



Interpreter Commission

Friday, May 30, 2014 (8:30 a.m. – 11:30 a.m.)

AOC SeaTac Facility, Large Conference Room

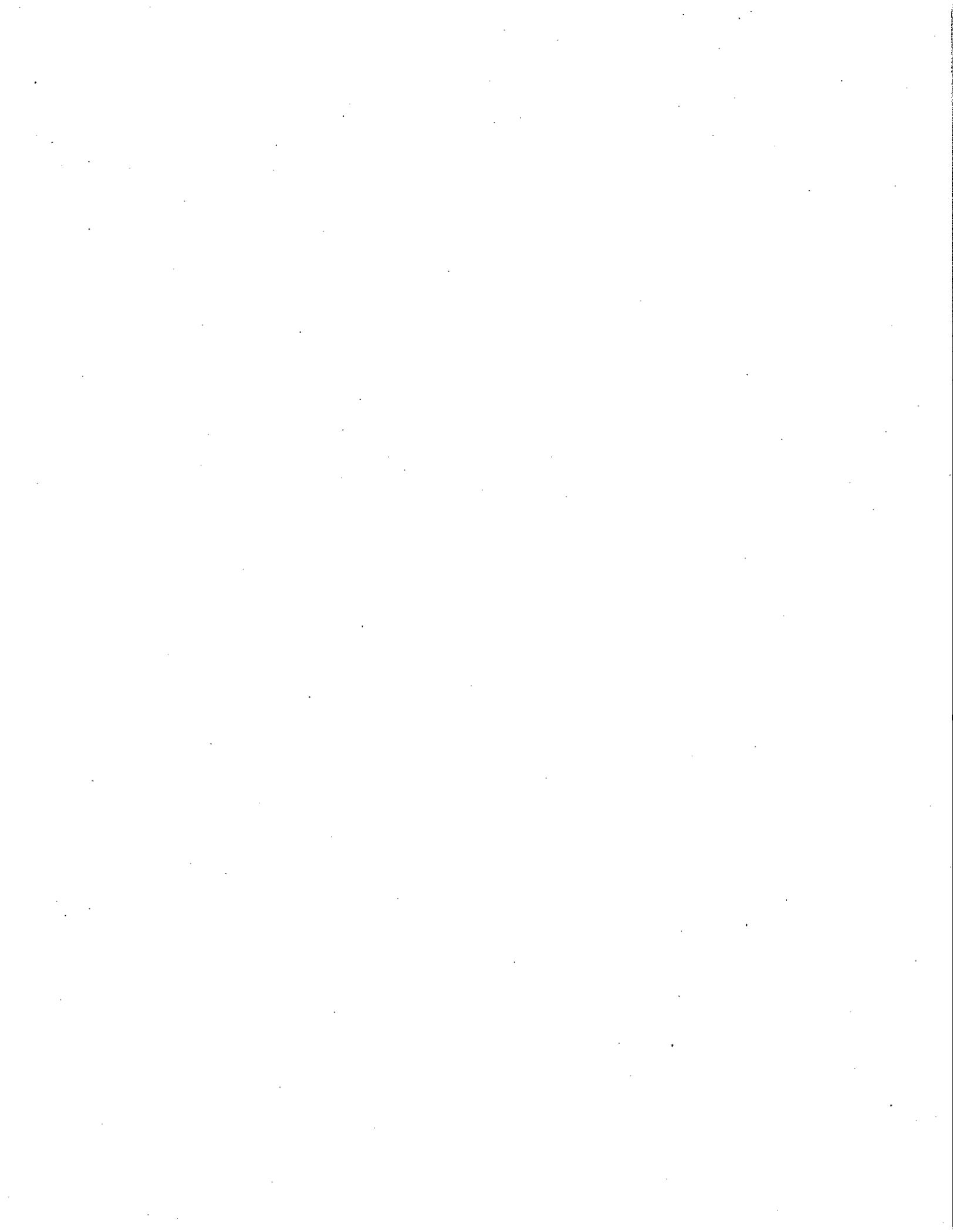
18000 International Blvd., Suite 1106, SeaTac, WA 98188

AGENDA

1. Call to Order	Justice Steven González	
2. New Member Appointments and Committee Assignments	Justice Steven González	Page
3. Approval of February 28, 2014 Minutes	Justice Steven González	Page
4. Chair's Report <ul style="list-style-type: none"> • 2015-17 AOC Budget Request • Failure to Request an Interpreter: Response from King County 	Justice Steven González	Page Page
5. Committee Reports <ul style="list-style-type: none"> • Online Interpreter Scheduling (Ad Hoc) • Discipline Committee: Interpreters Compliance for Past Reporting Cycle • Discipline Committee Referral: Complaints Against Interpreters 	Linda Noble and Sam Mattix AOC Staff AOC Staff	Page Page Page
6. Court Interpreter Program Issues <ul style="list-style-type: none"> • Interpreter Program Budget History and Commission Priorities • Proposed ODHH WAC for ASL in Courts • Vendor Marketing of VRI to WA Courts • Reports: <ul style="list-style-type: none"> 2014 Written Exam Test Results NCSC Language Access Conference Community Outreach Update Tribal-State Collaboration Plan DV/SA Training and Next Steps 	AOC Staff Berle Ross, ODHH AOC Staff and Frank Maiocco AOC Staff	Page Page Page
6. Business for the Good of the Order	Justice Steven González	
7. Adjourn	Justice Steven González	

Persons with a disability, who require accommodation, should notify Robert Lichtenberg at 360-350-5373 or robert.lichtenberg@courts.wa.gov to request accommodations.

Next Meeting: Friday, September 12, 2014, 9 a.m. – 12 noon. AOC SeaTac Office, Small Conference Room.





Interpreter Commission
Friday, February 28, 2013 (8:30 a.m. – 11:30 a.m.)
AOC SeaTac Facility
18000 International Blvd., Suite 1106, SeaTac, WA 98188

MEETING MINUTES

Members Present:

Justice Steven González
Eileen Farley
Sam Mattix
Linda Noble
Fona Sugg
Dirk Marler

Members Absent:

Kristi Cruz
Judge James Riehl
Theresa Smith
Judge Greg Sypolt
Alma Zuniga

AOC Staff:

Danielle Pugh-Markie
Robert Lichtenberg
Tina Williamson

CALL TO ORDER AND WELCOME

The meeting was called to order by Justice Steven González at 8:35 a.m. Justice González introduced a new member, Fona Sugg, who will serve as Court Administrator Representative, and Danielle Pugh-Markie, Supreme Court Commissions Coordinator, who is serving in a new position within the AOC.

SEPTEMBER 13, 2013 MEETING MINUTES

The minutes of the September 13, 2013 meeting were unanimously approved after member corrections were made.

CHAIR'S REPORT

Judicial College Training:

Justice González and Judge James Riehl were the presenters for the interpreter session at the 2014 Judicial College, which is a required training event for new judges across the state. Evaluations were uniformly very high, with several commenting they could use more time; only one person said they gained absolutely nothing from the presentation. Because Judge Riehl will be retiring from the bench in the fall, Justice González and Robert Lichtenberg will rework the presentation and co-present at the 2015 program.

DOJ Letter to King County:

The Department of Justice (DOJ) has finalized their review of interpreter services at King County Superior Court. An agreement was reached and signed between King County and the DOJ to improve access to LEP resources for court services and all cases in which an interpreter is needed by a participant in any legal proceeding in King County. Mr. Lichtenberg and Ms. Pugh-Markie will draft a letter to the BJA bringing them up to speed on what has been happening with interpreter issues in King County.

The letter will also be shared with all court administrators and the Washington Association of Defense Attorneys.

AOC Interpreter Program Budget:

The program has roughly \$40,000 a year to spend, not including the "pass-through" reimbursement funds. The budget also relies on fees collected from interpreter testing. In order to build the programs priorities, Justice Gonzalez looked at Court Rule 11, the Revised Code of Washington and the current duties of the program. He noted that the Commission has obligations under the Court Rule and RCW—one of them is to provide training on both sides of the state, an obligation he feels that is not currently being fully met. Accordingly, the Commission needs to figure out what its goals and priorities are and how to ~~can~~ best meet them with the resources it has or might be able to get. Justice González would like the AOC to put together a budget package that shows the last five years of revenue from testing, how much was spent on testing, and what was done with the rest of the funds, including any additional 'grant' funding, because if that is no longer available the AOC can review that and understand historically what happened.

He further reported that the Senate Ways and Means Committee budget includes a \$38,000 reduction for the Interpreter Commission. This is based on the view that the AOC should treat interpreters like court reporters because court reporters pay a certification fee each year to maintain their certification. The Senate committee proposed that the AOC impose a \$125 annual recertification fee for interpreters (to make up for the reduction in funding). Justice González delivered a letter to Representative Zack Hudgins of the House opposing the \$38,000 reduction. The letter was discussed among the members and Ms. Farley agreed to contact the lobbyist for the state bar association to weigh in on the proposed funding reduction.

Public Member Vacancy/Role:

The AOC received several applications for the Public Member vacancy on the Commission. Mr. Marler felt that the 'rule' [GR 11.1] has identified a particular composition for the Commission and certain membership categories, and that we should respect that balance to the extent that we can and not select members to serve duplicate roles already filled-in, in accordance with the rule. After reviewing all of the applications, Mr. Marler recommended applicant Thea Jennings and Mr. Mattix recommended applicant Lawrence Pang (current certified court interpreter). Ms. Farley noted that there were plus and minuses with both candidates, however, she felt that the Commission needed greater outreach on the legal matters interpreters are working with and supported Ms. Jennings as well. Members agreed to offer Ms. Jennings the vacancy and if declined by Ms. Jennings, the vacancy would then be offered to Mr. Pang.

Ms. Pugh-Markie wanted to know how and where the membership vacancy was advertised, where the information was posted. The Commission members explained that the announcement was distributed to a broad group of community

organizations, including minority and ethnic groups, community newspapers, and it was posted on the AOC website. Ms. Farley would like the Commission reexamine how we publicize and recruit members in the future, so that recruitment announcements can target the kind of person for the role the Commission is looking to fill. AOC staff will provide a report at the next meeting regarding past recruitment practices.

COMMITTEE REPORTS

Online Interpreter Scheduling (Ad Hoc):

Ms. Noble, the committee chair, reported the committee met in January 2014 and determined the goal of the committee would be to produce a "best policies and practices" document with respect to designing and employing computer programs to facilitate scheduling of interpreters. One of the purposes of creating the policy document is to focus on how we best serve the needs of the stakeholders, not just the "nuts and bolts" of how to make the system work. Mr. Mattix suggested that Ms. Noble, Mr. Lichtenberg and he himself talk to the people in Oregon who use an online system called E-court. He stated that an overview of the system is given in Oregon's 2013 Interpreter Services Report, which he will electronically forward to all Commission members. The committee will have a further report to present to the Commission at the May meeting.

GR 11.1 and Committee Chairs:

Mr. Lichtenberg recently met with the individual chairs of the Education and the Disciplinary committee and learned that there appears to be minor confusion as to which of the Commission's three appointed judges is chairing which committee. The composition of the Commission pursuant to GR 11.1 says there are to be judges from all levels of the courts. Commission members discussed whether a judge is to serve as the Disciplinary committee's chair in the absence of clear GR 11.1 language. Judge Riehl is currently serving as chair to the Disciplinary and Education Committees, but will be retiring in the fall of this year. The Commission decided to move forward to fill in the chair's position on both committees and requested that the AOC take the lead in soliciting a jurist to assume Commission membership at the end of Judge Riehl's term in September 2014.

Education Committee: Ms. Noble nominated Mr. Mattix to chair the Education committee, of which he is currently a member. There was discussion amongst the members regarding the role of the Education Committee in general and specifically as to the matter of interpreter non-compliance with continuing education requirements at the end of the 2-year reporting cycle. Justice González requested that the Education Committee create a proposal to be considered by the Discipline Committee regarding how to ensure that interpreters are in compliance, the process for handling cases where interpreters are not in compliance, and the issue of progressive discipline. Mr. Mattix believed that the committee chair needed to be a judge or judiciary staff because of the stakeholder groups sought for committee composition by GR 11.1. However, Justice González supported the nomination of Mr. Mattix based on his belief that it would be much more effective to have somebody chairing the committee who actually knows

what the issues are and has some history with the Commission rather than acquainting a new judge on everything the Commission is doing as well as immediately chairing a committee. Justice González encouraged Mr. Mattix to consider accepting the nomination if the notion that a judge has to chair a committee was the only impediment as he does not think anyone has a better understanding of educational needs than someone who is actually providing interpreter services. Justice González conveyed that the Commission has great respect for him and that he would be a great choice for chair. With Justice González's encouragement, Mr. Mattix accepted the offer to chair the Education Committee. He will work with AOC staff to review the scope of the committee and to look at those issues already referred to the committee that haven't been addressed.

Discipline Committee: Justice González agreed to take on the committee's work as chair until someone else can take over that role. Justice González will sit down with AOC staff to discuss any pending issues.

Issues Committee: Mr. Lichtenberg will refer current items to Judge Sypolt for review during his scheduled meeting with Judge Sypolt on March 7th in Spokane.

COURT INTERPRETER PROGRAM ISSUES

King County Budget Meeting Report: Ms. Farley met with Andy Bauck, staff with the King County Office of Performance, Strategy and Budget, who is compiling a report on interpreter services provided in King County. The report was requested by the King County Council as a conditional funding proviso in the 2014 King County Budget. Mr. Bauck has distributed a form to all county departments to catalog current interpreter scheduling and procurement practices. Ms. Farley had suggested they add ASL services procurement as well because his report is in regards to interpreter services procured by King County agencies, not just for foreign languages. Mr. Bauck would like to have someone from the Commission who has experience with how counties do their scheduling and that can serve as background resource. Mr. Mattix suggested that this dovetails very nicely with the ad hoc online scheduling committee and proposed that he and Ms. Noble meet with Mr. Bauck and go over the guiding principles. Ms. Farley agreed to facilitate communication between them and Mr. Bauck.

Failure to Request an Interpreter: It was brought to the Commission's attention that King County failed to provide an interpreter at a recent hearing. While this complaint is against King County, Justice González noted he finds it hard to believe that problems are happening disproportionately in King County and not in other counties, that it is possible we just do not hear about it in those other counties. Although the Commission has addressed this issue in the past with King County, another letter will be sent to the court outlining the Commission's concerns that will include an unofficial transcript of the court recording and a copy of the Department of Justice letter. In addition, a second letter will be drafted and sent to the court offering our support in LEP training assistance and resources.

Video Remote Interpreting (VRI): A draft report on VRI has been produced by a workgroup of national members. The report shows that VRI may increase the pool of available interpreters, but that it may also decrease the quality of interpreters. Ms. Farley and Mr. Lichtenberg have reviewed the report. Their comments will be compiled and shared with Commission members electronically; meanwhile, members were encouraged to provide additional comments to Mr. Lichtenberg by March 7th.

Interpreters Compliance: Ms. Williamson provided an update regarding interpreter compliance. All credentialed court interpreters were to complete and report their biannual requirements by December 31, 2013. The Disciplinary Committee will be meeting soon to review those interpreters that are still out of compliance and impose sanctions that can range from suspension to decertification. Based on the number of non-compliant interpreters in this and in previous reporting cycles, Commission members raised concern that the compliance policy may be too vague in its enforcement aspects, allowing interpreters to remain out of compliance for too long. Justice González would like AOC staff to put together a proposal for a policy that is more clearly defined to help prevent situations like this in the future.

Next Commission Meeting

Friday, May 30, 2104
 8:45 a.m. – 11:45 a.m.
 SeaTac Facility

Adjourn

Meeting adjourned at 11:30 a.m.

Decision Summary	Status
Judicial College 2015: Justice González and AOC staff will rework the presentation and co-present at the 2015 program.	<i>Future Action</i>
Member Vacancy: The Commission voted to nominate Ms. Jennings to the Chief Justice to fill the Public Member Representative vacancy and if declined by Ms. Jennings, the vacancy would then be offered to Mr. Pang.	<i>Complete</i>
Education Committee: Justice González appointed Mr. Mattix to chair the Education Committee	<i>Complete</i>
Disciplinary Committee: Justice González will serve as interim chair of the Disciplinary committee and will meet with AOC staff to discuss any pending issues.	<i>In-progress</i>

Decision Summary	Status
<p>King County Superior Court Interpreter Service: The Commission agreed to send a letter, including an unofficial hearing transcript and a copy of the Department of Justice settlement letter, through Justice González to King County Superior Court outlining the Commission's concerns about their failure to provide a LEP litigant with an interpreter. In addition, a second letter will be drafted and sent by the AOC offering AOC staff support in LEP training assistance and resources to King County Court judges and staff.</p>	<p>Complete</p>
<p>Action Item Summary</p>	
<p>King County-DOJ Agreement: AOC staff will draft a letter for Commission Chair review to the BJA regarding the DOJ settlement with King County, to also be shared with all court administrators and the Washington Association of Defense Attorneys.</p>	<p>In-Progress</p>
<p>AOC Budget: AOC will put together a budget history of Interpreter Commission revenue, including grants, and expenses for the last five years and present the information at the May 28th meeting.</p>	<p>In-Progress</p>
<p>AOC Budget: Ms. Farley agreed to contact the lobbyist for the state bar association regarding funding reduction(s) affecting the Interpreter Commission.</p>	<p>In-Progress</p>
<p>Vacancy Recruitment: AOC staff will provide a report at the May 28th meeting how new members are recruited for Commission member vacancies, so that recruitment announcements can target the kind of person for the role the Commission is looking to fill.</p>	<p>Future Action</p>
<p>Vacancy Recruitment: The Commission will conduct a broad search to solicit letters of interest to fill the upcoming vacancy for the position of District and Municipal Court Representative. The deadline is September 1, 2014.</p>	<p>Future Action</p>
<p>Committee Report: The Ad hoc online scheduling committee will have a further report at the May meeting.</p>	<p>In-Progress</p>
<p>Issues Committee: AOC staff will confer with Judge Sypolt on current Issues Committee matters on March 7th</p>	<p>In-Progress</p>
<p>King County Interpreter Budget: Mr. Mattix suggested that he and Ms. Noble review the guiding principles for online-scheduling practices with Mr. Bauck. Ms. Farley agreed to facilitate communication between them and Mr. Bauck.</p>	<p>Future Action</p>

NCSC VRI Report: Comments by Ms. Farley regarding the NCSC VRI report will be compiled and shared with Commission members electronically.	<i>In-Progress</i>
Interpreter Non-Compliance: AOC staff to draft a compliance policy to help prevent future cases of interpreters being out of compliance at the end of the reporting period.	<i>Future Action</i>

Telephonic Interpreting for Language Access to Court Services

Request: GF-S; \$1,324,000/biennium, including 0.5 FTE for AOC staff costs

Intent: To offset 50% of the funds used for telephone interpreting services provided to Limited English-speaking Persons who need to access court services other than courtroom interactions to file paperwork, pay fines, or request information. Many of these situations are unscheduled and occur in courts that do not have bilingual staff readily available or at all.

Statutes Affected: RCW 2.43.040 (3) and (5)(a-c).

Rationale: Civil Rights laws and federal statutes require full access to court services in addition to court proceedings for LEP persons regardless of whether the service interactions of the courts relate to criminal or civil legal matters. The number of LEP persons in WA state has grown more than 50% since the Year 2000 census, along with a growing population of LEP persons from countries that have languages with fewer interpreters available to work in court settings, such as Marshallese, certain Mexican-Indian indigenous languages, Somali, Korean, and Vietnamese. Many of those persons need to conduct transactions of a legal nature pursuant to local ordinances and statutes, thereby resulting in an additional financial burden on local courts above and beyond providing telephonic and in-person LEP access during official court proceedings.

Benefit: Compliance with federal requirements for Title VI language access; effective court management for services to the public; will eliminate being forced to choose between loss of personal privacy and dignity when using family and friends to interpret or not using court services at all and being in violation of the law.

Trial Court Funding for Language Access: Civil and Criminal Cases

Request: Request: GF-S: \$6,609,000/biennium, including 0.5 FTE for AOC staff costs

Intent: To offset 50% of the funds used by all state superior court, district and municipal court proceedings for in-person and telephonic interpreting services provided to Limited English-speaking Persons. The longer term funding includes a request to increase the state's contribution to 75% for the 2017-20 biennia and to 100% in the following fiscal biennia.

Statutes Affected: RCW 2.43.040 (3) and (5)(a-c).

Rationale: Civil Rights laws and federal statutes require full access to court proceedings for LEP and deaf or hard of hearing persons regardless of whether the service interactions of the courts relate to criminal or civil legal matters. The number of LEP persons needing spoken language interpreting services and deaf persons needing sign language interpreting services in WA state has grown by over 50% since the Year 2000. In addition to this particular population growth, federal law requires that interpreting services be made available at no cost to those parties in

any type of legal proceeding. As current Washington statutory language allows courts to charge non-indigent parties for court interpreting services provided in civil matters, this would impose an additional cost obligation on local courts that are not currently budgeted for and need to be taken into account in order to fiscally prepare to meet that federal expectation.

Current Funding Scenario: 52 local trial courts receive 50% reimbursement provided the courts meet certain reporting requirements and use of AOC-certified court interpreters. The total funding appropriation is for \$1,221,000 biannually. This is only sufficient to cover 7 to 10 months of expenses for a fiscal year. The remaining local courts that do not participate in the program have to fully fund their own interpreting service costs and a number of larger population centers, such as Spokane, have experienced an over- 200% increase in interpreter costs. Spokane-area courts are not a program participant due to funding limitations for additional courts to participate in this reimbursement program.

Benefit: Compliance with federal requirements for Title VI language access; Enables local courts use local court-designated funding to focus on implementing operational efficiencies and thus reduce overall costs of providing language access covered by state funds which, for example, would allow local jurisdictions to implement or participate in online interpreter scheduling requests and services and for remote video interpreting services for languages of lesser diffusion where visual cues are important to accurate interpretation.

Of noted importance, the current reimbursement program has had a collateral effect on courts that do not participate in the program. Interpreters have expected those non-participating courts to pay the same hourly rates as those receiving the 50% reimbursement. This has created a loss of interpreters to better paying markets in the state and increased costs for non-participating courts which now have to pay for increased travel costs to bring in interpreters from those markets as well as paying for interpreting services at higher than budgeted rates.



**Superior Court of the State of Washington
for the County of King**

Susan J. Craighead
Presiding Judge

King County Courthouse
516 Third Avenue, C-203
Seattle, Washington 98104-2381

April 1, 2014

Justice Steven C. Gonzalez
Washington State Supreme Court
P.O. Box 40929
Olympia, Washington 98504-0929

Dear Justice Gonzalez:

I am in receipt of your letter of March 20, 2014 regarding a hearing that took place in the courtroom of Judge Douglass North. Judge North and I met last week to discuss this matter and we agreed that I would respond to your letter.

First of all, thank you for bringing this matter to our attention. As you may know, I led a fairly extensive training session on the topic of identifying court participants who might need an interpreter in June of last year. When I spoke with Judge North, I learned that his bailiff had recognized when the parties checked in that Mr. Quenguyen needed a Vietnamese (or French, his second language) interpreter and called the court's Interpreter Services Office to try to make last minute arrangements. She had no way of knowing that Mr. Quenguyen needed an interpreter before the hearing. Interpreters in neither language were available that day. Judge North considered continuing the hearing to arrange for an interpreter. He elected not to do so because Mr. Quenguyen had not filed anything in opposition to the motion for summary judgment and it appeared highly unlikely that Mr. Quenguyen could prevail. A continuance would likely have increased fees awarded against Mr. Quenguyen, or, if he could not pay, driven up the fees for the other side. However, without an interpreter there was no way for Mr. Quenguyen to understand *why* he did not prevail. One of the most important things judges do is explain the basis of their decision, ideally simply and clearly, so that litigants can understand the reasoning. Judge North did this, but he did it in English.

As Presiding Judge, it is apparent to me that other judges could make the same decision for the same reason – why inconvenience the parties and increase fees when the outcome is very unlikely to be changed by the presence of an interpreter? I have asked our Interpreter Services Office to gather a list of resources to help judges arrange an interpreter on the spot if at all possible when unexpected needs arise. While we would always want a court certified interpreter in person, the truth is that this usually cannot be arranged on short notice. In some situations, an interpreter on the telephone might be better than continuing the

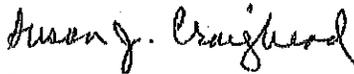
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hearing. Once we have those resources gathered, I plan to provide them to our judges and bailiffs. Judge North has authorized me to use this case (without his name) to illustrate why we need to arrange interpreters even when their involvement may make no difference to the outcome. The essence of procedural justice is understanding the proceedings – not just winning or losing. I think some emphatic training on this point will go a long way toward remedying this problem. My plan is to include this training at our June in-person Judges' Meeting.

I do not believe that our court is ignoring "statutory directives." Indeed, our state statute still requires that a civil litigant be indigent before an interpreter is provided. Nonetheless, we have committed to providing interpreters regardless of a person's ability to pay. I hope this letter demonstrates that our court shares your concerns, and we are doing everything we can to honor that commitment.

Thank you for bringing this matter to my attention.

Sincerely,



Susan J. Craighead
Presiding Judge

SJC/PLS:aj

cc: The Honorable Douglass North, King County Superior Court Judge
The Honorable Theresa Doyle, Chair, King County Superior Court Interpreter Committee
Callie Dietz, State Court Administrator, Administrative Office of the Courts
Danielle Pugh-Markie, Supreme Court Commissions Coordinator, Administrative Office of the Courts
✓ Robert Lichtenberg, Language Access Program Coordinator, Administrative Office of the Courts

DRAFT

Ad Hoc Committee Report on Interpreter Scheduling Issues

Prepared for the Supreme Court Interpreter Commission

May 30, 2014

The issue of on-line scheduling came to the attention of the Commission as a result of complaints from interpreters about the “piranha pit” –style program which has been in use by King County District Court and Snohomish County courts for roughly a decade. These systems create a feeding frenzy by posting jobs online, whereby jobs go to the fastest to grab them. Some tech-savvy interpreters designed bots or scripts to constantly monitor the job postings and automatically snatch them up the instant they are posted. In languages of oversupply like Chinese, Spanish and Russian, this approach has been leaving some highly qualified interpreters with no work. Apart from the ethical and professional concerns raised by such behavior, it is apparent that there are also systemic problems in the interpreter scheduling systems being used and market problems (supply of and demand for interpreters - varies by language; recruitment & training not responsive to market; retention of competent interpreters compromised by their inability to earn a living commensurate with their skill and training). (For a more complete description of the “piranha pit” scheduling system and concerns surrounding its efficacy, please see submitted materials from the Dec. 6, 2013 Commission meeting.)

An *ad hoc* committee was formed to evaluate existing automated or semi-automated scheduling systems and determine how well they are serving the needs of all the identified stakeholders (judicial officers, LEP/DHH persons, interpreters, schedulers) and set out to define guiding principles which could serve as the basis for the design of such systems. It is vital to recognize that any automated system is only as good as the principles upon which it is created, and those principles must consider the needs of all the stakeholders in order to truly serve the long-term goals of equal access to justice.

We first established a “big picture” objective, upon which the guiding principles for interpreter scheduling would be based. It was determined that the overarching report objective was to recommend an online scheduling approach that would utilize on a consistent basis access to and use of an adequate pool of the most highly qualified court interpreters to best serve the needs of LEP and DHH persons and courts throughout the state in an efficient and cost-effective manner. It should incorporate the need to conserve staffing resources while understanding that interpreters must be adequately educated, trained and compensated in order to attract and retain the caliber of professionalism necessary to perform at every level within the legal system. The state makes an initial investment in court personnel through recruiting, training and testing; value is added to the personnel through exposure, experience and continuing education. It is therefore in the long-range interests of the state’s courts to provide incentives to keep top-level interpreters in the field. Retention is one of the best returns on investment.¹

Sam and Linda met with Tara Cook, Interpreter Services Manager for KCDC, and separately with Ed Zaldibar, who is one of the owners of 1Lingua, a semi-automated scheduling system used by Tukwila and SeaTac Municipal Courts. Efforts to connect with the interpreter services manager of Snohomish County courts were not successful. KCDC, for its part, has implemented a CAPTCHA feature in its program, which

has thwarted the use of “bots”. To the best of our knowledge, Snohomish County has not taken any such steps and the issue persists in that jurisdiction. Ms. Cook provided feedback regarding the challenges faced in King County to get the CAPTCHA feature added, suggesting that Snohomish County may be in a similar situation, but we were unable to get confirmation directly from Snohomish County. We brought to Mr. Zaldibar’s attention some of the features of his program that, while efficient for schedulers, actually served as an unnecessary detriment to interpreters and failed to consider many of the “big picture” issues, such as quality assurance.²

There are certainly many ways in which technology can be used to increase efficiency. But the value of interpreter scheduling through IT solutions is inextricably linked to the long-term objectives of language access. Any solution designed in a vacuum or that fails to consider the needs of all stakeholders is inadequate and will quickly become obsolete, thereby not justifying the investment.

The attached “guiding principles” reflect an effort to ensure that all relevant factors are considered when scheduling interpreters in order to assure high quality, appropriate language access in a cost-effective manner. The principles themselves are broad enough to be applied in diverse venues and on any scale. They should serve as the basis for achieving the business needs of the courts and writing the operational “rules” governing any automated or semi-automated online scheduling system.

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1. Washington boasts a robust interpreter certification process and for the most part courts throughout the state acknowledge the requirement to use certified interpreters. However, certification is but the first step on a life-long journey of constantly improving one’s knowledge and skills, and ability to respond to all the professional and ethical dilemmas interpreters face. The code of ethics provides guidelines, but the ability to react appropriately in the variety of situations presented comes only from ongoing experience and continuous learning, even for those with many years of court interpreting assignments.

Why should the AOC place a premium on retaining interpreters? Aside from the commitment to equal access to justice, which has no quantifiable value in monetary terms, there is an actual cost to inadequate interpretation in the form of appeals and mistrials. Regardless of the outcome of these appeals and mistrials, they are costly—far more so than the initial costs of proper interpretation. Further, one can reasonably assume that only a fraction of instances of inadequate interpretation which affects the lives and liberty of individuals is ever brought to light.

Please see the following references regarding the roles and impacts interpreters have on court services:

<http://www.najit.org/certification/FAQarticleBenmaman.htm>

<http://www.languageaccess.us/Documents%20and%20Links/ProteusSum2005w%20Interpreters%20as%20Officers%20of%20the%20Court.pdf>

<http://www.languageaccess.us/Documents%20and%20Links/Interpreters%20and%20Their%20Impact%20OPDF.pdf>

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2. Notably, the existing 1Lingua system is designed to generate e-mail or text message requests for jobs and send them to an unlimited number of interpreters simultaneously. This turns interpreter scheduling into a kind of competition for quick response time, encouraging such potential negative consequences as unsafe driving, distraction from the job at hand, and accepting jobs instantly without first checking one's calendar. It turns employment distribution into a game in which the rewards are completely unrelated to any relevant interpreting skills or experience. Mr. Zaldibar quickly wrote new algorithms during our meeting that could be implemented in his system to send out requests for assignments at intervals, allowing each recipient a reasonable period of time to respond before the request is sent to the next person in the queue. The order in which interpreters receive "first dibs" could be easily cycled, so as to create more equal distribution of assignments and access to income and experience. So far these algorithms have not been implemented, so mass emails or text messages from courts using 1Lingua continue the feeding frenzy.

Report prepared by:

Linda Noble – *ad hoc* committee chair & Interpreter Commission member

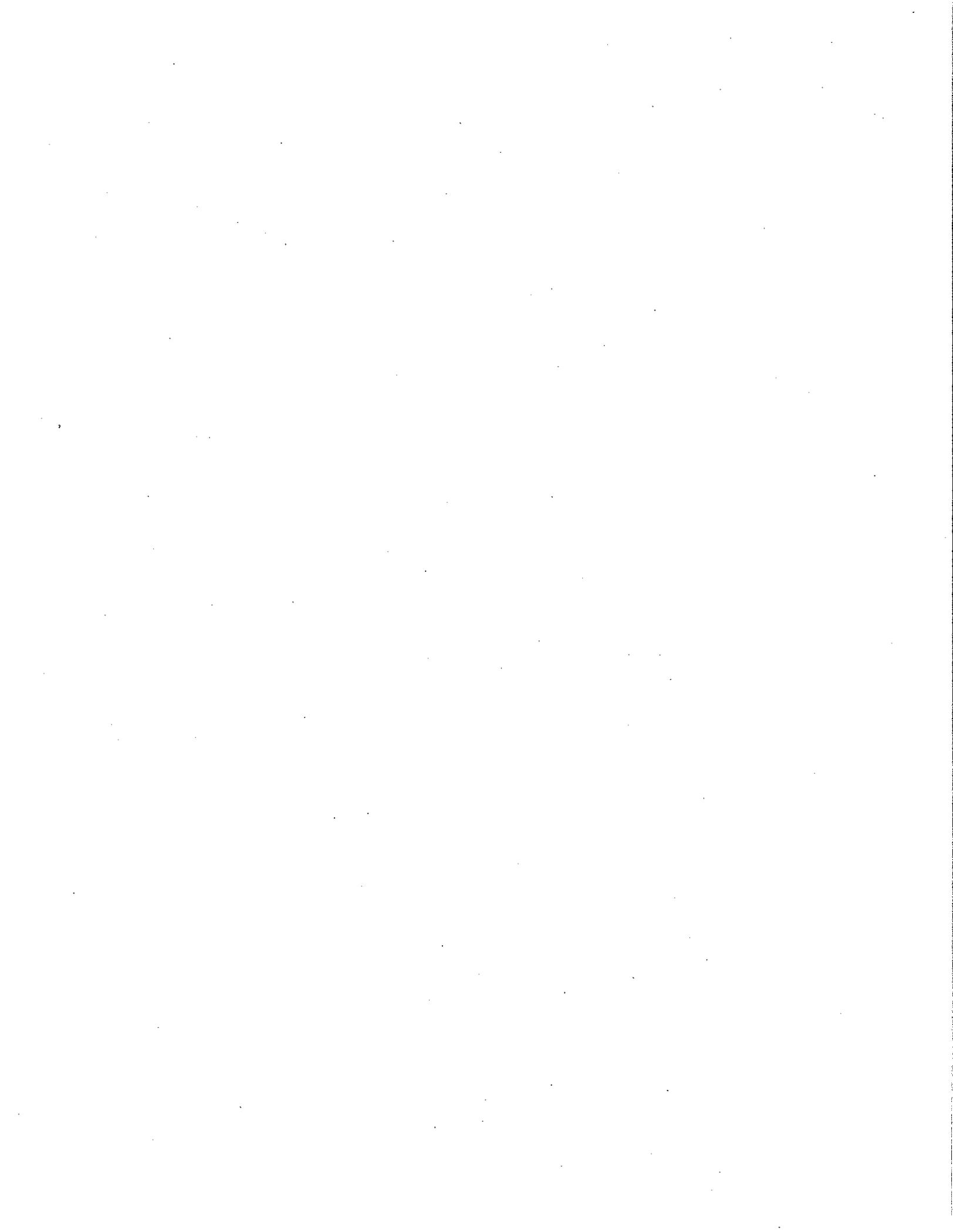
Samuel Mattix – *ad hoc* committee member & Interpreter Commission member

Kristi Cruz – *ad hoc* committee member & Interpreter Commission member

Marti Maxwell – *ad hoc* committee member, Thurston County Superior Court

Tara Cook – *ad hoc* committee member, King County District Court

Robert Lichtenberg – Language Access Coordinator, WA-AOC



Guiding Principles for Design of Interpreter Scheduling System

GENERAL SET: NOT DEPENDENT ON INFORMATION TECHNOLOGY¹

OVER-ARCHING PRINCIPLE: LANGUAGE ACCESS

1. GENERIC

- **not technology-defined**
 - independent of chosen technology (file cards and telephone/pagers, online, web-based, smart phone, cloud computing)
- **not language-defined:**
 - independent of language of scheduling system (system architecture does not mandate user interface language)
 - independent of languages served by scheduling system (serves oral languages and non-oral languages – visual, tactile)
- **not setting-limited**²:
 - **examples of multiple settings** which may share interpreter resources: all public services, including judicial (criminal, civil, administrative), legal, law enforcement, corrections, emergency services, social welfare, health, mental health, education, transportation
 - **applicable** to multiple settings
 - **adaptable** to multiple settings
 - **responsive** to multiple settings which use same interpreter resources but with different criteria, e.g. different interpreter codes of conduct and protocols, credentials, allowable modes
 - **common/shared interpreter infobase** between multiple settings (infobase contains interpreter contact information/qualifications/preferences/individual calendars).
- **not dependent on individual expert scheduler:**
 - guides non-expert schedulers to do the job “right”: identifies assignment requirements and constraints; provides & guides access to extensive, well-developed resource networks

¹ See following section: Sub-SET: DEPENDENT ON INFORMATION TECHNOLOGY

² ADA mandates SL interpreter services for D&HH in multiple settings. Title VI prohibits discrimination on the basis of national origin by all state and local agencies receiving federal money. King County is currently conducting a review of its many language service offices which mostly do not coordinate with each other before reauthorizing funding.)

2. APPROPRIATE

- **interpreter with requisite skill level for assignment and suited/acceptable to LEP**
 - **Match** service request to appropriate interpreter profiles, **prioritize** available interpreters to contact by “weighting” relevant features in match without considering irrelevant features;
 - **Make explicit rules**³ that guide the decision-making process.
- **mode/means, suited/acceptable for requirements of assignment and to LEP**
 - **examples of modes/means** : simultaneous interpretation, consecutive interpretation, sight translation, summary interpretation, team interpreting, in-person, jail – visitor booth (through glass), jail – face-to-face (same room), telephonic, VRI, caption, TTY
 - **Make rules**⁴ that define situations for use of various modes/means.
 - **Match** service request to appropriate modes/means available, **with weighted ordering** of appropriate modes/means and excluding irrelevant, unavailable or disallowed modes/means.
 - Set **thresholds** (e.g. urgency, cost, interpreter availability) for use of remote modes/means – If threshold is met, consider available remote interpreters.
 - See Appendix A: Example rules for appropriate use of RI, and Appendix B: Determining availability of an on-site interpreter

³ Example **interpreter selection** rules:

Non-negotiables – interpreter cannot interpret medical interview for own relative; mutual intelligibility – interpreter must be able to communicate intelligibly with LEP and with court;

Weighted preferences: “certified” in felony trials for certified languages; match interpreter and client with awareness of psycho-socio-ethnic-political considerations, e.g. Serbo/Croatian/Bosnian, Sudanese/S. Sudanese, Iraqi Chaldean/Kurd/Shia/Sunni; gender match between victim and interpreter in sex cases; preferred language of LEP given weight over LEP’s alternative languages; preference for interpreter who previously interpreted for same LEP on same case.

⁴ Example **mode/means selection** rules:

Non-negotiables – in-person interpreter for LEP defendant in felony trial;

Weighted preference: (1) default/standard practice: in-person interpreter for LEP witness testimony < 10 minutes duration during felony trial. , (2) permissible/non-standard and non-preferable: RI for LEP witness testimony < 10 minutes duration during felony trial. , (Author was present at a April 2014 murder trial in another state which resulted in a mistrial due to problems with telephonic interpretation of in-person witness testimony lasting a few minutes.) (1) default/standard practice: simultaneous and team interpretation of English court proceedings for LEP defendant during felony trial, (2) permissible/non-standard and non-preferable: consecutive interpretation and/or solitary interpreter for LEP defendant during felony trial. (1) default/standard practice: remote interpretation (RI) for DUI police stops - to administer Miranda, field sobriety tests (FST), and blood alcohol concentration (BAC) tests. (2) permissible/non-standard but preferable to (1): Certified bilingual police officer does DUI stop procedures without using an interpreter.

3. AVAILABLE

- **enough** – in each language based on demand, minimum of two competent interpreters/language
- **when needed** – other commitments do not interfere with availability to interpret
- **where needed** – local, or willing and able to travel if needed
- **recruitment**
 - only to remedy supply shortfall; not to exacerbate over supply
 - tailor to meet shortfall for languages and regions where supply of appropriate interpreters does not meet demand
- **retention through good working conditions and viable income**
 - “fair” distribution of work assignments to maintain supply of appropriate interpreters with viable livelihood and current skills (= “be available”)⁵
 - pay commensurate with interpreter’s investment in becoming and maintaining professional interpreter skills and credentials. If enough work exists in an interpreter’s language, interpreter should have a viable livelihood (= “be available”)
 - maximize utilization of interpreter by efficient scheduling, so interpreter gets more assignments and thus more pay, with less down time and less unreimbursed travel
 - coordinate between scheduling systems, especially for hard-to-fill jobs in rare languages, in order to increase number of jobs for interpreters of rare languages (thus increasing interpreters’ income viability) while simultaneously improving interpreter availability for these hard-to-fill jobs: a win-win proposition
- **coordinate interpreter scheduling, both intra-system and inter-systems**
 - facilitate information sharing between all schedulers to enable them to be aware of existing interpreter assignments within own jurisdiction/venue and other jurisdictions/venues, especially for nearby venues
 - resolve concerns that prevent such coordination⁶.

⁵ Eliminate “piranha pit”/ “feeding frenzy” job openings that distract interpreters from their work or from driving ... just so they can survive financially by getting any job at all; design system that cannot be gamed by tech-savvy interpreters to claim all jobs the instant they are posted

⁶ Examples of concerns that prevent coordination:

(1) Schedulers for Superior and District courts housed in the same building won’t cooperate because they don’t want to cause “double dipping”: Interpreter jobs for two departments within the same county can result in payment of overlapping minimums if one assignment finishes quickly after which the interpreter reports to an assignment in another department.

(2) Interpreters, after receiving 2-hour minimum payment for morning work in a court, are reluctant to wait unpaid for three or more hours until the afternoon for another job in the same court and NOT get paid another minimum for the afternoon. So they turn down the afternoon job – and are reluctant to let schedulers see their calendar which shows they are available that afternoon, in hopes of finding a job elsewhere that will pay them another minimum for the afternoon. As a result, the court has to bring in someone else for the afternoon– and so pays another minimum to that interpreter.

4. EFFICIENT

- **use of time, money, personnel, travel, technology**
- **coordinate interpreter scheduling intra-system and inter-systems**
 - probably simplest to coordinate between systems based on schedulers having some level of access to individual interpreters' calendars, at a minimum indicating times unavailable; and possibly indicating accepted assignments, locations (home, specific or general assignment location).⁷
 - coordinate interpreter scheduling with court case management systems to monitor need to request, revise requests and cancel interpreters.^{8 9}

5. Replicable/Reproducible

- **knowledge-based**
 - The goal of knowledge-based systems is to make the critical information required for the system to work explicit rather than implicit.
 - Schedulers are made aware of relevant information resources, and these resources are made available to the scheduler. (E.g. interpreter directories, Ethnologue¹⁰, CIA Factbook¹¹.)
- **rule-based¹²**
 - The goal of rule-based systems is to make the decision-making criteria required for the system to work explicit rather than implicit.

⁷ This is much more efficient for interpreters who work in multiple jurisdictions and venues; otherwise schedulers have to contact them individually for each assignment to check their availability, or else interpreters have to maintain updates to their calendar separately with each scheduler or scheduling system.

⁸ There is much room to improve efficiency here: Often interpreters are not scheduled for subsequent hearings – so proceedings must be continued at cost of time and money; or changes have occurred so that interpreters are not needed as originally scheduled, but interpreters are not notified and so they appear when not needed, for which the court must pay them and interpreters incur time and travel expenses as well.

⁹ Related efficiency improvement needs: Once the author flew to an out-of-state assignment in which the LEP defendant was not transported from the holding facility (40 minutes distant) to court for the hearing. And sometimes LEP defendants fail to appear because they are in custody on other charges in another jurisdiction, e.g. defendants FTA at hearing in Snohomish County District Court because they have been picked on other charges in King County.

¹⁰ Ethnologue contains information on 7,106 known living languages, including information about alternate names of languages, their geographical distribution, population, and relationship to other languages. For an example of information available potentially relevant to interpreter scheduling, try searching Ethnologue for “Marshallese” or “Mam”.

¹¹ CIA Factbook provides information on the history, people, government, economy, geography, communications, transportation, military, and transnational issues for 267 world entities.

¹² See examples of explicit rules previously mentioned under “2. APPROPRIATE”

6. DYNAMIC and RESPONSIVE (derivative of appropriate, available, efficient)

- **Monitor for changes in knowledge bases, especially case information¹³, case schedule¹⁴, interpreter assigned to case**
- **Prompt/Remind scheduler to respond to changes in knowledge bases.**
 - Coordinate scheduling of interpreters affected by all changes to appointment.

7. QUALITY ASSURANCE

- **Feedback channels for user-stakeholders**
 - schedulers, interpreters, judges, attorneys, accounting, data managers/analysts
- **Problem resolution**
 - interpreter performance
 - complaint resolution: code of conduct, punctuality, dress
 - notification to interpreter if blacklisted, giving grounds and path to reinstatement (no more secret blacklists with no recourse for blacklisted interpreters)
 - Confidential “back-channel” for feedback from stakeholder user of interpreter service to interpreter about areas needing improvement, e.g. accent reduction, distracting habit while interpreting, etc.
 - scheduler performance
 - incorrect interpreter match (interpreter selection – inappropriate or inefficient)
 - inappropriate mode/means (team, in-person/RI, audio equipment issues)
 - avoidable paid cancellations and continuances due to ineffective coordination between stakeholders
 - scheduling system performance
 - “suggestion box” for stakeholder input about ways to remedy and improve system
- **Managerial Support:**
 - Clarity about who is in charge - who to see to resolve issues: “The buck stops here!”

¹³ E.g. Does client need an interpreter? Does client require interpretation in a different language than previously noted?

¹⁴ Often proceedings are scheduled without checking interpreter availability first. This is a problem for languages with few competent court interpreters, e.g. There are only three NCSC-certified Laotian interpreters in the U.S.!

Appendix A

Example rules for appropriate use of Remote Interpreting (RI):

RI Manual Draft -Final Draft version.docx, page 7 paragraph 3

As a guiding principle, RI may be used in place of on-site interpreting whenever it will allow for meaningful language access. Courts should ensure LEP court-users are able to fully and meaningfully participate in the proceedings. If it is determined that using RI would negatively impact access for any reason, an on-site interpreter should be used instead.

RI Manual Draft -Final Draft version.docx, page 40

<i>RI Appropriateness</i>	<ul style="list-style-type: none">• Urgent, emergent or unexpected situations where no interpreter is available• Routine matters for which the quality of the interpretation will not be unduly compromised and the duration is expected to be short• Interpreter for a language of limited diffusion is needed and no on-site interpreters are reasonably available
<i>RI Inappropriateness</i>	<ul style="list-style-type: none">• Trials, long hearings or complicated evidentiary hearings• Proceedings involving many individuals• Proceedings involving parties who are elderly, very young, have mental illness or those who have profound speech or language problems• Anticipated emotionally charged or contentious testimony

Appendix B

Determining availability of an on-site interpreter

RI Manual Draft -Final Draft version.docx, page 7 paragraph 5

For purposes of this guide, the availability of an on-site interpreter should be determined by the interpreter coordinator or other court staff responsible for assigning the interpreter through the analysis of a number of factors. This analysis should include the proximity of a court-certified interpreter, whether a court-certified interpreter can be on-site when the event is scheduled, and overall cost of court-certified interpreters who are being considered (including interpreting fees and travel expenses).

Guiding Principles for Design of Interpreter Scheduling System

Sub-SET: DEPENDENT ON INFORMATION TECHNOLOGY

OVER-ARCHING PRINCIPLE: LANGUAGE ACCESS

1. GENERIC

- **not technology-defined**
 - guiding principles are independent of a particular technology
- **not language-defined:**
 - independent of language of scheduling system (system architecture does not mandate user interface language)
 - independent of languages served by scheduling system (serves oral languages and non-oral languages – visual, tactile)
- **not setting-limited¹:**
 - **examples of multiple settings** which may share interpreter resources: all public services, including judicial (criminal, civil, administrative), legal, law enforcement, corrections, emergency services, social welfare, health, mental health, education, transportation
 - **applicable** to multiple settings
 - **adaptable** to multiple settings
 - **responsive** to multiple settings which use same interpreter resources but with different criteria, e.g. different interpreter codes of conduct and protocols, credentials, allowable modes
 - **common/shared interpreter infobase** between multiple settings (infobase contains interpreter contact information/qualifications/preferences/individual calendars).
- **not dependent on individual expert scheduler:**
 - makes it possible for non-expert schedulers to do the job “right”: system simulates the judgement and behavior of an individual who is both an experienced professional interpreter and an interpreter services manager, who has extensive knowledge of setting requirements and constraints and has extensive, well-developed resource networks
 - rules (setting requirements and constraints) are explicit and reviewable by scheduler

¹ ADA mandates SL interpreter services for D&HH in multiple settings. Title VI prohibits discrimination on the basis of national origin by all state and local agencies receiving federal money. King County is currently conducting a review of its many language service offices which mostly do not coordinate with each other before reauthorizing funding.)

2. APPROPRIATE

- **interpreter with requisite skill level for assignment and suited/acceptable to LEP**
 - Appropriate interpreter selection made possible by feature specification **match** between service request and interpreter profile, with ordering of available interpreters to contact by **prioritizing** (“weighting”) relevant features in match and not including irrelevant features;
 - **Make explicit rules²** that guide the decision-making process.
 - List “appropriate” interpreters in order of appropriateness, with a point ranking for each assignment, and with contributing weighted factors apparent to scheduler. For service requests for which there is a pool of appropriate interpreters, offer jobs on a rotating basis, so all get opportunities to work and to develop and maintain their skills.
 - Set rule-based thresholds that interact with case feature set and interpreter availability to drive decision-making process to look further afield as needed, e.g. out of state to obtain in-person interpreters

- **mode/means, suited/acceptable for requirements of assignment and to LEP**
 - **examples of modes/means:** simultaneous interpretation, consecutive interpretation, sight translation, summary interpretation, team interpreting, in-person, jail – visitor booth (through glass), jail – face-to-face (same room), telephonic, VRI, caption, TTY
 - Appropriate modes/means selection made possible by **rule-based³ feature specification match** between service request and modes/means available, **with weighted ordering** of modes/means and excluding irrelevant, unavailable or disallowed modes/means.
 - Set **thresholds** (e.g. urgency, cost, interpreter availability) for use of remote modes/means – If threshold is met, scheduling system will list available remote interpreters.

- See Appendix A: Example rules for appropriate use of RI, and
Appendix B: Determining availability of an on-site interpreter

² Example **interpreter selection** rules:

Non-negotiables – interpreter cannot interpret medical interview for own relative; mutual intelligibility – interpreter must be able to communicate intelligibly with LEP and with court;

Weighted preferences: “certified” in felony trials for certified languages; match interpreter and client with awareness of psycho-socio-ethnic-political considerations, e.g. Serbo/Croatian/Bosnian, Sudanese/S. Sudanese, Iraqi Chaldean/Kurd/Shia/Sunni; gender match between victim and interpreter in sex cases; preferred language of LEP given weight over LEP’s alternative languages; preference for interpreter who previously interpreted for same LEP on same case.

³ Example **mode/means selection** rules:

Non-negotiables – in-person interpreter for LEP defendant in felony trial;

Weighted preference: (1) default/standard practice: in-person interpreter for LEP witness testimony < 10 minutes duration during felony trial. , (2) permissible/non-standard and non-preferable: RI for LEP witness testimony < 10 minutes duration during felony trial. , (Author was present at a April 2014 murder trial in another state which resulted in a mistrial due to problems with telephonic interpretation of in-person witness testimony lasting a few minutes.) (1) default/standard practice: simultaneous and team interpretation of English court proceedings for LEP defendant during felony trial, (2) permissible/non-standard and non-preferable: consecutive interpretation and/or solitary interpreter for LEP defendant during felony trial. (1) default/standard practice: remote interpretation (RI) for DUI police stops - to administer Miranda, field sobriety tests (FST), and blood alcohol concentration (BAC) tests. (2) permissible/non-standard but preferable to (1): Certified bilingual police officer does DUI stop procedures without using an interpreter.

3. AVAILABLE

- **enough** – in each language based on demand, minimum of two competent interpreters/language
- **when needed** – other commitments do not interfere with availability to interpret
- **where needed** – local, or willing and able to travel if needed
- **recruitment**
 - only to remedy supply shortfall; not to exacerbate over supply
 - tailor to meet shortfall for languages and regions where supply of appropriate interpreters does not meet demand
- **retention through good working conditions and viable income**
 - “fair” distribution of work assignments to maintain supply of appropriate interpreters with viable livelihood and current skills (= “be available”)⁴
 - pay commensurate with interpreter’s investment in becoming and maintaining professional interpreter skills and credentials. If enough work exists in an interpreter’s language, interpreter should have a viable livelihood (= “be available”)
 - maximize utilization of interpreter by efficient scheduling, so interpreter gets more assignments and thus more pay, with less down time and less unreimbursed travel
 - link scheduling systems, especially for hard-to-fill jobs in rare languages, in order to increase number of jobs for interpreters of rare languages (thus increasing interpreters’ income viability) while simultaneously improving interpreter availability for these hard-to-fill jobs: a win-win proposition
- **Coordinate interpreter scheduling, both intra-system and inter-systems**
 - maximize interpreter availability by being able to view/track interpreter assignments intra-system⁵ (within own jurisdiction/venue) and interpreter availability and proximity inter-system⁶ (in other jurisdictions/venues)
 - resolve concerns that prevent such coordination⁷.

⁴ Eliminate “piranha pit”/ “feeding frenzy” job openings that distract interpreters from their work or from driving ... just so they can survive financially by getting any job at all; design system that cannot be gamed by tech-savvy interpreters to claim all jobs the instant they are posted

⁵ base real-time intra-system coordination on automated check-in/check-out (implemented in ILingua)

⁶ base real-time inter-system coordination on interpreters’ calendars (implemented in ILingua)

⁷ Examples of concerns that prevent coordination:

(1) Schedulers for Superior and District courts housed in the same building won’t cooperate because they don’t want to cause “double dipping”: Interpreter jobs for two departments within the same county can result in payment of overlapping minimums if one assignment finishes quickly after which the interpreter reports to an assignment in another department.

(2) Interpreters, after receiving 2-hour minimum payment for morning work in a court, are reluctant to wait unpaid for three or more hours until the afternoon for another job in the same court and NOT get paid another minimum for the afternoon. So they turn down the afternoon job – and are reluctant to let schedulers see their calendar which shows they are available that afternoon, in hopes of finding a job elsewhere that will pay them another minimum for the afternoon. As a result, the court has to bring in someone else for the afternoon– and so pays another minimum to that interpreter.

4. EFFICIENT

- **use of time, money, personnel, travel, technology**
- **Coordinate interpreter scheduling intra-system and inter-systems**
 - coordinate between systems based on some level of access to individual interpreters' calendars, at a minimum indicating times unavailable; and preferably indicating accepted assignments and locations (home, specific or general assignment location).^{8 9}
 - coordinate/integrate interpreter scheduling with e-Court case management systems to automate reminders to request, revise requests and cancel interpreters.^{10 11}
- **Integrate automated interpreter invoice and payment functions into scheduling system**
 - record and calculate reimbursable travel time and mileage based on home address and consecutive assignment locations
 - automate check-in and check-out by use of scan codes; integrate with real-time reporting of individual interpreter availability within scheduling system
- **Integrate language access data collection and reports into scheduling system for court jurisdiction, state AOC, and other managers and consultants**

⁸ This is efficient for interpreters who work in multiple jurisdictions and venues; otherwise schedulers have to contact them individually for each assignment to check their availability, or else interpreters have to maintain updates to their calendar separately with each scheduler or scheduling system. The author works occasionally for New Mexico which has a unified court system and is implementing Gridcheck online interpreter scheduling. NM judiciary interpreters are requested to maintain their online Gridcheck availability calendar. This is efficient for NM courts and for interpreters who work exclusively in NM courts. But the author travels to interpret in many states (and does RI for even more locations); in addition WA does not have a unified court system; therefore he cannot separately maintain updated calendars with each jurisdiction and venue that uses his services.

⁹ Google calendar has capability to access, link and synchronize calendars, and set differing levels of access. The author has provided his Google business calendar link to some courts and language agencies, so they can check his availability before calling to offer a job.

¹⁰ There is much room to improve efficiency here: Often interpreters are not scheduled for subsequent hearings – so proceedings must be continued at cost of time and money; or changes have occurred so that interpreters are not needed as originally scheduled, but interpreters are not notified and so they appear when not needed, for which the court must pay them and interpreters incur time and travel expenses as well.

¹¹ Related efficiency improvement needs: Once the author flew to an out-of-state assignment in which the LEP defendant was not transported from the holding facility (40 minutes distant) to court for the hearing. And sometimes LEP defendants fail to appear because they are in custody on other charges in another jurisdiction, e.g. defendants FTA at hearing in Snohomish County District Court because they have been picked on other charges in King County.

5. REPLICABLE/REPRODUCIBLE

- **“Expert System”**
 - System guides users to replicate/reproduce the judgement and behavior of a human or an organization that has expert knowledge and experience in interpreter scheduling.
 - System contains a knowledge base containing accumulated experience and a set of rules for applying the knowledge base to each particular situation that is described to the program.
- **knowledge-based**
 - The goal of knowledge-based systems is to make the critical information required for the system to work explicit rather than implicit.
- **rule-based¹²**
 - The goal of rule-based systems is to make the decision-making criteria required for the system to work explicit rather than implicit.
- **System equips, guides, trains and educates users**
 - System equips by providing users with extensive knowledge bases relevant to scheduling task at hand.
 - System guides users by showing available options to consider which are relevant to specific service request.
 - System trains and educates users by providing explicit rules and criteria on which to base specific service request decisions, and helping them learn to make consistently well-reasoned and well-informed choices.

¹² See examples of explicit rules previously mentioned under “2. APPROPRIATE”

6. AMENDABLE/EXTENSIBLE (this guiding principle drives guiding principle 7. DYNAMIC and RESPONSIVE)

- **can be enhanced with additions to the knowledge base or to the set of rules.**
 - able to improve system by compiling information from or linking to external databases, e.g. links to searchable state & national & professional interpreter registries/directories, Ethnologue¹³, CIA Factbook¹⁴, online mapping software;
 - compile knowledge gained during scheduling work – esp. information important for scheduling decision not otherwise available (e.g. rare language need linked to a particular case, rare language resource linked to a particular interpreter, relay-interpretation need/resource, particular judge's preference or aversion to a particular interpreter, prior interpreter to retain: case-linked, conflicted interpreter not to request: case-linked)

7. DYNAMIC and RESPONSIVE (derivative of appropriate, available, efficient)

- **Monitor for changes in knowledge bases, especially case information¹⁵, case schedule¹⁶, individual interpreters' calendars**
- **Respond to changes in knowledge bases¹⁷.**

8. SCALABLE (derivative of appropriate, efficient, generic)

- **Scalable for centralized systems and for de-centralized (local) systems:**
 - national¹⁸, statewide, region (e.g. Puget Sound), county, municipal, court, hospital

¹³ Ethnologue contains information on 7,106 known living languages. including information about alternate names of languages, their geographical distribution, population, and relationship to other languages. For an example of information available potentially relevant to interpreter scheduling, try searching Ethnologue for "Marshallese" or "Mam".

¹⁴ CIA Factbook provides information on the history, people, government, economy, geography, communications, transportation, military, and transnational issues for 267 world entities.

¹⁵ E.g. Does client need an interpreter? Does client require interpretation in a different language than previously noted?

¹⁶ Often proceedings are scheduled without checking interpreter availability first. This is a problem for languages with few competent court interpreters, e.g. There are only three NCSC-certified Laotian interpreters in the U.S.!

¹⁷ Example system responses:

- Make available updated information to User in response to User queries
- Prompt/Notify the User regarding updated information relevant to scheduled assignments
 - prompt User to select and execute appropriate action(s) (e.g. issue notifications to appropriate persons, cancel interpreter, find another interpreter, add team interpreter, change to RI, change telephone number to use, notify of toll-free call-in number and PIN, send exhibits by email attachment prior to RI)
 - execute appropriate action unprompted (e.g. issue notification to appropriate persons using individualized appropriate modes of communication) and notify User of action
- Execute appropriate action Unprompted (e.g. issue notification to appropriate persons using individualized modes of communication: text, voicemail, email) without notifying User

¹⁸ For interpreter scheduling to be scalable on the national level, especially for nation-wide RI, there must be relief from requirements to file and pay state or local taxes in multiple jurisdictions: Such requirements impose an onerous burden on individual interpreter contractors and pose a huge barrier to widespread practice for interpreters in rare languages. It should be sufficient for contract interpreters to pay all business taxes based on the physical address of their office. (The author just paid 7 years of back taxes on gross receipts from another state.)

9. QUALITY ASSURANCE

- **Feedback channels for user-stakeholders**
 - schedulers, interpreters, judges, attorneys, accounting, data managers/analysts
- **Problem resolution**
 - interpreter performance
 - complaint resolution: code of conduct, punctuality, dress
 - notification to interpreter if blacklisted, giving grounds and path to reinstatement (no more secret blacklists with no recourse for blacklisted interpreters)
 - Confidential “back-channel” for feedback from stakeholder user of interpreter service to interpreter about areas needing improvement, e.g. accent reduction, distracting habit while interpreting, etc.
 - scheduler performance
 - incorrect interpreter match (interpreter selection – inappropriate or inefficient)
 - inappropriate mode/means (team, in-person/RI, audio equipment issues)
 - avoidable paid cancellations and continuances due to ineffective coordination between stakeholders
 - scheduling system performance
 - “suggestion box” for stakeholder input about ways to remedy and improve system

10. SUPPORT

- **Technical Support Help desk: technical support to use existing system**
- **Channel between system owner/manager and IT staff responsible for system design to request improvements & added features**
- **Managerial Support:**
 - Clarity about who is in charge - who to see to resolve issues: “The buck stops here!”

Appendix A

Example rules for appropriate use of Remote Interpreting (RI):

RI Manual Draft -Final Draft version.docx, page 7 paragraph 3

As a guiding principle, RI may be used in place of on-site interpreting whenever it will allow for meaningful language access. Courts should ensure LEP court-users are able to fully and meaningfully participate in the proceedings. If it is determined that using RI would negatively impact access for any reason, an on-site interpreter should be used instead.

RI Manual Draft -Final Draft version.docx, page 40

<i>RI Appropriateness</i>	<ul style="list-style-type: none">● Urgent, emergent or unexpected situations where no interpreter is available● Routine matters for which the quality of the interpretation will not be unduly compromised and the duration is expected to be short● Interpreter for a language of limited diffusion is needed and no on-site interpreters are reasonably available
<i>RI Inappropriateness</i>	<ul style="list-style-type: none">● Trials, long hearings or complicated evidentiary hearings● Proceedings involving many individuals● Proceedings involving parties who are elderly, very young, have mental illness or those who have profound speech or language problems● Anticipated emotionally charged or contentious testimony

Appendix B

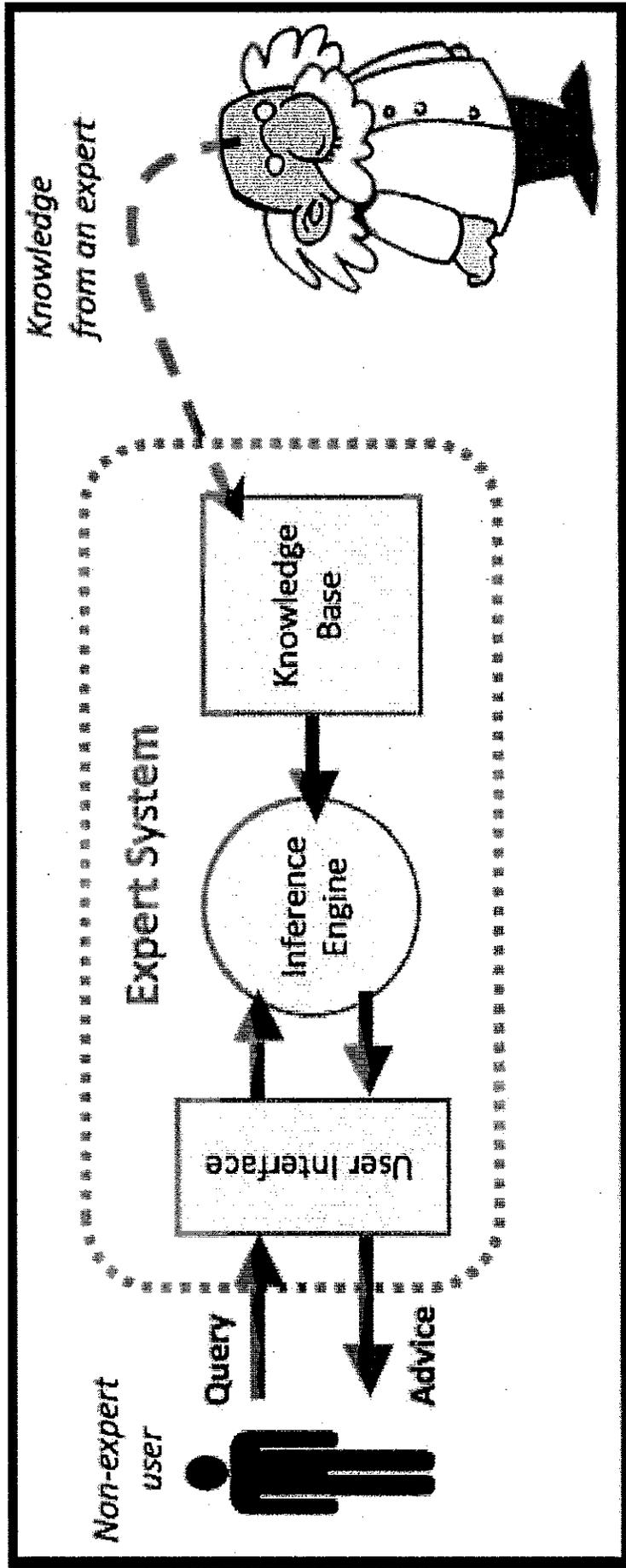
Determining availability of an on-site interpreter

RI Manual Draft -Final Draft version.docx, page 7 paragraph 5

For purposes of this guide, the availability of an on-site interpreter should be determined by the interpreter coordinator or other court staff responsible for assigning the interpreter through the analysis of a number of factors. This analysis should include the proximity of a court-certified interpreter, whether a court-certified interpreter can be on-site when the event is scheduled, and overall cost of court-certified interpreters who are being considered (including interpreting fees and travel expenses).

Appendix C

Diagrams of Expert Systems not designed for interpreter scheduling
(copied from the internet without attribution)



QUERY: Should we approve a \$700 purchase for Mr. Jones?

RESPONSE: Yes

INFERENCE ENGINE

The inference engine is the computer program that runs the expert system. It processes queries by checking rules in the knowledge base against the customer database.

KNOWLEDGE BASE

RULES

Authorize purchase only if the customer has an active account.

Authorize purchase only if the customer hasn't exceeded his or her credit limit.

Authorize purchase automatically if the customer has made less than three purchases today.

CUSTOMER DATABASE

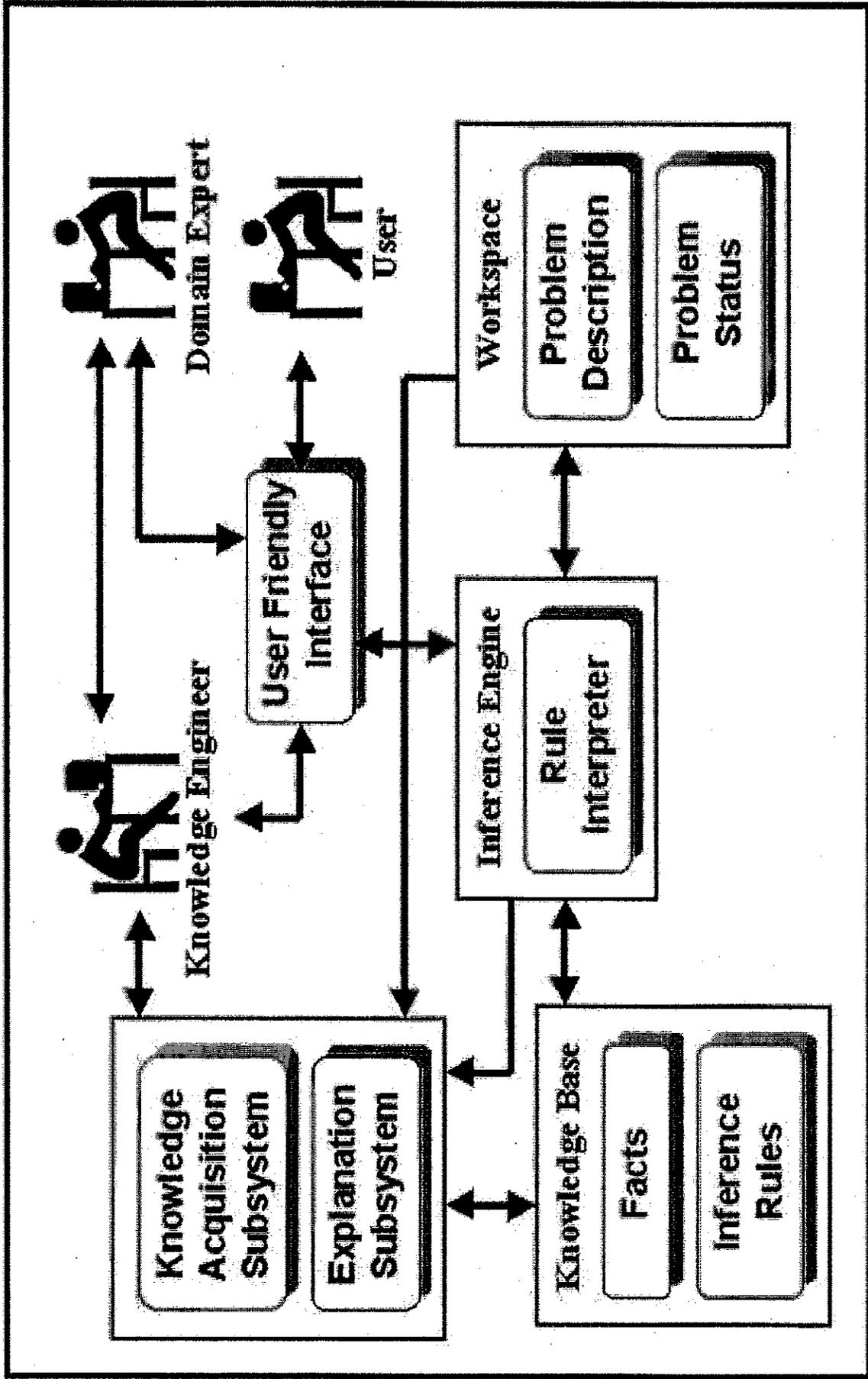
Jones is customer account 0000-9999

Jones has a \$5,000 credit limit.

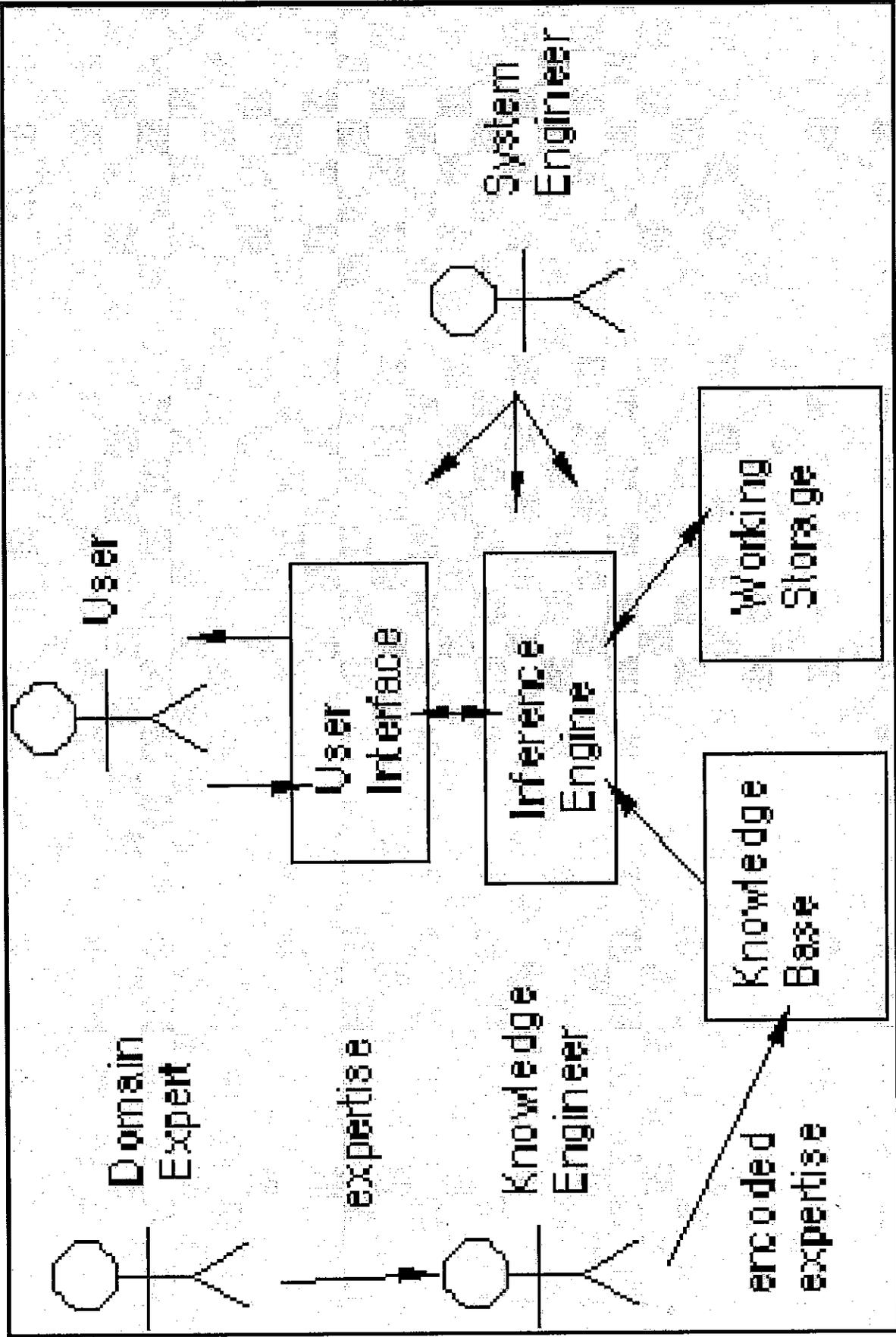
Jones has spent \$1,529 in the current period.

Jones has made two transactions today.





NOTE: Interpreter Scheduling System needs to have Two User Interfaces:
 Client User (scheduler), and Vendor User (interpreter)



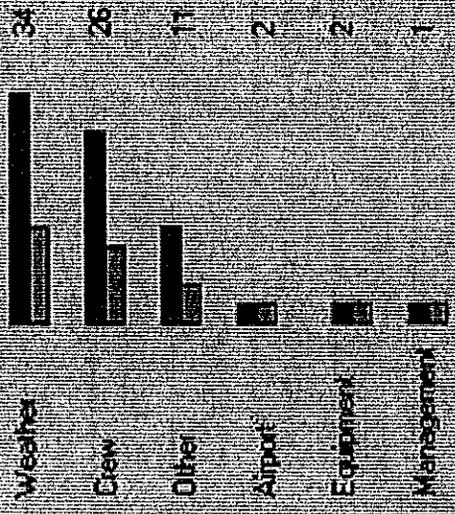
NOTE: Interpreter Scheduling System needs to have Two User Interfaces: Client User (scheduler), and Vendor User (interpreter)

Individual Flight Risk Analysis

Detail Risk Analysis for Flight 95



Risk Components and Contribution



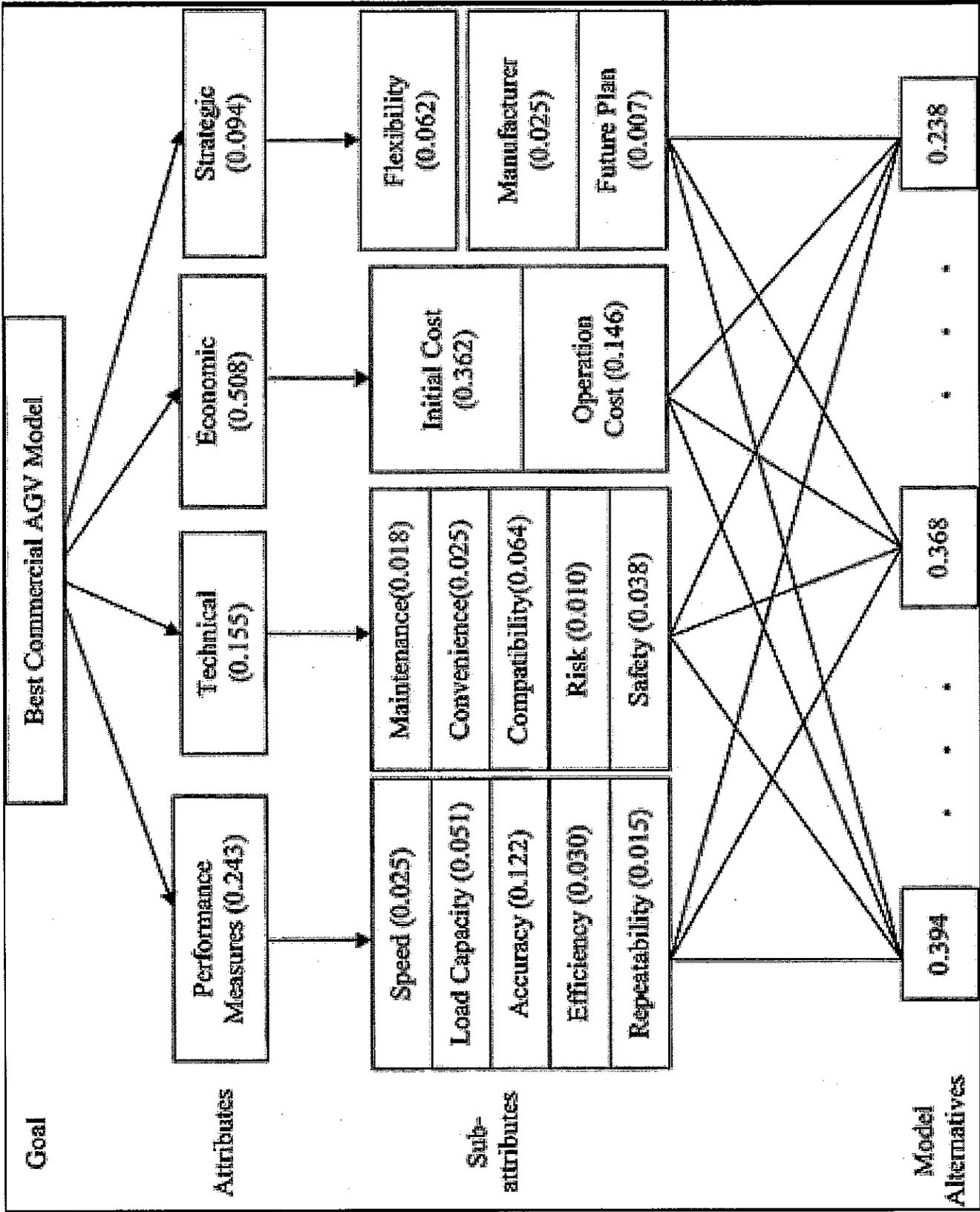
Contribution Breakdown

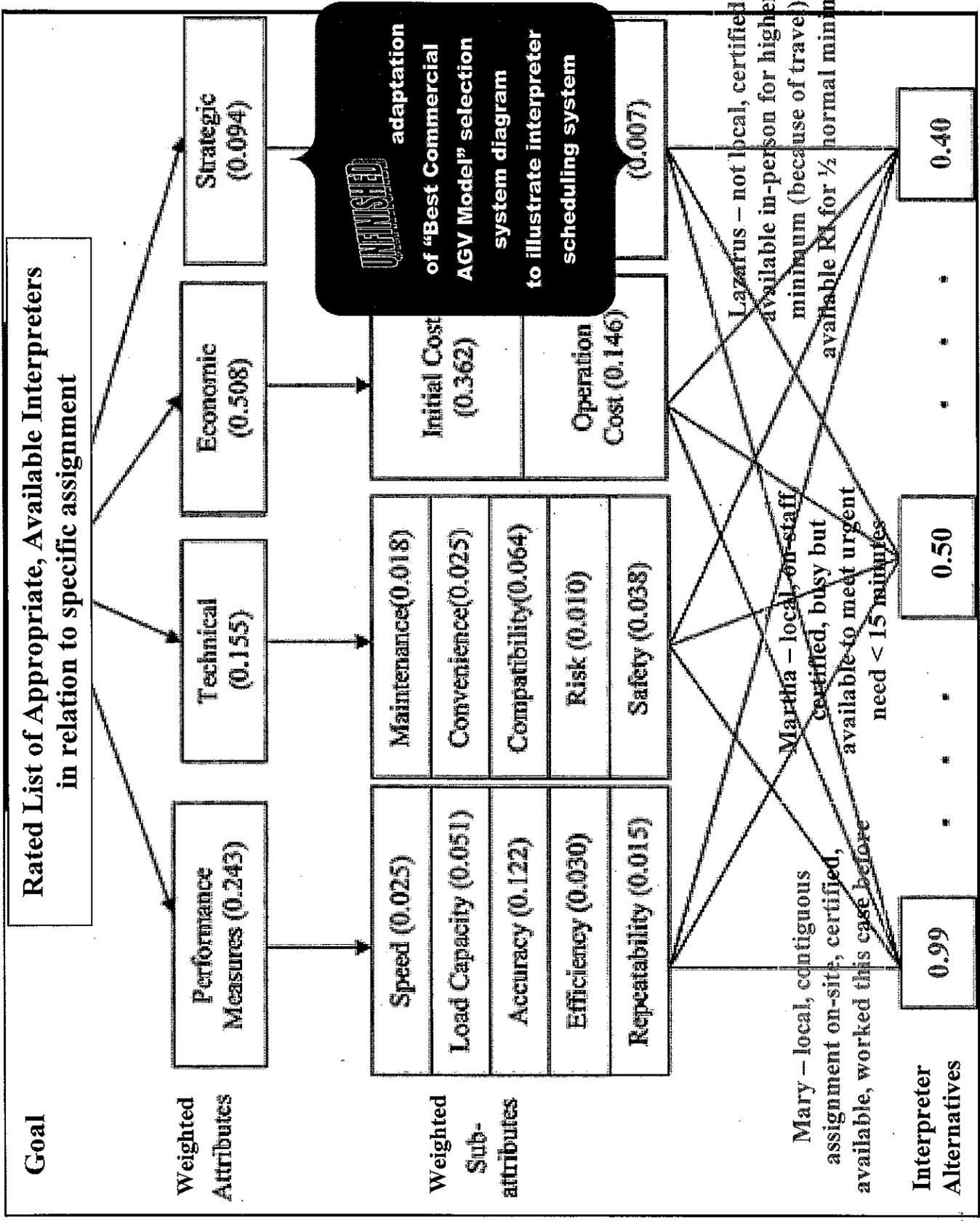
	Risk Value	Typical
Weather	34	10
Visibility	19	4
Turbulence	11	4
Ceiling	4	2
Flight Crew	26	9
Fatigue	9	4
Experience	12	3
Airport Recency	5	2

Suggested Risk Mitigation Strategies

Monitor flight carefully. High Risk because of poor visibility and considerable turbulence. Additionally, aircraft experience is low and crew may be fatigued.







Rated List of Appropriate, Available Interpreters in relation to specific assignment

Weighted Attributes

Performance Measures (0.243)

Technical (0.155)

Economic (0.508)

Strategic (0.094)

Weighted Sub-attributes

Speed (0.025)
Load Capacity (0.051)
Accuracy (0.122)
Efficiency (0.030)
Repeatability (0.015)

Maintenance (0.018)
Convenience (0.025)
Compatibility (0.064)
Risk (0.010)
Safety (0.038)

Initial Cost (0.362)
Operation Cost (0.146)

UNTESTED
adaptation of "Best Commercial AGV Model" selection to illustrate interpreter scheduling system (0.007)

Interpreter Alternatives

0.99

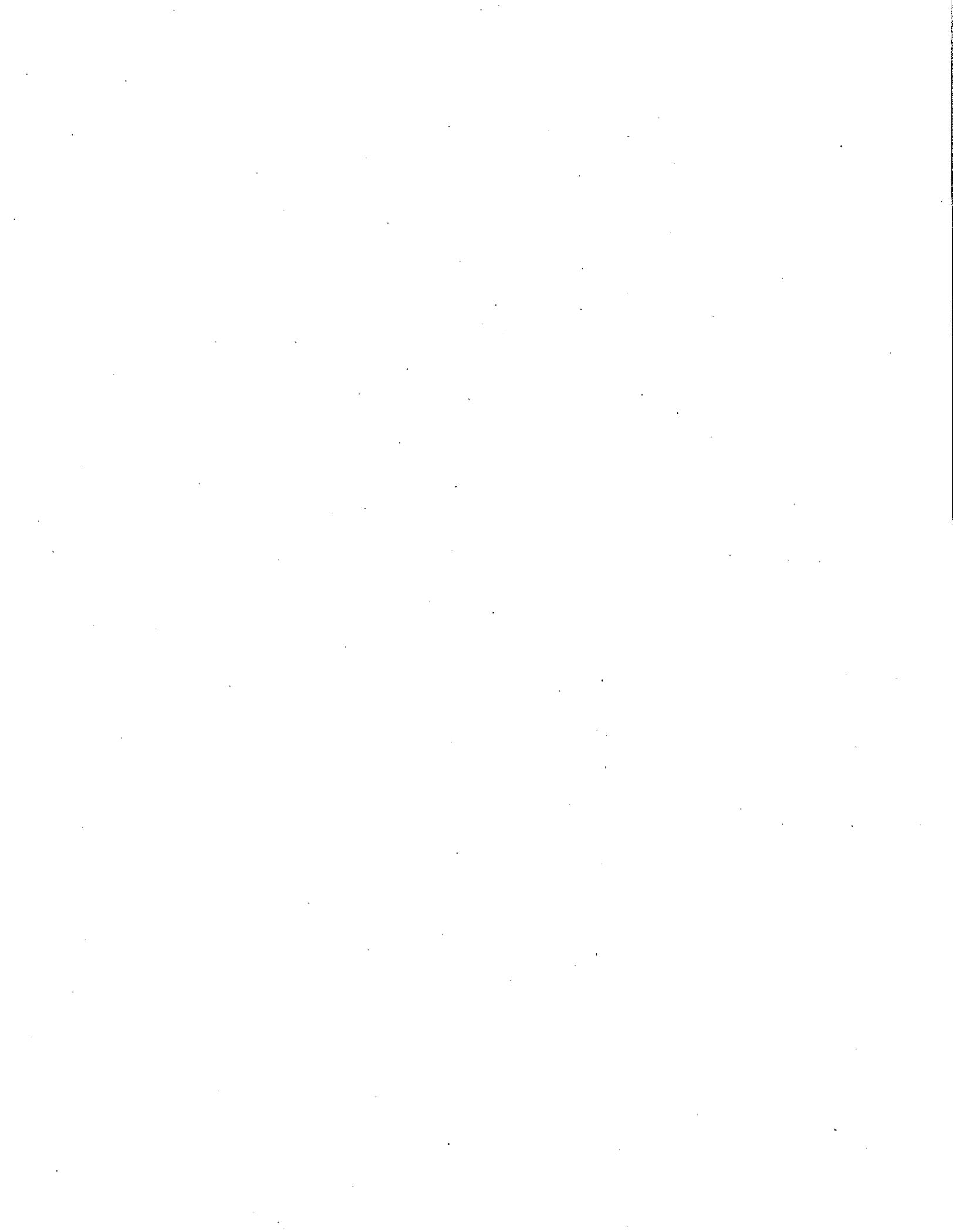
0.50

0.40

Mary – local, contiguous assignment on-site, certified, available, worked this case before

Martha – local, on-staff certified, busy but available to meet urgent need < 15 minutes

Lazarus – not local, certified, available in-person for higher minimum (because of travel), available RI for 1/2 normal minimum



Interpreter Commission Budget FY09-12

	FY 09	FY 10
	Costs	Revenue
	Costs	Revenue
	3,466.38	\$0
	\$1,988	\$0
Commission Expenses	\$2,457.89	\$6,025
	3,658.70	\$6,800
Written Exam	\$18,997.54	\$700
	\$22,019.16	\$13,875
Oral Exam	\$1,137.80	\$0
	\$316.36	\$0
Training Materials	\$17,021.07	\$7,524
	\$37,340.27	\$7,440
Trainer Expenses	\$0	\$0
	\$3,500	\$0
Mandatory Classes	\$6,342.38	\$0
	\$946.58	\$0
Conferences/Presentations	\$9,494	\$548
	\$9,629.30	\$429
Miscellaneous	\$58,917.06	14,497
	\$79,398.37	\$28,544
Totals	\$44,420	\$50,854.65
Grand Total Budget Expense		

	FY 11		FY 12	
	Costs	Revenue	Costs	Revenue
Commission Expenses	2,244.10	\$0	\$1,027.88	
Written Exam	8,393.38	5,100	\$252.52	\$5,250
Oral Exam	19,694.06	10,750	\$13,460	10,400
Training Materials	\$711.11	\$0	\$0	\$0
Trainer Expenses	10,500	15,848	See row 14	\$0
Mandatory Classes	2,973.27	\$0	\$4,080.00	\$0.00
Conferences/Presentations	201.45	\$0	\$5,859	\$2,880
Miscellaneous	19,347.43	466.44	\$9,953.55	\$996.90
Totals	63,763.80	32,164.44	\$34,632.51	\$19,526.90
Grand Total Budget Expense	31600.36		\$15,106.05	

388-818-0010

What is the purpose of this chapter?

- (1) The purpose of this chapter is to provide regulations about social services, telecommunications access services, and sign language interpreting services for quasi-judicial and judicial proceedings for people with hearing loss and speech impairments.
- (2) Telecommunications access services are provided:
 - (a) Under contract with qualified service providers; or
 - (b) Directly through the office of the deaf and hard of hearing (ODHH) at the department of social and health services (DSHS).
- (3) The purpose of this chapter related to sign language interpreting services in judicial and quasi-judicial settings is to:
 - (a) establish the minimum qualifications for sign language interpreters to be included on the Office of the Deaf and Hard of Hearing's (ODHH) Certified Court Interpreter List which will be utilized by Washington Courts pursuant to RCW 2.42.130; and
 - (b) to establish standards for payment of sign language interpreting services, pursuant to RCW 2.42.170.

[Statutory Authority: RCW 43.20A.725, 43.20A.720, 2001 c 210. 03-05-100, § 388-818-0010, filed 2/19/03, effective 3/22/03.]

388-818-0020

What does the office of the deaf and hard of hearing do?

- (1) The office of the deaf and hard of hearing (ODHH) within DSHS provides the following services to DSHS staff:
 - (a) Provides information about hearing loss;
 - (b) Offers technical assistance and workshops about deafness; and
 - (c) Identifies ways for DSHS staff to get sign language interpreter services for their clients who have hearing loss.
 - (d) Administers and monitors contracts with sign language interpreters and sign language interpreter referral agencies.

- (2) ODHH administers and monitors contracts with qualified service providers. These service providers offer community-based social services for clients who have hearing loss.
- (3) ODHH manages the telecommunications access service program.
- (4) ODHH contracts to provide telecommunications relay services (TRS).
- (5) ODHH facilitates the DSHS-telecommunications relay services (TRS) advisory committee on deafness.
- (6) ODHH provides a list of sign language interpreters and standards for fee considerations for Washington Courts.

[Statutory Authority: RCW 43.20A.725, 43.20A.720, 2001 c 210. 03-05-100, § 388-818-0020, filed 2/19/03, effective 3/22/03.]

388-818-0040

What definitions apply to this chapter?

"Amplified telephone" means an electrical device that adjusts the volume or tone of sounds being received during a telephone call.

"AOC" means the administrative office of the courts, as established in RCW 2.56.

"Applicant" means a client who applies for specialized telecommunications equipment.

"Audiologist" means a person who has a certificate of clinical competence in audiology from the American Speech, Hearing, and Language Association and is licensed to practice in the state of Washington.

"Client" means a person who is deaf, hard of hearing, speech impaired or deaf-blind, and may receive services from ODHH.

"Deaf" means a condition where a person has a hearing loss, that adversely affects communication, and the individual is more likely to use sign language.

"Deaf-blind" means a person with both hearing loss and visual impairments.

"DSHS or department" means the department of social and health services.

"Federal poverty guidelines" means the poverty level established by the **"Poverty Income Guideline"** updated annually in the Federal Register.

"Hard of hearing" means a condition where a person has functional hearing loss with some residual hearing, whether permanent or fluctuating, which adversely affects communication.

"Hearing loss" means any form of hearing impairment, from mild to profound.

"Intermediary interpreter" means an interpreter who is deaf who may be needed when the communication mode of the deaf consumer is so unique that it cannot be adequately understood by interpreters who are hearing. An intermediary interpreter acts as an intermediary between a hearing sign language interpreter and the deaf consumer.

"Mobility impairment" for the purpose of this chapter means restricted upper body movement, which limits the ability to hold or dial a standard telephone to communicate. Individuals must also have a hearing loss or speech impairment.

"ODHH" means the office of the deaf and hard of hearing in the department of social and health services.

"Certified Court Interpreter" means a sign language interpreter who meets the qualifications required in this chapter and is included on the list administered by ODHH.

"Qualified service provider" means an agency or a business that provides social services to individuals with hearing loss or speech impairments. A qualified service provider may also be a **"qualified trainer."**

"Qualified trainer" means a person under contract with TAS who is knowledgeable in the use of telecommunications equipment.

"Relay service" is defined under **"telecommunications relay service (TRS)."**

"School-age" means between four (4) and twenty-one (21) years of age.

"Sign language interpreter" means a person who facilitates communication between hearing individuals who communicate in spoken language and individuals who communicate in sign language. Sign language interpreters become certified by passing knowledge and performance tests established by the Registry of Interpreters for the Deaf (RID) or the National Association of the Deaf (NAD). Certification is maintained by RID and includes the requirements that interpreters must be members of RID, comply with ongoing educational requirements, and maintain ethical standards.

"Sliding fee scale" means a range used to determine an applicant's participation in the cost of equipment.

"Speech impairment" means inability to speak or a speech disability.

"TAS" means the telecommunications access service program administered by the office of the deaf and hard of hearing. The program provides equipment and services to help people with hearing loss and speech impairments have equal access to telecommunications.

"Telecommunications equipment" means any specialized device determined by TAS in ODHH to help a person with a hearing loss or speech impairment to communicate effectively. Examples include: Amplified telephone, TTY, signaling devices, software, digital equipment, and accessories. (See WAC 388-818-0070.)

"Telecommunications relay service (TRS)" means wire or radio service that enables a person with hearing loss or speech impairment to communicate with a person who uses a voice telephone. This service has communication assistants who transfer telephone conversations from one format to another (such as spoken words to text) to facilitate communication between two or more people.

"TTY" means teletypewriter or text telephone.

"TTY with Braille" means a teletypewriter with Braille keyboard and display.

"Washington courts" means any court recognized in RCW 2.08 or RCW 3.02.

[Statutory Authority: RCW 43.20A.725, 43.20A.720, 2001 c 210. 03-05-100, § 388-818-0040, filed 2/19/03, effective 3/22/03.]

388-818-500

SIGN LANGUAGE INTERPRETERS STANDARDS IN COURTS

How do I qualify to be on the list of sign language interpreters who work in Washington Courts?

To be on the ODHH list of registered court interpreters, sign language and intermediary interpreters must meet qualification standards established and administered by ODHH. There are two categories of interpreters, and different requirements for each category.

388-818-510

What authority does ODHH have to establish these standards?

Washington courts under RCW 2.42.130 may hire sign language interpreters identified by ODHH to be qualified for working in the courts. Those interpreters who meet these standards will be on a list maintained by ODHH.

388-818-520

What are the different categories of court interpreters?

There are two categories of court interpreters: (1) Certified Court Sign Language Interpreters, and (2) Certified Intermediary Court Interpreters.

388-818-530

What are the requirements for Certified Court Sign Language Interpreters?

Certified Court Sign Language Interpreters are presumed to be the most qualified to interpret in court hearings because of their training, skills, and experience. To qualify as a Certified Court sign language interpreter, you must complete the following requirements:

1. The applicant must hold a current certificate, either:
 - a) Specialist Certificate: Legal (SC:L) certification from the Registry of Interpreters (RID) for the Deaf
 - b) Certification from RID plus five (5) years of post-certification professional experience interpreting, and having passed the SC:L written test.
 - c) Certification from RID plus five (5) years of post-certification professional experience interpreting, ODHH training, statement of intent to take the SC:L written test within 1 year of register
2. You must complete the Introduction to WA Courts training.
3. You must pass a criminal background check.
4. You must take an oath of interpreter, as administered by the Washington Courts.

388-818-530

What are the requirements for Certified Intermediary Court Interpreters?

Certified Intermediary Court Interpreters are presumed to be the most qualified to interpret in court hearings because of their training, skills, and experience. To qualify as a Certified Intermediary Court Interpreters, you must complete the following requirements:

1. You must hold a current Certified Deaf Interpreter (CDI) certification from RID plus have at least five years of legal interpreting experience or be a Qualified Deaf Interpreter. To be a Qualified Deaf Interpreter you must pass the American Sign Language Proficiency Interview with a score of 4 or better and have at least five years of experience with legal interpreting.
2. You must pass a criminal background check.
3. You must complete the Washington Courts Training, and the Introduction to Court Interpreting Training, developed and approved by the AOC and ODHH.
4. You must take an oath of interpreter, as administered by the Washington Courts.

388-818-540

Are there any ongoing requirements?

Certified Court Sign Language Interpreters are required to maintain their SC:L certification with RID. All others must submit proof of twenty (20) hours of continuing legal education credits (2.0 CEUs) to ODHH every four (4) years in accordance with your RID certification maintenance cycle. The number of continuing education credits required for your first reporting cycle will be pro-rated depending on your initial registration date.

An updated criminal background check will be required annually by July 1.

388-818-550

If I have a criminal conviction in my history, am I automatically disqualified?

No, if you have a criminal conviction in your history, you are not automatically disqualified, though a misdemeanor, gross misdemeanor, or felony conviction may be grounds for disqualification. All interpreters must undergo a DSHS criminal background check conducted by the DSHS Background Check Central Unit using DSHS form 09-653 Background Authorization. Crimes that are automatically disqualifying can be found on the DSHS Secretary's List of Disqualifying Crimes and Actions (located at: <http://www1.dshs.wa.gov/msa/bccu/BCCU-crimesList.htm>).

388-818-560

What is included in the Washington Courts Training?

Washington Courts Training includes information specific to the Washington court system, including, but not limited to: understanding the Washington court system, roles of various court levels, Washington legal terminology and procedure, and courtroom protocol and procedure. Washington Courts Training is required for all sign language and intermediary interpreters.

388-818-570

What is included in the Introduction to Court Interpreting Training?

Introduction to Court Interpreting Training focuses on the interpreting aspect of working in courts, including, but not limited to: interpreting in an adversarial setting, interpreter roles in the legal setting, and navigating issues unique to court interpreting. Introduction to Court Interpreting Training is required for all sign language interpreters and all intermediary interpreters, unless you have obtained a SC:L Certification from RID.

388-818-580

How do I find out when and where training is available?

You can contact ODHH at 800-422-7930 V/TTY or at <http://odhh.dshs.wa.gov> or the AOC at <http://www.courts.wa.gov/interpreters> to see a schedule of training opportunities available.

388-818-590

I've already taken some legal interpreting training. Can I count this toward the training requirement?

This will be evaluated by ODHH on a case-by-case basis depending on the content and the elapsed time since the training event. Interpreters should be prepared to share any previous training materials to make a proper determination.

388-818-600

How do I add my name to the court interpreter list?

First, send a completed DSHS Form 17-221, "Legal Sign Language Interpreter Registration" to ODHH, including all required attachments. To request the form, contact ODHH at 800-422-7930 V/TTY or download the form at <http://odhh.dshs.wa.gov>.

If you fulfill all pre-requisites, ODHH and/or the AOC will contact you about the next dates available for Washington Courts Training and/or the Introduction to Court Interpreting Training.

After you have satisfied all requirements, your name will be added to the court interpreter list.

388-818-610

What sign language interpreters can be hired to work in Washington Courts?

To be given preference to work in Washington Courts, interpreters must be either Certified Court Interpreters or Certified Intermediary Court Interpreters. In each case or hearing, Courts are encouraged to make every effort possible to hire Certified Court Sign Language Interpreters and determine whether a Certified Intermediary Court Interpreter is necessary.

388-818-620

Where does a court obtain a list of Qualified Interpreters?

Washington Courts shall contact either ODHH at 800-422-7930 V/TTY or <http://odhh.dshs.wa.gov>, or the AOC at <http://www.courts.wa.gov/interpreters>. This list may also be available at community centers serving the deaf and hard of hearing which operate an interpreter referral service.

388-818-630

What are the standards for fee considerations that interpreters might charge a court?

Standards for fee considerations can be found on the ODHH website, <http://odhh.dshs.wa.gov>.

388-818-640

Can I appeal ODHH's Decision to omit or remove my name from the Certified Court Interpreters List?

1. You and ODHH must make your best effort to resolve disputes about inclusion on the list.
2. If you are not satisfied with the resolution of your dispute you may:
 - a. Submit a written statement to ODHH of why you are a qualified interpreter and should be included on the list. Your statement may include supporting documentation from witnesses or third parties. You may deliver your statement in person or mail it to:

Director
Office of the Deaf and Hard of Hearing
PO Box 45301
Olympia, WA 98504-5301
 - b. Your complaint must be received within ten (10) business days of ODHH's initial notice that you do not meet the criteria for inclusion on the list.
3. The ODHH Director will review your documents and provide you with an opportunity for an in-person meeting to present your information.

- a. At this meeting you may present evidence in support of your position either in writing, by in-person witness testimony, or through written declarations.
 - b. The Director shall issue a written decision to you within thirty (30) calendar days of receipt of your statement or of your in-person meeting, whichever is later.
4. If you disagree with the decision of the ODHH Director, you may request the Assistant Secretary or a designee review that decision.
- a. The request for review must be submitted to the ODHH Director in writing within thirty (30) business days of your receipt of the Director's decision.
 - b. ODHH will forward the entire file of the dispute to the Deputy Secretary's Office for review.
 - c. The Deputy Secretary may request additional information from you or ODHH.
 - d. The Assistant Secretary shall issue a written decision to you within thirty (30) calendar days after receipt of your request for review.
 - e. The Assistant Secretary's decision is the final decision of the Department.

**Court Interpreter Written Exam Results
Certified and Registered Languages
2014**

Statistic	Figure
# of NO SHOWs	8
# of registrations	178
% of NO SHOWs	4.5%
Avg. % all †	73.5%
Avg. tot. pts. all †	99.2
† Excluding NO SHOWs	

We had 178 registrations with 8 “no shows” for a total of 170 exams taken. The average score was 99.2 points (out of 135 possible) for an average score of 73.5% (80% is required for passing).

68 candidates passed (**40%**) and **102** candidates failed (60%). The rate of “no shows” was 4.5%.

In the certified language category, **6** out of 19 (all were Spanish-language speaking candidates) passed (**32%**) at the Moses Lake test site.

At the Bellevue test site, **58** out of 129 (**45%**) of the certified language candidates passed.

The lowest pass rate was in the registered language category with only **4** out of 22 passing (**18%**).

