

**Washington State Supreme Court
Interpreter Commission**

March 3, 2017

Meeting Packet

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

**Interpreter Commission
Meeting Agenda**

<ul style="list-style-type: none"> ➤ Reimbursement Data and CEU Profile application fix ➤ Future of Online AOC Interpreter Program features ➤ Open Membership Vacancy Review <p>6. Business for the Good of the Order</p>		
<p>7. Adjourn</p>	<p>Justice Steven González</p>	
<p>Next Meeting (tentative): Friday, May 12, 2017, 9 a.m. – 12 noon. AOC SeaTac Office, Room TBD</p>		

Meeting Minutes



Interpreter Commission Meeting
Friday, December 2, 2016
Washington State Bar Association
1325 4th Ave, Ste 600, Seattle, WA 98101

MEETING MINUTES

Members Present:

Justice Steven González
Judge Andrea Beall
Thea Jennings
Lynne Lumsden
Linda Noble
Eileen Farley
Fona Sugg
Francis Adewale
Katrin Johnson
Alma Zuniga
LaTricia Kinlow

AOC Staff

Robert Lichtenberg
James Wells

Members Absent

Judge Theresa Doyle
Dirk Marler

Guests:

Czar Peralta
Jonas Nicotra
Irene Anulacion
Kristi Cruz

CALL TO ORDER AND INTRODUCTIONS

The meeting was called to order by Justice Steven González. Members and attendees introduced themselves.

APPROVAL OF SEPTEMBER 30, 2016 MEETING MINUTES

Minutes were approved with modification

CHAIR'S REPORT

ATJ Board-Commissions Meeting Review

The Commission discussed the takeaways from the opening joint meeting and subsequent breakout session that involved a members of the Minority and Justice Commission (MJCOM), Gender and Justice Commission (GJCOM) and the Access to

Justice (ATJ) Board. For the Interpreter Commission break out session, Ms. Cruz and Ms. Johnson facilitated a conversation with a small group on language access.

One of the main topics of the interpreter breakout session was the power that language gives an individual to assert their needs and how the inability to communicate in that language is a loss of power. Attendees suggested those who serve the public to consider language access needs at the beginning of a public service-delivery planning project rather than as an afterthought so as to protect individual legal rights and needs.

Some takeaways from the breakout session about future collaboration were:

- MJCOM has a research committee which the Interpreter Commission may be able to use.
- Gender is a big part of culture and language and the gender of an interpreter has implications.
- The ATJ Board has a technology committee and it may be possible to collaborate with them in their discussion of plain language forms and translations.
- The Commissions are moving forward with bringing their education committees together for collaborative work on training of court officers.

Budget and Legislative for Proposals 2017-2019

The Commission reviewed the two court interpreter-related budget request and legislative action proposals that have been selected by the Board of Judicial Administration (BJA) for submission for the 2017 Legislative Session. One proposal is for additional funding for interpreting services to expand the reimbursement program to cover all state courts and contains language changes to state law involving who pays for interpreters in civil cases. They discussed the second BJA-sponsored bill that would remove the requirement for interpreters to take their oath every two years. A separate bill for additional funding for telephonic interpreting services outside the court room was not selected by the BJA for legislative action at this time.

Strategic Planning Retreat

The Commission discussed the logistics of the upcoming strategic planning retreat. The retreat will include the examination of the mission of the Commission and whether its mission should address other language access issues. It would be important to review the 2007 Interpreter Commission Strategic Plan for retreat planning purposes. One of the goals of the strategic planning event would be to review and refine the Commission's vision of what its goals are. Members suggested that having a facilitator for the retreat, along with doing as much preplanning as possible, and reviewing any materials in advance would be productive.

Some topics for retreat discussion could include:

- how to proceed with what the Commission has already identified as problems
- getting funding for courts to implement requirements and best practices
- building effective collaboration with other groups
- supporting legislative efforts
- getting community support for language access
- increasing the public understanding of the impacts of language access

COMMITTEE REPORTS

Issues Committee

Revisions to General Rule 11.2

The Issues Committee was previously tasked with reviewing and updating General Rule (GR) 11.2 Code of Conduct for Court Interpreters. Some members of the Northwest Translators and Interpreters Society (NOTIS) had already begun reviewing the code of conduct and the Issues Committee was deferring to them for the review. The Issues Committee has been giving feedback to the NOTIS group and has been reviewing the draft changes. A draft was not yet ready for full Commission review.

Standardized Interpreter Pay Scale

The Issues Committee has begun looking into how a standardized court interpreters pay scale could be created and the role the Commission or the AOC would have. There is language in state law that references the AOC establishing pay standards but an explicit pay scale doesn't exist. However, contracts with courts in the reimbursement program references to a \$50 per hour cap as a standard of pay for reimbursement purposes

Some concerns about creating a detailed pay scale included:

- The effects on access to justice and the quality of interpreters.
- The level of research needed to create it.
- Regional differences in standard of living.
- The impacts on the ability for a court interpreter to make a living.

Municipal courts in King County have come up with a common payment policy. The policy helps to alleviate problems such as interpreters cancelling on appointments when they get a better paying offer nearby and negotiating with interpreters who speak rarer languages and thus ask for a higher pay. The Issues Committee was tasked to review whether a standard should be proposed for all state courts.

Education Committee

Ms. Johnson reported that there had been no Education Committee meetings since the previous Commission meeting. Ms. Johnson recently became the chair of the Committee and had spoken with the previous committee chair to review the minutes of the previous meetings and recent work of the Committee. She has also discussed the role of the Committee in the roll-out of the Language Access Plan.

Discipline Committee

Mr. Lichtenberg informed the Commission that the Interpreter Program has received a complaint from another state about an interpreter who is certified by Washington State. The interpreter is also certified in Oregon. He reported that Oregon Judicial Department had already entered into a correction plan with that interpreter as a result of that complaint. The interpreter has admitted to the violation of our Code of Conduct and is cooperating in creating a similar remedial action plan that was approved by Oregon. The remedial plan involves observation by a more experienced interpreter, which may then lead to corrective training as needed. Currently no other sanctions had been brought against the interpreter. Ms. Johnson suggested this problem could inform future interpreter trainings. Mr. Lichtenberg also informed the Commission that he will have a meeting with the National Center for State Courts (NCSC) about the disciplinary process and policy in Washington State.

COURT INTERPRETER PROGRAM ISSUES

Language Access Plan

The Commission reviewed the latest draft of the Model Language Access Plan (LAP) Deskbook. The draft was also being reviewed by the Department of Justice and their suggestions and comments are expected soon. Members of the Commission were invited to submit suggested revisions electronically to AOC staff.

The Commission learned about the work of the LAP Template workgroup. The group has had three in-person meetings. It was noted that the template as a model is longer than it would when completed by a court since it provides a number of options that courts will select from based on their needs. Options not relevant for that court would be deleted, thus shortening the size of a court's final written LAP.

The Commission discussed the Deskbook policy section and possible edits that may be required due to the predicted change in federal policy towards LEP individuals. The policy section placed a lot of attention on a 2010 DOJ letter on language access in state

courts and how it affects courts and the consequences of non-compliance with Title VI if those courts are a recipient/beneficiary of federal funding. The directives in the 2010 letter could be de-emphasized under the new federal administration, so some members of the Commission suggested deemphasizing future DOJ enforcement as a reason for our state courts to provide interpreters at no cost to LEP individuals in all types of legal proceedings. They suggested putting more focus on the constitutional and jurisprudential principles protecting language access rights since some courts may not receive federal funding and may need a rationale for their court to cover interpreting services all types of cases.

The Commission discussed the difficulty of including sign language information in the same document as spoken language information given that the legal statutes behind these two areas are different. There was a concern expressed that connecting the two areas might lead some courts to decrease support for sign language services based on the weaker state statute for civil cases affecting LEP individuals. The policy section authors have addressed that concern in the document by emphasizing that disability access rights are separately addressed in state law.

The Commission suggested that an "Executive Summary" be provided given the length of the policy section. Frontline staff at a court may not be able to read the entire document. In addition, language of support from the Chief Justice and the State Court Administrator should introduce the document. The roll-out of the Model LAP would include regional meetings across the state to help courts implement the plan. The Deskbook should also include resources and other information for the frontline staff who work most directly with interpreters and scheduling interpreters.

Action Item Summary
Judge Bailey– Look into getting interpreting-related matters on the agenda for the ATJ Technology Committee.
Ms. Lumsden - Send out Doodle poll to the Commission to find options for retreat
AOC Staff - Check to see if language access is discussed during MJCOM community forums and see how the Interpreter Commission could help
AOC Staff - Look to see if a stipend would be possible for Commission members who may need to lose work to attend the retreat if it will take place over weekdays.

Chair's Report

Maria Luisa Gracia Camón

Washington State Certified Court Interpreter

253 3556325

Dear Mr. Lichtenberg,

My name is Maria Luisa Gracia Camón, I am a professional translator and interpreter and Washington State Certified Court Interpreter. Since I obtained the credential I have been working in the different jurisdictions of Washington State Judicial System.

Prior to moving to Washington, 8 years ago, I lived in Spain where I worked as a professional translator and interpreter for years.

In Spain, I was working as a freelance Translator and Interpreter and devoted myself to this profession. I hold a Bachelor's Degree in Translation and Interpretation from the Universidad Alfonso X el Sabio, Madrid, Spain and I am also a Traductora e Intérprete Jurada (Official interpreter and translator certified by the Ministry of Foreign Affairs). Moreover, I studied four years towards the Law Degree in Spain before achieving my Translation and Interpretation Degree. During the last year of my Degree studies I earned an internship at the European Commission Translation Service in Brussels, where I was assigned to the Legal and Economic Unit.

Moreover, in the Asociación Aragonesa de Traductores e Intérpretes (ASATI) I was an Advocate for the Official Translators and Interpreters for some years. Within the Association I led the project for the **Regulation of the translation profession in Spain**. I also participated in another project together with three colleagues to draft the **Quality Guidelines for translation** as you can see in my résumé.

Here in the US I joined WITS and NOTIS. In 2014 I was invited to become a member of the NOTIS' Board and I have had the honor to work together with a wonderful group of colleagues. In the Court Interpreters Division, other Board members and myself have volunteered to prepare meaningful training to cater for our professional needs, focusing on quality rather than quantity. I have co-chaired the Court Interpreters Division together with Linda Noble for two years now, and I have been instrumental in **preparing** Continuing Education workshops both for interpreters and translators including the following:

Court Interpreters Division (Notis)

2015 Fundamentals of Professional Ethics

Team Interpreting for Spoken Languages

2016 Mexican Civil Procedure (Spanish to English Translation)

Dissecting French Contracts

Dissecting Russian Contracts

In addition, I have collaborated with other members of the NOTIS' Board in the preparation of other training for interpreters and translators such as:

2015 International Translation Day 2015 – Technologies and Techniques: Finding Success Now and in the Future Northwest

2016 A New Era of Medical Translation: Skills for 2016 and Beyond

The World of CAT Tools and Translating Complex File Formats

Spanish-Elements of Spanish Medical Translation

I am used to working in environments where the interpreters and translators are better upheld and respected as highly qualified professionals. It has always been my concern to promote professionalism, continuing education, awareness of ergonomics and better working conditions both for translators and interpreters.

In a nutshell, I love my profession and although we provide a great service to society we still need to look after ourselves. Moreover, what I can bring to the Court Interpreter Commission is the professional experience acquired in a European Union country and demonstrate a different point of view as to how to approach the regulation and the guidelines for professional translators and interpreters.

It shall be my pleasure to serve or collaborate in the Court Interpreters Commission and share learning experiences and concerns with all of you.

Thank you very much for you time and consideration.

Best regards,

Luisa Gracia

María Luisa Gracia Camón

9074 161st Court NE.
Redmond, WA 98052
Tel.: US (253) 355 6325; (425) 968 2131

Membership:

ASATI (Asociación Aragonesa de Traductores e Intérpretes, Spain)
NOTIS (Northwest Translators and Interpreters Society)

E-mail: graciacamomml@gmail.com

Interpreter of English and Spanish (Conference, on site and telephone)

Translator and proofreader for English, French and Spanish

Language Instructor (Spanish and English)

WA Court Certified Interpreter

DSHS Certified Interpreter and Translator, Washington State Department of Social & Health Services

Traductora e Intérprete Jurada (Official Translator and Interpreter, Ministry of Foreign Affairs, Spain)

Education

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

Other Languages

- French: Advanced
- Japanese: Basic.
- German: Basic

Translation and Interpreting experience

2002-Present **Freelance**

Court Interpreter both Spain and USA (Seattle Municipal Court, Kin County District Courts, Kirkland Municipal Court, Office of Administrative Hearings...).

Conference Interpreter (UN, EU and other Events)

Translator specializing in Legal (Immigration, family, criminal...), Business, Medical, Education, Administrative, Safety, Technical and Industrial. **Translate and notarize** documents needed for business, administrative or educational purposes.

Localization.- AdaQuest (Microsoft)

2004-2011 Easy Words Traducciones S.L. Zaragoza, Spain. Director and manager of projects. Hire translators. Proof reading. Interpreter. Initiated a database specific to translation companies www.easywords.es.

2002 **European Commission Translation Service** in Brussels, Belgium

Internship in the Legal and Economic Unit. Translation of official confidential documents of the E.U.

Other related activities

- 2014-2016 NOTIS (Northwest Translators and Interpreters Society). Member of the Board and Co-Chair of the Court Interpreters Division. **Preparation of continuing education** events.
- 2008-2010 Member of ASATI (Translators and Interpreters Association of Aragon) Zaragoza, Spain. Member in charge of Official translators.
- 2009 Preparation of the *Regulación de la profesión del traductor en España* (Regulation of the translation profession in Spain) and *Guía de calidad en la traducción* for ASATI. (Quality Guidelines for translation).
- 2006 **Lecture** on Official Translators and Interpreters. *I Jornada de Orientación Profesional para traductores*. ASATI, Official translator's liabilities and duties. Zaragoza, Spain
- 2005 Workshop of ASATI on work conditions of the translators and interpreters (May). Lecture on Prevention of occupational risks 20/06 2005. Labor conditions related to translators and interpreter's liabilities. Ergonomics.

Language Instructor and Tutor experience

- 2014-2016 Private Spanish instructor (in person and on-line)
- 2012-2013 Berlitz Instructor (Spanish). Adults and Children.
- 2010-2013 Spanish Instructor at Tacoma Community College (Spanish I and II).
- 2005-2008 GLS, Zaragoza, Spain. Company specialized in languages training and translation. Instructor of SPANISH (Spain) language for foreigners (Vestas, Adidas, EP).
- 2003-2006 ACTIVIDADES FORMATIVAS. S.L. Zaragoza, Spain www.activa.org
Teacher of French and English languages for 4th -9th grade students.
- 2003 CONSORCIO ESPAÑOL DE DESARROLLO, S.L. Zaragoza, Spain.
Instructor of Business English 06/2004 -10/2004 (Students and unemployed).
- 1995-2008 One to one English class, TUTOR.

Other Education

- 2016 Notis Whirlwind Weekend: Translation training with two top experts using technology with Jost Zetsche and medical translation with Pablo Mugüerza (NOTIS)
- 2016 6-hour Expert witness testimony workshop (OJD)
- 2016 Mexican Civil Procedure (Spanish to English Translation) (NOTIS)
- 2015 International Translation Day 2015 - Technologies and Techniques: Finding Success Now and in the Future Northwest (NOTIS)
- 2015 Team Interpreting for Spoken Languages and Fundamentals of Professional Ethics (NOTIS)
- 2014 WASCLA 2014 Language Access Summit
- 2014 Professional Voice Care for Interpreters (Northwest Translators & Interpreters Society)
- 2013 The Elements of Criminal Statutes ... (Washington State Court Interpreters and Translators Society)
- 2013 Ethics L-I-V-E Panel, Demand-Control Schema for Interpreting (2013 Pacific Northwest Court Interpreter Conference).
- 2012-13 Targeted Court Interpreter Training Initiative. **Washington Courts** (Participation by invitation only).

- 2011 International Translation Day (Northwest Translator & Interpreters Society)
- 2010 Motions and Gangs Workshops, WITS.
- 2009 III Jornada de Orientación Profesional para traductores. ASATI.
- 2007 II Jornadas de Orientación Profesional para Traductores ASATI.
- 2006 II Mesa Redonda de ASATI
- 2002 II Jornada de Traducción Jurídica (E. Alcaraz y Varó y otros). Universidad Alfonso X, el Sabio.
- 2001 I Jornada de Traducción Jurídica (E. Alcaraz y Varó y otros). Universidad Alfonso X, el Sabio.
- 2001 III Jornadas sobre la Formación y la Profesión del Traductor e Intérprete. Universidad Europea CEES. Villaviciosa de Odón (Madrid).
- 2000 II Congreso de Estudiantes de Derecho Penal sobre «El Horizonte del Derecho Penal en el inicio del tercer milenio» en Zaragoza. Universidad de Zaragoza.
- 1999 - 2000 Curso de Derecho Aragonés Público y Privado (Ombudsman of Aragon and the Law School) Zaragoza. Universidad de Zaragoza.
- 1999 **Business English** (Consortio Español de Desarrollo, S.L. in Zaragoza).
- 1999 **Legal English**, European Law Students' Association. Universidad de Zaragoza
- 1992 Certificate of **Proficiency in English** by Trinity College London in Dublin, Ireland.



February 16, 2017

Dear Justice Partners,

The Access to Justice Board convened a group of twenty-three civil legal aid providers in 2015 to design a plan to realize the vision that poverty is not an impediment to justice. This group developed a draft State Plan for the Delivery of Civil Legal Aid over the past 15 months. This Plan is intended to guide the collective efforts of the Alliance for Equal Justice for the next three years as we seek to expand access to the justice system and to identify and eliminate barriers that perpetuate poverty and deny justice. The plan was developed with extensive feedback gathered from legal aid providers and community partners across the state. The plan identifies goals and strategies to bring us closer to our shared vision for how the Alliance might work together to achieve greater impact.

We intend the plan to be a universal tool that all Alliance for Equal Justice legal services providers and partners can use to guide their work. Taken as a whole, the draft plan provides a framework for organizations to work together to expand access to justice. Not every organization is positioned to implement each part of the Plan and we expect programs and partners to identify the ways in which they are best positioned to implement specific goals using specific strategies.

We need your help to finalize a plan that is relevant to your work and the needs you see in your stakeholder communities. We ask that you review the draft plan and share with us your feedback. You may submit written comments to the Access to Justice Board via email at atj@wsba.org by April 17, 2017. You may also submit comments through the following survey by April 17, 2017: <https://goo.gl/forms/L1pkuqI7ChtiU7Gx2>. These comments will be considered prior to the ATJ Board's adoption of a final plan in May.

If you have questions about the State Plan, the Alliance for Equal Justice, or the Access to Justice Board, please contact Terra Nevitt at (206) 727-8282 or TerraN@wsba.org.

Sincerely,

Geoff Revelle
Access to Justice Board Chair

Enclosures: Draft Plan for the Coordinated Delivery of Civil Legal Aid
State Plan Progress Memo
Washington State Alliance for Equal Justice Hallmarks

MEMBERS

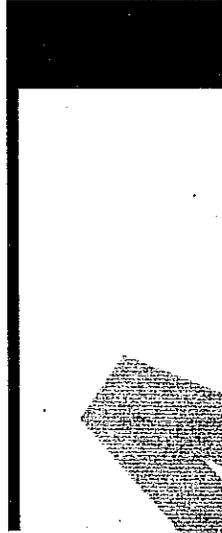
Hon. Laura Bradley
Hon. Anita Crawford-Willis
Geoffrey G. Revelle, Chair
Nicholas P. Gellert
Lynn Greiner
Mirya Muñoz-Roach
Andrew N. Sachs
Francis Adewale
Lindy Laurence
Salvador Mungla

Staff

Diana Singleton
Access to Justice Manager
(206) 727-8205
dianas@wsba.org

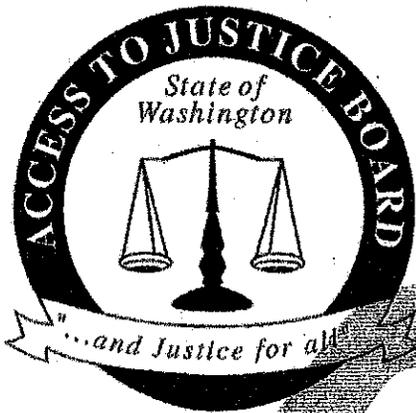


THE ALLIANCE
for Equal Justice
SUPPORTER



DRAFT

Access to Justice Board
2017-2019 State Plan
for the Coordinated
Delivery of Civil Legal Aid
to Low Income People



DRAFT

Access to Justice Board 2017–2019 State Plan for the Coordinated Delivery of Civil Legal Aid to Low Income People

Contents

Introduction	4
Goal 1	7
Goal 2	10
Goal 3	12
Goal 4	15
Goal 5	18
Glossary of terms	22

INTRODUCTION

This Plan is intended to guide the collective efforts of the Alliance for Equal Justice to expand access to our civil justice system and identify and eliminate barriers that perpetuate poverty and deny justice. We adopt this plan as communities across Washington report increasing fear and anxiety about a changing political climate that once again targets those who have historically been most vulnerable to marginalization. We adopt this plan with the belief that we must coordinate our collective efforts, using all the legal tools we are privileged to wield, and take direction from community leaders in pursuit of a just and equitable system. As set forth in our Hallmarks, The Alliance for Equal Justice ("the Alliance") exists to ensure that poverty is not an impediment to justice; that legal barriers which perpetuate poverty and inequality will be dismantled; and that our laws and our justice systems will be open and equally effective for all who need their protection, especially those who have been placed on the margins of society due to their identities.

The severity of Washington's justice gap and the inadequate funding of civil legal aid cannot be overstated. The 2016 Civil Legal Needs Study tells us that the need is greater than ever. Seven in 10 low-income households face at least one significant legal problem each year and, on average, experience more than nine legal problems for which the vast majority will not get the help they need. The study tells us that low-income Washingtonians do not understand that the challenges they face have legal remedies. It tells us that the nature of their legal problems are changing and that the problems intersect and compound, with one legal problem left unaddressed building into multiple legal problems. The study tells us that twenty years after the adoption of Washington's first state plan, we are far from delivering on our vision of equitable justice and it challenges us to do better. Closing the justice gap will require major investments to double the number of state-funded civil legal aid attorneys, expand the level of volunteer attorney involvement in the delivery of civil legal aid services, and create statewide support infrastructure for the Alliance. Closing the justice gap will also require acknowledging and breaking down the artificial silos that we've created between the civil, criminal, and juvenile justice systems and identifying and challenging structurally racialized systems and practices that disproportionately affect minority clients and client communities.

INTRODUCTION

Our Hallmarks call on us to maximize the impact of our limited resources through coordination and the delivery of effective and economical legal aid. Recognizing that we may never have the resources needed to give every low-income household access to legal representation, this plan seeks to improve the way we work together – within existing resources. The plan sets forth five goals that represent a universal commitment of all Alliance members. Goal number 1 identifies race equity as a lens to apply to all of our work. Goals 2-5 identify the focus of our work at each stage that an individual might encounter a legal need, starting with ensuring that low-income communities and individuals understand their legal rights and responsibilities in goal 2. Once a legal problem has been identified and an individual desires legal help, goal 3 asks the Alliance to ensure that members of underserved and underrepresented communities will be able to obtain legal assistance regardless of their geographic and/or demographic circumstances. Once legal services have been engaged, goal 4 calls for holistic and client-centered approaches to address the complexity and breadth of legal needs and to help clients overcome demographic, systems-based and other institutional barriers. And finally, goal 5 urges that in addition to the important work of seeking legal remedies for individuals, the Alliance continue to pursue systemic advocacy to effect structural reforms that maintain and defend progress and improve the well-being of communities and individuals and dismantle systems of institutional racism and other forms of oppression.

We expect that each Alliance organization will review the State Plan goals, strategies and implementation steps to determine, in collaboration with other Alliance members, the role(s) they should play in achieving these collective goals in the coming years. Specific strategies and implementation steps are intended as helpful guidance, but there is no substitute for the knowledge that individual organizations have about their own current and potential strengths and capabilities, the communities they serve and the changing and evolving circumstances affecting clients, communities, and client service delivery. The plan also identifies measures of success for the purpose of better aligning organizational actions, providing feedback that leads to individual program and system improvements and to support Alliance accountability to the State Plan. They are not intended to dictate behavior to any organization or impact funding decisions. Many performance measures are specifically imbedded in the statements of strategy within the plan. Other measures will require the collection and analysis of data. For those measures, we recommend that organizations/regions spend the first year of the plan gathering baseline data, the second year establishing realistic targets and the third year analyzing performance and implementing changes in support of the strategy. A state plan monitoring committee should coordinate collection and distribution of performance measure data. It is expected that implementation of the plan will be evaluated annually and course corrections made as needed.

INTRODUCTION

As the coordinator of this effort, the Access to Justice Board is tasked with supporting and monitoring the implementation of this plan. In many places throughout the document, the Access to Justice Board and its committees are identified to play the role of clearinghouse. That role may include collecting the relevant information, reviewing and assessing the information, and communicating back to the Alliance in the form of an aggregate report, the sharing of best practices, or recommended next steps.

Achieving a just and equitable system will require courage, collective vision and agility to respond to changing needs, challenges, and opportunities. The State Plan offers a framework for the Alliance to work together to rise to the occasion and act with common commitment, focus, and collective determination. Through this State Plan we recommit to our values and our common commitments.

DRAFT

GOAL

1

Alliance organizations will promote racial equity both systemically and within their organizational practices, working toward a vision that race or color does not determine the availability and quality of services, benefits, and opportunity for communities and individuals.

WHAT IS THE PROBLEM?

As stated in our Washington Race Equity & Justice Initiative's Commitments, tensions and fears from tragedies around the country continue to increase due to recent contentious national events and, as a result, many vulnerable communities, especially communities of color, are targeted and treated as less worthy. REJI is a call to action to work together to challenge the racial bias that has been built into our societal fabric. The 2015 Civil Legal Needs Study Update tells us that people of color experience substantially greater number of legal problems, that they regularly experience discrimination and unfair treatment on the basis of legally protected characteristics such as race, and that low-income communities and people of color have little confidence in the justice system. Consistent with the REJI Commitments, this goal and its strategies call on the Alliance to transform structures, policies and practices that perpetuate disparate outcomes for communities of color, including by assessing and strengthening our organizations' own alignment with race equity and justice values and goals.

STRATEGY 1

Engage in activities that create a shared awareness and understanding of what is needed to achieve race equity in our legal systems and society.

Alliance organizations can implement this strategy by:

- Working with the Race Equity and Justice Initiative, to identify currently existing annual events focused on race equity or with a substantial race equity focus, and engage Alliance organizations, Access to Justice Board members, legal aid funders, community members and officers of the broader justice system to attend those events. If the committee finds that no such events exist, then the committee should leverage existing resources to establish one.
- Identifying, coordinating and collaborating with different groups that are already focused on race equity and utilize social media and emerging technology to collaborate and share resources and tools to achieve racial equity. The Race Equity and Justice Initiative can support this effort by serving as a clearinghouse.

Our vision of success is:

- Alliance organizations are using common language to demonstrate a shared understanding and awareness of the reforms needed to achieve race equity in our systems.

Indicators of success include:

- Alliance organizations are participating in an annual conference or events that focus on race equity.

GOAL

1

- Alliance organizations report increased relationships and collaborations around advancing race equity.

STRATEGY 2

Increase the diversity of staff, boards, and volunteers

Alliance organizations can implement this strategy by:

- Identifying and adopting existing tools (e.g., the Implicit Bias test from Harvard University and the City of Seattle of Race Equity Tool Kit) in order to conduct a race equity self-audit at all levels in their organizations, with support from the Race Equity and Justice Initiative.
- After conducting the self-audit, addressing and developing strategies to eliminate practices that operate as impediments to the recruitment and retention of a diverse staff, board, and volunteers.
- Developing capacity and technical resources to enable organizations to implement their strategies for race equity and diversity.

Our vision of success is:

- Alliance organizations that reflect the diversity of the communities we serve at all levels.

Indicators of success include:

- All Alliance organizations have completed a self-audit.
- All Alliance organizations will incorporate race equity awareness and provide individualized tools and resources as part of the orientation for all board, staff, and volunteers.
- An increase in staff, board, and volunteer diversity for Alliance organizations that is reflective of the clients they serve.

STRATEGY 3

Raise organizational competency and capacity to advance race equity in our legal system and society.

Alliance organizations can implement this strategy by:

- Identifying and adopting existing tools and trainings to identify, evaluate, and build solutions for creating organizational and systemic racial equity, with support from the Race Equity and Justice Initiative.
- Employing a race equity lens when prioritizing services to clients.

GOAL

1

Our vision of success is:

- Alliance organization staff demonstrate increased awareness of the impacts of race and structurally racialized systems and practices on our society and the client communities we serve.
- Alliance organizations are participating in dialogue about race.

An indicator of success will be:

- All Alliance organization staff have had training on how to talk to each other about race.

STRATEGY 4

Promote and raise the visibility of Alliance organizations' and law firms' activities and successes in advancing race equity.

Alliance organizations can implement this strategy by:

- Collaborating with WSBA and local bar associations to establish awards recognizing legal aid organizations or individuals within organizations that make significant contributions to the advancement of race equity.
- Incorporating race equity topics into all communications channels, including through the Access to Justice Board's Communications Committee and the Equal Justice Coalition.

Our vision of success is:

- Race equity is woven into the fabric of the Alliance.

An indicator of success will be:

- An increased perception among community-based organizations that Alliance organizations are effective partners in advancing race equity.
- At least five earned media pieces related to Alliance organization's work to advance race equity each year.

GOAL

2

The Alliance will work to ensure that low-income communities and individuals understand their legal rights and responsibilities and where to seek legal assistance.

WHAT IS THE PROBLEM?

The 2015 Civil Legal Needs Study tells us that nearly 50% of low-income households are not aware that the problems they are facing have a legal component; and they do not seek legal help. This gap in understanding persists despite decades of effort to provide legal education to low-income people through websites like WashingtonLawHelp.com and through grassroots community outreach and engagement. This goal and suggested strategies call on Alliance organizations to take a critical look at our educational efforts and consider new approaches to empowering clients to understand the legal nature of the problems they experience and to make informed decisions about whether, when and where to go for legal help.

STRATEGY 1

Conduct an assessment of the current educational activities, resources and tools, identify any gaps and needs for improvement, and develop and execute on plans and any necessary tools that will address those gaps and needs.

Alliance organizations can implement this strategy by:

- Conducting an inventory of educational activities and resources within their region(s), identify the gaps and need for improvements and communicating the results to the Access to Justice Board Delivery System Committee, which can serve as a clearinghouse.
- Addressing any identified gaps and needs for improvement, create and execute plans to educate low-income persons about legal problems, rights and responsibilities, and the availability of legal assistance, with a special emphasis on reaching underserved communities. These plans may be on an organizational and/or regional level based on need and resources. They should include developing and distributing educational resources through a variety of media and organizations and should incorporate best practices and common language. The Access to Justice Board's Communications Committee can support these efforts as a clearinghouse.

The Access to Justice Board and its committees can implement this strategy by:

- Addressing any identified gaps and needs for improvement, create tools and strategies to educate low-income persons about their legal rights and the services available to them within and outside the civil legal aid system and sharing them with Alliance organizations.

GOAL

2

- Developing an interactive legal wellness tool – in collaboration with Alliance organizations – that will enable low-income people to describe the situations they are facing and gain an understanding of the legal rights implicated and the resources available to address them. Alliance organizations can determine how the tool can be used through their networks and communities and encourage its use.

Our vision of success is:

- An improvement in the ability of low income people to understand the legal dimensions of the problems that they are experiencing and make informed decisions about whether, when, and where to go for legal help.

STRATEGY 2

Communicate with low-income communities in ways that are accessible to low-income persons regardless of limited literacy, limited English proficiency, disability, or access to technology.

The Access to Justice Board and its committees can implement this strategy by:

- Developing model guidelines for effective community-based outreach and education both on- and off-line and sharing them with Alliance organizations.

Our vision of success is:

- A rise in client satisfaction with their ability to obtain information about their legal rights and responsibilities and the availability of legal assistance.

An indicator of success will be:

- Increased contact with low-income persons, including those with limited literacy, limited English proficiency, disability, or access to technology.

GOAL

3

Alliance organizations will work to ensure that low-income members of underserved and under-represented communities will be able to obtain legal assistance regardless of geographic and/or demographic circumstances.

WHAT IS THE PROBLEM?

Who you are matters. The [2015 Civil Legal Needs Study](#) demonstrates that low-income people who identify as African American or Native American experience a greater prevalence of legal problems in nearly every substantive area explored by the study. The same is true for people with disabilities and young people. It shows that low-income people regularly experience discrimination and unfair treatment on the basis of immigration status, prior juvenile or criminal system involvement, and credit history and that victims of domestic violence or sexual assault report nearly double the prevalence of problems across all legal problem areas with an average of 19.7 legal problems per person, per year. The [LGBTQ Supplement](#) to the 2015 Civil Legal Needs Study illustrates that the LGBTQ community experiences different legal problems than the general low-income population and substantially higher levels of problems associated with discrimination and unfair treatment. Federal and state legal aid funding restricts programs from serving certain groups of people and access to legal aid in rural areas remains a persistent challenge. Consistent with our [Hallmarks](#), this goal and its suggested strategies call on the Alliance to authentically engage with low-income communities, adapt our delivery systems to meet their needs, and focus our limited resources on meeting the civil justice needs of those who are most vulnerable and in need.

STRATEGY 1

Work with community-based partners to identify underserved and underrepresented communities on an ongoing basis and provide targeted legal assistance.

Alliance organizations can implement this strategy by:

- Seeking assistance from community partners to identify the common needs of the underrepresented and underserved communities they work with in order to provide targeted legal assistance.
- Providing a self-determined amount of services in community places frequented by underserved populations (e.g., libraries, shelters, community centers, hospitals, schools, churches).
- Considering and pursuing opportunities to co-locate legal aid and other community services on a limited or permanent basis.
- Training community partners to identify legal needs and make effective referrals.

Our vision of success is:

- Community-based partners have an increased understanding of how to identify civil legal problems and help low-income and vulnerable people with whom they work to access legal aid.

GOAL

3

- Legal aid's strategy in reaching underserved and underrepresented populations is improved through partnership with community-based partners.

Indicators of success include:

- An increase in the provision of legal aid outside of traditional legal aid program offices, including through co-location with community partners, by the end of year two.
- An increase in the number of community organizations collaborating with Alliance organizations as partners, by the end of year three.
- An increase in number of community-based partners trained by Alliance members to identify legal problems of persons they serve and make effective referrals, by the end of year two.
- An increase in the number of targeted referrals that Alliance organizations receive from community-based partners, by the end of year three.

STRATEGY 2

Leverage technology to better serve low-income clients in underserved and underrepresented communities.

This strategy can be implemented by:

- Automating the new plain language family law forms and ensuring that the public has online access to the document assembly system at no cost through the collaboration of the Northwest Justice Project, the Administrative Office of the Courts, the Office of Civil Legal Aid, and the Access to Justice Board.
- Increasing the number of attorneys providing legal assistance to underserved and underrepresented communities using Skype (or other like systems), document viewing and similar technologies through the collaboration of Alliance organizations, the Access to Justice Board's Justice Without Barriers Committee and Technology Committee, the Washington State Bar Association, and local courts.
- Developing a mentorship program for attorneys in attorney-rich areas willing to serve clients from underrepresented and underserved communities using technology and other means through the collaboration of the Access to Justice Board's Leadership Development and Technology Committees, Alliance organizations, and the Washington State Bar Association.

Our vision of success is:

- Increased services to low-income clients regardless of geography or other barriers to accessing legal aid in traditional settings.

GOAL

3

- A rise in volunteer retention and satisfaction for attorneys in attorney-rich areas who are providing services to underrepresented and underserved communities using technology and other means.

STRATEGY 3

Improve access to and the efficiency of existing intake mechanisms.

Alliance organizations and the Access to Justice Board can implement this strategy by convening an Alliance stakeholder group to:

- Assess and make recommendations on the strategic role of centralized intake, advice, and referral services as a component of statewide intake services.
- Assess regional or local intake systems and make recommendations on flexible and efficient models that complement centralized intake and support a variety of intake strategies.
- Identify and assess innovative intake and referral methods used outside the state of Washington that could be implemented within the state.
- Identify and implement client-centered approaches to intake for underserved and underrepresented populations, including consultation with the broader community of providers of social and human services to low-income people.

Our vision of success is:

- Reduced time between initial contact and initiation of services to clients from underrepresented and underserved communities.
- Increased services to communities identified as underrepresented and underserved regardless of any barriers to accessing legal aid through traditional intake mechanisms.

The Alliance will use holistic and client-centered approaches to address the complexity and breadth of legal needs and to help clients overcome demographic, systems-based and other institutional barriers.

WHAT IS THE PROBLEM?

The 2015 Civil Legal Needs Study revealed that, on average, low-income households will experience more than nine civil legal problems annually. Experience shows us that these problems are often intertwined, and that helping an individual to address and overcome the problems they face often requires legal and non-legal solutions. Without addressing the interrelated nature of these problems clients will continue to need civil legal aid for recurring and unaddressed legal problems. We also understand from the Civil Legal Needs Study Update that low-income people of color experience substantially higher rates of legal problems and that issues relating to discrimination and unfair treatment cut across every substantive legal category. Many of the problems experienced by low-income minority clients and communities flow from their involvement with structurally racialized systems and practices that appear to be race-neutral but drive disparate treatment and disproportionate negative outcomes. This goal and its strategies call on Alliance organizations to fully realize the values articulated in our Hallmarks around authentic client and client community engagement, ensuring the availability of a full range of legal aid, and building effective partnerships with legal and community based organizations.

STRATEGY 1

Work with clients to identify and prioritize legal and non-legal needs and to develop strategies to meet those needs.

Alliance organizations can implement this strategy by:

- Continuing to develop flexible models, tools, and resources to help clients identify and prioritize the breadth of their legal and non-legal needs. These tools should be shared with the Access to Justice Board's Delivery System Committee as a clearinghouse.
- Developing and offering training to enable staff and volunteers to better identify clients' legal and non-legal needs.
- Employing a race equity lens – consistent with Goal 5 – in identifying client needs, local and statewide client service priorities, and strategies to address the problems experienced by low-income racial and ethnic minorities and communities of color including, but not limited to, those who are not eligible for state and federally-funded services.
- Establishing client satisfaction surveys or other tools to secure input from clients with respect to the services that they receive and the manner in which they receive them. Such systems should include questions that measure how well the organization is identifying and developing strategies to address the full range of clients' needs.

GOAL

4

Our vision of success is:

- A rise in client satisfaction related to Alliance organizations' ability to help them identify the full range of their legal and non-legal needs and helping them make informed decisions about whether and, if so, how to address them.

An indicator of success will be:

- An increase in the number of and extent to which Alliance organizations are identifying, working with clients to help them make informed decisions about their goals, and to prioritize and address their legal and non-legal needs by the end of year two.

STRATEGY 2

Expand and strengthen partnerships and collaborations to improve each client's ability to address legal and non-legal needs.

Alliance organizations can implement this strategy by:

- Strategically and intentionally collaborating with community based organizations, as appropriate to the circumstances, in helping clients address their needs.
- Regularly seeking and securing input from community based organizations in assessing the needs of clients.
- Sharing information about legal and non-legal resources in the region.

The Access to Justice Board and its committees can implement this strategy by:

- Facilitating the development of an improved protocol to ensure effective cross-referrals and collaboration between Alliance organizations. To the extent possible, clients should need only knock on one Alliance door to get the help they need.

Our vision of success is:

- Clients are better able to address their legal and non-legal needs.
- An increase in the quality and number of cross-referrals and collaborations among Alliance organizations.

An indicator of success will be:

- An increase in the number of referrals clients receive to address the breadth of their legal and non-legal needs.

GOAL

4

STRATEGY 3

Develop and expand holistic service models to improve long-term outcomes for clients.

Alliance organizations can implement this strategy by:

- Identifying communities that would benefit the most from coordinated or holistic legal aid.
- Piloting or expanding holistic models with those populations.
- Assessing existing services to determine the feasibility of implementing a client-centered, holistic approach.
- Establishing client-centered systems to secure input from clients with respect to how well the organization is addressing the full range of clients' needs.

The Access to Justice Board and its committees can implement this strategy by:

- Identifying and providing tools that will allow Alliance organizations to capture the depth of the services they are providing and the outcomes they are achieving for clients. Alliance organizations can utilize the tool(s) to assess and report the depth of services being provided.

Our vision of success is:

- An end to the revolving door of legal aid, with fewer people returning because their issues have been resolved as a result of coordinated or holistic services.

An indicator of success will be:

- An expanded number of coordinated or holistic models being implemented, by the end of year two.

GOAL

5

The Alliance will pursue systemic advocacy to effect structural reforms that maintain and defend progress and improve the well-being of communities and individuals and dismantle systems of institutional racism and other forms of oppression.

WHAT IS THE PROBLEM?

Our Hallmarks call on us to identify and eliminate the systems that operate to deny justice to low-income members of racial, national, ethnic and social minorities and other low-income persons who experience barriers due to explicit or implicit bias and other marginalizing dynamics. Despite many advocacy successes, the 2015 Civil Legal Needs Study reveals that low-income people of color, among other groups, experience substantially greater number of legal problems and regularly experience discrimination and unfair treatment on the basis of legally protected characteristics such as race. The study also tells us that low-income people have precious little confidence that the justice system can help people "like them" to enforce their rights. We know from various symposia sponsored by the Supreme Court's Minority and Justice Commission, national and state-based research and many years of experience that racialized systems and structures have developed that result in disparate treatment of people and communities of color and other disproportionate negative outcomes for members of these groups as well as other historically and currently marginalized groups. This goal and its strategies call on the Alliance to prioritize collaborative systemic advocacy designed to eliminate these systems, structures and practices, and that such advocacy be rooted in authentic engagement with client communities and in partnership with community-based organizations.

STRATEGY 1

Engage with client communities in order to inform and drive systemic advocacy.

Alliance organizations can implement this strategy by:

- Creating annual community engagement plans by organization and region, as is helpful in each case, and distributing them to regional partners, stakeholders, and the Alliance.
- Revisiting, evaluating, and modifying their engagement plan annually based on results and distributing written results and modifications to regional partners, stakeholders, and the Alliance.

Our vision of success is:

- Alliance organizations will be able to demonstrate that community input is playing a role in helping identifying systems, structures, and practices that result in disparate treatment or disproportionate negative outcomes for low-income people and communities, including but not limited to communities of color.

An indicator of success will be:

- Every Alliance organization and region will have a client community engagement plan, by the end of year two.

STRATEGY 2

Communicate and collaborate within the Alliance and with other allies in order to identify patterns within communities that point to the need for systemic change and identify opportunities for collaboration.

Alliance organizations can implement this strategy by:

- Identifying a liaison for systemic change advocacy to be a point of contact in the region and for the Alliance. This person should participate in regional and statewide advocacy groups.
- Convening regional stakeholder groups at least quarterly to discuss systems, structures, and practices that result in disparate treatment and drive disproportionate negative outcomes for low income and marginalized communities and considering the value of systemic change advocacy to address these.
- Convening a statewide stakeholder group at least biennially to revisit and refine statewide systemic reform work.
- Regularly providing advocacy updates to the Access to Justice Board's Communications Committee and the Equal Justice Coalition for widespread distribution. These updates should expressly highlight systemic advocacy, outlining the systemic practices being challenged and the impact of the program's advocacy.

Our vision of success is:

- Alliance organizations at regional and state levels working together to effectively implement statewide system reform strategies in at least three substantive priority areas.

An indicator of success will be:

- That regional partners will have identified top priorities for systemic change advocacy by the end of year two.
- Increased participation (in number and quality) from community based organizations in identifying statewide advocacy priorities.
- Increased participation (in number and quality) from community based organization in pursuing systemic change.
- At least five earned media pieces related to the statewide advocacy priorities each year.

GOAL

5

STRATEGY 3

Partner with community based organizations to develop resources and make strategic investments in the ability of Alliance organizations to engage in systemic advocacy.

Alliance organizations can implement this strategy by:

- Considering annually allocating specific resources for systemic change advocacy appropriate to their mission.

Legal aid funders can implement this strategy by:

- Requesting information annually from grantees on systemic change advocacy activities and accomplishments.

Our vision of success is:

- An increased focus on and support for advocacy that is intentionally focused on identifying and eliminating systems, structures, and practices that negatively affect low income and marginalized communities and that result in disparate treatment and drive disparate outcomes for communities of color and other marginalized populations.

STRATEGY 4

Develop leaders that are skilled in systemic advocacy. Alliance organizations can implement this strategy by:

Alliance organizations can implement this strategy by:

- Having staff, board members, and volunteers apply to the Equal Justice Community Leadership Academy.
- Participating and providing opportunities for community lawyer training on an ongoing basis.
- Participating and providing opportunities for race equity training on an ongoing basis.

GOAL

5

Our vision of success is:

- That community lawyering becomes a core component of each program's strategic client service mix.

Indicators of success include:

- Every Alliance organization has multiple members who have graduated from the Academy.
- By 2019 every Alliance organization will have a majority of staff engaged in community advocacy who has received community lawyering training.

DRAFT

GLOSSARY OF TERMS

Alliance for Equal Justice or Alliance

We are lawyers, judges, legal workers, volunteers and community leaders committed to the fair, effective, and inclusive administration of civil justice in Washington State. In partnership with clients and communities of low-income and vulnerable people, we work to expand meaningful access to the civil justice system and to identify and eliminate barriers that deny justice and perpetuate poverty.

Alliance organizations

Programs or organizations that participate in the Alliance for Equal Justice. Note that the Alliance describes a fluid network, rather than a specific set of organizations. There is no entity responsible for determining which organizations are considered to be a part of the Alliance Alliance partners.

Equity

Fairness achieved based on an understanding that individuals and communities are subject to different forms of treatment and have access to different amounts of privilege. To be contrasted with fairness based on equal distribution of resources.

Holistic Services

Services that are provided in a manner that takes into account the entirety of a client's barriers and goals, legal and non-legal. This includes two primary components:

1. Helping clients identify legal and non-legal problems and potential solutions for their legal problems; and
2. Working in collaboration with legal and non-legal community partners to ensure that the client's range of needs are addressed. Whether through direct, unbundled, or referral services.

Implicit Bias

Attitudes and beliefs that result from subtle cognitive processes that often operate at a level below conscious awareness and without intentional control.

Race Equity

A vision that race or color does not predict the amount and quality of opportunities, services, and benefits for impacted communities and individuals.

GLOSSARY OF TERMS

Race Equity Lens

Examining a practice, system, behavior or event with an awareness and focus on the vision that race or color should not predict the amount and quality of opportunities, services and benefits for impacted communities and individuals.

Structural Racism

Racial inequity perpetuated by a system of public policies, institutional practices, cultural representations, and other norms.

Systemic Advocacy

Action that is designed to affect change in all parts of a local, regional or state-wide system that negatively affects low-income and marginalized people, and that takes into account the interrelationships and interdependencies among all of that system's parts.

DRAFT



MEMORANDUM

TO: Access to Justice Board and Funding Partners
FR: Terra Nevitt, WSBA Director of Advancement
RE: Final Progress of State Planning Process
DA: February 13, 2017

As of February 10, 2017, we are at the final phase in the development of a three-year State Plan for the Coordinated Delivery of Civil Legal Aid. In Phase 3 (March – June 2016) the Consensus Group developed strategies to implement the five goals developed in Phase 2. Those drafted strategies were shared with stakeholders for feedback and further refined by the Consensus Group. In Phase 4 (June – August 2016) the Consensus Group developed implementation steps and measures of success. In Phase 5 (August 2016 – present) staff developed a draft plan, which was circulated to the Consensus Group and Steering Committee the draft further refined. The current steps include pushing the draft plan out to a wide range of stakeholders for input from mid-February through mid-April. During Phase 3 and again in Phase 5 the Steering Committee agreed to revise the overall timeline and extend the process in order to provide adequate time to consider feedback received from stakeholders. In light of the revised timeline (below), it is suggested that the ATJ Board consider October 1, 2017 as the implementation date.

Phase 1: Stakeholder Outreach and Education Milestones (October – November 2015)

- Created a Facebook tab and webpage to keep stakeholders up to date.
- Conducted ten stakeholder outreach and education sessions between October 20 and November 24. These meetings, hosted by civil legal aid providers throughout the state, provided an opportunity for staff, board members and key community and court partners to learn about the Alliance, the key findings of the Civil Legal Needs Study Update, and how to engage in state planning.
- Conducted a live webinar on November 3 as another opportunity for stakeholder outreach and education. Approximately 50 people registered for the webinar live and people continue to take advantage of the opportunity to view the recorded webinar available online.
- Distributed an electronic survey to the Alliance requesting initial feedback about the usefulness of the previous state plan, the current structure and goals of the Alliance, and key considerations for the new state plan.
- Distributed a letter to stakeholders traditionally thought of as being outside of the Alliance to invite them into the state planning process.
- Invited organizations to join the consensus group.

Phase 2: Convening Consensus Group and Development of Goals (November 2015 – March 2016)

- Solicited participation and convened the Consensus Group. Members include:
 - Benton Franklin Legal Aid Society
 - Center for Justice
 - Blue Mountain Action Council

- Clark County Volunteer Lawyer Program
 - Columbia Legal Services
 - Cowlitz Wahkiakum Legal Aid
 - Eastside Legal Assistance Program
 - KCBA Pro Bono Services
 - Kitsap Legal Services
 - LAW Advocates
 - Lewis County Bar Legal Aid
 - Northwest Consumer Law Center
 - Northwest Health Law Advocates
 - Northwest Immigrant Rights Project
 - Northwest Justice Project
 - Rita R. Dermody Legal-Help Center at the Public Law Library of King County
 - Seattle Community Law Center
 - Skagit Volunteer Lawyer Program
 - Snohomish County Legal Services
 - Tacoma-Pierce County Bar Association
 - TeamChild
 - University Legal Assistance
 - YWCA – Sexual Violence Legal Services
- Engaged a professional facilitator to facilitate consensus group meetings. The first two, all day, in-person meetings took place on January 27 and March 14.
 - After the Consensus Group developed 12 draft goals for the plan, we solicited feedback from a wide range of stakeholders. That outreach included:
 - **Regional Focus Groups:** Six focus group meeting were held across the state to give legal aid providers and organizational partners an opportunity to discuss the goals and rank them by priority.
 - **ATJ Forum following the Goldmark Award Luncheon:** Following the Goldmark Award Luncheon on February 26, the ATJ Board sponsored a Justice Forum. In addition to discussing topics of importance to the civil legal aid community, the facilitators led feedback sessions on the drafted goals. Participants had an opportunity to rank the goals based on priority.
 - **Provider and Partner Online Survey:** On February 25, an online survey was sent to providers and partners requesting input on the goals. We received 29 responses.
 - **Client Survey:** A survey was shared with 17 VLPs with a request to distribute the survey to clients at legal aid clinics. Survey responders were asked to rank the top three most important goals. We received 73 surveys in response, including 16 in response to a Spanish language version.
 - **Grassroots Community Partners:** Staff met with community-based organizations in King County who work closely with primarily the Latino community. They provided feedback based on their close connections to the client community and offered input on how to continue gathering client input in the upcoming phases.
 - Additional written comments were collected via email.
 - After reviewing the feedback collected, the Consensus Group developed the following goals:
 - **Low-income communities and individuals will know and understand their legal rights and responsibilities, be aware that legal services are available and will benefit from them.**
 - **Members of underserved and underrepresented communities will know where to go for legal help and have services available regardless of geography, identity, demographics or circumstances.**
 - **The Alliance will respond holistically to the needs, barriers and priorities identified by and with each client.**

- **The Alliance will pursue systemic advocacy to affect both short and long term structural reforms that improve the lives of our client communities.**
- **The Alliance partners will develop self-awareness, common language, a critical lens, effective tools and a shared vision to undo systems that allow racism and other forms of oppression to persist.**

Phase 3: Development of Key Strategies (March – June 2016)

- The Consensus Group divided into five workgroups to brainstorm and develop potential strategies for each goal.
- Stakeholder feedback on the strategies was collected through regional focus groups, surveys and a collection of written comments. That feedback included:
 - **Regional Focus Groups:** Four focus group meetings were held across the state to give legal aid providers and organizational partners an opportunity to discuss the strategies and provide comments.
 - **Provider and Partner Online Survey:** On April 15, an online survey was sent to providers and partners requesting input on the goals. We received 22 responses.
 - **Client Survey:** A survey was shared with 17 VLPs with a request to distribute the survey to clients at legal aid clinics. Providers were also asked to interview two clients by guiding them through the survey with additional questions to collect comments. We received 48 surveys total from 6 providers.
 - Additional written comments were collected via email.
- In early May, the Consensus Group met to review the feedback on the draft strategies and begin to refine them.
- In response to the discussion at the May meeting, a call was held on May 27 for Consensus Group and Steering Committee members to address some “big picture” questions related to the plan. During that call the group reaffirmed that:
 - **The primary audience for the State Plan is Alliance organizations and close partners, but the plan should be something that can be easily communicated to other audiences.**
 - **The goals are intended to be universal but the strategies are not.** There is an expectation that Alliance organizations will self-identify which strategies they should employ to contribute to achieving the State Plan goals.
 - **The State Plan assumes no new resources,** however the Consensus Group may choose to identify a small number of activities that could not be accomplished without additional funding.
- Following the Consensus Group meeting, Terra Nevitt (staff) and Joan Kleinberg (Steering Committee) revised the goals and strategies for consistency in language and identified areas for discussion by the Consensus Group.
- In early June, Consensus Group members participated in calls to further review the revised strategies, address the discussion questions, and further refine the strategies in advance of the in-person meeting on June 23, 2016.

Phase 4: Development of Implementation Steps and Measures of Success (June – August 2016)

- The Consensus Group met on June 23, 2016 and worked in small groups to further refine the goals and strategies and draft implementation steps and measures of success for each strategy. During this meeting the group also identified terms to be included in a glossary and themes for the preamble.

Phase 5: Draft, Circulate and Adopt State Plan (August 2016 - present)

- On August 15, 2016 a first draft of the State Plan, including a preamble and glossary was circulated to the Consensus Group for feedback. It was also circulated to the Steering Committee prompting significant feedback from some Steering Committee members.
- The Consensus Group participated in virtual meetings on August 26 and September 21 to work through the draft and the feedback.
- The Consensus Group also participated in a call with CLEAR Senior Attorney Joanna Otero on September 26 to have a dialogue about how to frame strategies related to existing intake mechanisms in the plan and gain a deeper understanding of how the CLEAR line functions.
- The Consensus Group met in person on November 9, 2016, to finalize a draft of the plan that could be pushed out to a wide group of stakeholders for public comment. The group spent time in small groups addressing the overall tone of the plan and refining the approach to measures of success and resource allocation.
- Additional small group work took place through January 2017 to revise the draft.
- The final draft plan will be pushed out to all of the stakeholders for final feedback from mid-February 2017 through mid-April 2017. The stakeholders will include those who have engaged in the process to date and all of those identified in the scoping memo from October 2, 2015.

Revised Timeline

- The proposed revised planning process is as follows:
 - December 2016 – April 2017: Gather feedback on draft plan
 - April – May 2017: Consensus Group reviews feedback and finalizes plan
 - May – June 2017: ATJ Board adopts plan
 - June – September 2017: ATJ Board prepares for implementation
 - October 1, 2017: Plan goes into effect



HALLMARKS

Washington State Alliance for Equal Justice (adopted March 28, 2014)

I. The Alliance for Equal Justice

We are lawyers, judges, legal workers, volunteers and community leaders committed to the fair, effective, and inclusive administration of civil justice in Washington State. In partnership with clients and communities of low-income and vulnerable people, we work to expand meaningful access to the civil justice system and to identify and eliminate barriers that deny justice and perpetuate poverty.

II. Our Vision

Poverty will not be an impediment to justice. Legal barriers that perpetuate poverty and inequality will be dismantled. Laws and legal systems will be open and equally effective for all who need their protection, especially those who experience unfair and disproportionately unjust treatment due to personal or community characteristics that place them on the margins of society.

III. Our Common Values and Commitments

Inherent Right to Justice. Justice and meaningful access to the civil justice system are inherent rights of all persons. We will work individually and collectively to ensure that the civil justice system is open, accessible, and available to protect and promote the rights of low-income, marginalized and vulnerable people to secure justice under the law.

Access to Our Services. Our statewide civil legal aid system will be equitably available to all who need our services, regardless of legal status or other defining characteristics. We will affirmatively reach out to those who experience obstacles to securing our help, and will adapt our delivery systems to meet their needs.

Full Range of Legal Services. We will use all legal tools at our disposal to secure just and lasting results for the low-income and marginalized individuals, families, and communities we serve.

Duty to Identify and Eliminate Barriers. We will use our legal skills to identify and eliminate systems—within our own community, the justice system, and greater society—that operate to deny justice to low-income members of racial, national, ethnic and social minorities and other low-income persons who experience barriers

due to explicit or implicit bias and other marginalizing dynamics. We appreciate the cultural, language and other differences among our clients, client communities and ourselves. We will take affirmative steps to develop and implement personal and organizational competencies and systems to bridge these differences without placing additional undue burdens on our clients.

Duty to Identify and Serve the Most Vulnerable. We will focus our limited resources on meeting the civil justice needs of those who are most vulnerable and/or in need.

Meaningful and Authentic Client Engagement. Meaningful and authentic engagement with the communities and clients we serve is essential to our work. We will learn and take direction from our clients. Where necessary, we will serve as their legal voice. Where possible, we will help and support them in speaking for and asserting/defending their own legal rights.

Transparency and Accountability. We will be transparent and accountable to our clients, the broader communities we serve, our Alliance for Equal Justice peers and partners and those who invest in our work.

Effective Use of Limited Resources. We will coordinate our efforts to maximize the impact of the limited resources entrusted to us, and to deliver the most effective and economical civil legal aid services, consistent with our common mission and core values.

Building Relationships and Partnerships. We will build relationships with others, including legal- and community-based organizations that work with our clients, to increase the reach and effectiveness of our work.

Continuous Leadership Development. We will continuously support members of our community in assuming leadership in their work with clients and client communities, in pursuing necessary change in the civil justice system, and in furthering the work of the Alliance for Equal Justice.

Committee Reports



Interpreter Commission - Issues Committee
Thursday, February 07, 2017 (12:00 p.m. – 1:00 p.m)
Teleconference

MEETING MINUTES

Members Present:

Judge Beall
Thea Jennings
Alma Zuniga
Linda Nobel

AOC Staff:

Robert Lichtenberg
James Wells

Members Absent:

LaTricia Kinlow

I Call to Order

- Previous meeting notes approved with modifications

II Old Business

Revisions to GR 11.2

The group from the Northwest Translators and Interpreters Society (NOTIS) working on the revisions to the General Rule (GR) 11.2 Code of Conduct for Court Interpreters has had a limited opportunity to discuss the revisions so there are no updates for this meeting. They hoped to have something by the next Committee meeting in March and the Committee will review any updates before taking them to the full Commission.

Interpreter Pay Survey

The Committee discussed the draft of a survey that would be sent to state courts about their interpreter payment policy. Members of the Committee will send specific suggestions or questions to AOC staff, who will create an online survey to send to the courts. A draft of the online survey will then be sent to Committee members for review before it is sent out to the courts.

The survey will be sent to court administrators and court interpreter coordinators. Courts will be given about 2 weeks to complete the survey with a reminder after one week to

help encourage responses. AOC staff will then create a summary of the data to present at the March committee meeting.

III New Business

Interpreter reinstatement

An interpreter recently requested reinstatement after he lost his certification in 2014 due to not meeting his bi-annual compliance requirements. The Committee was asked if he would need to completely start over in the process to become certified or whether or not taking the oral exam would be sufficient.

The Committee discussed the appeal process for interpreters have if their certification is revoked. An interpreter whose certification was revoked due to an ethics violation may permanently lose the certification and not allowed to become re-certified. For interpreters who lapse on their compliance requirements and have their certification revoked, there isn't a prohibition from becoming recertified.

Interpreters are given a window to appeal when they receive their letters about the revocation. Since the interpreter lost their certification in 2014, too much time had passed for an appeal. Unless there was an error in communication from the AOC or some other problem, the interpreter would need to restart the process of certification.

The Committee discussed reviewing the letters interpreters receive when losing their certification to make it clearer to them what they need to do to become recertified.

Tagalog Interpreter Request

The Committee discussed a letter recently sent to the Committee from three Tagalog interpreters. These interpreters recently lost their credentials. Tagalog was moved from registered language to a certified language in 2013 and the interpreter credentialed at the time were give 3 years to pass the certified oral exam to maintain their credentials. In 2015, an additional year was given to allow more time for the interpreters to get training to pass the exam before losing their certification. No training was provided given the limited resources for Tagalog interpreters.

The extension of time meant the interpreters would have until the end of 2016 to pass the certified Tagalog oral exam before losing their credentials. The end of 2016 is the middle of the bi-annual compliance reporting period for interpreters. Because of the confusion with the transition period extension, they were mistakenly sent letters and badge stickers that indicated to them that they would have their credentials until the end of 2017. This conflicted with the letters they received indicating they would be certified until the end of 2016.

The interpreters were now asking to maintain their credentials until the end of 2017. Given the confusion and lack of training resources, the Committee decided to recommend that the Commission to allow keep these interpreter to keep their credentials until the end 2017 and to be granted and that they be exempt from taking the written exam before taking the oral exam.

Next Meeting

- Teleconference on March 7, 2017, 12:00 p.m. to 1:00 p.m.

Action Item Summary	
<i>Committee Members</i> and AOC staff – Committee members will send any suggestions for the interpreter pay survey to AOC Staff. Staff will create a draft survey on SurveyMonkey for Committee review and then distribute via listserv. AOC staff will send a reminder after one week to courts after it is initially sent out. AOC staff will then complete a summary for the Committee to review for their March 7 meeting.	<i>On Going</i>
<i>AOC Staff</i> - Communicate to the interpreter who lost his certification that he would need to start the certification process over again to become recertified.	<i>Completed</i>
<i>AOC Staff</i> - Communicate the Committee’s intent to recommend to the Interpreter Commission that their request for extension be granted.	<i>Completed</i>

1. What county is your court in?

2. What is the jurisdiction of your court? *(You can choose more than one.)*

Superior

District

Municipal (please specify)

3. Does your court participate in an interpreter payment policy with other courts?

No

Yes (please specify which courts)

Staff Interpreters: Intro Questions

5. How many court certified staff interpreters do you have?

6. In how many languages do you have court certified staff interpreters? *(enter N/A if you have not certified staff interpreters)*

7. How many court registered staff interpreters do you have?

8. In how many languages do you have court registered staff interpreters? *(enter N/A if you have not certified staff interpreters)*

* 9. Does your court have full-time or part-time staff interpreters?

- Full-time
- Part-time
- Both full-time and part-time

Staff Interpreters: Part-Time

12. Are your part-time staff interpreters guaranteed certain number of hours of work?

No

Yes (please specify how many)

13. How many hours per week do your part-time staff interpreters work?

14. How are your part-time staff interpreters paid?

Hourly

Salary

15. What is the compensation for your part-time staff interpreters? (please specify per hour or per year)

Independent Contractors Y/N

22. Does your court employ independent contractors?

No

Yes

Mileage Y/N

29. Do you pay mileage?

No

Yes

Travel Time Y/N

32. Do you pay for travel time?

No

Yes

Telephonic Interpreters Y/N

34. Do you ever use interpreters by telephone?

- No
- Yes

Thanks



Interpreter Commission- Education Committee
December 21, 2017 (12:00 p.m. – 1:00 p.m.)
Teleconference

MEETING MINUTES

Members Present:

Katrin Johnson
Lynne Lumsden
Eileen Farley
Fona Sugg
Linda Noble

AOC Staff:

Robert Lichtenberg
James Wells

Interpreter Education Session Proposals

The Committee discussed a possible proposal for the 2017 Judicial Fall Conference. AOC staff provided the Committee with the proposal for the 2016 conference which involved the new Language Access Plan (LAP). The proposal was rejected since the plan would not be ready in time for the conference.

The Committee discussed the applicability of a session on LAPs for judges since most of the work implementing the plan would be done by other court staff. Judges could be an appropriate audience, but that content would need to be specialized for that audience. The session could help judges understand their role in overseeing the implementation of the LAP. In many smaller jurisdictions, judges may be more heavily involved in LAP work. The session should focus more on how the new LAP is a tool and less on policy.

Another suggestion was to refocus the session away from the LAP and have the LAP as a component of the session. The title of the session should indicate that this session will cover more advanced topics of language access and not reviewing the basics. The session could include real world situations and then show how the LAP can be a tool in dealing with those situations.

The session could look to the "In Her Shoes" presentation, which included elements that could make the session more engaging. The "In Her Shoes" presentation shows a victim of domestic violence and showed her perspective in navigating the justice system. The Interpreter Commission session could do something similar with the LEP person as the subject. The session could also illustrate mistakes that some judges routinely make and show how that affects the interpreting, the interpreter and the LEP.

The Committee discussed how to market the session in the proposal. Focusing less on the LAP since that might indicate a more administrative theme and focusing more on language access in the courts, front counter work, translated materials, and other topics.

The Committee discussed the materials, which should start with Washington-centric items and then move to materials such as the American Bar Association and Department of Justice. Having physical materials could be useful, such as an updated bench guide, checklist of relevant laws, I-Speak Cards, and language posters.

Action Items	
AOC Staff – Bob send out an updated proposal to committee members based on this meetings discussion, then members will send back to him with the updates.	<i>Completed</i>
AOC Staff – Check with Judith Anderson to see if the session will be 90 min or other time frame.	<i>Future Action</i>

59TH WASHINGTON JUDICIAL CONFERENCE

September 17 – 20, 2017

EDUCATION SESSION PROPOSAL FORM

PROPOSAL DEADLINE: January 13, 2017 to
Judith.anderson@courts.wa.gov

Proposed by: AOC Court Interpreter Program/Supreme Court Interpreter Commission Education Committee		
Type: <input type="checkbox"/> Plenary <input checked="" type="checkbox"/> Choice	Time: <input type="checkbox"/> 60 Minutes <input checked="" type="checkbox"/> 90 Minutes <input type="checkbox"/> 120 Minutes <input type="checkbox"/> 180 Minutes <input type="checkbox"/> Other: 75 minutes	Limit Class Size? <input type="checkbox"/> Yes How Many? <input checked="" type="checkbox"/> No
Target Audience		
Court Level: <input checked="" type="checkbox"/> All Levels <input type="checkbox"/> Appellate <input type="checkbox"/> Superior <input type="checkbox"/> District <input type="checkbox"/> Municipal	Job Type: <input checked="" type="checkbox"/> Full-Time <input checked="" type="checkbox"/> Part-Time <input type="checkbox"/> Other:	Career Level: <input checked="" type="checkbox"/> All Judges <input type="checkbox"/> Senior Judges <input type="checkbox"/> Mid-Career Judges <input type="checkbox"/> New Judges <input type="checkbox"/> Retired
Session Information		
Session Topic/Title: <i>"Interpreters 2.0: Language Access in Washington Courts"</i>		

59TH WASHINGTON JUDICIAL CONFERENCE

September 17 – 20, 2017

EDUCATION SESSION PROPOSAL FORM

**PROPOSAL DEADLINE: January 13, 2017 to
Judith.anderson@courts.wa.gov**

Session Description (articulating key issues to be presented):

Cases requiring court interpreting are often the most challenging to judges. Similarly, for many non-English speakers and persons who are deaf and hard of hearing, courts are perceived as complicated and inaccessible. This educational session will help bridge the gap by giving judges the information, resources and tools to effectively manage interpreted proceedings, and reduce language barriers in their courthouses. All new judges receive introductory training on interpreter issues at the Judicial College. This session, however, will build on that foundation to focus on the daily challenges facing the bench, court staff, and non-English speaking and deaf or hard of hearing court users, and identify strategies for reducing the obstacles and enhancing communication between all parties.

The session will begin with interactive activities designed to convey the unique perspective of non-English speakers and deaf persons coming into a courthouse for services. Attendees will experience a foreign language court proceeding through an English interpreter, and participate in other court services where language is a barrier. They will also experience the difficulties faced by persons who are deaf and/or hard of hearing.

The session will continue with the discussion of advanced issues such as managing cases with pro se non-English speakers, inexperienced interpreters for rare languages, multiple parties or co-defendants requiring interpreters, translation of court forms and signage, proper use of bilingual court staff, and jury trial issues.

The session will conclude with guidance to judges on updating their own court's language assistance plans, which are local policies required of all courts by RCW 2.43.090, and by the U.S. Department of Justice for courts that receive federal funding.

Session Objectives (Participants will be able to . . .):

- Describe the confusion and frustration of participating in court proceedings conducted in another language.
- Identify and remedy language obstacles in their court proceedings and other court business.
- Apply strategies to effectively manage court proceedings with pro-se non-English speaking litigants, inexperienced interpreters, multiple non-English speaking parties, and other challenging situations.
- Update and improve their courts' Language Assistance Plans.

Materials

Are there materials for the session? (i.e., case law, rules, seminal law review articles, etc.) If so, please briefly describe:

1. Washington statutes, court rules and case-law summaries
2. Example translations: legal forms, informational brochures, and signage
3. Model Language Assistance Plan template and supporting resources

Faculty & Planning

Recommended person(s) to be involved in planning:

- Robert Lichtenberg, AOC Court Interpreter Program
- Justice Steven Gonzalez, WA Supreme Court
- Cynthia Delostrinos, AOC Supreme Court Commissions Manager
- Katrin Johnson, Chair of Interpreter Commission Education Committee

Has any preparatory work been completed?

Yes. Similar experiential presentations have occurred in other venues. Lessons-learned from those sessions will be applied to make this a unique "walk-in-their-shoes" experience for attendees. The Model Language Assistance Plan template is near completion.

Recommended or Potential Faculty:

- Justice Steven Gonzalez, Washington State Supreme Court
- Judge Veronica Alicea-Galvan, Superior Court, King County
- Fona Sugg, Superior Court Administrator, Chelan County
- Interpreter Commission Members – Judges, Court Administrators, Interpreters, and Stakeholders

Funding

59TH WASHINGTON JUDICIAL CONFERENCE

September 17 – 20, 2017

EDUCATION SESSION PROPOSAL FORM

PROPOSAL DEADLINE: January 13, 2017 to
Judith.anderson@courts.wa.gov

Please estimate any expenses associated with this session:

- Honorarium: \$0
- Travel: \$0
- Lodging: \$0
- Audio Visual: \$0
- Other: \$0

What expenses are you sponsoring?

All presenter expenses from the Interpreter Commission budget.

Lichtenberg, Robert

From: Anderson, Judith
Sent: Monday, January 30, 2017 8:57 AM
To: Katrin Johnson; Gonzalez, Steve
Cc: Delostrinos, Cynthia; Cole, Carolyn; Lichtenberg, Robert; Abbasi, Justin; 'Lindak@co.island.wa.us'
Subject: 59th Annual Conference

Sent on Behalf of Justice Susan Owens, Chair of the Annual Conference Committee

Justice González and Ms. Johnson -

Thank you for submitting the education program proposal, **Interpreters 2.0: Language Access in Washington Courts** for the 59th Annual Judicial Conference.

The Annual Conference Committee reviewed the proposal and would like to pursue the development of this program for the 59th Annual Conference. It has tentatively been scheduled as one of two opening plenary session on Sunday, September 17, 2017. This session is scheduled from 4:00 p.m. – 5:30 p.m. (90 min) following the Opening Ceremonies and an Active Listening plenary.

Annual Conference committee member Commissioner Linda Kipling, Island County District Court, has been assigned to this program and will work with you and your planners to finalize the title, content and costs. Commissioner Kipling will also be the onsite host and introduce the faculty.

Again, thank you for the time you spent developing and sending us your proposal. If you need further information, please contact
Judith Anderson at 360-705-5231 or Judith.Anderson@courts.wa.gov.

Judith M. Anderson | Court Education Coordinator | Judicial Education
Court Services Division | Administrative Office of the Courts
1206 Quince St. SE | Olympia, WA 98504-1170
☎ (360) 705-5231 | judith.anderson@courts.wa.gov |

Court Interpreter Program Reports

Superior Court of the State of Washington
For Chelan County



Lesley A. Allan, Judge
Department 1
T.W. Small, Judge
Department 2

Alicia H. Nakata, Judge
Department 3
Bart Vandegrift
Court Commissioner

401 Washington Street
P.O. Box 880
Wenatchee, Washington 98807-0880
Phone: (509) 667-6210 Fax (509) 667-6588

January 5, 2017

ATJ Justice Without Barriers Committee
c/o Bonnie Middleton Sterken
Justice Programs Coordinator
Washington State Bar Association
1325 Fourth Avenue, Suite 600
Seattle, WA 98101-2539

Re: Language Access and Pattern Forms

Dear Committee Members:

I have been asked to put together a brief letter outlining points I would like to discuss with you during your January 10, 2017, conference call. Very simply, I would like to explore the possibility of indicating the need for language access services on the face page of pattern forms that set any type of court hearing. Although I believe the Pattern Forms Committee may be ultimately responsible for those forms available on AOC's webpage, I was advised your committee took the lead in the creation of the Plain Language Forms and that this is a good place to start the conversation.

As a superior court administrator, one of the major barriers to providing language access services for court hearings is the lack of knowledge that interpreter services are even needed. In my court we have solved this issue to some degree with a couple of local forms and a rule requiring the party noting the hearing/trial to advise the court if he/she requires an interpreter, and also if he/she knows, or has reason to believe, any other party requires an interpreter. (See Chelan County LR 7(b)(1)(C)(iii), Ex. B - LR 7 (scroll down to Exhibits and Forms), and LMAR 2.1(a)1 (scroll down to Exhibits and Forms).)

Unfortunately, many of the forms used to set court hearings for civil "restraining order" and family law actions—and almost exclusively when a party is self-represented—are pattern forms

January 5, 2017

• *Page 2*

found at courts.wa.gov and other sites, and those do not have anywhere to indicate the need for interpreter services.¹

I appreciate your willingness to discuss this issue and look forward to investigating potential solutions aimed at increasing timely access to spoken language and sign language interpreter services in our courts.

Sincerely,

/s/

Fona Sugg
Chelan County Superior Court Administrator

¹ Although the LEIS does have a box to indicate the need for an interpreter for both the protected and restrained party, that document is provided to law enforcement and generally does not, in my experience, prompt the clerk to make a notation in the language field in SCOMIS. Additionally, this form is only used when certain restraining orders are issued.

BOARD FOR JUDICIAL ADMINISTRATION

Policy and Planning Committee

Proposal Strategic Goal: Effective Integration of Language Access Principles

Please provide the information below. Members may submit more than one proposal. Each proposal should be on a separate form. Send completed proposals to committee staff at Steve.Henley@courts.wa.gov by end of day on February 3, 2017.

TITLE:

Effective Integration of Language Access Principles

PROPONENTS:

Justice Steven González, Chair of the Supreme Court Interpreter Commission, Judge Theresa Doyle, King County Superior Court, and Judge Andrea Beall, City of Puyallup Municipal Court (Members of the Supreme Court Interpreter Commission)

ISSUE:

The fair and effective administration of justice in all criminal and civil cases depends on equal access to court proceedings and court services by people who are limited English-proficient (LEP) or who use sign language to communicate. The Administrative Office of the Courts (AOC), the Washington Supreme Court Interpreter Commission, Seattle University School of Law and the US Department of Justice (DOJ) Civil Rights Division have collaborated on the 2017 Model Language Assistance "Deskbook" which provides policy guidance and a court-specific planning template. The purpose of the Deskbook is to assist state trial courts in addressing the language assistance plan requirements of RCW 2.43.090(1) as well as to comply with Title VI of the Civil Rights Act and Americans with Disabilities Act. The Deskbook serves to reinforce the 2012 BJA Resolution on language access in the courts as well as the state's legislative intent statement in RCW 2.43.010 regarding protecting the fundamental right to due process and ensuring fairness in judicial proceedings.

The Deskbook policy guidance section addresses the minimum access requirements under the law as well as best practices for providing language access in the courts. The Deskbook template section provides local courts with an assessment, planning, and implementation framework for their language access policies and practices at all points of encounter between each local court and the public. Language access services must

be made available for all in-court proceedings and whenever there is a need by a LEP or deaf/deaf-blind person to communicate with court staff or court-managed service providers, whether in-person, over the telephone, or via electronic media.

The Interpreter Commission and the AOC have received information from local court administrators and judges that the majority of Washington trial courts do not have the present ability to individually fund and implement key language-related facets of the model plan in order to be compliant with current federal and state policy. The majority of courts have sufficient funding to retain interpreters for court hearings, but there is a reluctance in many courts to fund interpreter services in non-criminal settings. In addition, smaller court jurisdictions cannot afford the higher cost of AOC-credentialed interpreters and end up hiring interpreters that are qualified on the record by virtue of having a DSHS medical or social services "certification". The needed funding/implementation gap extends further to the provision of translated local court forms, information about local court procedures for LEP pro se parties, local website information, and county/court front-desk services by LEP persons in languages of major prevalence in that local court community. A critical pathway to closing these gaps must involve incorporating a strategic approach to securing the necessary funding to effectuate the implementation guidance that the Deskbook was designed to provide for.

GOAL. Please provide a draft statement of a goal responsive to the issue:

Provide support to courts in uniformly and effectively funding and integrating language assistance solutions so that individual trial courts and appellate courts will be able to provide language-appropriate services, forms, and public information to those who are limited-English proficient. This will involve exploring all currently available means to effectuate that goal and the support to be provided should also address planning for the use of future technologies for the delivery of court services, such as public service kiosks, artificial intelligence-based translation software, and remote video technologies.

STAKEHOLDERS. Please list stakeholder organizations with a likely interest in the issue.

- Washington State Supreme Court and state Appellate Courts
- Administrative Office of the Courts
- Superior Court Judges' Association
- District and Municipal Court Judges' Association
- Washington State Association of County Clerks
- District and Municipal Court Management Association
- Association of Washington Superior Court Administrators
- Washington Association of Juvenile Court Administrators

- Court Management Council
- Institute for New Court Employees Committee
- Gender and Justice Commission
- Minority and Justice Commission
- Interpreter Commission
- Commission on Children and Foster Care
- Counties and Cities

INTERNAL OR EXTERNAL. *Is the goal intended to be internally or externally focused?*

Internal and External

Strategic Goal of the BJA

TITLE. *Language Access Services*

PROPONENT. Judge Michael Downes, President Superior Court Judges Association, Judge G. Scott Marinella, President District and Municipal Court Judges Association, Judge Ann Schindler, Court of Appeals, Chair BJA Budget and Funding Committee.

ISSUE STATEMENT. In July 2012, the BJA adopted a resolution recognizing equal access to court is fundamental to justice for individuals who are limited-English proficient. See July 20, 2012 Resolution In Support of Language Access Services in Court. The judicial branch has taken the position that the legislature should reimburse the courts for 50% for the cost of interpreters. In 2007, the legislature appropriated \$1.9 million biannually in pass-through money to the courts to be used in creating language access plans and reimbursing courts with approved plans. Since 2007, the amount allocated has decreased to 36% in language access funding for the 52 superior, district and municipal courts with language access plans resulting in funding that covers only 7 months of the fiscal year. Although trial court funding for language access has been the top priority for the BJA and the judicial branch in the last three budget cycles, we have not obtained state funding of 50% of the cost of interpreters.

GOAL STATEMENT. Work with the Interpreter Commission and other stakeholders to promote strategies that address access to the courts and develop a successful funding strategy for interpreter services that includes empirical based analysis and priorities.

STAKEHOLDERS.

Superior Court Judges Association
District and Municipal Court Association
Supreme Court and Court of Appeal
Washington Supreme Court Interpreter Commission
Access to Justice Board
Office of Public Defense
Office of Civil Legal Needs
Administrative Office of the Courts
Washington Supreme Court Minority and Justice Commission
Washington Supreme Court Gender and Justice Commission
Counties and Cities

Lichtenberg, Robert

From: Association of Washington Superior Court Administrators
<AWSCA@LISTSERV.COURTS.WA.GOV> on behalf of Lisa Tremblay
<lisat@CO.SKAGIT.WA.US>
Sent: Friday, January 13, 2017 12:47 PM
To: AWSCA@LISTSERV.COURTS.WA.GOV
Subject: Re: [AWSCA] BJA - Strategic Goal Request

Marilyn,

I would propose the following goals for consideration:

- 1) IMPROVE UPON THE AVAILABILITY AND ACCESSIBILITY OF COURT CERTIFIED INTERPRETERS:
 - a. This goal is in support of advancing the BJA Principal Policy Goals of: Fair and Effective Administration of Justice in all Civil and Criminal Cases and Accessibility
 - i. This two-tiered goal is a reflection of the need to increase our Court Certified Interpreter pools and the need for increased fiscal support for local jurisdictions to provide Court Certified Interpreters.
 1. Increasing Court Certified Interpreter pools: Recruitment, Training and Expansion of current available Court Certified Interpreters.
 2. Increase and expand State funding for Court Certified Interpreter Services in Local Jurisdictions.

- 2) DEVELOPE STRATEGIES TO IMPROVE RESPONSIVITY AND INCREASE JURY DIVERSITY
 - a. This goal is in support of advancing the BJA Principal Policy Goals of: Fair and Effective Administration of Justice in All Civil and Criminal Cases and Appropriate Staffing and Support
 - i. This goal is a reflection of the need to increase awareness, education and outreach within local communities in an effort to increase responsivity and diversity for jury service.

Thank you for your work with the BJA and allowing for input. I hope this is along the lines of what you are looking for and that it is helpful.

Best,

Lisa Tremblay, Administrator
Skagit County Superior and Juvenile Courts
Juvenile Court: (360) 416-1225
Superior Court: (360) 416-1206

From: Association of Washington Superior Court Administrators [mailto:AWSCA@LISTSERV.COURTS.WA.GOV] **On Behalf Of** Finsen, Marilyn
Sent: Tuesday, January 10, 2017 8:36 AM
To: AWSCA@LISTSERV.COURTS.WA.GOV
Subject: [AWSCA] BJA - Strategic Goal Request

Dear Association Members,

Judge Janet E. Garrow the Chair of the Policy and Planning Committee for the Board of Judicial Administration is asking our association to identify strategic goals for the next two years. The BJA has a keen interest in addressing the needs and concerns of our stakeholders. BJA ask that the goals fit well with the role of the BJA in that; it aligns with the mission and vision of BJA; aligns with the Principal Policy Objectives of the Judicial Brand; and is responsive to the needs of judicial branch stakeholders. Goals concerning any issues affecting our judicial system that the BJA could have an impact are due by Friday, February 3rd. Please find attached informational documents regarding this request. If you can provide me with any ideas by Wednesday, January 25th, I will work on compiling the goals and solicit membership comments.

Kind Regards,

Marilyn J. Finsen

Superior Court Administrator
Snohomish County Superior Court
3000 Rockefeller Ave. MS 502
Everett, WA 98201
e-mail: Marilyn.finsen@snoco.org
Phone: 425-388-3798
FAX: 425-388-3498

This e-mail has been sent to everyone in the AWSCA@LISTSERV.COURTS.WA.GOV mailing list. To reply to the sender, click Reply. To reply to the sender and the mailing list, click Reply All.

You can remove yourself from this mailing list at any time by sending a "SIGNOFF AWSCA" command to LISTSERV@LISTSERV.COURTS.WA.GOV.

This e-mail has been sent to everyone in the AWSCA@LISTSERV.COURTS.WA.GOV mailing list. To reply to the sender, click Reply. To reply to the sender and the mailing list, click Reply All.

You can remove yourself from this mailing list at any time by sending a "SIGNOFF AWSCA" command to LISTSERV@LISTSERV.COURTS.WA.GOV.

Lichtenberg, Robert

From: Washington State Access to Justice <info@wa-atj.org>
Sent: Friday, February 03, 2017 4:00 PM
To: Lichtenberg, Robert
Subject: Workshop Proposal

Thank you for your proposal application.

You will be notified by February 28th as to whether your proposal was selected or not. If your proposal is selected, you will receive more detailed information about the conference planning process, procedures, policies and deadlines.

First Name

Robert

Last Name

Lichtenberg

Affiliation

Administrative Office of the Courts, Court Interpreter Program

Email

robert.lichtenberg@courts.wa.gov

Phone

(360) 350-5373

Who is your targeted audience(s)? Check all that apply.

- Civil legal aid advocates
- Public defenders and criminal justice professionals
- Civil/human rights advocates
- Pro bono attorneys
- Low bono advocates
- Community partners
- Pro bono coordinators
- Court administrators

My preference for presenting this session is at

Legal Advocates Training Only (May 31-June 1)

Workshop Title

Providing Effective Language Access Services to Clients

Brief description of workshop

This workshop will address the communication needs of people who are marginalized due to national origin language differences or disability. When individuals who are limited English-proficient or deaf or hard of hearing become in need of legal services from public defender agencies, civil legal aid providers, and pro bono firms, those legal services providers do not know how and when to imbed highly skilled interpreters or translators in their service delivery to those individuals.

Even when language assistance services are available, many do not how to effectively manage the communication process between client and interpreter, what the ethical considerations are, and how to implement and provide interpreting services upon request. This creates a system-wide barrier that affects core legal rights and negatively impacts the public perception of justice. This workshop will address those issues by providing best practices and effective solutions".

What is the proposed length of your workshop?

1.25 Hours

Describe the workshop format and any unique needs

Power Point, handouts, lecture, and possible short panel

Potential speaker(s)

Katrin Johnson, J.D. , Office of Public Defense
Dr. Theresa Smith

Priority Topics

Race Equity

- Integrating race equity and cross-difference competence into client and organizational work (LAT)

Community Lawyering

- Strategies for community lawyering, creative community-based engagement and partnerships to address increasing legal needs, and working with accountability to community partners (BOTH)

Poverty

- Causes of poverty, the compounding effects of other systemic barriers on marginalized populations, and unique challenges faced when working with clients experiencing poverty (BOTH)

Clients and Service Delivery

- Strategies for rapid response in the face of daunting challenges faced by marginalized communities (BOTH)
- Solutions for service delivery challenges for new client populations and for the increasing number of people in poverty (ATJ)
- Strategies for working with clients who have experienced crime, trauma, and violence, including secondary trauma and self-care (LAT)
- Core client and advocacy skills, such as pre-trial and trial advocacy skills, motion practice, client communication, and professional responsibility/ethics (LAT)
- Systemic advocacy and impact work, particularly in high-need and emerging advocacy areas (LAT)

Capacity Building & Leadership Development

- Capacity building through, e.g., volunteer management, strategic communication, and fundraising (BOTH)

Substantive Law

- Issues that intersect the civil, criminal, and/or juvenile justice systems and impact low-income and marginalized communities (e.g., Legal Financial Obligations, school to prison pipeline) (BOTH)

What will attendees take away from participating in this workshop?

Civil legal aid, public defenders, and pro bono firms will be able to utilize language assistance services effectively and enhance positive legal outcomes for people with communication barriers.