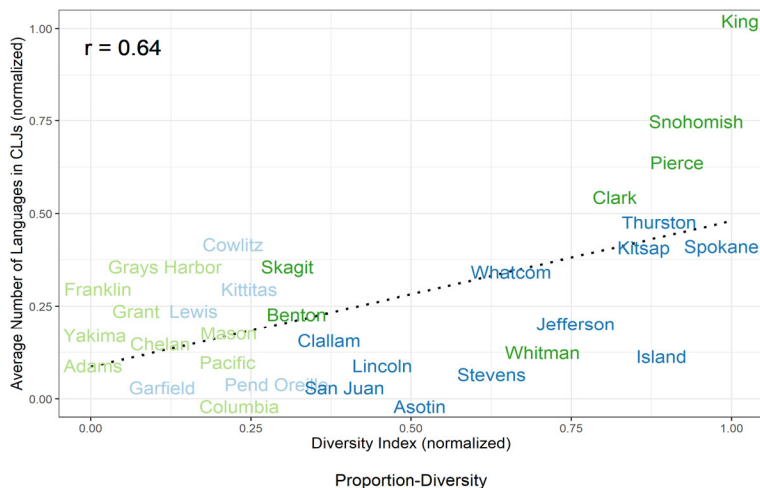


NOTE: Correlation reflects all counties; chart includes select counties for illustration



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CLJ language assistance needs increase with local language diversity.

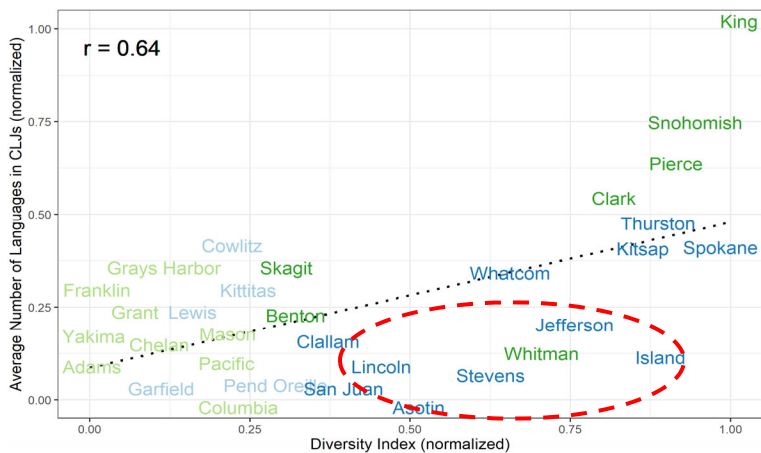


NOTE: Correlation reflects all counties; chart includes select counties for illustration



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Researching lower than expected language assistance needs may support language access.



a High-High
 a High-Low
 a Low-High
 a Low-Low

NOTE: Correlation reflects all counties; chart includes select counties for illustration