

**Interpreter Commission
Meeting Agenda**



Interpreter Commission

Friday, May 12, 2017

Radisson Hotel, 18188 International Blvd. SW, SeaTac, WA

San Juan Room

8:45 am-11:45 am

AGENDA

• Call to Order	Justice Steven González	
• Approval of March 3, 2017 Minutes	Justice Steven González	
<ul style="list-style-type: none"> • Chair's Report <ul style="list-style-type: none"> • Appreciation Award • 2017-19 Legislation and Budget Proposals Update • Approval of 2016 Annual Report draft • <u>Commission Member Vacancy</u> • BJA Resolution Renewal • Board Strategic Planning Retreat Debriefing and Exercise 	<p>Justice Steven González</p> <p>AOC Staff AOC Staff AOC Staff</p>	
<ul style="list-style-type: none"> • Committee Reports <ul style="list-style-type: none"> • Issues Committee Report <ul style="list-style-type: none"> • GR. 11.2 Review Update • Interpreter Compensation • Education Committee Report 	<p>Judge Andrea Beall</p> <p>Katrin Johnson</p>	
<ul style="list-style-type: none"> • Court Interpreter Program Issues <ul style="list-style-type: none"> • Program Reports: <ul style="list-style-type: none"> • LAP Workgroup Update • Translation Protocol • Written Exam Results • ATJ Board State Plan Letter 	<p>AOC Staff AOC Staff AOC Staff (In packet)</p>	
• Business for the Good of the Order		
• Adjourn	Justice Steven González	
<p>Next Meeting: Friday, September 29, 2017, 8:45 am. – 11:45 noon. AOC SeaTac Office Building, Large Conference Room</p>		

Meeting Minutes



Interpreter Commission Meeting
Friday, March 3, 2017
Tukwila Community Center
6200 Southcenter Boulevard, Tukwila, WA

MEETING MINUTES

Members Present:

Justice Steven González
Judge Andrea Beall
Judge Laura Bradley
Judge Theresa Doyle
Francis Adewale
Thea Jennings
Katrin Johnson
LaTricia Kinlow
Lynne Lumsden (by phone)
Dirk Marler
Linda Noble
Fona Sugg
Alma Zuniga

AOC Staff:

Robert Lichtenberg
James Wells

Members Absent:

Eileen Farley
Maria Lucia Gracia Camon

Guests:

Ada Shen-Jaffe

CALL TO ORDER AND INTRODUCTIONS

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

APPROVAL OF DECEMBER 2, 2016 MEETING MINUTES

Minutes were approved.

CHAIR'S REPORT

Joint ATJ Board/Commissions Workgroup

The Commission discussed the new workgroup made up of members of the Supreme

Court Commissions and the Access to Justice (ATJ) Board. Judge Bradley and Mr. Adewale are currently members of the ATJ board. Judge Doyle and Ms. Johnson volunteered to be part of the workgroup. The workgroup will have a monthly phone call to discuss activities and future work until October 2017.

ATJ Board State Plan Draft Review and Response

Later this year, the ATJ Board will be issuing its State Plan for the Coordinated Delivery of Civil Legal Aid to Low Income People. They would like comments on their draft plan by April 17. Ms. Zuniga and Ms. Jennings volunteered to review the plan and provide input regarding language access issues. They can provide AOC staff with their comments, who will then forward them to the full Commission for review.

Legislation Update

The Commission discussed the status of interpreter related legislation during the current legislative session. HB 1186 concerns changing state law regarding the payment of interpreter in civil cases as well as requesting additional funding for the reimbursement program. This bill has passed out of the House of Representatives and is moving into the Senate for review. The bill is expected to face more opposition in the Senate and it would be important to find supportive senators. The first committee to review the bill will be the Law and Justice Committee.

The Commission discussed potential arguments and discussion points.

- **Previous Department of Justice (DOJ) action:** The DOJ has previously contacted King County and Labor and Industries about their interpreter policies and required them to make changes. However, there is currently uncertainty in the DOJ about how much they will work with states in the near future and enforce Title VI compliance.
- **Nature of Civil Cases:**
 - Some legislators may not understand the importance and critical nature civil cases. Civil suits are sometimes seen more as a "luxury" and as a privilege, and not as a right.
 - Some legislators may not consider cases such as protection orders, which involve the safety of an individual.
 - In civil cases, one party is often not involved in a proceeding by choice. If an Limited English Proficient (LEP) party is being sued, they are not initiating the proceeding and must respond.
- **Anecdotes:** Providing real life examples to illustrate the nature of these cases and how LEP parties are affected could help persuade some senators.

- **Data:** Statistics on low income could be helpful, although it wouldn't capture the people who do not even go to court to get an indigency waiver because they don't know about the process.
- **Outside Support:** Counties and cities could provide support. If the state were to provide more funding for interpreters, which the states and counties will be paying anyway, they would have more funding for more local issues.
- **Current Practice:** LEP parties are frequently indigent and many courts already ignore the process of declaring indigency and assume LEP parties will qualify

The Commission discussed how the statute is not just about paying for interpreters but also about getting interpreters. LEP parties may not know how to find an interpreter or how to apply for being indigent without being able to the court through an interpreter.

The Commission also discussed another bill going to the legislature that would remove the requirement for court interpreter to renew their oath every two years. It is unlikely to face resistance and no money was tied to the bill.

Retreat preview

The Commission discussed the retreat that would begin shortly after the meeting. The retreat facilitator, Ms. Shen-Jaffe, came early to observe the meeting and the group. She spoke about some of her experience and felt the most important thing to leave the retreat with was a sense of alignment.

Next Meeting Location and Public Forum

The Commission discussed their next meeting and planned public forum. They Commission hoped to meet with community members and LEP parties at the planned public forum in Glallam county. However, they were concerned that a chilling effect caused by the recent immigration policy changes would keep many community members from attending. Immigration policies are also in flux and would not be settled in the near future. The Commission decided to postpone the forum until the fall or another time when there would be more certainty for LEP individuals.

Judicial College Update

The recent interpreter session at the Judicial College received an average score of 4.85 from the reviews made by the attendees. Judge Estudillo was an observer at this year's session and next year he will be taking over for Judge Galvan who has lead the session for the past few years.

Language Access Plan Deskbook Update

AOC staff previously shared the comments from the previous Commission meeting regarding the Language Access Plan (LAP) with the subject matter expert workgroup that is helping update the policy section of the LAP. They hoped to have that section of the plan updated by the end of March.

The Commission discussed how to persuade courts to create or update their LAPs. Without funding, it could be difficult to convince courts to improve their language access services. Additional funding for an expanded reimbursement program, if it is approved by the Legislature, would be helpful.

The LAP for the appellate courts was currently halted. There has been some resistance in the court system to the establishing a plan since some people felt interpreters would not need to be present in the court room given that attorneys are the main parties in appellate court. For the moment, efforts would focus on the LAP for the trial courts.

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) have already begun reviewing the code of conduct and the Issues Committee was deferring to them for the review. There were no new updates to review at this time.

Interpreter Pay Scale Survey

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. The Commission reviewed the draft survey in the packet. Commission members would follow up with AOC staff if they had any additional feedback.

Tagalog Interpreters

The Commission discussed the status of registered Tagalog interpreters in Washington.

Three Tagalog interpreters sent a letter to the Commission. The interpreters were now asking to maintain their credentials until the end of 2017. These interpreters were informed recently that they would be losing their credentials. Tagalog was moved from registered language to a certified language in 2013 and the interpreter credentialed at the time were given 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.

Additionally, the National Center for State Courts (NCSC), recently began updating the Tagalog exam to become a Pilipino (Tagalog) exam. This update was prompted by California and their interpreters who expressed concern regarding the limitations of the Tagalog exam and evolution of the language community. The NCSE hoped to have the exam ready by the summer.

Given the confusion and lack of training resources, the Issues Committee recommended that the Commission to allow keep these interpreter to keep their credentials until the end 2017. Since it wasn't known exactly when the new Pilipino (Tagalog) exam would be ready, the Commission also allowed for the possibility of a further extension in case the exam results would not be ready by December 31. The Commission unanimously passed the following motion:

Motion: Current registered Tagalog interpreters would be allowed to keep their credentials until December 31 or until the results from the next Oral Exam are available.

Education Committee

Ms. Johnson reported that the Education Committee's proposal for a session at this years for the Judicial Conference was approved. It was selected for one of the opening plenary sessions of the conference. The proposal included an experiential component that would illustrate the kind of situations an LEP party faces moving through the court system. The location of the conference in Vancouver, WA, could provide the opportunity to use participants from the nearby deaf school.

There would also be an interpreter related session at the Superior Court Judges and Superior Court Administrators conference in April about providing interpreters and paying for them. The Education Committee was not involved in planning this session.

The Committee had another proposal under consideration for the June ATJ Conference. This would be a practical session for new attorneys in civil legal aid and public defense. That application is still pending.

The Commission discussed other potential training opportunities

- A brown bag including attorneys and judges is currently being planned in Chelan County. This model could be used in other locations.
- A training for public defenders. These attorneys are often organized locally and may be difficult to identify.
- A conference for court staff responsible for interpreter scheduling. Ms. Johnson and Martha Cohen from King County had put together a possible agenda.
- Training for Civil Legal Aid attorneys in rural counties. Providing the training regional would be important to reach the right people.
- Legal advocates training.

Ms. Johnson will be attending a strategic planning meeting in SeaTac on March 24 involving the Court Education Committee for the Board for judicial Administration. Commission members were invite to share any input or suggestions for her to bring up at this meeting.

Discipline Committee

Mr. Lichtenberg updated the Commission about and ongoing correction plan involving an interpreter. An observer, who is an experience court interpreter, was arranged for the interpreter and the disciplinary action was ongoing.

COURT INTERPRETER PROGRAM REPORTS

Pattern Forms Letters

Ms. Sugg updated the Commission on the work with ATJ Board's Justice Without Barriers Committee.

Application Upgrades

Mr. Lichtenberg updated the Commission on the status of upgrades to the Interpreter Profile System (IPS) and the reimbursement application. The IPS would be updated to reflect the Commission's changes to the education credit categories in 2016. The reimbursement application would be improved to avoid browser compatibility issues. A contractor has been found to perform the upgrades and the cost was estimated to be \$15,000 which will come from the Interpreter Program budget.

The AOC is exploring how a reimbursement application that included a scheduling tool could be created. The Commission discussed ways this could be created and how much internal staff would be used and how external vendors would be used.

Member Vacancy

The Commission discussed the remaining vacancies on the Commission. There is currently an interpreter organization member vacancy and the Commission considered creating a seat for county clerks or other court group that could inform the Commission's discussion on language access outside the courtroom. The Commission felt that whoever was found for the vacancy should have influence in the group they are representing.

Motion Summary

Current registered Tagalog interpreters would be allowed to keep their credentials until December 31 or until the results from the next Oral Exam are available.

Action Item Summary

Ms. Zuniga and Ms. Jennings – Review the ATJ state plan and provide input regarding language access. Send comments to AOC staff for distribution to the full Commission.

Judge Bradly - talk to NWJP or other organizations about anecdotes that could be used to support interpreter related legislation.

AOC Staff – Look into how to contact county or city organizations to help get their support for interpreter related legislation.

AOC Staff – Follow up with Discipline Committee with specific of the correction and observation plan discussed during the meeting.

AOC staff – Make list of legislators on the Law and Justice Committee and others in the Senate who Commission members could contact.

AOC staff – can work with its legislative liaison to identify the most compelling arguments.

Chair's Report

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1285

Chapter 83, Laws of 2017

65th Legislature
2017 Regular Session

INTERPRETERS--LEGAL PROCEEDINGS--OATH

EFFECTIVE DATE: 7/23/2017

Passed by the House February 9, 2017
Yeas 98 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 6, 2017
Yeas 49 Nays 0

CYRUS HABIB

President of the Senate

Approved April 20, 2017 10:46 AM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is HOUSE BILL 1285 as passed by House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

April 20, 2017

Secretary of State
State of Washington

HOUSE BILL 1285

Passed Legislature - 2017 Regular Session

State of Washington

65th Legislature

2017 Regular Session

By Representatives Graves, Jenkins, Goodman, Rodne, Shea, Muri, Haler, Kilduff, Klippert, Orwall, and Kirby; by request of Board For Judicial Administration

Read first time 01/16/17. Referred to Committee on Judiciary.

1 AN ACT Relating to oath requirements for interpreters in legal
2 proceedings; and amending RCW 2.42.050 and 2.43.050.

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

4 **Sec. 1.** RCW 2.42.050 and 1989 c 358 s 14 are each amended to
5 read as follows:

6 Every qualified interpreter appointed under this chapter in a
7 judicial or administrative proceeding shall, ~~((before beginning to~~
8 ~~interpret))~~ upon receiving the interpreter's initial qualification
9 from the office of the deaf and hard of hearing, take an oath that a
10 true interpretation will be made to the person being examined of all
11 the proceedings in a manner which the person understands, and that
12 the interpreter will repeat the statements of the person being
13 examined to the court or other agency conducting the proceedings, to
14 the best of the interpreter's skill and judgment.

15 **Sec. 2.** RCW 2.43.050 and 2010 c 190 s 1 are each amended to read
16 as follows:

17 (1) Upon certification or registration ~~((and every two years~~
18 ~~thereafter))~~ with the administrative office of the courts, certified
19 or registered interpreters shall take an oath, affirming that the
20 interpreter will make a true interpretation to the person being

1 examined of all the proceedings in a language which the person
2 understands, and that the interpreter will repeat the statements of
3 the person being examined to the court or agency conducting the
4 proceedings, in the English language, to the best of the
5 interpreter's skill and judgment. The administrative office of the
6 courts shall maintain a record of the oath in the same manner that
7 the list of certified and registered interpreters is maintained.

8 (2) Before any person serving as an interpreter for the court or
9 agency begins to interpret, the appointing authority shall require
10 the interpreter to state the ((person)) interpreter's name on the
11 record and whether the ((person)) interpreter is a certified or
12 registered interpreter. If the interpreter is not a certified or
13 registered interpreter, the interpreter must submit the interpreter's
14 qualifications on the record.

15 (3) Before beginning to interpret, every interpreter appointed
16 under this chapter shall take an oath unless the interpreter is a
17 certified or registered interpreter who has taken the oath (~~within~~
18 ~~the last two years~~) as required in subsection (1) of this section.
19 The oath must affirm that the interpreter will make a true
20 interpretation to the person being examined of all the proceedings in
21 a language which the person understands, and that the interpreter
22 will repeat the statements of the person being examined to the court
23 or agency conducting the proceedings, in the English language, to the
24 best of the interpreter's skill and judgment.

Passed by the House February 9, 2017.

Passed by the Senate April 6, 2017.

Approved by the Governor April 20, 2017.

Filed in Office of Secretary of State April 20, 2017.

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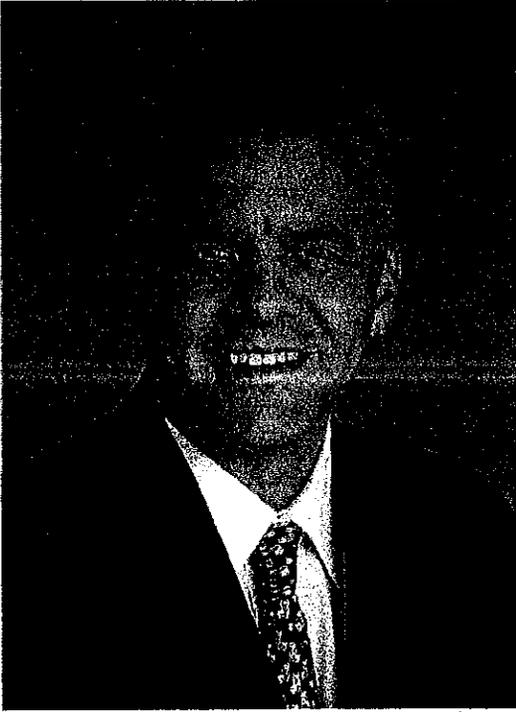


Washington State Supreme Court Interpreter Commission

2016 Annual Report

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Chair Justice Gonzalez

Statement from the Chair

History and Mission

The Washington State Supreme Court Interpreter Commission was originally created in 1995 to establish guidelines for the use of spoken language interpreters in court proceedings and services.

The Mission of the Commission is ensure equal access to justice and to support the courts in providing access to court services and programs for all individuals regardless of their ability to communicate in the spoken English language. The Commission serves as a policy making and advisory body to the Washington Courts, including the Administrative Office of the Courts (AOC) concerning court interpreters and language assistance in general. The Commission sets policy for the courts' use of language assistance services such as interpreters and document translation efforts. It also sets policy for the AOC's Court Interpreter Program, which is responsible for interpreter certification, registration, testing, continuing education, training, and discipline.

The Commission is also responsible for strategic planning efforts to provide language access resources to the courts by assisting with program implementation and engaging policy makers on matters involving legislative funding and support. The Commission provides guidance on program development involving educational institutions and collaborative efforts with other language access stakeholder groups to provide resources supporting court interpreting in Washington.

The Washington State Supreme Court appoints the members of the Commission, including designating the chair of the Commission. There are currently 14 members on the Commission. To ensure that a wide range of viewpoints are available to the Commission, members come from a variety of representational groups that have key roles and stakes in the delivery of language access services: three judicial officers, two interpreters, two court administrators, one court interpreter organization or user group representative, two attorneys, three members of the public, one representative of an ethnic organization and one AOC representative.

Washington State Interpreter Commission
2016 Commission Members

Justice Steven C. González, Chair
Washington Supreme Court

Lynne Lumsden
Sign Language Interpreter Representative

Dirk Marler
Administrative Office of the Courts
AOC Representative

Alma Zuniga
Northwest Justice Project
Attorney Representative

Judge Andrea Beall
Puyallup Municipal Court
District and Municipal Court Representative

Eileen Farley
Northwest Defenders Association
Ethnic Organization Representative

Judge Theresa Doyle
King County Superior Court
Superior Court Representative

Fona Sugg
Chelan County Superior Court
Superior Court Administrator Representative

Katrin Johnson
Washington State Office of Public Defense
Public Member Representative

LaTricia Kinlow
Tukwila Municipal Court
District and Municipal Court Administrator Representative

Thea Jennings
Washington State Bar Association
Public Member Representative

Francis Adewale
Spokane City Office of the Public Defender
Public Defense Organization Representative

Linda Noble
Interpreter Representative

Maria Luisa Gracia Camón
Interpreter Representative

(Vacancy)
Language Advocacy Organization Representative

Our Work

These Commission members serve on one or more of the three standing committees that carry out the work of the Commission. The standing committees are the Issues Committee, the Education Committee, and the Disciplinary Committee.

The **Issues Committee** covers topics directly related to the Court Interpreter Program, including participating in collaborative groups to develop statewide practices. It is the first group to review new requests or projects that come to the Commission. The Issues Committee also looks at issues, complaints, and requests from interpreters. The Issues Committee can also refer matters to the Disciplinary or Education Committee

The Issues Committee reviewed and provided guidance on the following matters:

- Approved new language to GR 11.1 regarding the composition of the Commission membership, which added three new positions to the Commission and approved GR 11.2 language clarifying that court interpreters are officers of the court.

- Secured Commission approval of the AOC's complaint forms against court interpreters for violations of the Commission's rules.

- Secured Commission approval moving the Portuguese language category from registered to certified.

- Referred a complaint received from another state court regarding an AOC certified interpreter to the Disciplinary Committee.

- Secured Commission approval recognizing American Sign Language interpreters whom are credentialed by the Office of the Deaf and Hard of Hearing as being the credentialed equivalent of spoken language interpreters working in the certified language category.

The **Judicial and Court Administrator Education Committee** has as a primary assignment the provision of educational opportunities, trainings, and resources for judicial officers and court staff working with interpreters.

The Education Committee was actively engaged in the following areas:

- Participated in a Joint Commissions Education Committee workgroup meeting to review and strategize on providing training to judicial officers regarding themes that have overlaps with the work of the four Supreme Court Commissions.

- Endorsed the provision of training to DCMCA Pro-Tem Judges regarding working with spoken and sign language interpreters in judicial proceedings.

- Sponsored training to newly-appointed judicial officers at the annual Judicial College and to new local court staff at the Institute for New Court Employees regarding the work of the Commission, statutory obligations for interpreter services, best practices, and where to find interpreter resources.

- Provided sponsorship for the Washington State Coalition for Language Access (WASCLA) conference and endorsed an AOC-facilitated breakout session related to forensic interviewing of child abuse victims when a LEP or ASL interpreter is involved that provided guidance to interpreters on how to work

properly in such kinds of structured interview settings.

Provided an informational table and resources to members of the Eastern WA community of refugees in coordination with Gonzaga School of Law's Refugee Alliance program. The purpose of this event was to acquaint the refugee community with the WA courts and our system of justice and to address refugee issues related to legal matters.

The **Disciplinary Committee** considers issues involving credentialed interpreters who fail to meet their continuing education credit requirements or their minimum court hours. It also acts on formal complaints made against any court interpreter for violations to the Code of Conduct. When necessary, the Disciplinary Committee can impose sanctions against interpreters who violate the code. The Disciplinary Committee conducted the following activities:

Issued final decisions regarding interpreters who did not comply with biennial continuing education hour requirements. As a result, 10 interpreters were decertified.

Authorized a settlement agreement requiring remedial training for an interpreter who admitted to interpreter misconduct under the Commission's rules.

Interpreter Commission Key Activities:

As the language needs of Washington citizens utilizing our state courts have grown over the ensuing years, the role of the Commission has broadened to address language matters conveyed by means other than speech. The Interpreter Commission initiated or completed the following key activities:

Approved new language to GR 11.1 regarding the composition of the Commission membership, which added three new positions to the Commission and approved GR 11.2 language clarifying that court interpreters are officers of the court.

Held a quarterly meeting and open public forum in Mount Vernon on May 20 that about 50 local community stakeholders, court staff, attorneys, and court services advocates attending. Comments involving access to court proceedings by non-signing persons who have hearing loss, languages of lesser diffusion, and the need for training resources for interpreters located in rural, less populated areas were received and discussed.

Submitted a legislative bill request related to statutory revision of RCW 2.43 language concerning civil case costs and requested full funding of court interpreting costs. The Commission also submitted a legislative bill request to modify the oath-taking requirements for court interpreters.

Provided guidance on several draft versions of a newly developed model language access plan draft of the 2007 Model Language Access Plan, which was shared with the DOJ for comments and from which additional positive edits/information was received.

Collaborations

We are in this together: Attorneys & Interpreters working in sexual violence cases

Supported workshop that was the result of a partnership among the Washington State Supreme Court Gender & Justice Commission, the Interpreter Commission, and the Asian Pacific Institute on Gender-Based Violence. The half day, multi-disciplinary workshop was led by a faculty team of experienced national experts who have pioneered work on interpreters and sexual violence issues in the courtroom and beyond. The interactive

Court Interpreter Reimbursement Program - Fiscal Year 2016

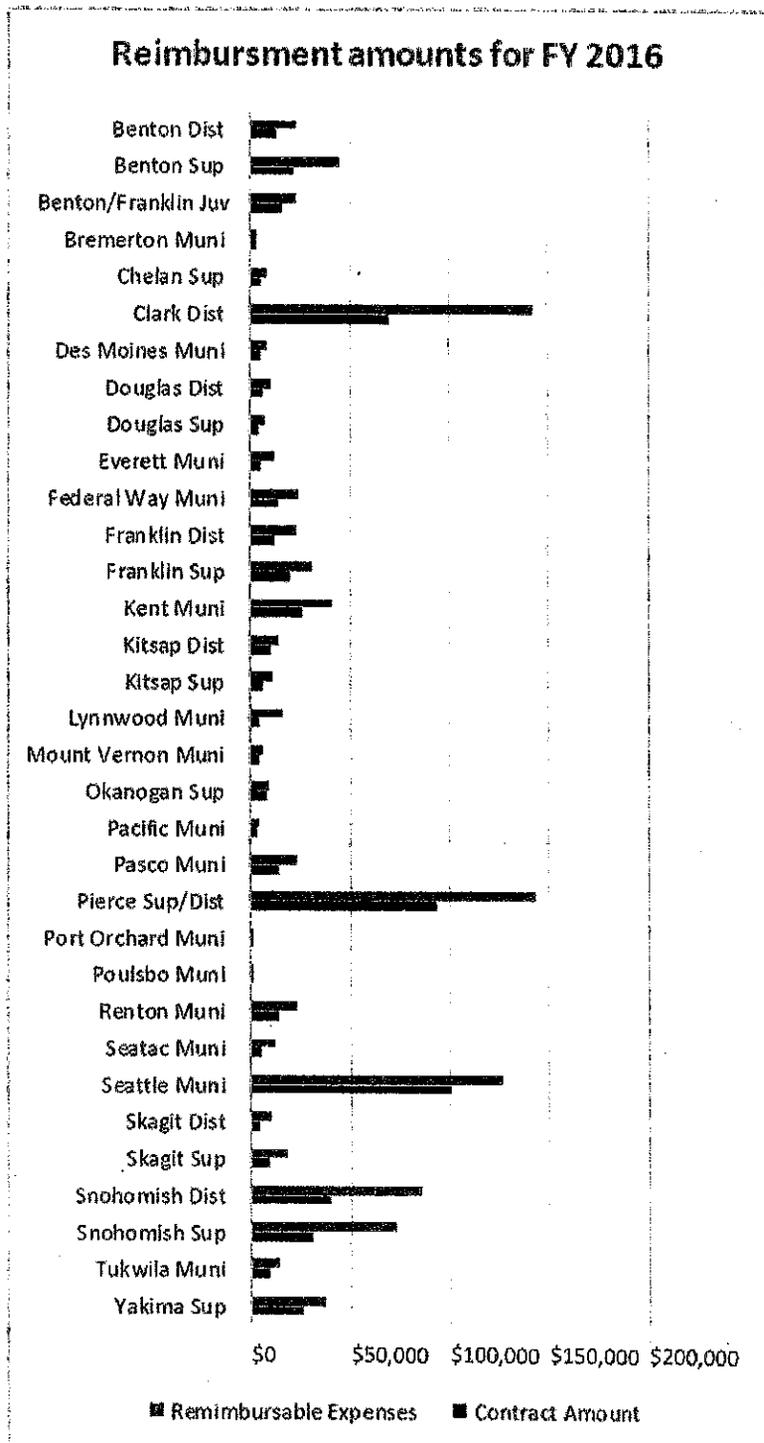
Program Overview

The Washington State Administrative Office of the Courts (AOC) contracts with 33 courts covering 41 jurisdictions across Washington to reimburse for some costs of hiring interpreters. Contracts are based on the fiscal year: July 1 to June 30. At the beginning of the fiscal year 2016, the AOC had \$610,501 available to partially reimburse courts for their interpreting expenses. The maximum amount available for each court varies and is based on their interpreter usage over the two previous years. For FY 2016 contracts ranged from \$374 to \$100,673.

In FY 2016 court spent more money on interpreter expenses than the AOC had available for reimbursement, which is not unusual. The graph to the right compares the amount of money that courts were reimbursed (*Contract Amount*) to the amount of money the courts would have been reimbursed if their contracts were not limited (*Reimbursable Expenses*).

Two courts the AOC contracts with handle the reimbursement funds for other jurisdictions in that region. Clark County Superior Court covers six jurisdictions while Yakima County Superior Court covers three jurisdictions. Jurisdictions receiving funds from the reimbursement program, are found at several levels:

- 11 Superior
- 9 District
- 18 Municipal
- 3 Juvenile



Interpreting Data Summary

Date Reporting

To receive reimbursement, courts need to send an invoice, electronic data, and an annual report to the AOC. The electronic data provides detailed information about each interpreting event, that is, each time an interpreter is used. The data falls into several categories, which are listed on the right. Below is a summary of some of the data from FY 2016.

Electronic Data Categories

- Interpreter Credentials
- Language
- Type of Event
- Date of Service
- Case Type
- Hearing Type
- Billed Time and Hourly Rate
- Mileage (if applicable)

Interpreter Credentials

The AOC generally only reimburses courts the costs of ASL interpreters or spoken language interpreters that are credentialed by the AOC. However, the AOC also reimburses for interpreters in languages where the AOC does not have any credentialed interpreters.

Language

Courts reported using interpreters for 96 different languages in FY 2016. The table to the right shows the five languages that are most commonly requested by the greatest number courts.

Courts vary in the diversity of languages they needed interpreters for, ranging from 1 language (Spanish for some Eastern WA courts) to 56 languages (Seattle Municipal).

Languages Most Commonly Requested

- Spanish
- Russian
- Vietnamese
- ASL
- Korean

Courts usually pay interpreters at an hourly rate for in-person interpreting. The table at the right shows the languages that courts paid the most number of hours for.

Hours per Language

Language	Hours
Spanish	28831
Russian	2778
Vietnamese	2098
ASL	1431
Chuucese	1348

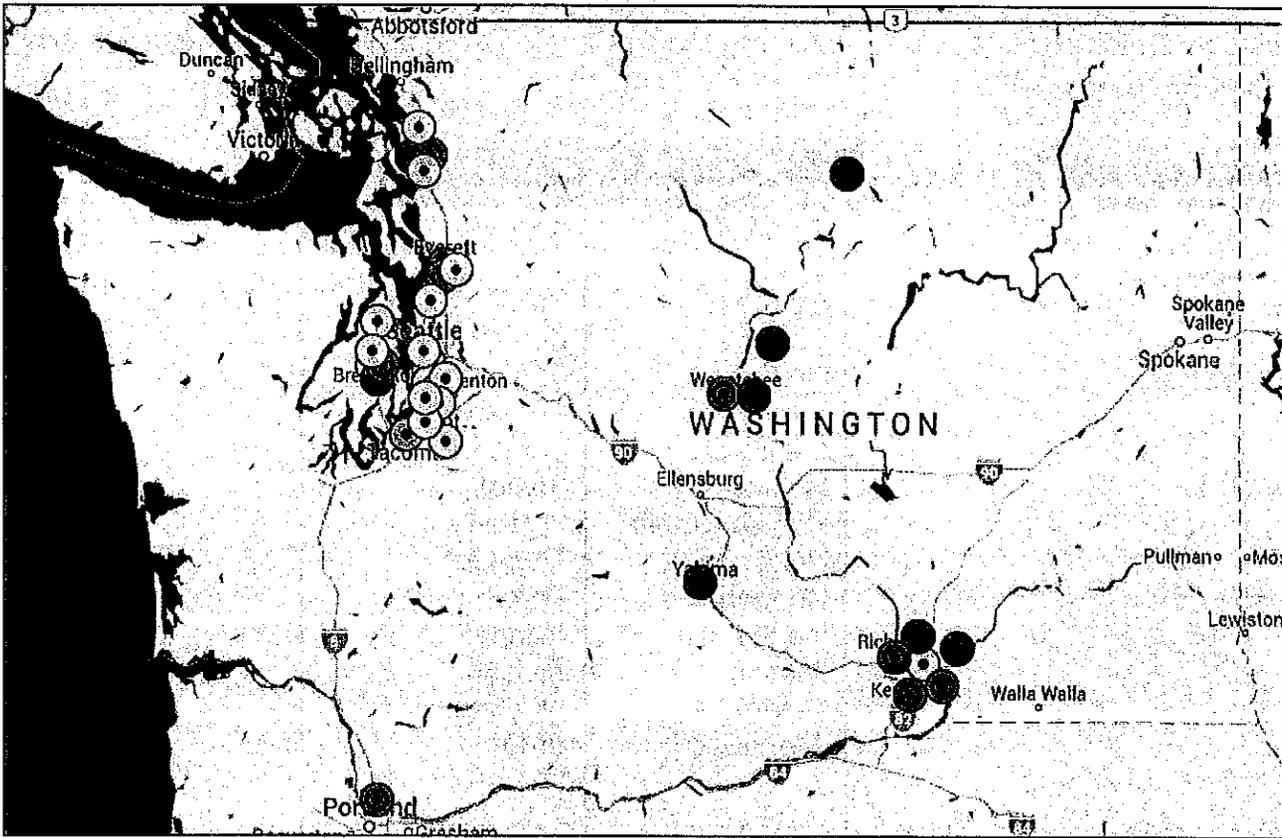
Type of Event

Most interpreting is done in person by interpreters who work freelance. Thirteen courts have Spanish interpreter on their staff and three courts contract with specific interpreters. Many courts also use interpreters on the phone when appropriate.

Interpreter Pay Rates

For qualified interpreters who are paid an hourly rate, the AOC reimburses courts for up to 50 percent of that rate up to a maximum of \$25 per hour. The AOC may also reimburse for mileage or travel time. Each court individually decides how much to compensate interpreters, although some courts take part in a joint compensation policy. Rates are sometimes negotiated between the courts and each interpreter. Rates can vary because of a number of factors, including the language needed, location of the courts, and credentials of the interpreter.

Location of Courts In Program



Certified and Registered Languages

The AOC offers credentials in 14 certified languages and over 80 registered languages. However, there are not credentialed interpreters available in all languages. Certified or registered interpreters are available in the following languages:

Certified Languages	Registered Languages	
Arabic	Albanian	Korean
Bosnian/Croatian/Serbian	Amharic	Kurdish-Kurmanji
Cantonese	Burmese	Polish
French	Czech	Portuguese
Khmer (Cambodian)	Dutch	Punjabi
Laotian	Farsi	Romanian
Mandarin	German	Samoan
Russian	Hebrew	Somali
Spanish	Haitian Creole	Swahili
Tagalog	Hindi	Tagalog*
Vietnamese	Hungarian	Thai
	Indonesian	Tigrinya
	Ilocano	Turkish
	Italian	Ukrainian
	Japanese	Urdu
11 Languages	30 Languages	

**Tagalog is transitioning from a registered to a certified language, so there are currently interpreters in both categories.*

Court Interpreter Program Updates

One of the Court Interpreter Program main responsibilities is the credentialing of court interpreters. Each year begins a new cycle of testing and education classes that includes written and oral exams.

Interpreter Exams

Written Exam

In February we administered the court interpreter written exam. The exam is used by most states and created by the National Center for State Courts. The exam was offered in two locations, Bellevue and

Moses Lake. This year a total of 173 took the exam with 52 people passing.

Oral Exams

Oral exams for registered languages took place in the summer and fall. Six candidates took exams in the following languages: Czech, German, Lithuanian, Romanian, Samoan, and Ukrainian.

The oral exams for certified languages took place in October and November. There were 51 test candidates in 8 languages. This was the first year that we administered the certified Portuguese exam.

Overall nine interpreters passed the oral exams in 2016. These interpreters receive their credentials at the next Ethics and Protocol class in 2017.

Exam Training Classes

Increasing the pool of interpreters for the courts is a priority for the Program. The exams are challenging and only interpreters with the right combination of skills and experience are successful. To help interpreters prepare for the exams, we offered the following training classes in 2016:

Written Exam Preparation Course: The written exam requires a very high proficiency in English some knowledge of court terminology and ethics. In 2016 we had our first two-day class, expanding on a one-day class from 2015.

Language Neutral Oral Exam Preparation: This two-day class covered the fundamentals of court interpreting how to improve interpreting skills. Augustin de la Mora, a well-known and highly-regarded interpreter and trainer, was the instructor. This class was open to all interpreter eligible to take the oral exam regardless of their language.

Language Specific Oral Exam Preparation: This course included 40 hours of preparation over 4 weeks. Students had an opportunity to practice their skills and receive feedback from experienced court certified interpreters in their own languages. Classes were available for interpreters in Korean, Mandarin, and Spanish.

Status of Portuguese

Whether a language falls into the certified or registered category is primarily based on the type of oral exam that is available for that language. The oral exam for certified languages is a comprehensive interpreting test that is only available for a limited number of languages. In 2016, the Interpreter Commission moved Portuguese from a registered language to a certified language. Recently a certified oral exam for Portuguese became available prompting the change in status.

May 12, 2017

Ms. Misty Butler
Administrative Manager
Board for Judicial Administration
1112 Quince St SE
P.O. Box 41170
Olympia, WA 98504-1170

Re: Request to Renew Resolution in Support of Language Access Services in Court

Dear Ms. Butler:

The mission of the Washington State Supreme Court Interpreter Commission is to create or identify policies and best practices for the provision of language access services to persons who do not or cannot speak or read English effectively enough to participate in legal proceedings. The Commission focuses that mission with its commitment to improving access to the courts through judicial officer and court staff training and through the testing and certification of court interpreters.

The Commission recognizes that it is important to look at the interactions that individuals who are Limited English Proficient or who rely on sign language have with the court community. It has recently identified areas in which courts can improve their ability to more effectively meet the communication needs of those individuals that impact access to justice. It is the view of the Commission that the Board for Judicial Administration Resolution in Support of Language Access Services in Court, adopted on July 20, 2012, has been a very effective policy guidance statement. As the Resolution is scheduled to expire this July, the Commission supports the 2012 contents of that Resolution in full and respectfully requests that the Board of Judicial Administration renew that Resolution without further changes.

Renewing this Resolution would demonstrate the BJA's continued commitment to removing language impediments to access to the justice system. Moreover, it would serve to enhance the positive perception of and public trust in the provision of justice by our state courts.

Sincerely,

Justice Steven Gonzalez,
Chair, Supreme Court Interpreter Commission
Washington State Supreme Court

Judge Ann Schindler
Court of Appeals, Division I
State of Washington

c: Robert Lichtenberg, AOC

Resolution Request Cover Sheet

Resolution Regarding Language Access Services in Court Submitted By:

-
- 1) Names of Proponent(s): Interpreter Commission and Court of Appeals, Division I
 - 2) Spokesperson(s): Justice Steven González and Judge Ann Schindler
 - 3) Purpose: Ensure the fair and effective administration of justice involving Limited English-Proficient Individuals

This Resolution seeks to create greater access to courts for limited-English proficient (LEP) individuals, as well as persons who rely on sign language by promoting the value of utilizing court interpreters in all case types, providing interpreters at Approximately 7.8 percent of Washington State's population is limited English proficient. As of 2014, that represents approximately 505,263 individuals speaking approximately 215 languages public expense, and seeking financial support from the State to offset the financial burden at the local level. Approximately 7.8 percent of Washington State's overall population is limited English proficient. A few of our Washington state counties have as many as 20 percent or more resident individuals who are LEP. As of 2014, the language data estimate of the state LEP population is that there were approximately 505,263 individuals representing approximately 215 different languages. Since then that number has grown with the influx of many refugees from countries that are experiencing population migrations due to war and famine conditions.

Access to courts for LEP litigants and the court's ability to communicate effectively with LEP persons depends upon the provision of competent interpreter services. However, under the current RCW (2.43.040), non-indigent LEP litigants in some civil matters continue to be required to pay for interpreter services, or proceed without such services. To appoint an interpreter but to hold the litigant liable to pay for those services may deter many who need an interpreter from accessing court services. As identified in RCW 2.43.040, both the State and the courts should share the responsibility for ensuring that all individuals, regardless of language ability, have the same opportunity to effectively access and utilize court services.

Washington State has long recognized the need for interpreter services to allow access to courts for LEP persons. The legislative intent behind the adoption of RCW 2.43 was to establish the policy of the State of Washington "to secure the rights, constitutional or otherwise, of persons who, because of a non-English-speaking cultural background, are unable to readily understand or communicate in the English language, and who consequently cannot be fully protected in legal proceedings unless qualified interpreters are available to assist them." RCW 2.43.010. As written, RCW 2.43.040 requires non-indigent litigants in some civil legal proceedings to pay for interpreter services. But an increasing number of courts in Washington provide and pay for interpreter services in all civil matters, due in no small part to the 2012 BJA

Resolution that supported the need for access to interpreter services at no cost to LEP persons in all court settings, despite RCW 2.43 language.

The provision of free and qualified interpreter services in all legal proceedings will continue to promote the Principal Policy Objectives of the State Judicial Branch regarding fair and effective administration of justice in all civil and criminal cases, and accessibility to Washington courts.

The language of this renewed Resolution remains intact and consistent with the prior 2012 Resolution adopted by the Board of Judicial Administration to, among other things, "remove impediments to access to the justice system, including physical and language barriers, rules and procedures, disparate treatment and other differences that may serve as barriers." (Board of Judicial Administration, Civil Equal Justice).

4) Desired Result

- 1) The BJA should continue to endorse the provision of interpreter services, at court expense, in all legal proceedings, both criminal and civil;
- 2) The Legislative and Executive branches of government should continue to be encouraged to provide additional funding per RCW 2.43.040 to offset the increased cost to trial courts; and
- 3) Pursuant to the prior Resolution passed in 2012 and the earlier BJA Civil Equal Justice position, approximately 7.8 percent of Washington State's population is limited English proficient. As of 2014, that represents approximately 505,263 individuals speaking approximately 215 languages the BJA should re-commit all state courts to work to remove language – related impediments to access to the justice system for limited English proficient persons as well as persons who use signed language(s).

5) Expedited Consideration: Expedited consideration is being requested

6) Supporting Materials:

- a. Proposed Resolution (from 2012, without changes)

Proposed Resolution

BJA Resolution Regarding Language Access Services In Court

Whereas, equal access to courts is fundamental to the American system of government under law; and

Whereas, language barriers can create impediments to access to justice for individuals who are limited-English proficient; and

Whereas, it is the policy of the State of Washington "to secure the rights, constitutional or otherwise, of persons who, because of a non-English-speaking cultural background, are unable to readily understand or communicate in the English language, and who consequently cannot be fully protected in legal proceedings unless qualified interpreters are available to assist them." RCW 2.43.010 (Interpreters for non-English speaking persons); and

Whereas, courts rely upon interpreters to be able to communicate with limited-English proficient litigants, witnesses and victims in all case types; and

Whereas, the State has previously acknowledged a responsibility to share equally with local government in the costs incurred in paying for quality court interpreting services; and

Whereas, the Board for Judicial Administration recognizes the benefit that interpreting services provide to limited English proficient litigants and to the fact-finder in the efficient and effective administration of justice; and

Whereas, the Board for Judicial Administration previously adopted a Resolution to, among other things, "remove impediments to access to the justice system, including physical and language barriers, rules and procedures, disparate treatment and other differences that may serve as barriers." (Board for Judicial Administration, Civil Equal Justice); and

Whereas, the provision of free and qualified interpreter services in all legal proceedings promotes the Principal Policy Objectives of the State Judicial Branch regarding fair and effective administration of justice in all civil and criminal cases, and accessibility to Washington courts;

Now, Therefore, Be it Resolved:

That the Board for Judicial Administration:

- 1) Endorses the provision of interpreter services, at public expense, in all legal proceedings, both criminal and civil;
- 2) Supports the elimination of language – related impediments to access to the justice system for limited English proficient litigants; and

- 3) Encourages the State to fulfill its commitment to share equally in the responsibility to provide adequate and stable funding for court interpreting services.

DRAFT

The Supreme Court
State of Washington

SHERYL GORDON MC CLOUD
JUSTICE
TEMPLE OF JUSTICE
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OLYMPIA, WASHINGTON
98504-0929



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May 4, 2017

Misty Butler
Administrative Manager
Board for Judicial Administration
1112 Quince St. SE
P.O. Box 41170
Olympia, WA 98504-1170

Re: Request to Renew Resolution in Support of Language Access Services in Court

Dear Ms. Butler:

The mission of the Washington State Supreme Court Gender and Justice Commission is to promote gender equity in the system of law and justice. The Commission focuses that mission with its commitment to improving access to the courts for women and girls who experience barriers to accessing the justice system.

The Commission recognizes that it is important to look at the intersections of gender bias and other issues that impact access to justice, such as language access. Language barriers can create impediments to access to justice for individuals who are limited-English proficient.

The Gender and Justice Commission requests that the Board for Judicial Administration renew its Resolution in Support of Language Access Services in Court, adopted on July 20, 2012. The Commission supports the contents of this Resolution in full.

In addition, the Commission would like to express its interest in seeing that the translation of court forms related to the protection of victims of Domestic Violence and Sexual Assault, be prioritized as part of the action steps of the resolution. Gender based violence is an issue of importance to the Commission, and the translation of these forms would improve access to justice for women and girls who are victims of violence.

Misty Butler
May 4, 2017
Page Two

Renewing this Resolution would demonstrate the BJA's continued commitment to removing impediments to access to the justice system, including physical and language barriers, rules and procedures, disparate treatment and other differences that may serve as barriers.

Sincerely,

A handwritten signature in black ink, appearing to read "Sheryl Gordon McCloud, J.", written in a cursive style.

Justice Sheryl Gordon McCloud
Chair, Gender and Justice Commission
Washington State Supreme Court

cc: Kelley Amburgey-Richardson, AOC

Committee Reports



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

MEETING MINUTES

Members Present:

Judge Beall
 Thea Jennings
 Alma Zuniga

AOC Staff:

Robert Lichtenberg
 James Wells

Members Absent:

LaTricia Kinlow
 Linda Noble

Call to Order

- February 7 meeting minutes approved.

Interpreter Compensation Survey

The Committee reviewed the draft interpreter compensation survey that will be sent out to court throughout the state. They discussed the wording on some questions to make sure that they are asking for the information the Committee is looking to get. The Committee stressed that the survey is an information gathering tool and how it would be important that the wording not to suggest that the Commission is making any suggestions about compensation.

The Committee discussed how the survey would be sent out to the courts. It was agreed that it should go out on the Court Interpreter Coordinator listserv and the listservs for court administrators. They Committee also discussed how to frame the survey to the courts.

Video Remote Interpreting

The Committee discussed the rules involving Video Remote Interpreting (VRI) in courtrooms. In 2016 the DMCJA rules committee looked at possible rule changes involving VRI. They planned to follow up with the rules committee to check on the status of any rule changes or recommendations that they made.

Next Meeting

- Teleconference on April 4, 2017, 12:00 p.m. to 1:00 p.m.

Action Item Summary	
AOC staff - Modify the interpreter compensation survey with the suggested changes made by the Issues Committee and send it to the Committee for final review.	<i>Completed</i>



WASHINGTON
COURTS

Interpreter Commission - Issues Committee
Tuesday, April 04, 2017 (12:00 p.m. – 1:00 p.m)
Teleconference

MEETING MINUTES

Members Present:

Judge Beall
Thea Jennings
LaTricia Kinlow
Linda Noble
Alma Zuniga

AOC Staff:

Robert Lichtenberg
James Wells

Call to Order

- March 7 meeting minutes approved.

Updates to GR11.2

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. The group had meetings planned in the near future

Interpreter Compensation Survey

About 60 courts have completed the interpreter compensation survey. The deadline for the survey is Friday, April 7 and a reminder was being sent out to encourage more courts to respond before the deadline.

One court had told the AOC that they sometimes had difficulties getting interpreters for jury trials. If a trial is cancelled last minute, the interpreter scheduled will only be reimbursed for if less than 24-hours' notice is given. However, interpreters are reluctant to accept those assignments because they will potentially miss out on several days' work if a trial is cancelled even if 24-hours' notice is given and it can be difficult to find other assignments for those days in a short period of time. The Committee discussed possible solutions to the problem and felt that they needed more information from the court before finding the best way to address the problem.

Interpreter Use Concern

AOC staff was informed by community advocates where Limited English Proficient (LEP) individuals were not being given interpreters when they were appropriate. There were instances of only one party having an interpreter when both parties were LEPs. There were also instances of interpreters acting outside their Code of Conduct and giving legal advice. The problem could partly be a training issue or an issue of locally available resources. If someone does make a formal complaint, the complaint would be forwarded to the Committee.

Next Meeting

- Teleconference on May 2, 2017, 12:00 p.m. to 1:00 p.m.

Action Item Summary	
Ms. Kinlow – Follow up with the court involving getting interpreters for jury trials.	<i>Ongoing</i>



Interpreter Commission - Issues Committee
Tuesday, May 02, 2017 (12:00 p.m. – 1:00 p.m)
Teleconference

MEETING MINUTES

Members Present:

Judge Beall
Thea Jennings
LaTricia Kinlow
Linda Nobel
Alma Zuniga

AOC Staff:

Robert Lichtenberg
James Wells

Call to Order

- April 4 meeting minutes approved.

Updates to GR11.2

The Committee reviewed the draft revisions to the General Rule (GR) 11.2 Code of Conduct for Court Interpreters that a group from the Northwest Translators and Interpreters Society (NOTIS) has been working on. The group reviewed a number of codes of conduct from other groups. One of the reasons that the group began the project was that the current Code of Conduct was not always clear to interpreters who need to have a good understanding of the code to apply it in their work. The Committee discussed how the Code of Conduct is written as Court Rules and that justification would be required for any changes to be approved. The draft included some rationale behind specific changes to help fill that need.

The Committee felt that it would be premature to take the current draft to the next Commission meeting. They hoped to have a more complete draft to the Issues Committee during one of their summer meetings which could then go to the September Commission meeting. The Commission should receive the draft ahead of the meeting so that they would have time to review it before the meeting. This would help get the revised Code in before the October 15 deadline to make sure it can be reviewed and updated this calendar year.

Interpreter Compensation Survey

The Committee reviewed the updated Interpreter Compensation Survey. They discussed what kind of recommendations they should bring to the Commission. The survey was primarily an information gathering tool. They discussed what role the Commission had on setting rates and the kind of guidance they should provide the

courts. The survey could help inform that guidance and let courts know about trends and best practices in courts

The Committee would recommend sharing the results of the survey with courts at the Commission meeting. The Commission can then discuss exactly what information should be shared and what context. The Committee discussed the best way to present the survey to the Commission.

Interpreter Fees and Market-Shopping

The Committee discussed how interpreters from some language groups charge significantly higher fees than other groups. It's not known how much of this was a result of individual interpreters working to raise the fee or interpreter agencies. They discussed the reasons why some courts turn to agencies rather than contract with interpreters directly. Some courts have used interpreter scheduling technology to help keep to interpreter rated standard and avoid the need for agencies. Since the Compensation Survey included results from so many courts, could be used to indicate what a reasonable fee should be considered.

Action Item Summary	
AOC Staff – Include reminder in annotated Commission meeting agenda to discuss how some language groups are charging more for their services.	<i>Future Action</i>



Interpreter Commission- Education Committee

UPDATES

Recent Education Event:

- April 21, 2017 – Emma Garkavi and Katrin Johnson gave a 90 minute presentation to **judicial officers at Seattle Municipal Court** on working with interpreters

Upcoming Events:

- May 31, 2017 – Kristi Kruz, Robert Lichtenberg, and Katrin Johnson will give a 90 minute presentation to **civil legal aid attorneys** on working with interpreters at the Access to Justice – Legal Advocates Training in Yakima. (See attached draft presentation outline – Toolbox for Representing Clients who are Deaf or Limited English Proficient.)
- June 5, 2017 – Martha Cohen, Emma Garkavi, Robert Lichtenberg, and Alices Millward will give a day-long training and networking event in SeaTac for **court staff who manage court interpreter scheduling**. (See attached draft agenda.)
- June 7, 2017 – Martha Cohen, Emma Garkavi, Robert Lichtenberg, and Chela Fisk will give a day-long training and networking event in Yakima for **court staff who manage court interpreter scheduling**.
- September 17, 2017 – faculty TBD, plenary presentation at the 59th **Annual Judicial Conference**.

Access to Justice – Legal Advocates Training
Toolbox for Representing Clients who are Deaf or Limited English Proficient
-Draft Presentation Outline-
90 minutes

Presenters: Kristi Cruz, Robert Lichtenburg, and Katrin Johnson

1. Why Does Language Access Matter?

Participants will engage in a group-wide discussion (or set up smaller group discussions depending on size of the audience) to discuss and explore the following questions.

- *Why is language access important to our clients?*
- *Why is language access important to us as professionals?*
- *What does Language Access really look like? What does it encompass?*
- *Is any kind of interpreting/translation actually Language Access? What quality standards do we need for Language Access to really exist?*

2. What are the tools needed for Language Access?

A. Overview of legal authority – RPC 2.42 and 2.43, Washington Court Rules, key case law, DOJ guidance based on Executive Order 13166, Disability law – ADA and WLAD, and contract and funding assurances

B. Quality control measures for accurate interpretation

- i. Interpreting exercises – lead participants through shadowing and memory exercises to appreciate the skill-level required for legal interpreting
- ii. Supreme Court General Rule 11.2 – Code of Conduct for Court Interpreters
- iii. Credentialed interpreters - AOC Court Interpreter Program; Registry of Interpreters for the Deaf
- iv. Qualifying interpreters per RCW 2.43.030(1)(c) and Evidence Rules 604 and 702

3. How to ensure quality language access for your clients?

A. Micro Level: Techniques for effective communication with clients through interpreters

- i. Practical tips for face-to-face communication:
 - Seating/positioning
 - Speech modulation – slow down, avoid acronyms and legalese
 - First person v. third person communication
 - Pre-sessions to help interpreter anticipate terminology, names, and other linguistic challenges
 - Team interpreting – the importance of requesting that courts appoint a team of two interpreters for court trials and lengthy hearings
- ii. Practical tips for telephonic communication (5 minutes):

- Spoken (foreign) language interpreting by telephone
- Video Relay Services for telephonic communication with Deaf clients
- iii. Resources for finding credentialed interpreters

B. Macro Level: Strategies for advocating for language access needs of clients

- i. *Participants break into small groups to discuss scenarios, report out ideas to the larger group*

- Scenario #1: You have a Spanish-speaking client, and you have a hearing scheduled for court. You leave a voice mail message with a court clerk 10 days in advance, stating that your client will need a Spanish interpreter for the hearing. You and your client arrive at the hearing, no interpreter is present. The Judge states that it's counsel's obligation to bring an interpreter. What do you do? What information do you include in an argument to the judge? What steps do you take to avoid this in the future? What resources are available to help?
- Scenario #2: You have a client that speaks *Prolongese*, a language that is very uncommon in Washington. You need to meet with your client for an intake. After much searching, your office finds one person who can act as the interpreter for an office visit. She speaks English pretty well, and is a native speaker of *Prolongese*. She has no professional interpreting experience, and has never been to court. What steps do you take to help ensure accurate interpretation for your client? What do you do if, mid-way through the office visit, it becomes clear to you that the interpreter is not interpreting everything your client is saying?

- ii. Brief discussion of resources:

- Court language assistance plans, as required by RCW 2.43.090
- Organizational language access plans (for Alliance members)
- Sample forms for documenting interpretation and translation:
Code of Ethics / Confidentiality agreement example
- Other state and national resources: WASCLA, Interpreter Commission, NLAAN,

Wrap up (Q&A if not addressed throughout the session)

Draft Agenda
Interpreter Coordinators Training
SeaTac (June 5) and Yakima (June 7)

9:45-11:15	Introduction / Ice Breakers Interpreter Coordination 101 <ul style="list-style-type: none"> ▪ Different modes of interpreting: consecutive, simultaneous and sight translation – Which mode is better? ▪ Let's try to interpret -- Shadowing exercises ▪ Court interpreters' credentials ▪ Basics of legal requirements to provide interpreters for LEPs
11:15-11:30	BREAK
11:30 – 12:30	Challenging Situations <ul style="list-style-type: none"> ▪ How to find interpreters in rare languages ▪ How to work with interpreters who are inexperienced with the courts ▪ Online and other resources Interpreter Ethics – What they Can and Can't Do
12:30-1:15	NETWORKING LUNCH ONSIGHT
1:15-2:30	Jury Trials Team Interpreting Telephone Interpreting Sign Language Interpreting
2:30-2:45	BREAK
2.45-3.30	Group Share-Out* : discuss your court's most challenging situations, greatest needs, best accomplishments
3.30-3.45	Evaluations & Adjourn

*Attendees to send their questions, comments, challenges ahead of time for this discussion.

Court Interpreter Program Reports

LAP Roll-Out Plan

5.8.17

DUE DATE	Description of Action	Audience
May 22, 2017	Final Draft of LAP Reviewed and Approved by Interpreter Commission	Interpreter Commission
June 5 & 7, 2017	Statewide Interpreter Coordinator Training <ul style="list-style-type: none"> - Share a preliminary draft of template so that coordinators can know what to expect 	Court Interpreter Coordinators
June 19, 2017	Final Draft of LAP Reviewed and Approved by Chief Justice Fairhurst and Callie Dietz – Statements submitted and included	AOC Leadership Chief Justice Fairhurst
June 19 – July 1	Hard-Copy Printing Prep for Dissemination	AOC Staff
July 1, 2017	LAP Dissemination <ul style="list-style-type: none"> - Via Email - Press Release - Inclusion of information about Orientation Webinar, Education Opportunities for Judges, Administrators, and Court Staff - Survey: Requests for Printed Copies - Goal/Deadline for creating court-specific LAP (January 2018) 	All courts & justice community
July X, 2017	LAP Orientation Webinar Purpose: To explain what the Model LAP Deskbook is and how to use it to create a language access plan for your court	Presiding Judges, Court Administrators, Interpreter Coordinators
July or August 2017	Interpreter Reimbursement Meetings <ul style="list-style-type: none"> - Eastern and Western meetings - Training on LAP - Discussion on program needs: funding formula, cost of interpreters, and statewide online application 	Courts participating in Interpreter Reimbursement Program
September 17 @ 4:00pm-5:30pm	Education: Fall Judicial Conference Presentation Interpreters 2.0: Language Access in Washington Courts <ul style="list-style-type: none"> - Possibly record for posting and future use? 	Judicial Officers – All levels of court
September 29, 2017	Interpreter Commission Meeting <ul style="list-style-type: none"> - Check in on LAP Roll-out progress and implementation 	Interpreter Commission
October – December 2017	Individualized Technical Assistance to Courts <ul style="list-style-type: none"> - Reach out to courts to see if they need personalized support for creating their LAP - Touch base with all courts to remind them of DUE DATE for plans – (Mid-January) 	All Courts

January – May 2018	Collect, Review, and Analyze Courts' Language Access Plans <ul style="list-style-type: none"> - Hire intern or work with consultant - Prepare a report that can be shared with Interpreter Commission and court leadership - Make recommendations on next-steps to ensure courts' understanding and compliance with plan 	Interpreter Commission, legislature & court leadership
May – August 2018	Implement Recommendations <ul style="list-style-type: none"> - Work with specific courts that need additional help with implementing their LAP 	Select Courts
August – December 2018	Possible Time for Audit <ul style="list-style-type: none"> - How well are courts implementing their LAPs? 	Select Courts
August – December 2018	Prepare and possibly present report to legislature <ul style="list-style-type: none"> - Explain necessity for increase in court funding for interpreters and interpreter services 	Legislature

DRAFT

Protocol for Translators of State Court Forms Adopted by the Interpreter Commission, March 2008

Qualification Requirements

- Certification by a national translation organization or academic program; *or*, five years of legal translation work experience.
- Translators must provide five work references and five samples.
- Certification or Registration as a Court Interpreter is preferable but not required.

Procedural Requirements

- The primary translator will use an editor, qualified as a translator, to review the work product for accuracy and completeness.
- 1 additional reviewer, qualified as a translator, shall review the work product for accuracy and completeness. If an editor is not utilized then 2 additional reviewers shall review the document for accuracy and completeness.
- A glossary of terms used must accompany each completed assignment. Translators will be required to use the master glossary that is developed.
- Translators must adhere to the NAJIT's code of ethics. (www.najit.org)

Note: These criteria apply equally to translation services contracts resulting from sole source and request for proposal procurement methods.



WASHINGTON COURTS

ADMINISTRATIVE OFFICE OF THE COURTS

Calle T. Dietz
State Court Administrator

Wednesday, May 3, 2017

Dear Access to Justice Board and Justice Partners,

Thank you for the opportunity to comment on the State Plan for the Coordinated Delivery of Civil Legal Aid. As you are aware, the Interpreter Commission advocates for and works to increase access to the justice system for those for whom language may be a barrier and ensures qualified and competent interpreters are working in the Washington justice system. This message is being communicated to the ATJ Board on behalf of the Interpreter Commission's Chairperson, Justice Steven González and the Interpreter Commission members.

In providing its commentary, the Commission wishes to ensure that the goals and the implementation of the State Plan, as it addresses the complex and varied civil legal needs of those within our state, provides for the needs of those for whom language may be a barrier to access. As a general rule, it is the Commission's hope that, as each goal is implemented, the ATJ Board and justice partners take a holistic approach and always consider and address language access needs of people who are limited English-proficient or rely on signed languages. The ATJ Board is encouraged to incorporate ways to remove language barriers in civil legal aid settings at the outset and as an integral part of any notice or service implementation plan, so that all persons can benefit no matter the language they speak. Below are suggested goals and strategies to address language access concerns:

- Goal 1, Strategy 2. *Increase the diversity of staff, boards, and volunteers.* When considering candidates, we recommend seeking individuals who represent the diverse language backgrounds of the communities being served. This will ensure the perspectives of limited English proficient (LEP) and deaf, hard-of-hearing, and deaf-blind people will be anticipated and their needs met.
- Goal 2, 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.* We recommend that any educational activities, resources, and tools developed in response to needs assessments be provided to individuals in their own language, so that LEP and deaf, hard-of-hearing, and deaf-blind individuals may access these resources in ways that are useful and meaningful to them.
- Goal 3, Strategy 1. *Expand and strengthen partnerships and collaborations to improve each client's ability to address legal and non-legal needs.* We recommend that justice partners strengthen relationships and collaborate with community-based organizations that serve the needs of LEP and deaf, hard-of-hearing, and deaf-blind communities. Doing so will ensure that justice partners have the knowledge and understanding of the needs of these communities to reach out to them thoughtfully and deliberately.

The Interpreter Commission has worked to address language barriers as well as partnering with other Commissions to improve the quality of interpreter services available to meet the justice system's needs. The Commission extends an invitation to continue such collaboration in the future and hope the ATJ Board will remember that it is a resource when addressing issues related to language access or when launching new initiatives that may have a language access component. It further welcomes the opportunity to provide

educational and interactive learning opportunities to justice partners regarding language access and the use of interpreters.

On behalf of Justice González and the Commission, I thank you for the opportunity to provide this commentary. I encourage you to contact me at Robert.lichtenberg@courts.wa.gov with any follow up questions or concerns.

Sincerely,

Robert W. Lichtenberg

Robert W. Lichtenberg
Washington State Supreme Court Staff
Administrative Office of the Courts

CC: Justice Steven González, Washington State Supreme Court
Cynthia Delostrinos, Commissions Manager, AOC
file