

**Interpreter Commission
Meeting Agenda**

September 29, 2017



**WASHINGTON
COURTS**

Interpreter Commission

Friday, September 29, 2017

SeaTac AOC, Suite 1106, Main Conference Room,
18000 International Blvd. SW, SeaTac, WA

8:45 am-11:45 am

AGENDA

• Call to Order	Justice Steven González	
• Approval of May 12, 2017 Minutes	Justice Steven González	
• Chair's Report <ul style="list-style-type: none"> • Re-Appointment of Members • Community Representative Appointment • BJA Court Funding Task Force 	Justice Steven González	
• Committee Reports <ul style="list-style-type: none"> • Issues Committee Report <ul style="list-style-type: none"> • GR. 11.2 Revision Report • Interpreter Compensation Report • Approvals of CEUs for Commission Work • Removal of Peer Review Requirement • Education Committee Report <ul style="list-style-type: none"> • Conference Presentations 	Judge Andrea Beall Katrin Johnson	
• Court Interpreter Program Issues <ul style="list-style-type: none"> • Commission Manager's Report <ul style="list-style-type: none"> • Reimbursement Program Outreach • Interpreter Coordinator Conference • LAP Approval Criteria for Courts <p>Program Reports:</p> <ul style="list-style-type: none"> • Tagalog-specific Course Proposal • Written Exam Results • NCSC Language Glossary Collaboration • NCSC VRI Workgroup • ASL Certification Status Update • 2018 Commission Meeting Schedule 	Cynthia Delostrinos AOC Staff	
• New Business for the Good of the Order		
• Adjourn	Justice Steven González	

Next Meeting: Friday, December 8, 2017, 8:45 am. – 11:45 am

AOC SeaTac Office Building, Suite 1106, Large Conference Room

Meeting Minutes



Interpreter Commission Meeting
Friday, May 12, 2017
Radisson Hotel
18118 International Blvd, Seattle, WA 98188

MEETING MINUTES

Members Present:

Justice Steven González
Judge Andrea Beall
Francis Adewale
Maria Lucia Gracia Camón
Thea Jennings
Katrin Johnson
LaTricia Kinlow
Lynne Lumsden
Linda Noble
Alma Zuniga

AOC Staff:

Robert Lichtenberg
James Wells
Cynthia Delostrinos

Members By Phone:

Judge Theresa Doyle
Fona Sugg

Members Absent:

Judge Laura Bradley
Eileen Farley
Dirk Marler

Guests:

Judge Veronica Alicea-Galván
Nichole Walker

CALL TO ORDER AND INTRODUCTIONS

The meeting was called to order by Justice Steven González.

APPROVAL OF MARCH 3, 2017 MEETING MINUTES

Minutes were approved.

CHAIR'S REPORT

Appreciation Award

Justice Gonzalez presented a gavel used by the Washington State Supreme Court in several of its hearings to Judge Alicea-Galván for her contributions as training faculty to the judicial community on working with court interpreters.

Legislative and Budget Proposal Update

HB1285

House Bill 1285 was BJA-endorsed legislation forwarded on behalf of the Commission and sought to establish a permanent court interpreter oath for spoken language and ASL interpreters. It was signed by the Governor and has an effective date of July 24, 2017. AOC interpreters would no longer need to renew their oath every two years and ASL interpreters would not need to do so annually. AOC staff will be informing its AO-credentialed interpreters and The Office of Deaf and Hard of Hearing (ODHH) will be informing their credentialed ASL interpreters. ODHH may have to revise its Washington Administrative Code provision relating to the submission of oaths by interpreters otherwise qualified to be listed on the ODHH-approved roster.

HB1186

House Bill 1186 passed out of the House to the Senate during the regular session but did not survive the Senate policy committees cutoff date. During the special session, the Senate referred it back to the House. The House earmarked additional funding in their budget and the Senate did not. If some funding is provided in the final budget during the special budget session, the AOC will need to review the reimbursement program and the criteria for awarding contracts and dollar amounts to existing, and possibly additional, courts in the program. Such a process will be discussed at the September Commission meeting if necessary.

Official Language Bill

A legislator from Walla Walla submitted a bill seeking to make English the official language of government business. The bill had only one sponsor and explicitly listed the cost of interpreting and translation as the motivation. The Interpreter Commission would keep watch on any progress of the bill. If the bill passed, it wouldn't change the constitutional requirement to provide language access.

Information Listserv

The Commission discussed ways of informing people about pending language access issues such as the matter of the bill seeking to make English the official language. It would be non-political and would simply inform the community, stakeholders, and other interested parties about language access and interpreting issues. Two of the other Supreme Court Commissions have this kind of listserv. It would need to be clear that any messages on the listserv would be coming from the Interpreter Commission and not from the AOC. Commission members would be able to send messages out on their own.

Annual Report Draft

The Commission reviewed the draft annual report. The Chair's statement was still in draft form and Commission members were invited to provide input during the meeting. The draft would be deemed approved by the end of the meeting if no changes were suggested during the meeting.

New Commission Members

The Commission discussed the currently vacant seat on the Commission for an Interpreter Organization representative. Organizations such as the Northwest Translators and Interpreters Society (NOTIS) and the Washington State Coalition for Language Access (WASCLA) were contacted but no parties interested in the seat had come forward.

The Commission discussed changing the designation of this available seat. Court administrators were represented on the Commission but there was no seat currently designated specifically for court staff responsible for scheduling interpreters. This distinction existed at larger courts while smaller courts often have administrators also responsible for interpreter issues.

The Commission discussed expanding the membership of the Commission to enable the perspectives of LEP speakers to be heard. The Commission voted to create a Community Member representative position in order to bring aboard people who are involved in language issues for their particular language community. It is hoped that this person would represent the needs of the LEP communities and bring a layperson's perspective to our discussions.

BJA Resolution Renewal

The Commission discussed the renewal of the Board of Judicial Administration (BJA) resolution regarding interpreters. The renewal would go to the BJA's Policy and Planning Committee on May 19 and would then go to the June BJA meeting. The existing resolution was still up-to-date and no changes to the existing resolution had been proposed. The same language would be put forward for approval.

COMMITTEE REPORTS

Issues Committee

Interpreter Compensation Survey

The Commission reviewed a survey about how courts compensate interpreters. The survey was sent out on the listservs for court administrators and for court interpreter coordinators. The survey was created to give the Commission a better idea of the current practices of courts. This could inform updates to the reimbursement program policy and provide general guidance.

The Commission discussed its role in the issue of interpreter compensation, which is very complex with a number of conflicting positions and stakeholders. Some courts are facing the issue of groups of interpreters agreeing to work only on certain terms of their making, which would make it difficult for rural courts to provide interpreter teams at the rates they are requesting. This is not a trend that will go away as many interpreters have difficulty sustaining a career in court interpreting given the amount that some

courts pay and the cost of travel to court assignments. The pay rate has been stagnant for years in many jurisdictions with some recent increases coming only after pressure from interpreters in certain large jurisdictions..

It was felt that the Commission should not avoid the issue of interpreter compensation. It should help find ways to solve problems on both sides and help facilitate best practices. For example, one problem that was mentioned was cancelling interpreters last minute when they had been scheduled for a trial. King County recently did a study to find practices that would help decrease the amount of last minute cancellations which brought about significant changes. Those findings could be shared with other courts.

The Issues Committee asked the Commission for guidance on how to present information from the compensation survey to the courts. The Commission suggested the Committee create a shorter summary of the findings and also add context to the survey so that the courts could better understand the results.

Education Committee

Access to Justice Conference

Ms. Johnson discussed a training for legal advocates occurring as a pre-session to the Access to Justice Conference. The training will include information on working with interpreter as well as advocating for their client's language needs.

Court Interpreter Coordinator Conference

A workshop for court administrators and interpreter coordinators will take place on June 5 (Sea-Tac) and 7 (Yakima) that will be led by court interpreter program coordinators Martha Cohen of King County Superior Court and Emma Garkavi of Seattle Municipal Court. Alice Millward of Cowlitz County and Chela Fisk of Yakima County superior courts will serve as regional faculty to lend unique regional information. The conference will take place in two locations. The workshop will review best practices, such as legal standards, and attendees will review practical issues and shared challenges.

Fall Conference

The Education Committee proposal for an advanced workshop on language access best practices was accepted for a 90-minute plenary session at the 59th Annual Fall Judicial Conference. The session will include a simulation of what a limited English proficient (LEP) person experiences in a court proceeding and when seeking services at public service counters. The Education Committee planned to get input from judicial officers in planning the session to help tailor the situation to that audience. Feedback from previous trainings suggested that having an interpreter at the session to answer questions would be helpful.

Court Education Committee

The Commission discussed a recent meeting of the Court Education Committee, a sub-committee of the Board of Judicial Administration (BJA). The Committee was created in part to find ways to share resources. If the Court Education Committee moves forward, one consideration for the Interpreter Commission should be to think about how the Commission could be a resource for topics that touch language access even if that isn't the topic's main focus.

One item discussed at the Court Education Committee meeting was non-conference based education such as, webinars, how-to modules, and bench books. Another meeting was planned for June.

STRATEGIC PLANNING DEBRIEF

The Commission reviewed information shared at its recent Strategic Planning Retreat. The retreat involved a lot of brainstorming and a lot of new ideas so it was important to prioritize and identify the next steps. One observation was that the Commission has many discussions and concerns that are currently outside of their mission. Expanding the Commission's mission to move beyond the mechanics of training and educating interpreters, judges, and court staff could be the next step. Commission review of its mission and vision is needed in order to effectively address current and future court interpreting matters.

The Commission reviewed a document created with the input from AOC staff and the retreat facilitator. One metaphor used to portray core functions needing attention was of a three-legged stool, with one leg representing routine Commission operations, a second leg representing strategic planning, and a third leg representing Commission partnerships, including Commission visibility and institutional relations.

Commission members were asked to identify the core strategic actions that arose from the retreat discussion. The Commission agreed on four main priorities:

- Implementing the LAP
- Advocating for increased court interpreter funding
- Recruiting new interpreters in needed languages and addressing emerging needs
- Implementing new technology options and identifying best practices for their use.

Some other issues mentioned during the discussion included:

- Commission guidance to courts on the implementation of their local LAP.
- Funding of other areas of language access (i.e., documents)
- Expanding training, resources, and support to other language access areas
- Addressing the loss of institutional knowledge as people come and go from their roles.
- Lack of community support and input on language access needs.

- Lack of Commission role branding and role awareness by others
- Inadequate supply of interpreters, geographically and for certain languages.
- Inconsistency between state and federal laws.
- Dedicating more time to strategic outreach for legislation.
- Adding members of the Commission as resources in tackling some of these issues.
- Remaining agile and able to adapt to new issues.

The Commission discussed increasing the number of Commission meetings during the year. But it felt that it would be preferable to expand the membership which bring more people and more expertise. One new committee that was proposed would be a legislative outreach committee.

Model Language Access Plan UPDATE

The Model Language Access Plan (LAP) is in the final drafting stage. A point made from the Department of Justice's (DOJ) review of the LAP was the need for courts with the required complaint process to inform people that they have the option of submitting a complaint to the DOJ in addition to, or instead of, the court itself or with the Commission. The deadline for filing a complaint with the DOJ is 120 days after the incident, which is much shorter than the Commission's deadline of one year and which was noted in the DOJ review. The Commission recommended that the model template provide guidance to courts on informing parties of their complaint options and rights. Some other editing suggestions for the LAP included:

- Adding a Table of Contents
- Adding hyperlinks throughout the document
- Remove the interpreter request form now in the draft and replace it with a simpler form. The form may only need basic information such as LEP party name, date, case number, and language.

Commission members would have the week following the meeting to submit any additional changes to the draft LAP. The final version would go to State Court Administrator Callie Dietz and Chief Justice Fairhurst for their letters of support. A general orientation to the LAP will presented at the Fall Judicial Conference and region-based roll-out by AOC staff is planned.

NEXT COMMISSION MEETING

Friday, September 29, 2017
8:45 a.m. – 11:45 am.
SeaTac AOC Facility

Action Item Summary	
<i>Issues Committee and Ms. Johnson</i> – The Committee will create an executive summary of the compensation survey with some input on context from Ms. Johnson.	<i>Ongoing</i>

<i>Judge Doyle</i> – Provide Mr. Lichtenberg with information on following about efficiency study at King County Superior Court involving cancellations.	<i>Future Action</i>
<i>AOC Staff</i> – Forward invite for the Court Interpreter Coordinator Conference to the Commission members.	<i>Complete</i>
<i>AOC Staff</i> - Work to draft a letter to community members and victims groups to find potential new Commission members to fill the current vacant seat.	<i>Ongoing</i>
<i>AOC Staff</i> – Look into creating a listserv for the Interpreter Commission to communicate with interested parties.	<i>Ongoing</i>
<i>AOC Staff</i> – Consider where to add notification of the ability to submit a complaint to the DOJ	<i>Ongoing</i>
<i>AOC Staff</i> – Inform IC of any changes in the status of the bill making English the official language of government business.	<i>Ongoing</i>
<i>AOC Staff</i> – Review possibility of recording the SeaTac Interpreter Coordinator Training event	<i>Complete</i>

DRAFT

Chair's Report

The Supreme Court
State of Washington

STEVEN C. GONZÁLEZ
JUSTICE
TEMPLE OF JUSTICE
POST OFFICE BOX 40929
OLYMPIA, WASHINGTON 98504-0929



(360) 357-2029
FAX (360) 357-2103
E-MAIL J.S.GONZALEZ@COURTS.WA.GOV

June 28, 2017

RE: Washington State Supreme Court Commission Seeking Community Members Interested in Improving Language Access in the Courts

Dear Community Partners,

The Washington State Supreme Court's Interpreter Commission is seeking a **Community Representative** to serve as a member of the Commission.

The mission of the Washington State Court Interpreter Commission is to ensure equal access to justice in the courts by providing language assistance to 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 on court interpreters and language access in the courts. The Commission is also responsible for overseeing the process for individuals who would like to become certified or registered court interpreters.

The Washington State Supreme Court selects Commission members to serve as liaisons between the court community and the public. Each member is expected to share information with community groups, as well as bring current issues to the Commission for consideration. The Interpreter Commission believes that the community's voice at the table is an important voice at the table as we seek to improve language access across the Washington State courts.

A detailed description of the Commission and duties of its members is attached. Please forward names of your family, friends and colleagues who are interested in participating in this important role, along with a copy of their resumes and letters of interest, to the address specified in the attached description, no later than September 8, 2017.

If you have any questions about the work of the Interpreter Commission or its meeting schedule, please contact Robert Lichtenberg at (360) 350-5373 or via email at Robert.Lichtenberg@courts.wa.gov.

On behalf of the Commission, I appreciate your attention to this request for nominations.

Very Truly Yours,

A handwritten signature in black ink, appearing to read "Steven González".

Justice Steven González, Chair
Court Interpreter Commission

ELISA T. YOUNG, ESQ.

Ph. 813.842.2841 • Email: young.et@gmail.com

September 8, 2017

Washington State Supreme Court
Interpreter Commission

Re: Community Representative

Justice Gonzalez:

After careful review and consideration, I would like this communication to serve as my letter of interest for the Community Representative Member of the Commission.

My desire is to assist the Court in providing the best assistance to individuals who have Limited English Proficiency (LEP) or other communication needs, at no cost to them and to ensure efficient accessibility to equal justice. There is a great need to increase the overall awareness and promotion, training and improvement of effective communication in all realms of public service, especially the Court system. As the Chief Access Planner for the Washington State Department of Social & Health Services, I understand the need to be proactive on matters related to plans, policies and procedures as well as the need to evaluate, develop and measure those practices to progress and meet goals.

I am passionately committed to improving practices for reaching and serving LEP populations and creating partnerships and collaborations with stakeholders to advance and provide timely meaningful access for LEP persons.

I offer a combination of skills that will ideally meet the Commission's needs. I believe my background and education are also attributes that can directly contribute to the Commission. I am available at your convenience and look forward to the opportunity to further discuss my qualifications in greater detail.

Best Regards,
/s/ Elisa T. Young, Esq.

ELISA T. YOUNG, ESQ.

Ph. 813.842.2841 • Email: Young.et@gmail.com

PROFESSIONAL SUMMARY

Legal professional with 8+ years in the field of law and specializing in compliance, diversity & inclusion, accessibility, community outreach, legal research, training, contract negotiation, policy evaluation and implementation of best practices. Proven ability to be an effective change agent. Committed desire to:

- Continue work in equal access, diversity & inclusion to ensure that minorities are represented in accordance with state/federal guidelines
- Ensuring Equity, Fairness and Access
- Assists organizational leadership in leveraging the power of diverse talent, background and experiences in order to drive speed, productivity, innovation and growth.

CORE QUALIFICATIONS

- Strong interpersonal communication, organizational effectiveness and multi-tasking skills
- Professional training in equal employment opportunity initiatives, affirmative action guidelines, Title VII & ADA Compliance, Language Access, Technology Accessibility and common labor and employment policies/practices
- Proven negotiating, persuasion and influencing skills
- Proven ability to effectively collaborate with leadership and community allies
- Trusted advisor and strategic consultant

PROFESSIONAL WORK EXPERIENCE

Washington State, DSHS, Office of Diversity & Inclusion
Chief, Access & Inclusion

Olympia, WA
2017-

- Develop, enhance and implement departmental structures and mechanisms to facilitate the implementation of agency-wide policies and standard operating procedures that ensure compliance with applicable law and statutes.
- Provide guidance and consultation to executive leadership and departmental administrators whose programs receive federal financial assistance to ensure compliance with state, federal and internal regulations.
- Create operational processes for alternate dispute resolutions, prevention and compliance training, formal complaint processes and feedback systems -Lead Research and analysis data related to equity diversity and inclusion
- Support supplier diversity programs to create awareness and create compliance standards -Align established performance management initiatives, training, leadership development and communications related to compliance with federal and state laws.
- Assist in developing assessment tools and measuring progress to implement process and procedures that reflect equity.
- Manage ADA Compliance, Language Access and Technology Accessibility

EY Law
Attorney

Columbus, OH
2013-2017

- Conducted diversity and inclusion assessment and analysis post settlement agreement terms
- Ensured that client's diversity policies and procedures met state and federal guidelines.
- Developed and implemented systems and processes for tracking internal diversity trends.
- Identified departments in need of training and diverse leadership; provided necessary training
- Implemented resource group management procedures and developed strategic planning around creating community collaborations and allies

- Contracted as Mediator on business contract issues on matters related to employee and third party breaches; renegotiate draft new contracts based on new terms
- Conduct all relevant research and prepare proposal/presentation platforms
- Represent and Manage individual and family estates;
- Consult on risks and solutions in commercial and real estate transactions; negotiate in final closing process; Legal representation on real estate matters; draft real estate documents;

Hutchins & Associates

Columbus, OH

Attorney

2010-2013

- Business consultation on contractual obligation, state and federal requirements and reporting
- Developed policy manuals, employee handbooks, best practices and multiple training tools for business clients; provided training as necessary
- Legal Research & Document Review in general legal matters
- Conduct Legal Workshops and Seminars
- Representation and management of individual and family estates in probate
- Commercial and residential development city planning and certification; managed real estate projects during planning and start stages

Nationwide Children's Hospital

Columbus, OH

Legal Fellow

2009-2010

- Executive training on employment matters and potential litigation issues
- Assist Community relations in legal analysis on transition from nonprofit to for profit around real estate ownership and development
- Identified current and pending statutes and regulations pertaining to children's Health care with analysis and recommendations (HIPAA, SSA, Medicare, Medicaid, Antitrust, Ohio Law on licensing and occupation)
- Drafted and managed real estate development and contracting related to tax exemption obligations and requirements, property/builders risk insurance claims & independent contractor agreements.
- Draft and develop proposed plans for real estate community projects

EDUCATION & ACCOLADES

The Ohio State University, Juris Doctor
Columbus, OH 2009

- Dean's Highest Honors Recipient, Public Service Award
- Academic Promise Award
- Moritz Enrichment Award

Oakwood University,
Huntsville, AL 2006

- B.A. Business Administration Management, High Honors
- A.A. Accounting, High Honors

ORGANIZATION & LEADERSHIP MEMBERSHIPS

Governor's Interagency Council on Health Disparities, *Member*, 2017

Seattle Housing Development Consortium Equity Task Force, *Board Member*, 2017-

Joint Interagency Language Access Committee (HBE/HCA/DSHS), *Member* 2017

Washington State Accessibility Advisory Council, *Member*, 2017

Phi Beta Lambda Business Fraternity, *Vice President & Alumni Advisor*, 2015-

Phi Alpha Delta Law Fraternity International, *Chief Justice & Alumni Advisor*, 2014-

Society of Success & Leadership, *Alumni Advisor & Member*, 2012-

September, 06th 2017

Washington State Supreme Court Commission

Interpreter Commission

Attention: Robert Lichtenberg

My name is Mary Toews. My expertise working with the Latino community throughout these years up until present in areas of legal, social services, education, medicine, and art would be a great addition to the Washington State Court Interpreter Commission. I can identify the needs in our community and I would like to take this opportunity to advocate for the best interest of the next Latino generation. I don't have any political experience but my passion, dedication, and perseverance to serve other best interest builds trust with people who open up the hearts by sharing their concerns, frustration, needs and dreams. I have 19 years of being an interpreter and translator in the language of Spanish. I certainly feel that this is the right time for me to move forward and participate in the commission where the voices of our people can be heard. Serving through this commission will enrich the rest of my life as learning experiences arise.

Very Truly Yours,

Mary Toews
Executive Director
Verbatim Translation/Mari's Place
Mary.toews@comcast.net
425-327-0321

Mary Toews

I am Executive Director of MARI'S PLACE art studio in Everett WA. A non-profit organization.
(2011-Present)

CEO. Verbatim Translation (1998- Present)

I was working as an interpreter and translator for several area hospitals and local International business including, The Children's Hospital, Harborview Medical Center, and. I also work alongside many local education and human services including Snohomish County Schools Districts, Everett Community College, The Children Museum, and Department of Social and Health Services (DSHS), Labor and Industries, Private groups of lawyers in Washington State.

In addition to my work as an interpreter and translator, I serve as an instructor at ESL through educational programs for crime prevention for Latino families, Parks and Recreations Department.

I enjoy volunteering my time and energy to several local causes. I was the President of the Booster Drama Club for Lake Stevens High School, the committee Chairman for Legacy Project at the Children's Museum, serves as the Board Director of the Education Foundation in Lake Stevens, United Way Snohomish County Vision Council, Board of Director of Camp Fire in Snohomish County, Latino Community Coalition, WWU Campus 2 Camp and proud member of the Everett Rotary Club.

I have a bachelor's degree in Human Services from the University of Mexico, and Law degree in International Business as well as certification in Early Childhood Education.

Mary Toews
Executive Director
MARI'S PLACE / VERBATIM
2321 Hoyt Avenue
Everett WA 98201
425-327-0321
Mary.toews@comcast.net



**Board for Judicial Administration
and
Interpreter Commission
Joint Strategic Initiative Charter**

INTERPRETER SERVICES FUNDING TASK FORCE

I. Title:

BJA-Interpreter Commission Interpreter Services Funding Task Force

II. Authority:

General Rule 11, Court Interpreters, WCR

Board for Judicial Administration Rule 1, WCR

III. Goal:

To identify the demand for and costs of court language interpreter services in Washington, and to develop and implement a successful strategy to obtain adequate state and local funding for interpretation services statewide.

IV. Charge, Deliverables and End Date:

The BJA-Interpreter Commission Interpreter Services Funding Task Force is formed to create and implement a strategy to secure adequate funding for court interpretation services statewide.

The task force shall:

- a. Identify and quantify the current demand for and costs of interpreter services statewide using empirical information and sound research methods.
- b. Analyze state and local funding for interpreter services.
- c. Review past budget proposals for interpreter services.

- d. Identify current efforts used to meet the demand for interpreter services and develop best practices that would optimize use of resources to provide services.
- e. Develop and submit a budget proposal for the 2019/21 biennium justified by quantitative empirical evidence.
- f. Develop a legislative strategy to successfully obtain adequate state and local funding for interpreter services.
- g. Provide a report to the BJA along with a budget proposal at a time that conforms with the 2019/21 legislative biennium.

This charter shall expire on June 30, 2019.

V. Membership:

Following is a recommended membership list. Final membership will be determined by the Co-chairs of the Taskforce.

Chairs:

- Justice Steven Gonzales for the Interpreter Commission
- Judge Michael Downes for the Superior Court Judges Association
- (TBD) for the District and Municipal Court Judges Association

Membership:

- Member, Washington State Minority and Justice Commission
- Representative, Washington State Coalition for Language Access
- Representative, Washington Association of Counties
- Representative, Association of Washington Cities
- Representative, Office of Civil Legal Aid
- Representative, Office of Public Defense
- Representative, Washington Association of Prosecuting Attorneys
- Director, Office of Legislative Relations, Administrative Office of the Courts
- Director, Management Services Division, Administrative Office of the Courts, or designee

VI. Entities to Consult or Coordinate with:

- Washington Supreme Court Interpreter Commission
- Superior Court Judges Association

- District and Municipal Court Judges Association
- Administrative Office of the Courts
- Washington Center for Court Research
- Washington Associations of Counties
- Association of Washington Cities
- Washington State Minority and Justice Commission
- Office of Civil Legal Aid
- Office of Public Defense
- Washington Association of Prosecuting Attorneys
- Access to Justice Board
- BJA Legislative Committee
- BJA Policy and Planning Committee

VII. Staff Support:

The task force shall be provided supported by:

- Staff, BJA Policy and Planning Committee
- Staff, Supreme Court Interpreter Committee
- Staff, BJA Legislative Committee
- Staff, Washington Center for Court Research
- Supreme Court Commissions Administrative Manager
- BJA Administrative Manager
- BJA administrative support

VIII. Budget:

Support for travel and meeting expenses shall be provided from funds allocated to the BJA and the Interpreter Commission by the Administrative Office of the Court.

Adopted:

Committee Reports



Interpreter Commission - Issues Committee
Tuesday, June 13, 2017 (12:00 p.m. – 1:00 p.m)
Teleconference

MEETING MINUTES

Members Present:

Judge Beall
Thea Jennings
Linda Nobel

AOC Staff:

Robert Lichtenberg
James Wells

Members Absent:

LaTricia Kinlow
Alma Zuniga

Guest:

Katrin Johnson

Call to Order

Updates to GR11.2

The Committee reviewed the draft of the revised Code of Ethics for court interpreters. They discussed the best way to present the changes to the Interpreter Commission and the format for presenting rule changes to the Supreme Court. Small technical changes would not require justification, but larger and more substantive changes will need explanations to accompany the new draft. The explanations should include reasons why the changes would be beneficial if adopted and anticipate concerns that might arise during the review. The Committee can help with the language of the justifications before it is submitted for review.

A draft of the revisions should go to the Commission ahead of the meeting to ensure they have a chance to review them before the meeting. When the revisions go to the Commission, it would be helpful to provide a copy of the state or professional organization's code if that code played a significant role in the revision.

Revisions to court rules go to the Supreme Court Rules Committee, followed by a period for public comment. The Supreme Court then issues an order adopting some or all of the revisions.

Interpreter Compensation Survey

The Commission discussed the next steps for the Interpreter Compensation Survey and how to present it to the courts. It is important to provide courts with a context for the

different elements of the survey and explain the industry reasons for the payment practices. For example, there should be an explanations about why courts pay a 2 hour minimum in the appropriate section of the survey.

The Committee wanted to summarize the results to make it more readable and focus on the most relevant information for the courts. Any discernable patterns or outliers could be looked at for additional information.

The Committee discussed how information from the survey could be used to inform the reimbursement program. The survey might suggest that the hourly cap in the policy should be raised. The AOC would not be able to increase the amount they reimburse with additional funding from the Legislature. However, data from the survey could be useful for the taskforce that is being created to work on legislative issues and getting more funding.

Next Meeting

- Teleconference on July, 11 2017, 12:00 p.m. to 1:00 p.m.

Action Item Summary
<i>AOC staff and Ms. Johnson</i> – AOC staff will create a draft of a summary of the interpreter compensation data for courts. Ms. Johnson can provide input regarding context for the information.
<i>AOC staff</i> – Send out a copy Rule 9 to Issues Committee.
<i>AOC staff</i> – Find out the fall submission deadline for changes to Court Rules



Interpreter Commission - Issues Committee
Tuesday, July 11, 2017 (12:00 p.m. – 1:00 p.m)
Teleconference

MEETING MINUTES

Members Present:

Judge Beall
Thea Jennings
LaTricia Kinlow
Linda Noble

Members Absent:

Alma Zuniga

AOC Staff:

Robert Lichtenberg
James Wells

Guest:

Katrin Johnson
Lynne Lumsden

Call to Order

Meeting minutes from June meeting approved

Interpreter Compensation Survey

The Committee discussed a new summary for the interpreter compensation survey that went out to the courts earlier in the year. This new version was directed at a court audience and the content was modified from summary last seen by the Interpreter Commission. It also included some context on some topics to help courts better understand the survey information.

The Committee looked at the cancellation policy section and the level of detail it should have. The survey could include the list of components found in the policies that the courts provided with their survey responses. The survey summary could also include a sample policy.

The Committee considered how the Commission will use this summary. The survey is mostly informational and a number of courts asked to see a summary of the report. This summary would also a good opportunity to provide guidance to courts and give them general information about interpreter compensation policy. It could communicate best practices while providing context. A purpose statement could be added to the survey summary to indicate the survey results are for information only and not to suggest a particular payment policy.

The Committee discussed the pay rate in the court interpreter reimbursement contract and how it may influence the courts in the compensation rates. The contract partially reimburses courts for some expenses but has a cap on reimbursement for each interpreting event. Courts may use this cap as a threshold. Increasing the cap could suggest to courts they should consider increasing their rates if they are currently lower than the cap. Increasing the rate in the reimbursement program policy could be used by courts to help justify increasing the budget for interpreter pay. One challenge in increasing the pay rate in the policy is the lack of any additional funding to reimburse the courts for the increase.

A statement about the payment in the reimbursement contract could be given that explains how it was arrived at, why it has been stagnant, and how courts should look at it. Language could also be included to motivate courts to review their payment policy for interpreters just as the pay rate for court staff is reviewed.

The current survey summary with the suggested changes from this meeting will go to the next Commission meeting for the Commission's recommendation on the best way to use the survey.

GR 11.2

The Committee reviewed the draft of the revised Code of Ethics for court interpreters and discussed the next steps for the draft. For the updated code to go into effect next year, the Supreme Courts Rules Committee would need the submission by October 15. This Code of Conduct would be a new topic for the Rules Committee. The Commission would want to anticipate any questions or concerns the Rules Committee might have to help the review process. There was a concern that the Commission would be meeting only about two weeks before the submission deadline which might not allow sufficient time for their review.

To prepare as much as possible for the Commission meeting, it was suggested that next Committee meeting be dedicated to reviewing the code. Any comments or edits could also be sent to Ms. Nobel by email.

Next Meeting

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

Action Item Summary

<i>AOC Staff</i> – Update survey summary with edits suggested at this meeting and by email.

Committee Members – Submit comments or suggestions about the Interpreter Code of Conduct by email.



Interpreter Commission - Issues Committee
Tuesday, August 1, 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

Meeting minutes from July meeting approved with modification.

Interpreter Compensation Survey

No new changes were made for this meeting. It will be reviewed at the September meeting.

GR 11.2 Revisions

The Committee reviewed the latest draft of the revision to the Interpreter Code of Conduct.

- Preamble: Two options were provided in the draft. The Committee discussed some potential confusion of the phrase "for all parties" which was meant to emphasize that the interpreter will follow the code regardless of who is being interpreter for in a court. It was felt that the meaning would be clear without this phrase. The Committee suggested creating a hybrid of the two options.
- They discussed the phrase "in the judiciary". There was a concern some people might interpret this narrowly and believe it refers to judges primarily and that judicial system or legal system may be better alternatives.
- The Committee discussed the scope of where this code applies. The code clearly applies to proceedings inside the court room but there was a question about the extent it would apply to other legal and non-legal settings. Settings outside the legal system, such as conference interpreting and community interpreting, often have their own code of conduct and some of the elements that relate to a legal setting may not be relevant or productive.

- Accuracy: The Committee made suggestions to reword the section.
- Competency: The Committee suggested moving sentence about the interpreter disclosing reservations about being able to interpret competently from the comment section to the main body of the canon. The Committee also suggested simplifying the references to statutes or court rules that concerning giving legal advice.

The Committee will resume their review of the code starting the Impartiality section at the next meeting.

Court Training Needs / Complaint

The Committee discussed a recent complaint brought to the Interpreter Commission about issues that were observed at a recent court proceeding. The complaint involved the behavior of multiple interpreters and some of the court staff. The Committee discussed getting an audio of the proceedings to clearly identify the situation and understand what the potential issues were. Ms. Kinlow offered to help reach out to the court to request the recording.

Next Meeting

- First Tuesday in September

Action Items
<i>Ms. Noble</i> – Send out new version of the preamble for the Code of Conduct.
<i>Ms. Kinlow</i> – Obtain audio recording regarding the complaint for Committee's review.



Interpreter Commission - Issues Committee
Tuesday, September 5, 2017 (12:00 p.m. – 1:00 p.m)
Teleconference

MEETING MINUTES

Members Present:

Judge Beall
Thea Jennings
Linda Noble
Alma Zuniga

AOC Staff:

Robert Lichtenberg
James Wells

Members Absent:

LaTricia Kinlow

Call to Order

Meeting minutes from the August meeting approved with modification.

GR11.2 Revisions

The Committee reviewed the updated draft of the revisions to General Rule (GR) 11.2. Some of the elements discussed were:

- **Title:** The title of the document had been modified to emphasize that the code applies to the interpreters themselves and not the location. The change will be brought at the Commission meeting for further discussion.
- **Impartiality:** Being consistent with some terms of art such as "potential conflict" versus "perceived conflict" conflict throughout the section. Stating that the list of possible conflicts is not exhaustive and adding language such as, "including but not limited to".
- **Confidentiality:** Some parts of the code referenced very specific and infrequent circumstances. Rather than provide useful guidance, they may clutter the code and open the door to a very long list of similar situations. Some references could be moved to the comments rather than completely eliminated.
- **Professionalism:** It may be possible to eliminate this section. Some elements of this section seem more like best practices rather code of conduct, such as references to the attorney's attire. This element of professionalism is implied by the preamble which indicates interpreters are officers of the court. References to criminal conduct are in the interpreter policy manual. The first paragraph of the comments sections could be moved under the Accuracy or Competence section.

Authorization for CEUs for Commission-related Work

The Committee discussed the policy of giving members of the Commission who are certified interpreters CEUs for some of their work. There are two projects the Commission is involved in that seem eligible for credits: Revisions to GR11.2 and Skits for Fall Judicial Conference.

The Issues Committee will recommend to the Commission that interpreters in group revising GR11.2 receive credits. The Issues Committee was involved in this project as well and understood the project and the work the interpreters did. The Committee felt the Commission should decide for group working on the Fall Judicial Conference skit since the Issues Committee was not unfamiliar with the project and the work done by the interpreters.

The Committee also discussed the possibility of changing policy to allow AOC staff to determine whether or not interpreters should receive CEUs rather than having the Issues Committee involved in the process.

Complaint

The Committee discussed a complaint brought against an interpreter that misrepresented himself as a certified interpreter. They discussed how much authority the Commission had over an interpreter who is not credentialed. The Committee suggested that the Commission could send a letter and educating the court, court staff, and presiding judge. Before proceeding the Committee wanted to gather evidence beyond the content of the letter. A transcript of the court proceeding would be requested to further investigate the incident.

Action Item
AOC Staff – Request court transcript regarding complaint about interpreter.

CODE OF PROFESSIONAL RESPONSIBILITY FOR JUDICIARY INTERPRETERS IN THE JUDICIAL JUDICIARY

Commented [L1]: The code should relate to whom not where. While this may sound odd, please note that NAJIT is the National Association of Judiciary Interpreters. It is also used by some other states.

Table of Contents

- Preamble
- Scope (explains canons and comments)
- Applicability (who must abide by the code and when)
- Definitions (e.g. WA judicial system and industry specific terms e.g. target language)
- Cannons
- Comments
- Compliance

PREAMBLE.

The purpose of this code is to establish standards of conduct that interpreters must abide by in order to preserve the integrity and independence of the judicial system. It establishes core ethical principles to guide and articulate expectations for interpreter conduct in all aspects of the profession.

As officers of the court, interpreters shall maintain high standards of professional conduct that promote public trust and confidence in the administration of justice.

SCOPE. The text of each rule is authoritative while the comments provide important guidance in understanding the rules.

APPLICABILITY. All interpreters serving in the judicial system shall abide by this Code of Professional Responsibility.

(a) ACCURACY. Interpreters shall render an accurate interpretation by reproducing in the target language the closest natural equivalent of the source language message without explanation, and/or altering, omitting, or adding anything to the meaning of what is stated or written.,

Comment

Interpreters are obligated to conserve every element of information contained in the source and target languages. In doing so, they fulfill a twofold duty: 1. to ensure that legal proceedings reflect in English precisely what is said or signed by Limited English Proficient individuals; and 2. to place Limited English Proficient individuals on an equal footing with those who are fully English proficient.

Interpreters are required to apply their best skills and judgment to preserve, as faithfully as reasonably possible, the meaning of what is said or signed, preserving the style and register of speech and the ambiguities and nuances of the speaker.

Every statement should be interpreted, even if it appears non-responsive, obscene, rambling, or incoherent. This includes apparent misstatements. However, verbatim, "word for word," or literal interpretation is inappropriate if it distorts the meaning of what is said or signed.

Spoken language interpreters should convey the emotional emphasis of the speaker without reenacting or mimicking the speaker's emotions or dramatic gestures. Sign language interpreters, however, must employ all necessary visual cues, including facial expressions, body language, and hand gestures.

The obligation to preserve accuracy includes the interpreter's duty to correct any substantive errors of interpretation as soon as possible. Interpreters should be prepared to accept feedback, including challenges to their interpretation, in a professional and impersonal manner.

Due to the difficulty of interpreting audio files, the practice of doing so in court should be discouraged at all times. If ordered by the presiding officer to interpret an audio file in court, interpreters should comply, but state on the record that they cannot guarantee the accuracy of the interpretation.

The ethical responsibility to interpret accurately includes the responsibility of being properly prepared for assignments. Interpreters are encouraged to obtain documents and other information necessary to familiarize themselves with the nature and purpose of an assignment. Prior preparation is generally described below, and is especially important when testimony or documents include highly specialized terminology and subject matter.

Preparation might include but is not limited to:

1. reviewing relevant documents, such as criminal complaints, police reports, briefs, witness lists, jury instructions, etc.;
2. asking interpreters previously involved in the case for information on language use/style; and
3. asking attorneys involved in the case for additional relevant information.

(b) **COMPETENCE.** Interpreters shall not knowingly accept any assignment beyond their skill level nor provide services outside their scope of practice. If at any point they have reservations about their ability to satisfy an assignment competently, they shall immediately disclose this to all parties.

In their professional capacity, interpreters shall not give legal or other advice or engage in any other activity that may be construed as a service other than interpreting or translating.

Comment

Interpreters are duty-bound to inquire about the assignment in advance and assess their competence to render services. If at any point they have reservations about their ability to satisfy an assignment competently, they shall immediately disclose this to all parties.

Interpreters are not qualified to give written or oral counsel about a legal matter that would affect the rights and responsibilities of the person receiving the advice. GR 24 sets forth what constitutes the practice of law.

Interpreters should maintain and expand competence in their field through professional development. Professional development includes: steady practice; formal professional training; ongoing education; ad hoc terminology research; regular and frequent interaction with colleagues and specialists in related fields; staying abreast for current issues, laws, policies, rules and regulations that affect their profession.

~~Interpreters should know and follow established protocols for delivering interpreting services. When speaking in English, interpreters should speak at a volume that enables them to be heard throughout the courtroom.~~

Commented [2]: This paragraph was originally under "Professionalism," which has been deleted.

(c) HONESTY AND INTEGRITY

Interpreters have an inviolable duty to provide honest services in which their behavior upholds the values outlined in this code. They shall accurately represent their credentials, training, and relevant experience. Interpreters shall not engage in conduct that impedes their compliance with this code, or allow another to induce or encourage them to violate the law or this code.

Comment

It is essential that interpreters present a complete and truthful account of their credentials, training, and relevant experience prior to an assignment so that their ability to satisfy it competently can be fairly evaluated.

(d) IMPARTIALITY AND NEUTRALITY. Interpreters shall faithfully render the source message without allowing their own views to interfere. They shall refrain from conduct that may give an appearance of bias and shall disclose any real or potential conflict of interest as soon as they become aware of it.

Comment

Interpreters shall strive for professional detachment. Interpreters shall uphold impartiality by avoiding verbal and non-verbal displays of personal attitudes, prejudices, emotions, or opinions. Interpreters shall render differing views or opinions expressed on any issue without allowing their own to interfere.

As officers of the court, interpreters serve the court and the public, regardless of whether publicly or privately retained. Interpreters shall uphold neutrality by avoiding any behavior that creates the appearance of favoritism toward anyone. Interpreters shall maintain professional relationships with persons using their services, discourage personal dependence on the interpreter, and avoid participation in the proceedings in any capacity other than providing interpreter services. During the course of the proceedings, interpreters shall not converse with parties, witnesses, jurors, attorneys, or with friends or relatives of any party, except in the discharge of their official functions.

Interpreters shall not serve in any matter in which they have an interest, financial or otherwise, in the outcome, unless a specific exception is allowed by the judicial officer for good cause and noted on the record. Interpreters shall not solicit or accept any gifts or gratuities from any of the parties. Interpreters shall disclose any circumstance that creates a potential conflict of interest, including but not limited to the following:

1. the interpreter is a friend, associate, or relative of: a party, a witness, a victim, or counsel;
2. the interpreter or the interpreter's friend, associate, or relative has a financial interest in the case at issue, a shared financial interest with a party to the proceeding, or any other interest that might be affected by the outcome of the case;
3. the interpreter has served in an investigative capacity for any party involved in the case;
4. the interpreter has previously been retained by a law enforcement agency to assist in the preparation of the criminal case at issue;
5. the interpreter is an attorney in the case at issue;
6. the interpreter has previously been retained for employment by one of the parties; or
7. the interpreter participated in the selection of counsel.

The existence of any one of the above-mentioned circumstances shall be evaluated by the parties, but should not automatically disqualify an interpreter from providing services. If an actual or perceived conflict of interest exists, the parties shall determine whether it is appropriate for the interpreter to withdraw based upon the totality of the circumstances.

(e) CONFIDENTIALITY. Interpreters shall not divulge privileged or confidential information obtained in their professional capacity, unless under court order and/or with written consent of the party for whom they interpreted. They shall refrain from publicly discussing matters in which they serve.

Comment

Privileged communications take place within the context of a protected relationship, such as that between an attorney and client, a husband and wife, a priest and penitent, and a doctor and patient. The law often protects against forced disclosure of such conversations.

Commented [3]: There was suggestion by Bob that we include the verbiage about "selection of counsel"

Additionally, interpreters are routinely privy to communications that, while not necessarily privileged by law, are conveyed in confidence. Confidentiality is the belief that one can trust that someone will keep information secret or private. The duty of confidentiality places ethical restrictions on interpreters' disclosure of information obtained in their professional capacity.

Interpreters may be called upon to testify about their interpreting services and their qualifications to perform them. Interpreters may also give expert testimony regarding the accuracy of a transcription/translation.

(f) PROFESSIONALISM. Interpreters shall comport themselves in a manner consistent with the dignity of the court.

Commented [4]: I/C recommended removing this value from the code altogether as overly broad and subjective.

Comment

~~Interpreters should know and follow established protocols for delivering interpreting services. When speaking in English, interpreters should speak at a volume that enables them to be heard throughout the courtroom.~~

Commented [5]: Maybe include this under accuracy or competence?

~~Interpreters should position themselves appropriately to facilitate communication both from an auditory and visual perspective without obstructing the view of anyone involved in the proceedings. Sign language interpreters should position themselves so that signs, facial expressions, and whole body movements are visible to the person for whom they are interpreting.~~

~~Interpreters shall comport themselves in a polite, respectful, and tactful manner towards all parties and towards their colleagues. Additionally, they should support their colleagues by sharing knowledge and expertise.~~

~~Interpreters are expected to be punctual, dressed appropriately, and prepared for the assignment.~~

Commented [6]: I/C recommended deleting these three paragraphs entirely.

~~Should we add something about criminal activity?? Like the WSBA 8.4b.~~

Commented [7]: Suggested by IC

COMPLIANCE. Interpreters who violate the provisions of this code are subject to a citation for contempt, disciplinary action or any other sanction that may be imposed by law.

Court Interpreter Compensation Survey

Summary for Courts

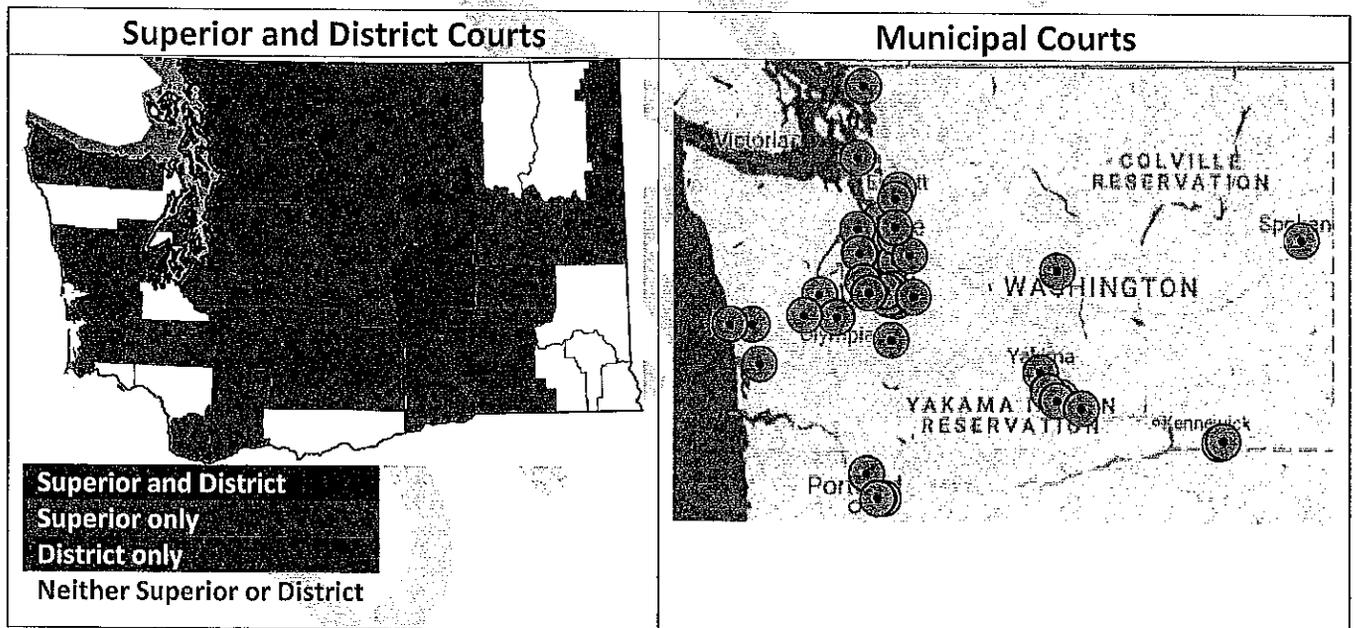
Introduction

In March and April of 2017, the Court Interpreter Program sent an online survey to trial courts across Washington on behalf of the Interpreter Commission. The survey covered a number of topics about how courts pay interpreters. Below is a summary of the results of the survey along with additional information about interpreter compensation.

Note: when percentages are used in the survey, they refer to the number of courts answering that question.

Responses

There were 85 responses to the survey. The maps below show the jurisdictions of the courts who responded.



Group Compensation Plans

Several courts have group plans because they cover multiple jurisdictions and share interpreter coordinators and resources.

One group of courts in neighboring municipalities worked together to create a consistent policy regarding interpreters. This group policy can help prevent competition among the courts for interpreters and provide courts with a reference when negotiating with interpreters.

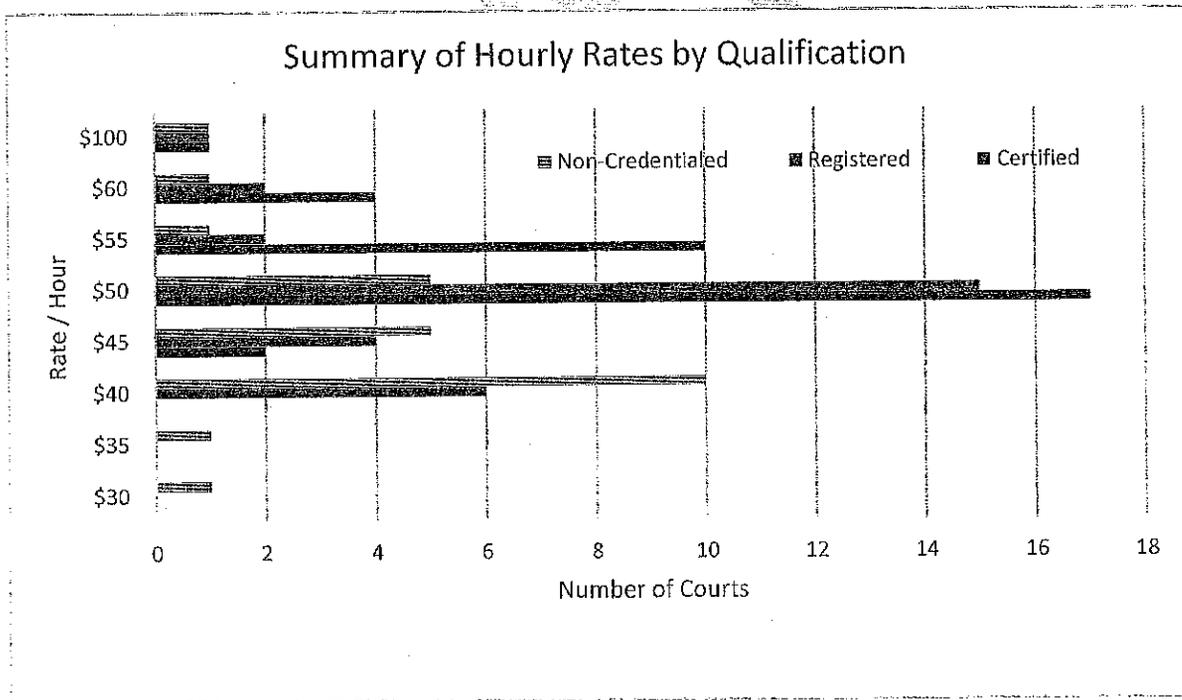
Staff Interpreters

About 15% of the courts use staff interpreters. Of those courts with staff interpreters:

- Most, if not all, staff interpreters are court certified.
- Only two jurisdictions reported having more than 1 staff interpreter.
- All staff are Spanish interpreters.
- About 80% have full-time staff interpreters.
- The pay range for staff interpreters varied greatly. Hourly rates ranged from \$16.07 to \$42.23. Annual salaries ranged from \$37,175 to \$64,152.

Independent Interpreters

Most, if not all, courts hire independent/freelance interpreters when necessary. Courts generally pay interpreters based on the interpreter's qualification. A summary of the rates is below:



Average Hourly Rates:

Certified: \$54

Registered: \$50

Non-Credentialed: \$46

Courts indicated they sometimes pay interpreters above their standard rates. (See the end of this document for information on ASL interpreters.) Common reasons for paying higher rates included:

- Interpreters who simply charge more.
- Interpreters for rare, hard-to-find languages.
- Courts are in remote areas and travel requires a greater time commitment.
- Interpreting agencies that charge higher rates.

Note: The terms "Certified" and "Registered" refer to interpreters who have attained these credentials through the AOC's court interpreter program. Interpreters with these credentials must pass tests and comply with ongoing training requirements. There are other non-judicial organizations with their own certification programs, such as DSHS and telephonic interpreting companies. However, certifications from those organizations do not meet the same standards as the AOC court certification program.

Hourly Minimums

It is common in the interpreting industry, like many other types of service, to charge for blocks of time. These time blocks are often referred to as "hourly minimums." Hourly minimums guarantee that interpreters will receive at least that amount when they accept an assignment at that court. Eighty-five percent of the courts routinely pay an hourly minimum, and most pay interpreters for a guaranteed two-hour block of time. Most courts also reserve and guarantee payment for longer blocks of interpreters' time for trials.

Non-Hourly Rates

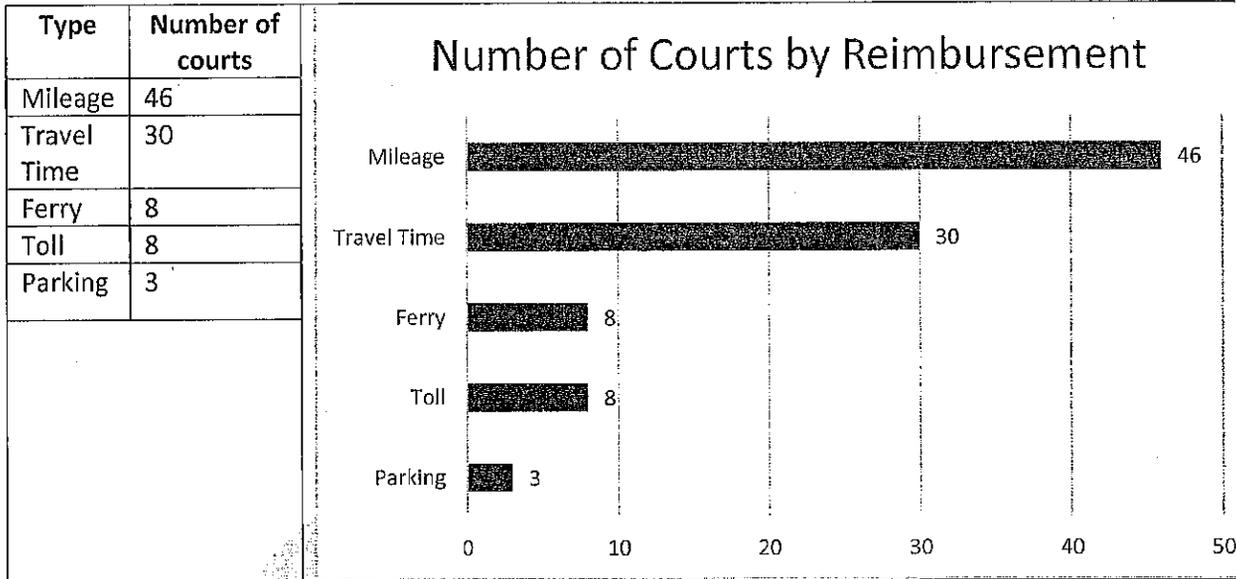
Some courts have special rates for half or full days. These rates allow courts to spend less per hour while providing a guarantee to the interpreter they will be working for a certain minimum number of hours. Paying interpreters by a half-day-rate can provide more flexibility to the court as well, particularly if there may be unexpected delays or add-ons. When the court hires an interpreter using a 2-hour minimum, it cannot expect the interpreter to be available past that two-hour block of time.

Travel Reimbursement

In most situations, interpreters must spend a considerable amount of time traveling to and between court assignments. The more travel time they incur, the less they are available for courtroom work. In order to ensure interpreter availability for court business, many courts

provide interpreters some payment for travel. Courts vary in the kind of travel expenses they will reimburse:

- 68% of courts reimburse for mileage.
- 46% of the courts reimburse for travel time.
 - Of those courts, 59% are in rural counties and 35% are in urban counties.
- 60% of the courts that reimburse travel time do so at the same rate as interpreting time in court.



Restrictions on Reimbursement

About 10 courts reported they had restrictions on the mileage they reimburse:

- Five have distance requirement.
- Three pay only one way.
- One shares mileage costs if an interpreter is appearing at another local court.

Telephonic Interpreting

Eighty-one percent of the courts use telephonic interpreters. The most common telephone interpreting service used is Language Line. Many courts also work directly with interpreter rather than use a service.

For Spanish telephonic interpreting, the most common fee was \$0.98 / minute, which is the rate for Language Line. Courts also sometimes pay at an hourly rate depending on the interpreter and the language.

Practice Tip: While telephonic interpreting can be a cost-saving measure, it may only be used in limited circumstances. Supreme Court General Rule 11.3 sets mandatory parameters. Also, RCW 2.43.030 requires the court to appoint interpreters credentialed by the AOC. Many telephonic interpreting companies do not have interpreters who meet that standard.

Cancellation Policy

About half of the courts have a cancellation policy if the event an interpreter is scheduled for is cancelled. Cancellation policies vary in how much detail they contain.

Most Common Components

- Notice period: Typically 24 hours. Many courts have longer notice periods, especially for trials.
- Amount of Compensation: Often the court's hourly minimum (for example: \$100 or \$50/hour for a two-hour minimum) or for the actual time scheduled if it was longer than the minimum.

Additional Components

- Details for trials scheduled over a longer period.
- Details of what constitutes notice to interpreters.
- Compensating interpreters for mileage or travel time if they are only notified of cancellation after arriving at court.
- Language specifying consequence for interpreter if they cancel within the notice period.

ASL Interpreters

Fifty-eight percent of the courts compensate ASL interpreter differently from spoken language interpreters. These differences included:

- About half of the courts indicated the pay varies based on interpreter.
- About one-third specified rates between \$50-\$80/hour.
- Some courts also have different policies regarding cancellation fees and travel reimbursement.

Dear Issues Committee,

I am writing to request that the Issues Committee review CEU credits for the following two activities:

1. Revisions to GR 11.2
2. Preparation for and participation in the Judicial Conference

There's a policy that appears to apply in this circumstance, although careful reading of it implies that it was intended for situations when interpreters are called up to translate (see highlighted portion [highlighting mine] documents rather than actually review and rewrite):

(5) Credit for Interpreter Program/Commission Work. Interpreters who are specifically authorized by the AOC to review, rewrite and/or develop new or existing policies, manuals, materials or data managed by AOC's Interpreter Program or the Commission, may receive continuing education credit for such work, not to exceed three (3) credits during any calendar year or six (6) credits during any two-year reporting period.

All work provided pursuant to this section will be reviewed by other certified or registered court interpreters to ensure completeness and accuracy. The reviewed work will be submitted to the Issues Committee for review and to the Interpreter Commission for approval.

The Issues Committee will determine the number of continuing education credits for work provided pursuant to this section. No continuing education credits earned pursuant to this section may be carried forward to the next two-year reporting period.

In this instance, the work was in rewriting code and/or preparing and presenting at a conference and did not involve translation. So, I believe some deviation from the rule is warranted.

Due to the time sensitive nature this request, I am hoping to get it resolved by e-mail rather than waiting until our next meeting. The two-year reporting cycle is up in December, so recipients need to know the status of their CEU fulfillment.

Revisions to GR 11.2

The core group has worked on this from May, 2016 to present. The group met weekly for one hour through July 2017. Since then we have met twice by phone and corresponded by e-mail in response to review by the I/C. The actual hours spent by phone meeting and in research well exceeds 50 per person and included one Saturday in-person meeting for 4 hours. For this group, I would request authorization of a minimum of 4 "Professional" CEUs and 2 ethics CEU's.

Within this "core group" the following individuals are AOC certified and seeking credits: Emma Garkavi, Milena Calderari-Waldron, and Linda Noble.

Additionally, Nancy Leveson was involved for the first 6 months; I am requesting 2 ethics CEU's for her.

Judicial Conference prep:

If I haven't maxed out on what I can receive (as I do not believe the above rule applies), I am requesting additional 3 Professional CEU's for my preparation and participation. Additionally, I am requesting 1.5 Professional CEU's for Robert Phed, who participated in the skit.

Further, I am requesting that any excess credits be allowed to carry over to the following reporting cycle (except ethics, as ethics can never be carried over)

I am happy to answer any questions, but obviously need to recuse myself from the decision process.

Thank you in advance.

Linda

--

Linda A. Noble
WA AOC Certified, Russian
ATA Certified, Russian => English
www.nobletranslation.com

Meeting Notes
Interpreter Commission Education Committee
June 16, 2017

Present: Katrin Johnson, Fona Sugg, Eileen Farley, Francis Adewale, Linda Noble, Lynne Lumsden, Robert Lichtenberg

Court Interpreter Coordinator Training

AOC recently hosted two trainings for court interpreter coordinators – one in SeaTac, one in Yakima. Both were successful and beneficial opportunities for court staff to share each other's practices and resources. Many felt that this is a training that should be continued annually in the future to supplement what is already available at INCE. We should look to integrate other court administrators in the future as presenters.

Judicial Conference

Counter Scenario

The goal of this portion is for the audience to feel what it's like to go to court seeking assistance, and not being able to communicate in the dominate language.

Lynne and Francis came up with an outline for an out-of-court situation where a person goes to court in seek of a no-contact order. The court employee would provide long, wordy sentences on what to do, where to go. Signage will be poor and difficult to understand. We'll have a demonstration of how it's done incorrectly, and how it can be done correctly. Linda will work with Lynne and Francis to work on more details, so that the court services are delivered in Russian to the English-speaking court customer. Next steps include:

- Developing a short script for the encounter
- Identifying/recruiting two Russian speakers (one to be the court counter staff, the second to be the supervisor, possibly "telephonic" interpreter)
- Create some signage in Russian – both good signage and bad signage (Once ready, Bob can work with the AOC Copy Center to get printed)
- Identification/preparation of Russian forms

Courtroom Scenario

Like the previous one, again we'll demonstrate a right-way and a wrong-way to conduct a hearing where the defendant doesn't speak the dominant language. In this case, the defendant will speak English, but court is conducted in ASL.

An additional element could be to use a "qualified" interpreter in the scenario. This could illustrate the how the quality of the interpretation can affect the court proceedings and stress the need to have a good interpreter. It could also show how important it is for judges to pay attention to the interpretation. There was a discussion about including a sidebar in the scenario. This sidebar conversation could be the

method of showing the correct way of doing things instead of having the correct version of the scenario after the problematic version as in the first scenario.

Eileen has courtroom transcripts, and will try to find a few examples that could serve as base scripts. She should have them by the third or fourth week of July. Bob will edit the script a bit to customize it to our learning objectives.

Bob will work with the local Deaf and Hard of Hearing service center and nearby court certified ASL interpreters to recruit participants for the skit.

Other Portions of the Presentation

Recommended presenters – Justice Gonzales, Judge Doyle, Judge Beall, and Judge Bradley.

Next Meeting

Katrin will send out a Doodle Poll for the next meeting day/time.



WASHINGTON
COURTS

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

MEETING MINUTES

Members Present:

Katrin Johnson
Francis Adewale
Eileen Farley
Lynne Lumsden

AOC Staff:

Robert Lichtenberg
James Wells

Members Absent:

Fona Sugg

Meeting Called to Order

Interpreter Education Session Proposals

The Committee discussed the sections of the upcoming interpreter presentation at the Judicial Fall Conference.

Outside Courtroom Sketch

The group working on the sketch taking place outside the court room had not had a chance to meet yet. Ms. Johnson had a suggestion for an additional Russian interpreter, who is also an attorney, if one was needed.

Courtroom Sketch

Ms. Farley has found two possible court transcripts that could help with creating the script for the ASL sketch. The transcripts would need to have all personal information redacted. The transcripts would also need to be adapted to include an interpreter and illustrate potential situations that may arise when an interpreter is used in a court room. Two suggested situations were:

- During the scenario with a LEP litigant appearing pro se, the litigant directly asks the interpreter for information. The judge would notice and interject, communicating directly to the defendant and explaining the role of the interpreter.
- Multiple people in the courtroom would be signing at the same time. The interpreter would be trying to keep up which would illustrate the challenges of interpreting when there are overlapping conversations. The judge would step in, asking that only one person sign at a time.

These two illustrations would show the judge in the scenario correcting the situation. It would be important for the scripts to indicate where the overlapping conversations so that they can properly illustrate the point. The scenarios would need three to four participants.

Lecture

Following the two sketches, there would be a lecture portion of the presentation. The presenters would be Justice Gonzalez, Judge Beall, and Judge Doyle. One of the judges would also moderate the sketches. The lecture would have three sections:

- Interpreter basics
- More advanced interpreter topics
- Language Access Plans

The Committee discussed some talking points that been circulated by email before the meeting. There were a number of important issues and it was felt many of them should be brought up. Given the time constraints, the talking points could be presented as a checklist in a hand out. They could be prioritized with the most important points being brought up by the presenters and then audience members could bring up particular points that are relevant to them. Some of talking points may be illustrated during the sketches. Some of the issues Committee member felt were important were:

- Getting materials and documents to interpreter before the case.
- Interpreters getting paid for prep time.
- Late notice.
- Instructions given to the jury when interpreter is used and possible questions during voir dire.
- Time constraints with interpreters.

Joint Judicial Education Committee

The Committee discussed a recent meeting of representatives from the Commissions' education committees and other court education staff. The group has been looking for ways to streamline judicial education and ways to save and share resources. One suggestion was to integrate topics rather than each group or Commission always having separate sessions. For example, if the topic is jury selection, the issue of having a deaf or hard of hearing (DHH) jury member could mentioned even if it is not the main focus. Some possible areas of collaboration with the Gender and Justice Commission included:

- Transgender issues in cases involving an LEP.
- Domestic violence cases requiring interpreters.

Institute for new Court Employees

For this year's interpreter presentation at the Institute for new Court Employees (INCE), the AOC is hoping to have a court interpreter coordinator as a co-presenter. This would allow the presentation to give more practical information to the audience.

Next meeting

Ms. Johnson will send out doodle poll.

Action Items
<i>Ms. Lumsden</i> – Send copy of jury instructions referring to interpreters to the Education Committee
<i>Mr. Lichtenberg</i> – Begin recruiting people who know ASL for sketch
<i>Mr. Wells</i> – Redact info in court transcripts and send to the Committee



Interpreter Commission- Education Committee
August 29, 2017 (12:00 p.m. – 1:00 p.m.)
Teleconference

MEETING MINUTES

Members Present:

Katrin Johnson
Francis Adewale
Eileen Farley
Fona Sugg

AOC Staff:

Robert Lichtenberg
James Wells

Members Absent:

Lynne Lumsden

Meeting Called to Order

- Previous meeting notes: Not all Committee members had had an opportunity to review the meeting notes. Any changes could be sent to AOC staff by Friday, September 1. Notes would be deemed approved if no major changes were received by that time.

Fall Conference

Outside Courtroom Sketch

The Committee discussed some of the materials and props needed for the skit, which included some Russian documents from King County, I-Speak Cards, Right to Interpreter poster, no cell-phone signs, and stands for poster and signs.

The Committee discussed the effect on the audience of starting the skit at the beginning of the session without an introduction. This would help the audience feel some of the disorientation that the character in the skit would feel going to a courthouse without understanding the language. There would be some time after the skits or in between for some discussion with the audience. The moderator could have some prepared questions to ask of the audience.

The Committee discussed the length of the different sections of the presentation. The slide show for the lecture portion of the session was finalized and was longer than originally intended, although the time spent on each slide could be moderated. There would also need to be at least 10 minutes for a question and answer portion. The

Committee felt that the skit portion of the presentation was an important component and that should be given sufficient time. It was one of the key reasons this interpreter session was chosen as a plenary session.

Courtroom Sketch

The Committee discussed the second using ASL. Mr. Lichtenberg will be meeting with deaf actors to do a script review and go over their roles.

Future Education Sessions

The Committee discussed possible sessions for the SCJA or DMCJA in 2018. The deadline for the SCJA is September 1 and would take place in April 8 to April 11 of 2018. One possible topic could be the challenges involved in juvenile proceedings with parents of are Deaf and Hard of Hearing or Limited English Proficient.

One suggestion would be to have a session involving some changes made in King County after a study showed the was less participation in diversion programs by children of color, children from lower socioeconomic levels, and children who are LEP or have parents who have LEP. This indicated these groups are getting different access to these programs and King county made changes that included addressing how they communicate with these populations.

The proposal could be for a choice session for judges who work with juveniles. Even if this topic is not chosen for the SCJA conference, it may be a good opportunity to collaborate with the Minority and Justice Commission at another conference or webinar.

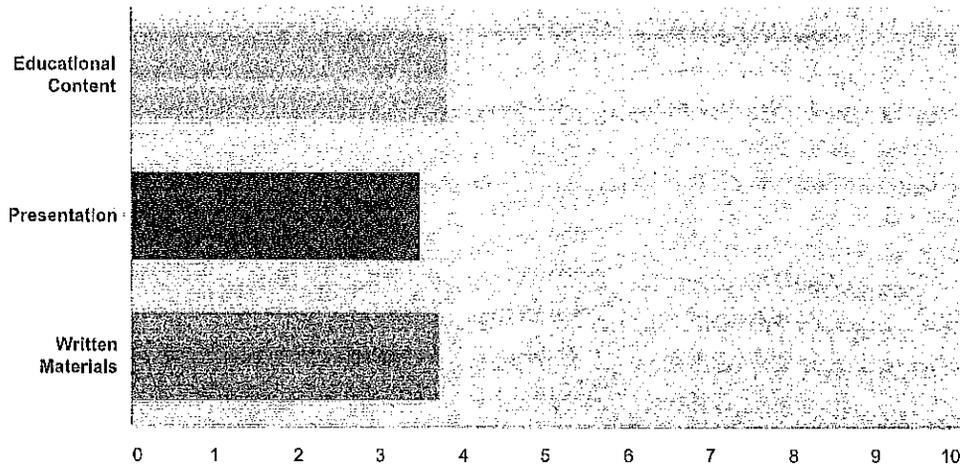
Next Meeting

Next full Committee meeting will take place after the Fall Conference session. A meeting with members working on Skit 1 will have meeting to finalize details.

Action Items
<i>Ms. Noble and Mr. Adewale</i> - Prepare a list of props or items that would be needed for the first skit, such as tables, microphone stand, signage, etc.
<i>Ms. Johnson</i> – Set up separate follow-up phone call for discussing the Russian skit
<i>Mr. Lichtenberg</i> - Recruit judges for skits. A female judge may be better for the first skit.
<i>Mr. Lichtenberg</i> - Visit the location of the session to understand the set up and see when would need to be brought for the skits.
<i>AOC staff</i> - Provide poster stand for Russian sign

**Q6 2:45 pm Working with Diverse
Communities Robert Lichtenberg —
Administrative Office of the Courts, State of
Washington, Olympia**

Answered: 54 Skipped: 7



	1 - Poor	2	3	4	5 - Excellent	Total	Weighted Average
Educational Content	0.00% 0	11.11% 6	27.78% 15	27.78% 15	33.33% 18	54	3.83
Presentation	5.56% 3	12.96% 7	29.63% 16	31.48% 17	20.37% 11	54	3.48
Written Materials	1.96% 1	7.84% 4	35.29% 18	27.45% 14	27.45% 14	51	3.71

#	Any comments about this speaker(s) or content?	Date
1	Difficult to understand, but I think that's part of the message that we need to be aware of. I thought this presentation should qualify for Ethics credit, as part of our obligation to help under-served populations.	7/11/2017 1:25 PM
2	n/a unable to attend	7/10/2017 5:35 PM
3	I love the interpreter exercises, particularly the simultaneous interpreter exercise. This affects me significantly, in that I now know how to handle interpreters.	6/29/2017 4:53 PM
4	Did not attend on Friday.	6/29/2017 8:53 AM
5	He did a great job	6/28/2017 10:09 AM
6	Bright and knowledgeable. The topic has occasional application to my practice, so was helpful. Unfortunately, I could not adequately understand what was being said or track the lecture with the materials. But the topic was important.	6/26/2017 3:30 PM
7	The information was basically good, but at times his presentation was hard to follow.	6/26/2017 2:11 PM
8	It was difficult at times to understand the speaker, however, this, at some level enhanced the value of the presentation.	6/26/2017 12:40 PM
9	please slow down a bit in your speaking. It helps to hear you more clearly.	6/26/2017 11:15 AM
10	I liked the speaker's exercises to help us understand the difficulties of translating	6/25/2017 12:11 PM
11	This presentation was a bit frustrating because it was very difficult to understand the speaker. Also, he focused only on the deaf community when many of his issues could have easily been addressed to other minority groups.	6/25/2017 9:43 AM

17529WAL 2017 Family Law Section Midyear Meeting and Conference ~ June 23-25, 2017

12	This discussion of diversity - I liked the interpreter exercises although I hate audience participation. This should have had more info on other forms of diversity - I would have liked to hear about cultural differences. Bob was hard to understand. I don't mean to be insensitive, sorry it comes out that way.	6/25/2017 9:43 AM
13	Due to my own hearing issues, Mr. Lichtenberg's presentation would have been better if his comments were close captioned.	6/25/2017 9:04 AM
14	I feel badly about saying this but he was very hard to understand.	6/25/2017 9:04 AM
15	I loved this section! I think that it put issues right in our face. We all had to listen carefully to Robert in order to understand and follow along. I have worked with the deaf community and it is challenging and at times uncomfortable....which is needed for us to grow. Access to justice FOR ALL (not just for those who can pay, who speak English, who can hear/see) is something we all need to focus on a little bit more.	6/25/2017 8:51 AM

Court Interpreter Program Reports

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.

Faculty Bios

Martha N. Cohen is a Washington State Court Certified Spanish interpreter and Manager of the Office of Interpreter Services for King County Superior Court in Seattle, a program recognized by the National Center for State Courts. She has provided training for interpreters and staff at Seattle University Law School, University of Washington Law School, the Translation and Interpretation Institute in Bellevue, WA, Gonzaga University Law School in Spokane, WA, American Bar Association, Legal Momentum, Asian & Pacific Islander Institute on Domestic Violence in San Francisco, interpreters in Guam Superior Court and a number of community-based organizations serving refugees and immigrants. Ms. Cohen is a national consultant on court-based interpreter programs and has presented information on how to work effectively with interpreters at the national, state and local levels for judges, attorneys and court personnel including serving as faculty on national webinars and workshops with the American Bar Association and the Asian & Pacific Islander Institute on Domestic Violence. She is a member of the Washington State Court Interpreters and Translators Society (WITS), the National Association of Judiciary Interpreters and Translators (NAJIT) and the American Translators' Association.

Emma Garkavi is an Interpreter Coordinator for Seattle Municipal Court. She is Washington and California states certified court interpreter in Russian. As an interpreter, Ms. Garkavi worked in Washington and other states in Municipal, District, Superior, Federal, and Immigration courts. She regularly works as a conference interpreter. Ms. Garkavi has been part of the faculty training court interpreters in Alaska, Kentucky and California. She is a member of NOTIS, NAJIT and ATA professional societies. Ms. Garkavi is a former President of the Washington State Court Interpreters and Translators Society and a former member of the Washington State Interpreter Commission.

María Luisa Gracia Camón is a Spanish Court Certified Interpreter and Program-Lead in Seattle Municipal Court Interpreter Services. In 2016 she was appointed a member of the WA State Interpreter Commission.

Ms. Gracia Camón holds a Bachelor's Degree in Translation and Interpretation (English and French) from the Universidad Alfonso X el Sabio (Madrid), Spain. Additional Law studies helped her specialize in legal translation and interpretation. In Spain she hold status of Official Translator and Interpreter. There she worked as a Conference Interpreter as well as a language instructor for almost a decade before moving to the US some years ago.

Chela Fisk: is an Interpreter Coordinator for Yakima County Superior Court. Ms. Fisk is responsible for scheduling and meeting the interpreter need for Superior Court, District

Court and Juvenile Court. She is also responsible for maintaining Personal Service Agreement contracts with Court Interpreters.

She previously worked as a Court Recorder, responsible for maintaining an accurate audio and visual court record, when a Court Reporter was not available.

Alice Millward is the Interpreter Coordinator for Cowlitz County Superior Court and has worked in Court Administration for the past 12 years. She is the Judicial Assistant for Judge Bashor. Alice is a member of the local Access to Justice Committee since its inception in 2010 and drafted two of the county's Language Access Plans. Alice has been a "power user" for Cowlitz's new Odyssey SC-CMS implementation. Since Cowlitz is a smaller jurisdiction, Alice wears many administrative hats such as scheduling, website updates, accounts payable, grant billing and has learned that creativity and flexibility are key in many aspects of her job. Alice is very active as a volunteer in her community and sits on several committees. She is the Chair of the County's Parks Board. She has hosted exchange students from Germany, Brazil, Spain and France and is currently a local coordinator.



WASHINGTON
COURTS

Court Interpreter Reimbursement Program Meeting

Date and Time: Monday, July 24, 2017
@ 10:00am-2:30pm
AOC SeaTac Office
18000 International Blvd, Suite 1100
SeaTac, WA

AGENDA

10:00 am – 10:30 am	Introductions & Purpose of Meeting Cynthia Delostrinos, Manager of Supreme Court Commissions
10:30 am – 11:30 am	I. Overview of the Court Interpreter Reimbursement Program James Wells, Court Interpreter Program Coordinator II. Interpreter Program Application – Past, Present, and Future Ferd Ang, Court Business & Tech. Integration
11:30 am – 11:45 am	Break / Grab Lunch
11:45 am – 12:45 pm	III. Interpreter Program Application – Past Present and Future Ferd Ang IV. Funding Formula and Best Practices for the Court Interpreter Reimbursement Program James Wells
12:45 pm – 1:45 pm	V. Group Discussion <ul style="list-style-type: none">• <i>What are some questions you have about the program?</i>• <i>What sorts of issues are you running into when scheduling interpreters?</i>• <i>Do you know where to go for resources on finding interpreters?</i>
1:45 pm – 2:15 pm	VI. The New Model Language Access Plan & Creation of the New Interpreter Funding Task Force Robert Lichtenberg, Senior Court Program Analyst for the Interpreter Commission
2:15 pm – 2:30 pm	Closing Remarks

Exam Updates

Written Exam Outreach

For the written exam in 2017 the Program did more outreach than in the recent past, reaching out to language programs at colleges, ESL programs, existing interpreter pools (such as DSHS), community groups, and student community groups. The main goals were to attract test candidates from certain language groups and find candidates who already had proficiency in English and would therefore have a better chance to pass the exam. We also used Spokane as our Eastern Washington location to offer our preparation classes and the exam this year since that region have seen an increase in the diversity of languages used in courts.

We did see an increase in the number of exam candidates (highest since 2010) and an increase the diversity of languages spoken by candidates. In 2017 speakers of 36 languages took the written exam, where the average since 2010 has been about 25. The first Cambodian candidate in several years took the exam as well as speakers of Dari, Kirundi, Ilocano. The pass rate did not see an increase and was similar to the pass rates of recent years.

For the 2018 exam, we plan to expand the outreach from 2017 and contact more community organizations and look to taking advantage of ethnic media for language groups that are a priority.

Registered Language Exams

During the summer of 2017, 14 people took the oral exams for registered languages. We administered the exam in 10 languages, including the first Oromo and Yoruba exams. Test candidates who passed the exams will take the Ethics and Protocol class on November 3 in Seattle to complete the credentialing process. Washington will be re-adding Greek and Turkish to our list of languages we have interpreters for, since previous interpreters in these languages retired.

We are still awaiting the results of Yoruba, Hindi, and Punjabi exams. The languages in which test candidates passed the oral exams are:

Language	Number of People Passing
Japanese	3
Amharic	1
Oromo	2
Romanian	1
Turkish	1

Greek	1
Farsi	1

ORAL EXAM

The oral exam for certified languages will take place on October 7 and 8 at Shoreline Community College and on October 15 and 16 at Gonzaga. A separate exam for interpreters taking the Filipino (Tagalog) exam will be given at a later date. This is the first time in several years that we are offering the oral exam in Eastern Washington. Fifty people are registered to take the oral exam in the following languages:

Language	Number of Candidates
Arabic (Egyptian)	1
Arabic (Levantine)	1
French	2
Korean	3
Mandarin	5
Portuguese	2
Russian	3
Spanish	34

Workshops and Meetings

Court Interpreter Coordinator Workshop

The first Court interpreter Coordinator Workshop was held this summer. The faculty included: Martha Cohen, Emma Garkavi, María Luisa Gracia Camón, Chela Fisk, Alice Millward. The Workshop took place at two locations:

Locations	Date	Attendees	Courts Represented
SeaTac	June 5	45	over 30
Yakima	June 7	14	over 10

Topics from the workshop included:

- Interpreter Coordination 101
- Challenging Situations (including finding interpreters in rare languages, working with interpreters inexperienced courts, and online resources)
- Interpreter Ethics
- Special Topics: Jury Trials, Team Interpreting, Telephone Interpreting, and Sign Language Interpreting
- Group Share-Out

Interpreter Reimbursement Program Regional Stakeholder Meetings

The AOC staff invited representatives from courts who participate in the Intepreters Reimbursement Program for a meeting to review the program, get input from the courts, and discuss the future of the program. The meetings took place on June 24 in SeaTac and July 28 in Yakima.

Participants at the meeting included AOC staff, Interpreter Commission members, court administrators, court interpreter coordinators, representatives from court accounting and fiscal departments, and other court staff. Representatives from about 28 courts attended. Topics included:

- Reimbursement Program Overview
- Best Practices and Resources for Courts
- Online Reimbursement Application
- Reimbursement Amount Formula
- Language Access Plan Deskbook

Course Title:

Online Skills Building Course for Filipino (Tagalog) Court Interpreters

Proponents/Instructors:

Filipino Language Expert: Dr. Pia Arboleda

Interpreting Instructor: Kelly Varguez, M.Ed.

Course Description and Objectives: This is an intensive 10-week online course on the theory and practice of court interpretation. It aims to provide students with training on the principles of effective court interpretation, the modes of interpretation, and terminology used in various legal and court situations. By the end of the course, students are expected to exhibit enhanced skill on the intricacies of court interpretation, and demonstrate their ability to provide effective translation through practice sessions.

Course Design: The course begins with a pre-test in order to establish a baseline on students' proficiency. Pre-test results will be used to assess student progress at the end of the course. There will be exercises on sight, simultaneous and consecutive translation. A final test will be given on the last week of instruction. The instructors will provide immediate and individualized feedback for all students, and will be available for consultation as needed.

The instructors will design all lecture content as well as scripts in English and Filipino. The instructors will also provide realistic and high quality audio recordings in both languages.

Course Outline:

Weeks and Format	Topic	Assignments
Week 1 Scheduled Class Meeting Led by Kelly	<ul style="list-style-type: none">• Intro to Modes of Interpreting• Intro to Skills Development Techniques• Intro to Course Design• Motivational / Accountability Measures• Student Feedback - what are their expectations and needs?	<ul style="list-style-type: none">• Introductory Shadowing Exercise (English)• Introductory Sight Translation Exercise (English)• Introductory Shadowing Exercise (Filipino)• Introductory Sight Translation Exercise (Filipino)
Week 2 Scheduled Class Meeting Led by Kelly	<ul style="list-style-type: none">• Intro to Certification Exam and Scoring Units• Pretest• Intro to Weekly Assignments	<ul style="list-style-type: none">• Practice Test One (In-Class Exercise)
Week 3 Hybrid of Scheduled	<ul style="list-style-type: none">• Arraignments Terminology in English	<ul style="list-style-type: none">• Arraignments - Sight Translation

Class Meeting Led by Pia and Self-Paced Lecture and Practice Led by Kelly	(Self-Paced Lecture) <ul style="list-style-type: none"> • Arraignment Terminology in Filipino (Scheduled Class Meeting) 	Exercise <ul style="list-style-type: none"> • Arraignments - Consecutive Exercise • Arraignments - Simultaneous Exercise • Arraignments - Skills Building Exercises
Week 4 Hybrid of Scheduled Class Meeting Led by Pia and Self-Paced Lecture and Practice Led by Kelly	<ul style="list-style-type: none"> • Plea Terminology in English (Self-Paced Lecture) • Plea Terminology in Filipino (Scheduled Class Meeting) 	<ul style="list-style-type: none"> • Plea - Sight Translation Exercise • Plea - Consecutive Exercise • Plea - Simultaneous Exercise • Plea - Skills Building Exercises
Week 5 Hybrid of Scheduled Class Meeting Led by Pia and Self-Paced Lecture and Practice Led by Kelly	<ul style="list-style-type: none"> • Sentencing Terminology in English (Self-Paced Lecture) • Sentencing Terminology in Filipino (Scheduled Class Meeting) 	<ul style="list-style-type: none"> • Sentencing - Sight Translation Exercise • Sentencing - Consecutive Exercise • Sentencing - Simultaneous Exercise • Sentencing - Skills Building Exercises
Week 6 Scheduled Class Meeting Led by Pia and Kelly	<ul style="list-style-type: none"> • Practice Test Two with Self-Critique • Practice Test Two Terminology Discussion 	<ul style="list-style-type: none"> • Practice Test Two (In-Class Exercise)
Week 7 Hybrid of Scheduled Class Meeting Led by Pia and Self-Paced Lecture and Practice Led by Kelly	<ul style="list-style-type: none"> • Divorce/Protection Order Terminology in English (Self-Paced Lecture) • Divorce/Protection Order Terminology in Filipino (Scheduled Class Meeting) 	<ul style="list-style-type: none"> • Divorce/Protection Order - Sight Translation Exercise • Divorce/Protection Order - Consecutive Exercise • Divorce/Protection Order - Simultaneous Exercise • Divorce/Protection Order - Skills Building Exercises
Week 8 Hybrid of Scheduled Class Meeting Led by Pia and Self-Paced Lecture and Practice Led by Kelly	<ul style="list-style-type: none"> • Juvenile/Traffic Court Terminology in English (Self-Paced Lecture) • Juvenile/Traffic Court Terminology in Filipino (Scheduled Class Meeting) 	<ul style="list-style-type: none"> • Juvenile/Traffic Court - Sight Translation Exercise • Juvenile/Traffic Court - Consecutive Exercise • Juvenile/Traffic Court - Simultaneous Exercise • Juvenile/Traffic Court - Skills Building Exercises
Week 9 Hybrid of Scheduled Class Meeting Led by Pia and Self-Paced Lecture and Practice Led by Kelly	<ul style="list-style-type: none"> • Criminal Trial Terminology in English (Self-Paced Lecture) • Criminal Trial Terminology in Filipino (Scheduled Class Meeting) 	<ul style="list-style-type: none"> • Criminal Trial - Sight Translation Exercise • Criminal Trial - Consecutive Exercise • Criminal Trial - Simultaneous Exercise

		<ul style="list-style-type: none"> • Criminal Trial - Skills Building Exercises
Week 10 Scheduled Class Meeting Led by Pia and Kelly	<ul style="list-style-type: none"> • Practice Test Three with Self-Critique • Practice Test Three Terminology Discussion • Course Conclusion 	<ul style="list-style-type: none"> • Practice Test Three (In-Class Exercise)

Development Fee:

Instructor	Task	Fee
Pia	Write and record Filipino-language technique exercises for weeks 1, 3-5 and 7-9 Write and record Filipino-language sight and simultaneous exercises for weeks 3-5 and 7-9 Work directly with Kelly to develop and record consecutive exercises for weeks 3-5 and 7-9 Develop glossaries for technique and interpreting exercises for weeks 1, 3-5 and 7-9 Develop scoring unit glossaries for Kelly's practice exams for weeks 2, 6 and 10 Work directly with Kelly to develop practice exam scoring unit glossaries and translate and localize consecutive exercises	\$5,000
Kelly	Design course shell and gradebook Write and record lectures for weeks 1-10 Write and record English-language technique exercises for weeks 1, 3-5 and 7-9 Write and record English-language sight and simultaneous exercises for weeks 3-5 and 7-9 Work directly with Pia to develop and record consecutive exercises for weeks 3-5 and 7-9 Update scoring units for practice exams for weeks 2, 6 and 10 Work directly with Pia to develop practice exam scoring unit glossaries and consecutive exercises	\$5,000

Total Fee for Course Design: \$10,000

Terms and Conditions: Pia and Kelly reserve the right to hold copyright and use materials in other trainings for prospective interpreters outside of California and Washington; no materials development fees will apply for any subsequent offering of this training in California and Washington.

Instruction Fee

Instructor	Task	Fee
Pia	Lead weekly course meetings in which participants actively interpret exercises Track students' live session attendance and participation Provide language-specific feedback on performance	\$5,000*
Kelly	Provide lectures on essential elements of quality court interpretations Track weekly student participation and progress; provide feedback Attend course meetings for technical support; be available to troubleshoot if not attending meeting	\$5,000*

Total Fee for Instruction: \$10,000*

*If 10 or fewer students enroll, instructors will teach for the reduced fee of \$3,000 **per instructor**.

Total fee for Filipino-specific online training design and instruction: \$20,000

Marketing Measures for Filipino-specific Interpreting Course:

4-6 weeks prior to course launch, Pia and Kelly will identify the target market and create a marketing plan that will address their needs. A slogan and taglines will then be developed in order to catch the attention of the target market. Promotional flyers and videos will then be produced to be disseminated through language and court networks, universities and institutions. Additional promotion will be done on various social media platforms. Should there be enough resources, a website will be designed that will include class objectives, format and meeting times, as well as fees and forms of payment.

Instructor Bios:

Dr. Pia Arboleda

Recipient of the 2015 University of Hawaii Regent's Medal for Excellence in Teaching, Pia Arboleda is Associate Professor and coordinator of the Filipino and Philippine Literature Program. She holds a Doctor of Arts degree in Language and Literature (major in Literature), a master's degree in Language in Literature (major in Filipino) and a Bachelor of Science in Commerce (major in Marketing) from De La Salle University.

Prior to joining UH, she served as Visiting Professor at Osaka University where she taught *Southeast Asian Culture, Philippine Literature, Language and History* for almost five years. At UH, she teaches *Filipino Translation Theory and Practice, Philippine Folklore, Philippine Travelogue: People, Places and Practices, Rizal's Life and Writing, Philippine Food, Music and Rituals*, among others.

She produces multi-media instructional materials. Her latest project, *Ub-Ufok Ad Fiallig: Tales of Enchantment from Barlig*, is an online resource that includes digital comic books narrated in Filipino with English subtitles, teaching modules and library resources hosted by the UH Manoa Center for Southeast Asian Studies.

Kelly Varguez, USCCI, M.Ed.

Kelly Varguez is a state and federal court certified Spanish interpreter who hails from the U.S. heartland. She holds a Bachelor of Arts Degree in Spanish and ESL Education from the University of Nebraska - Kearney (2001) and a Master of Education Degree from Doane College (2007). Like so many of her colleagues, Kelly began her interpreting career as an on-call medical interpreter and soon found herself working toward court certification. She became certified to interpret in the Nebraska courts in 2009; the Iowa courts a short time later; and the U.S. federal courts in 2013. An inquisitive person by nature, Kelly gravitates toward activities that teach her something new. Currently, she divides her time between her various teaching endeavors, her freelance practice in translation and interpreting, and designing online resources for interpreters. Find her work at <http://www.myinterpretingcoach.com> and www.coach.me/KZV?ref=LkeNk. If you can't find her working, look for her in Mexico's Yucatan Peninsula. She's probably there, swinging on a hammock, visiting with family.

VRI PROJECT ROADMAP

Goals	Objectives	Project Steps	Deliverables
<p>I. National Database: Enhance the existing national database of state court interpreters to insure that it is a useful resource for courts seeking interpreters, especially VRI-ready interpreters.</p>	<ul style="list-style-type: none"> • Identify VRI-ready interpreters. • Make VRI information available through national interpreter database. • Identify cost-effective strategies for adding new interpreters, including VRI-ready interpreters, and updating interpreter information. • Evaluate technical architecture of database and determine whether modifications are needed to reduce on-going maintenance costs. • Continue to implement changes approved by LAAC. 	<ol style="list-style-type: none"> 1. Identify and engage appropriate person(s) to assess and make changes to database. 2. Involve workgroup in development of strategies for identifying and adding new interpreters and updating interpreter information. 3. Ask workgroup to identify VRI fields that should be added to database. 4. Consult with workgroup (or CLAC generally) regarding other possible enhancements to database. 5. Modify database accordingly. 	<ul style="list-style-type: none"> ✓ Online directory of VRI-ready interpreters.
<p>II. VRI Solutions: Gain a better understanding of VRI solutions and share that information across COSCA</p>	<ul style="list-style-type: none"> • Learn about technical requirements and options. • Identify current and potential equipment and software vendors. • Create on-line "VRI Resource Center" on NCSC website. 	<ol style="list-style-type: none"> 1. Survey states to identify existing VRI vendors and solutions. 2. Conduct web-based literature search and follow-up conversations with vendors to identify other promising software and equipment options. 3. Document results, post results in user-friendly format on new VRI section of NCSC website, and notify state court administrators and language access coordinators. 4. Develop plan for updating on-line list of VRI solutions. 5. Pilot-test and document at the state and/or local level VRI equipment, new service delivery models, and innovative solutions, and how this equipment/solutions interacts with the national database of state court interpreters. 6. Identify, establish, and monitor pilot projects, document lessons learned, and share results through on-line resource center and presentations at annual CLAC conference. 	<ul style="list-style-type: none"> ✓ VRI resource center for access to VRI vendors and technology solutions, technical expertise, and training and resource materials.

VRI PROJECT ROADMAP

Goals	Objectives	Project Steps	Deliverables
<p>III. VRI-Ready Pool: Provide ready access to a pool of interpreters adequately trained and proficient in VRI. Increase the pool of VRI-ready interpreters.</p>	<ul style="list-style-type: none"> • Identify, recruit, and train VRI-ready interpreters for inclusion in the national database. 	<ol style="list-style-type: none"> 1. Communicate with language access coordinators and interpreters regarding VRI readiness and update database to include that information for each interpreter. 2. Collect existing VRI training materials and interpreter protocols and add to on-line VRI resource center. 3. Create interpreter training materials, including web-based training module, covering universal VRI basics. 	<ul style="list-style-type: none"> ✓ VRI interpreter protocols. ✓ Online training for VRI interpreters.
<p>IV. Service Delivery: Provide guidance to states on delivery of language services through VRI</p>	<ul style="list-style-type: none"> • Develop basic “how-to” manual reflecting court experiences to date. • Develop minimum technical requirements for courts and interpreters. • Develop useful tools for interpreters, coordinators, judges, and clerical staff. • Address judicial training • Develop information for coordinators on supervision and audit of VRI to ensure quality of services. • Develop information to assist AOCs with IT and contracting needs. • Assist interested coordinators to develop subject matter expertise through active participation in national VRI initiative. 	<ol style="list-style-type: none"> 1. Assist workgroup to finalize draft remote interpreting manual and add to on-line resource center. 2. Work with NCSC technology staff to make it easy for coordinators to update manual to incorporate new information, suggestions, and lessons learned. 3. Ask workgroup to develop guidance on supervising and auditing VRI interpreters. 4. Gather existing tools from courts and add to online resource center. 5. Create new tools (written or video), e.g., template for judicial bench card, video introducing VRI to judges and administrators, guidelines for interpreters, courtroom set-up “tips,” instructions for attorneys, contracting tools, and vendor lists. 6. Legal research for VRI compliance with due process standards. 7. VRI vs in person interpreting cost analysis. 	<ul style="list-style-type: none"> ✓ Remote interpreting manual. ✓ Training and resource materials for court administrators, language access coordinators, judges, court staff, and attorneys.

The following notes have been prepared as background information for the upcoming CLAC regional call discussions pertaining to ASL legal credentialing.

Background

- In July and August of 2015, the 2013-2015 Certification Committee of the Registry of Interpreters for the Deaf (RID) decided to cease administration of the performance exam used for American Sign Language (ASL) interpreters seeking the Specialist Certificate: Legal (SC:L).
- As of June 1, 2016, RID announced that it is no longer accepting candidate applications for the written exams used as the first stage of the SC:L process. As reported on [RID's website](#), "[i]n the near future [at least the next 2-3 years], there is no plan to offer specialty testing due to a lack of fiscal resources for new test development."
- Following the decision to cease administration of the SC:L exam, some members of the Council of Language Access Coordinators (CLAC) expressed concern regarding the moratorium on the administration of SC:L exams. Initial discussion was included at the 2017 CLAC conference. Some CLAC members have inquired about the possibility of using other forms of court interpreter testing, such as the Board for Evaluation of Interpreters (BEI), which is currently being used to certify ASL interpreters in Texas.

History of RID Testing and the Development of the SC:L

- RID launched the first national performance-based test for ASL interpreters in 1972. Between 1972 and 1985, initial Specialist Certificates were introduced, including one with an emphasis on legal interpreting. Around 1988, RID developed the RID Legal Certification Development Task Force and together with consultants and psychometricians from Knapp & Associates of Princeton, New Jersey, and Columbia Assessment Services in Triangle Park, North Carolina, the SC:L exam was developed. The SC:L in its most recent format existed from 1998 – 2016.
- Information obtained through conversations with RID indicated that the test development process¹ for the SC:L exam has cost between \$375,000 - \$450,000 and annual maintenance costs have been between \$50,000 - \$75,000.
- It is estimated that approximately 100 candidates have taken the SC:L exam per year and the administration fees collected do not offset the development and maintenance costs identified here.²
- RID stated on its [website](#) that the moratorium of the SC:L exams has been implemented to address significant systemic issues, including the following:

¹ Test development costs include development of two versions of the performance exam and initial training of exam raters.

² The number of candidates seemed to have decreased in recent years, according to conversations at ASL roundtable discussions.

- Internal and external operational issues (such as the backlog of results, inefficient technical processes, and lack of autonomy).
- Financial commitment needed for funding test maintenance and development.
- Operational plan for carrying out test development and maintenance, both now and into the future.

States' Use of SC:L Interpreters

- States across the country have varying policies regarding the use of ASL interpreters with the SC:L credential. Some states have mandatory policies in place to utilize SC:L interpreters for court interpretation, while other states include policies that indicate preference should be given to ASL interpreters with the SC:L credential and/or that every effort should be made to schedule them for court interpreting assignments. (See survey results for more information.)
- A search of the RID registry of interpreters in the U.S. in September 2017 indicated 342 ASL interpreters with the SC:L credential. Further breakdown is as follows:
 - 9 states have only 1 SC:L interpreter: Indiana, Montana, Alaska, Arkansas, Delaware, Hawaii, Nebraska, Nevada, South Carolina.
 - 6 states have no SC:L interpreters: Mississippi, Missouri, North Dakota, South Dakota, West Virginia, Wyoming.
 - Top 10 states with SC:L interpreters (per capita): Washington D.C., Maine, New Mexico, Maryland, Rhode Island, Vermont, Idaho, Colorado, Washington, and Oregon.

Participation in the University of Northern Colorado Grant Project

- In October 2016, the University of Northern Colorado was awarded \$400,000 in annual grant funding for the next five years, for a total award of two million dollars, to prepare interpreters of color and heritage signers³ to work as legal interpreters through Project CLIMB: Cultivating Legal Interpreters from Minority Backgrounds. (NCSC wrote a letter of support for this grant.)
- In May of 2017, as part of this grant, NCSC staff, one CLAC liaison (Kelly Mills), and court interpreter program staff from four other states (Alaska, California, North Carolina, and Ohio) were invited by Project CLIMB to participate with other stakeholders in roundtable discussions pertaining to the preparation of ASL interpreters of color and from heritage signing backgrounds for legal interpreting. One focus area of the roundtable discussions included reviewing with other stakeholders the options for the future testing of legal specialization for ASL interpreters, including the possibility of an entity developing a new exam process and/or the use of the BEI for the credentialing of ASL interpreters. The California Judicial Council hosted the on-site discussions, and is also currently providing a number of smaller mini-grants to help support the development of qualified legal ASL interpreters.

³ Heritage signers are typically native ASL users and may include hearing individuals born to Deaf parents.

California's activities related to ASL credentialing since
May 2017 Project CLIMB meetings
Rev. 9.25.17

- 1) California has funded and partnered with the University of Arizona foundation to have the National Center for Interpretation revise/review and revamp the available lists of ASL Knowledge, Skills and Abilities (KSA's) in order to make a consolidated KSA list that is side-by-side comparable to the spoken language KSA list which was developed as part of the 2007 ALTA language study commissioned by California. The updated KSAs list should also take account of stakeholder concerns around bias or cultural issues. NCI has reported that the KSAs work has gone more quickly than expected and intends to have a finalized Job Task Analysis (JTA) survey ready for administration most likely in October 2017 or early November. As such, both KSAs and JTA's for Court (not necessarily all legal settings) should be available by the April – June 2018 timeframe. These are expected to contemplate both hearing and deaf interpreters.

Any states who offered to provide input or serve as part of an advisory group related to ASL court interpreter credentialing should make sure to provide their comments and feedback to the various documents provided by John Bichsel of NCI. (Contact Anne with any questions.)

Lists of email contacts for JTA surveys, including all interpreters actually providing ASL interpreting services to the courts, whether certified or not would be appreciated and can be submitted to Anne Marx for inclusion in the actual JTA survey administration.

- 2) California has funded and partnered with HalenRoss interpreting, the Ohio Supreme Court and Deaf Services of Ohio to create a multi—module remote training related to deaf people in the courts and the interpreters who serve them. Some of the models are focused on judicial or court staff education while others are expected to focus on interpreters and are hoped to become a requirement as part of any eventual national ASL court interpreter credentialing process. Any states or agencies who offered to provide input or service part advisory group related to training should be sure to provide their comments and feedback to Linda Ross ASAP. The modules are anticipated to be complete by June 2018.
- 3) During the Project CLIMB meetings California provided BEI representatives with guidelines for testing entities to be adopted by the California Judicial Council for ASL court interpreter certification but never received any inquiries or submissions. California did not yet follow up with BEI representatives.
- 4) At the July 2017 national RID LEAD conference in Utah, California presented an update of activities, including a relatively urgent view of the effect on the courts if no credential comes together soon, along with a vision of the need for multi—stakeholder fundraising in order to create a sustainable credentialing process.
- 5) California was approached by representatives of Washington state's office of deaf and hard of hearing services and Administrative Office of the Courts and had some initial conversations in line with this week's CLAC's regional calls. (Having a group of states actively work on this and consider how COSCA/ NCSC might be part of a solution.) These conversations, as well as those at RID LEAD, include the possibility of a credentialing process with a generalist interpreting performance exam and many other ways of assessing KSAs and JTA's but no "court" interpreter performance exam.
- 6) California has conducted exploratory conversations with an endowment fund raising expert to consider the likely costs of a one time, or initial fundraising push to endow an ASL court interpreter credentialing process. Under usual models of funding endowments, and initial estimates of costs for a credentialing process which include a very wide range of costs, funds needed to endow a full court interpreter performance exam (and help administer it through at least some staff time on an annual basis along with annual maintenance) would likely be in the \$1.2 million to \$2million range. Likely this would require 2 to 4 major seed donors along with a number of other smaller donors but it could avoid the need for annual fundraising to cover this nationally required language. Potential holders of such an endowment were identified to be the University of Northern Colorado,

California's activities related to ASL credentialing since
May 2017 Project CLIMB meetings
Rev. 9.25.17

the American Bar Association or a yet to be identified family or community foundation with an emphasis on serving the Deaf community.

- 7) California has secured approximately an additional \$100,000 to work towards a multi-stakeholder and nationally accepted ASL court interpreter credentialing solution. California intends to have a plan for, and encumber, the use of these funds by January 2018. These funds could be seen as part of an initial, or seed gift, if an endowment model is pursued. ***California would like to hear from potential partners in strategic use of this funding*** and possibilities include: analyzing the ways which the KSAs and JTA's from item number one above might map to various methods of assessment (testing, remote training, on the job experience), mapping KSAs and JTA's to available written exams, mapping KSAs and JTA's to any available court performance exam (or credentialing process) including that of the BEI (if one exists), revising and/or revamping any available written exams to address ASL KSAs and JTA's, analyzing and/or revising and/or revamping or creating an ethics exam which maps to the new ASL KSAs and JTA's etc.)
- 8) It is likely that some level of additional seed money might be available from California (after July 2018) if the courts and other stakeholders come up with a good plan for a national ASL court credential soon.
- 9) California continues to aggressively support the identification of promising candidates for the profession of court interpreting, and the training of potential court interpreters. In the current year, we have funded two partnerships: one focused on mock trial trainings and the other focused on the development of a model outreach program connecting deaf community agencies and local courts. After being piloted, the model outreach program is expected to be made available nationally to interested parties.

ASL Court Interpreter Requirements

Q1 Please identify your state.

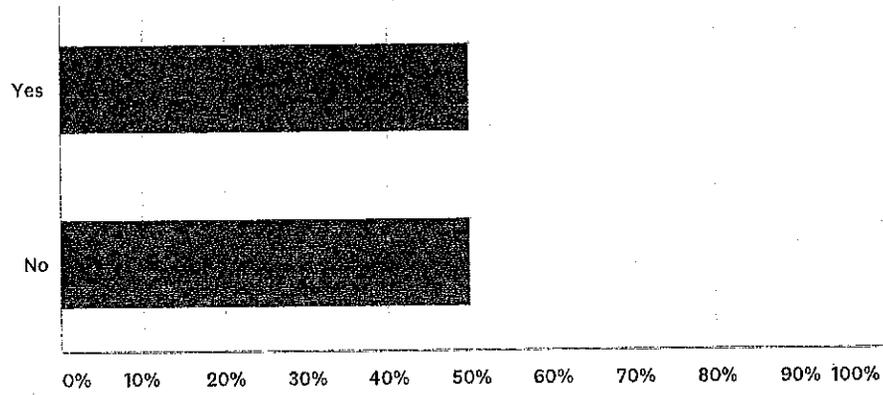
Answered: 17 Skipped: 3

#	RESPONSES	DATE
1	Michigan	9/21/2017 3:58 PM
2	New York	9/18/2017 12:46 PM
3	Ohio	9/18/2017 9:39 AM
4	California	9/15/2017 2:18 PM
5	KY	9/13/2017 12:07 PM
6	Utah	9/13/2017 12:00 PM
7	New Jersey	9/13/2017 11:30 AM
8	Maine	9/13/2017 10:25 AM
9	Tennessee	9/12/2017 2:39 PM
10	Wisconsin	9/12/2017 2:23 PM
11	Alaska	9/12/2017 2:07 PM
12	Oregon	9/12/2017 1:57 PM
13	Arizona	9/12/2017 1:49 PM
14	Idaho	9/12/2017 1:27 PM
15	Pennsylvania	9/12/2017 1:22 PM
16	Nevada	9/12/2017 1:19 PM
17	District of Columbia	9/12/2017 1:17 PM

ASL Court Interpreter Requirements

Q2 Does your state certify ASL interpreters?

Answered: 20 Skipped: 0

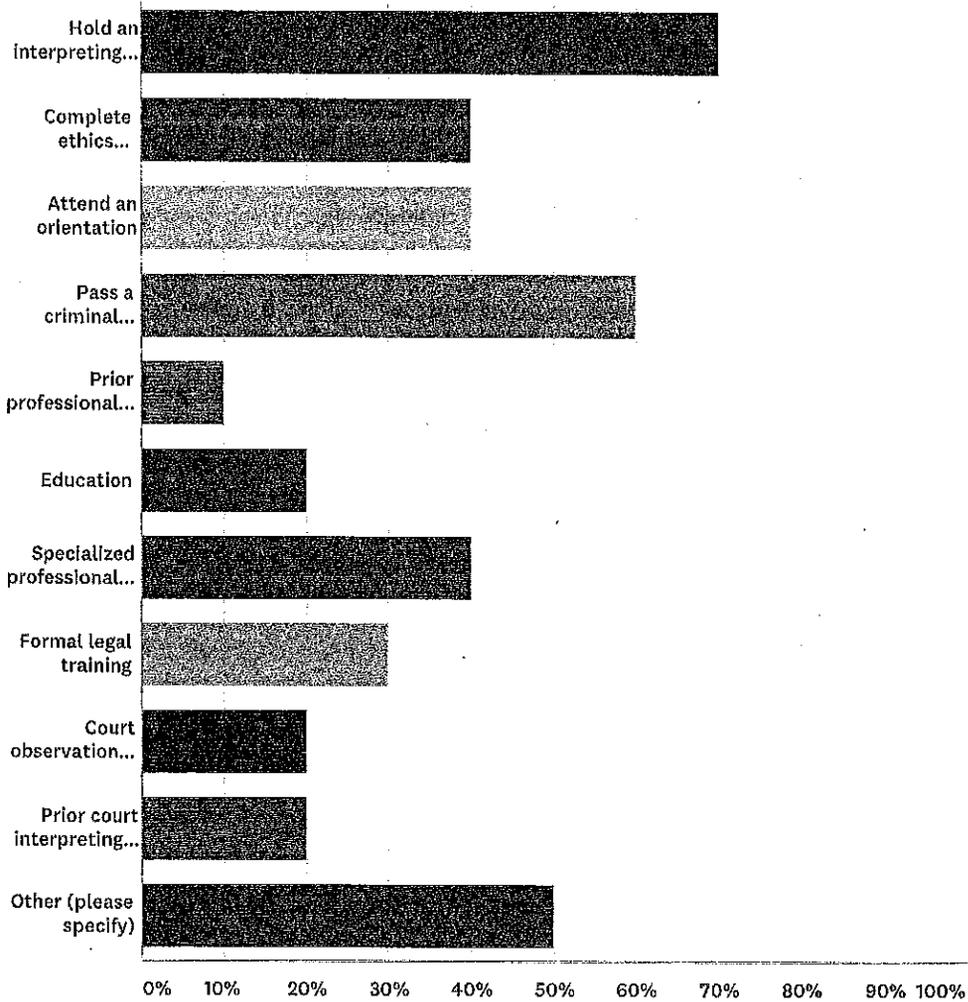


ANSWER CHOICES	RESPONSES	
Yes	50.00%	10
No	50.00%	10
TOTAL		20

ASL Court Interpreter Requirements

Q3 What are the requirements for state ASL Court Interpreter Certification?

Answered: 10 Skipped: 10



ANSWER CHOICES

RESPONSES

ANSWER CHOICES	RESPONSES	Count
Hold an interpreting credential	70.00%	7
Complete ethics orientation and/or testing	40.00%	4
Attend an orientation	40.00%	4
Pass a criminal background check	60.00%	6
Prior professional association with Deaf and Hard of Hearing Individuals	10.00%	1
Education	20.00%	2
Specialized professional training	40.00%	4
Formal legal training	30.00%	3
Court observation hours	20.00%	2

ASL Court Interpreter Requirements

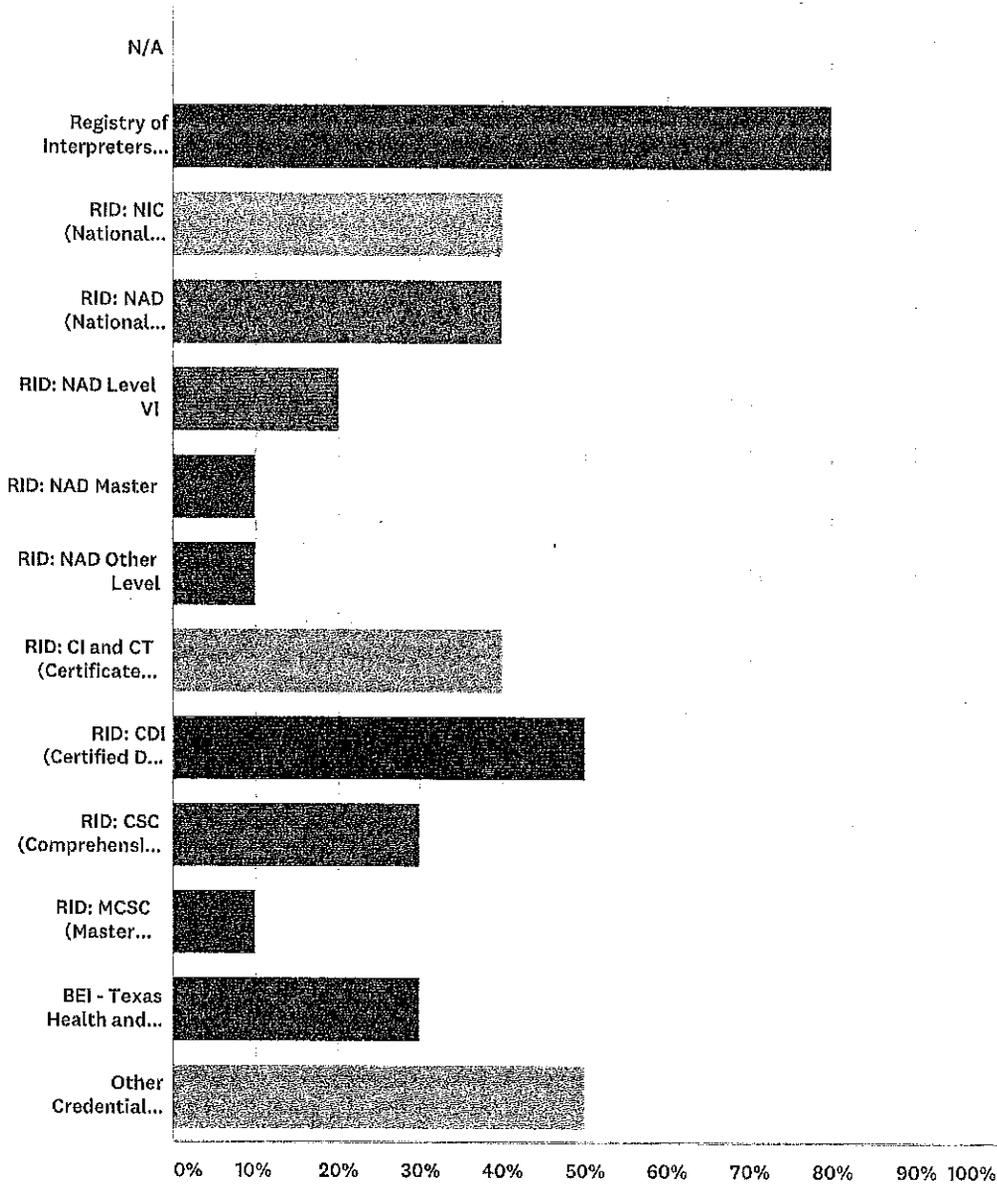
Prior court interpreting experience	20.00%	2
Other (please specify)	50.00%	5
Total Respondents: 10		

#	OTHER (PLEASE SPECIFY)	DATE
1	Effective 11/1/2017- https://legislature.maine.gov/legis/bills/getPDF.asp?paper=HP0427&item=4&snum=128	9/13/2017 10:30 AM
2	Licensure with WI Dept of Regulation & Licensing	9/12/2017 2:27 PM
3	Must have valid SC:L	9/12/2017 1:59 PM
4	Must have a valid RID certification approved by CA	9/12/2017 1:26 PM
5	I am not sure - the Supreme Court/AOC does not certify ASL - it is done through Dept. of Health and Human Services	9/12/2017 1:21 PM

ASL Court Interpreter Requirements

Q4 If state ASL certification requires holding an interpreting credential, which interpreter credentials apply?

Answered: 10 Skipped: 10



ANSWER CHOICES	RESPONSES
N/A	0.00% 0
Registry of Interpreters for the Deaf (RID). SC:L (Specialist Certificate: Legal)	80.00% 8
RID: NIC (National Interpreter Certification)	40.00% 4
RID: NAD (National Association of the Deaf: Certification) Level V	40.00% 4
RID: NAD Level VI	20.00% 2

ASL Court Interpreter Requirements

RID: NAD Master	10.00%	1
RID: NAD Other Level	10.00%	1
RID: CI and CT (Certificate of Interpretation and Certificate of Transliteration)	40.00%	4
RID: CDI (Certified Deaf Interpreter)	50.00%	5
RID: CSC (Comprehensive Skills Certificate)	30.00%	3
RID: MCSC (Master Comprehensive Skills Certificate)	10.00%	1
BEI - Texas Health and Human Services, Office of Deaf and Hard of Hearing Services (DHHS) Board of Interpreters (BEI) Certificate	30.00%	3
Other Credential (please specify)	50.00%	5
Total Respondents: 10		

#	OTHER CREDENTIAL (PLEASE SPECIFY)	DATE
1	OTC; CLIP-R	9/21/2017 4:04 PM
2	RID: RSC; NIC Master, NIC Advance; Utah Master; or Utah Professional (Utah Master and Professional certifications are a state certification for individuals who demonstrate the skills, knowledge, and judgement to be able to facilitate communication in most situations, including more complex, or specialized situations.)	9/13/2017 12:13 PM
3	https://legislature.maine.gov/legls/bills/getPDF.asp?paper=HP0427&Item=4&snum=128	9/13/2017 10:30 AM
4	We are currently exploring acceptance of the BEI	9/12/2017 2:27 PM
5	no idea	9/12/2017 1:21 PM

ASL Court Interpreter Requirements

Q5 Please provide any applicable further details related to state ASL interpreter certification.

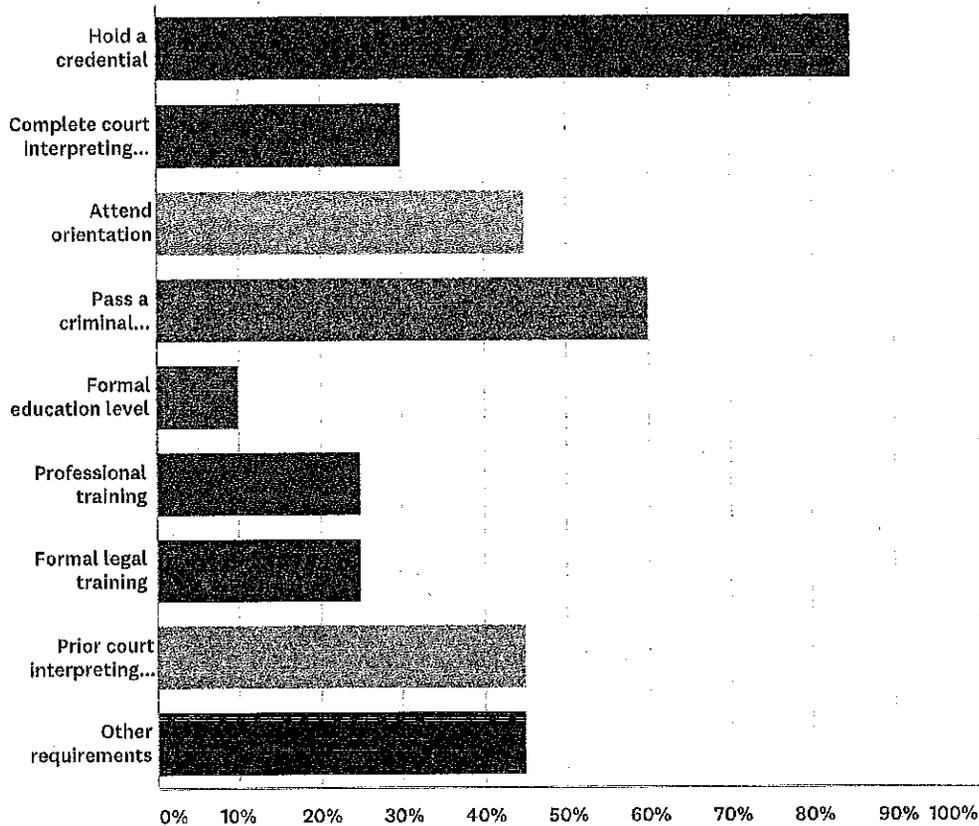
Answered: 7 Skipped: 13

#	RESPONSES	DATE
1	A Legal Endorsement is required to interpret in legal settings. Only Michigan-certified interpreters qualified to work in Standard Level 3 settings are eligible to seek Legal Endorsements. Initial eligibility requirements vary based on credential and educational experience.	9/21/2017 4:04 PM
2	The Utah Interpreter Program, an agency of the Utah State Office of Rehabilitation, is responsible for certifying and regulating ASL interpreters for the state of Utah.	9/13/2017 12:13 PM
3	For ASL Deaf interpreters, we would consider them to be Certified if they held a CLIP-R through RID. RID no longer offers this credential so we are exploring other options.	9/12/2017 2:27 PM
4	Per state statute, ACDHH is the qualifying body for ASL interpreters, not the courts or AOC. ACDHH requires the SC:L or BEI:CIC for the top level legal license. Other credentials listed would apply to lower level licenses.	9/12/2017 2:02 PM
5	The ASL Oregon Certified Court Interpreter credential will be awarded to an interpreter who holds a valid Specialist Certificate: Legal (SC:L) from the Registry of Interpreters for the Deaf (RID) and fulfills the following credential steps: •Passes a criminal history check. •Achieves a passing score on the Ethics Examination. •Provides proof of Oregon residency for the previous 12 months. •Completes and submits documentation of 20 hours of court interpreting services or court observation in courts of record in Oregon or Consortium member states, federal courts of record, or where the interpreter is sworn in and the record can be presented into evidence. •Completes the application process. •Attends an Ethics Orientation conducted by CLAS. •Takes the Interpreter's Oath administered by an Oregon state court judge.	9/12/2017 1:59 PM
6	Must be registered and in good standing with the ODHH in PA	9/12/2017 1:26 PM
7	It is completely independent of the certified court interpreter program - I think they are only two in Nevada that are certified and utilized by courts....	9/12/2017 1:21 PM

ASL Court Interpreter Requirements

Q6 How does your state determine that an ASL interpreter possesses the necessary skills for court interpreting? (i.e. is "qualified" to interpret in state courts)?

Answered: 20 Skipped: 0



ANSWER CHOICES	RESPONSES	
Hold a credential	85.00%	17
Complete court interpreting ethics training	30.00%	6
Attend orientation	45.00%	9
Pass a criminal background check	60.00%	12
Formal education level	10.00%	2
Professional training	25.00%	5
Formal legal training	25.00%	5
Prior court interpreting or legal setting experience	45.00%	9
Other requirements	45.00%	9
Total Respondents: 20		

OTHER REQUIREMENTS DATE

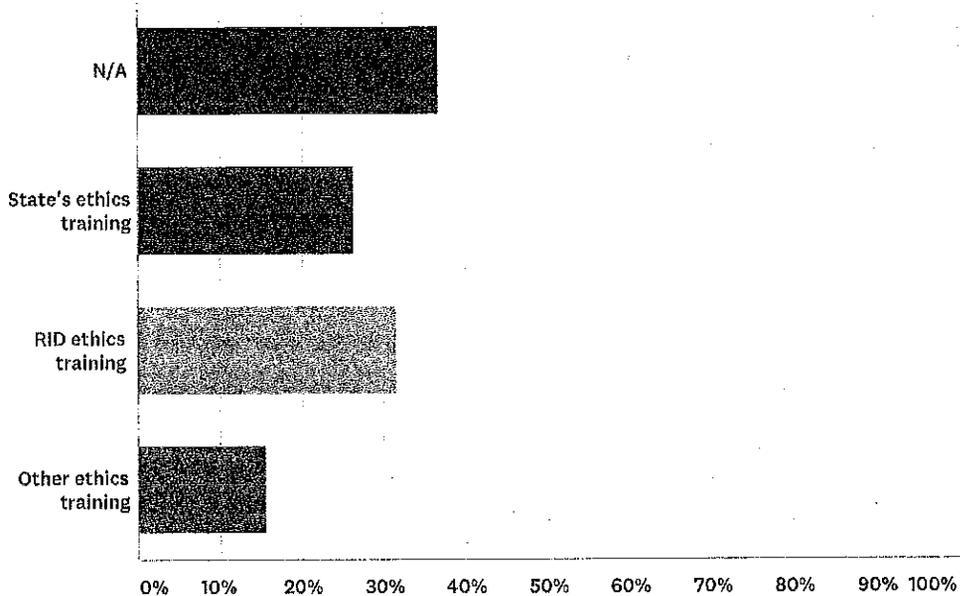
ASL Court Interpreter Requirements

1	Court interpreters must be on the roster maintained by the Utah Interpreter Program.	9/13/2017 12:20 PM
2	must have state interpreting licensure	9/13/2017 12:10 PM
3	https://legislature.maine.gov/legis/bills/getPDF.asp?paper=HP0427&item=4&snum=128	9/13/2017 10:33 AM
4	ASL in Tennessee falls under the county's ADA.	9/12/2017 2:41 PM
5	CE compliance with RID	9/12/2017 2:29 PM
6	The interpreter must hold credentials from RID.	9/12/2017 2:13 PM
7	Complete experience interview	9/12/2017 2:01 PM
8	particular post-certification experience	9/12/2017 1:33 PM
9	no idea	9/12/2017 1:22 PM

ASL Court Interpreter Requirements

Q7 If complete court interpreter ethics training, please specify.

Answered: 19 Skipped: 1



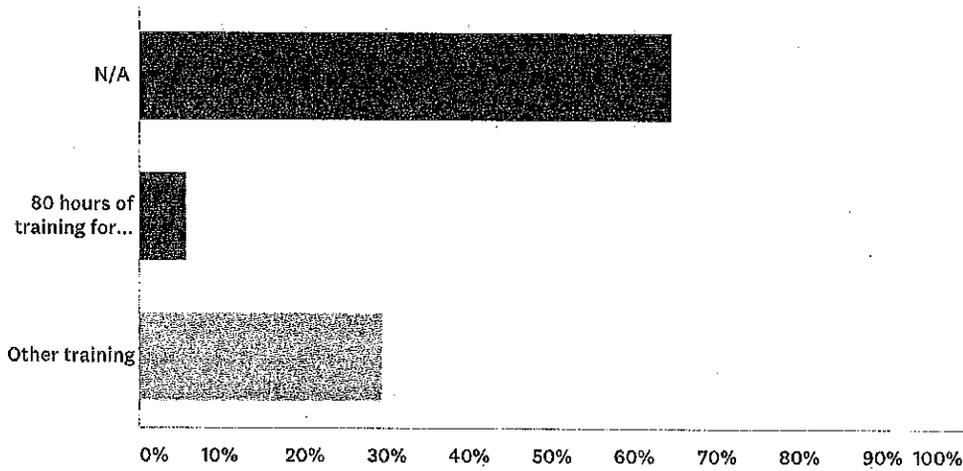
ANSWER CHOICES	RESPONSES	
N/A	36.84%	7
State's ethics training	26.32%	5
RID ethics training	31.58%	6
Other ethics training	15.79%	3
Total Respondents: 19		

#	OTHER ETHICS TRAINING	DATE
1	KY Court of Justice Court Interpreting Orientation--2 days	9/13/2017 12:10 PM
2	Other reputable organization's ethics trainings may be acceptable.	9/13/2017 10:33 AM
3	Recently the court has provided court-specific ethics training for RID certified interpreters. The training was a collaborative effort between the court system and the local RID organization. RID interpreters received RID CEUs upon completion of the one-day training program.	9/12/2017 2:13 PM

ASL Court Interpreter Requirements

Q8 If professional training, please specify.

Answered: 17 Skipped: 3



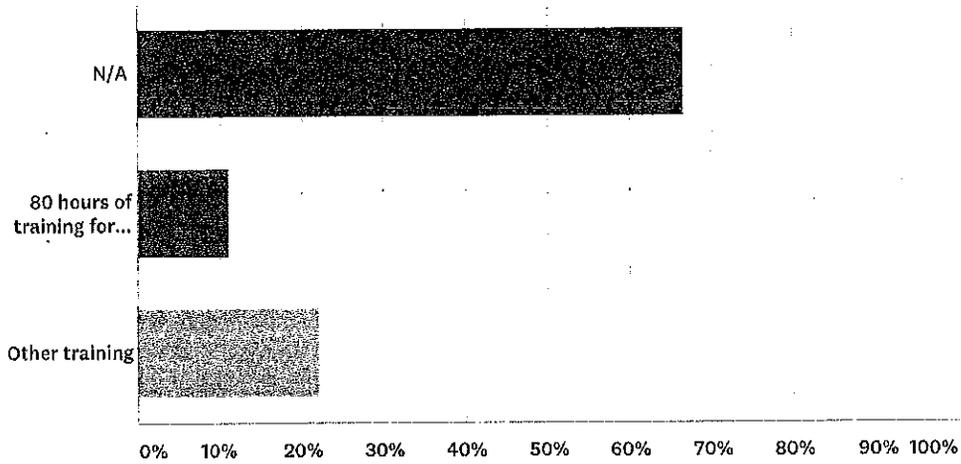
ANSWER CHOICES	RESPONSES
N/A	64.71% 11
80 hours of training for interpreting in legal settings	5.88% 1
Other training	29.41% 5
Total Respondents: 17	

#	OTHER TRAINING	DATE
1	Depends on credential/educational experience	9/21/2017 4:06 PM
2	General Interpreter training	9/13/2017 12:10 PM
3	That required by ACDHH	9/12/2017 2:05 PM
4	20 hours of court interpreting services or observation	9/12/2017 2:01 PM
5	At least 2 years of court interpreting	9/12/2017 1:30 PM

ASL Court Interpreter Requirements

Q9 If formal legal training, please specify.

Answered: 18 Skipped: 2



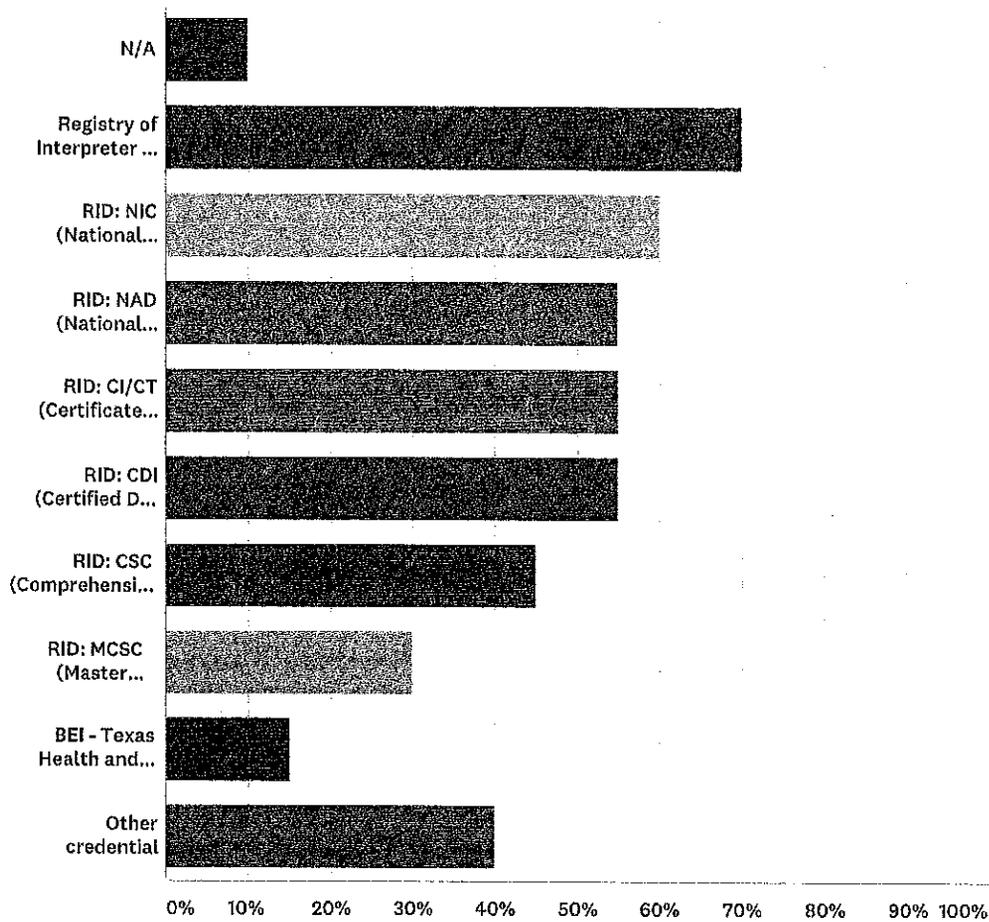
ANSWER CHOICES	RESPONSES
N/A	66.67% 12
80 hours of training for interpreting in legal settings	11.11% 2
Other training	22.22% 4
Total Respondents: 18	

#	OTHER TRAINING	DATE
1	Depends on credential/educational experience	9/21/2017 4:06 PM
2	General Legal training	9/13/2017 12:10 PM
3	60 hours of legal training if not an SC:L	9/13/2017 11:38 AM
4	That required by ACDHH	9/12/2017 2:05 PM

ASL Court Interpreter Requirements

Q10 If holding a credential, which credentials apply?

Answered: 20 Skipped: 0



ANSWER CHOICES	RESPONSES
N/A	10.00% 2
Registry of Interpreter for the Deaf (RID), SC:L (Specialist Certificate: Legal)	70.00% 14
RID: NIC (National Interpreter Certification)	60.00% 12
RID: NAD (National Association for the Deaf: Certification)	55.00% 11
RID: CI/CT (Certificate of Interpretation and Certificate of Transliteration)	55.00% 11
RID: CDI (Certified Deaf Interpreter)	55.00% 11
RID: CSC (Comprehensive Skills Certificate)	45.00% 9
RID: MCSC (Master Comprehensive Skills Certificate)	30.00% 6
BEI - Texas Health and Human Services, Office of Deaf and Hard of Hearing Services (DHHS) Board of Interpreters (BEI) Certificate	15.00% 3
Other credential	40.00% 8
Total Respondents: 20	

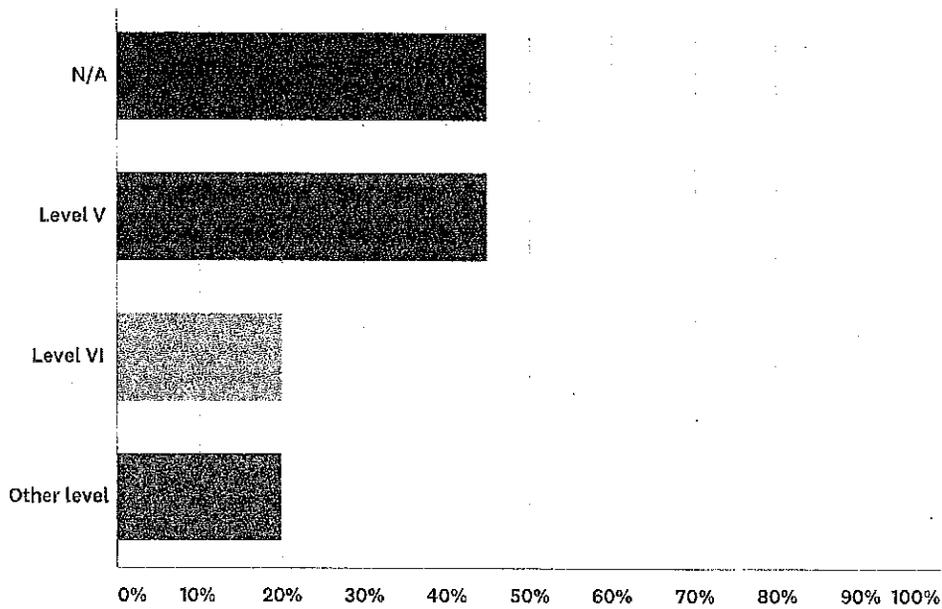
ASL Court Interpreter Requirements

#	OTHER CREDENTIAL	DATE
1	CLIP-R; OTC	9/21/2017 4:06 PM
2	historical court specific credentialed interpreters on our list is no longer available	9/15/2017 2:26 PM
3	Utah Professional or Utah Master	9/13/2017 12:20 PM
4	Our statute requires RID certification but does not specify which certification.	9/13/2017 11:38 AM
5	http://www.mainelegislature.org/legis/statutes/32/title32sec1524-B.html	9/13/2017 10:33 AM
6	CLIP, OIC:C	9/13/2017 9:23 AM
7	We are currently exploring acceptance of the BEI	9/12/2017 2:29 PM
8	CLIP-R	9/12/2017 1:33 PM

ASL Court Interpreter Requirements

Q11 If RID NAD certified, which tier/level?

Answered: 20 Skipped: 0



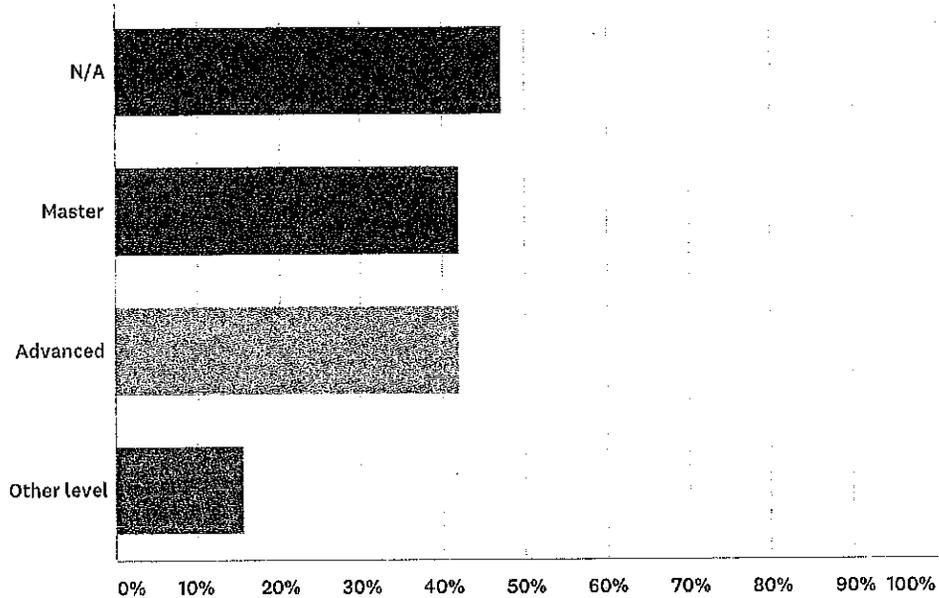
ANSWER CHOICES	RESPONSES	
N/A	45.00%	9
Level V	45.00%	9
Level VI	20.00%	4
Other level	20.00%	4
Total Respondents: 20		

#	OTHER LEVEL	DATE
1	IV	9/13/2017 12:20 PM
2	IV	9/13/2017 10:33 AM
3	We make every attempt to have the highest certification level interpret for courtroom events. This is not always possible, however.	9/12/2017 2:13 PM
4	These only apply to lower-level licenses	9/12/2017 2:05 PM

ASL Court Interpreter Requirements

Q12 If RID: NIC, what tier/level?

Answered: 19 Skipped: 1



ANSWER CHOICES	RESPONSES
N/A	47.37% 9
Master	42.11% 8
Advanced	42.11% 8
Other level	15.79% 3
Total Respondents: 19	

#	OTHER LEVEL	DATE
1	NIC	9/13/2017 12:10 PM
2	See above	9/12/2017 2:13 PM
3	These only apply to lower level licenses	9/12/2017 2:05 PM

ASL Court Interpreter Requirements

Q13 Please provide any applicable further information related to determining ASL interpreter skills for court interpreting.

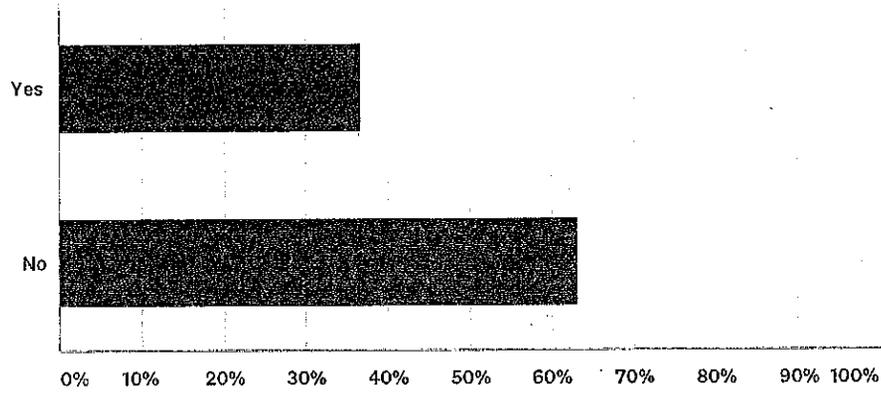
Answered: 9 Skipped: 11

#	RESPONSES	DATE
1	This is determined on a case by case basis for each Michigan Legal Endorsement application received.	9/21/2017 4:06 PM
2	if an RID certified interpreter is not available the judge may appoint a non-credentialed ASL, but should conduct a voir dire in court to assess the interpreter's skills and training	9/18/2017 12:48 PM
3	Until 2 years ago, CA has relied on RID SC:L certification process and requirements as its complete and required set of pre-requisites for court interpreting in CA. There is a provisional qualification process available to spoken language interpreters but it does not apply to ASL interpreters. CA tried to introduce suggested alternative certifications as part of a provisional qualification process for ASL interpreters and it was blocked at the legislative level by the deaf community and the spoken language interpreter union.	9/15/2017 2:26 PM
4	Require court observation hours	9/13/2017 12:10 PM
5	Staff ASL interpreters confirm credentials of agency ASL interpreters	9/13/2017 11:38 AM
6	Interpreters for the Deaf and hard of hearing must complete the RID required 8.0 CEUs.	9/13/2017 9:23 AM
7	With the improvements in video remote technology, the court is able to provide highly qualified sign language interpreters for courtroom hearings. This is not always possible but video remote technology has opened pathways to more qualified interpreting services.	9/12/2017 2:13 PM
8	Must complete CEUs, follow compensation schedule	9/12/2017 1:30 PM
9	No formal rule or administrative order planned, but we have language for a Request for Quotation for VRI services that reads: "Certified, hearing American Sign Language (ASL) and deaf interpreters who meet the Courts qualification standards at the time of service. The Courts reserve the right to request information about certification, assessments taken, qualifications, experience, and training."	9/12/2017 1:22 PM

ASL Court Interpreter Requirements

Q14 Does your state recognize different levels/tiers of ASL interpreters on your public or non-public rosters?

Answered: 19 Skipped: 1

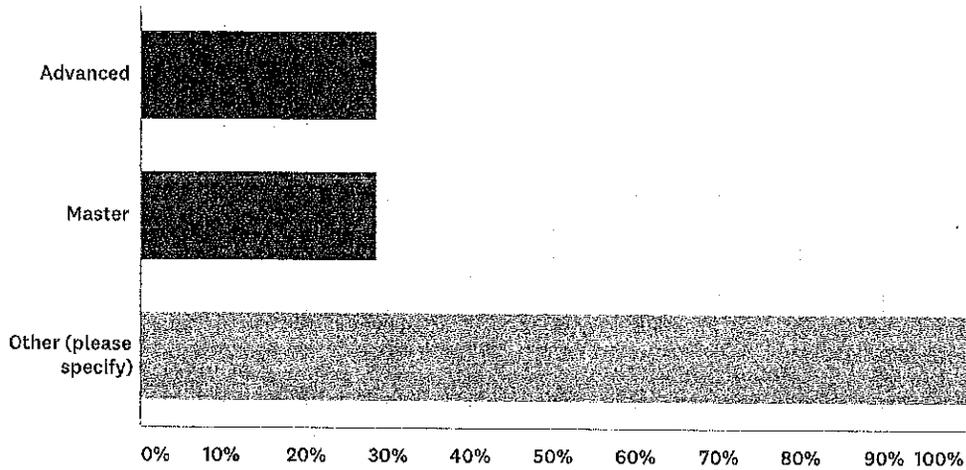


ANSWER CHOICES	RESPONSES	
Yes	36.84%	7
No	63.16%	12
TOTAL		19

ASL Court Interpreter Requirements

Q15 Which levels/tiers of ASL interpreters does your state recognize?

Answered: 7 Skipped: 13



ANSWER CHOICES	RESPONSES	
Advanced	28.57%	2
Master	28.57%	2
Other (please specify)	100.00%	7
Total Respondents: 7		

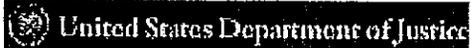
#	OTHER (PLEASE SPECIFY)	DATE
1	We identify interpreters based on Standard Level (SL1, SL2, SL3 and Educational)	9/21/2017 4:07 PM
2	SC:L and generalist categories	9/18/2017 9:43 AM
3	Utah Novice; EIPA; and CUED	9/13/2017 12:26 PM
4	NIC	9/13/2017 12:11 PM
5	Certified and Provisional	9/12/2017 2:29 PM
6	Legal A, Legal C, Legal D	9/12/2017 2:07 PM
7	Certified	9/12/2017 1:33 PM

ASL Court Interpreter Requirements

Q16 Please provide any further applicable details related to level/tiers of recognition.

Answered: 4 Skipped: 16

#	RESPONSES	DATE
1	Different credentials fall under the applicable Standard Level.	9/21/2017 4:07 PM
2	For non-court activities, the Utah Interpreter Program recognizes interpreters who have been awarded a score of 3.5-4.0 from the Educational Interpreter Performance Assessment (EIPA). They also recognize transliterators certified by TECUnit the national certifying body for Cued transliterators.	9/13/2017 12:26 PM
3	Legal A is required for work in legal settings. Legal C and D interpreters must be paired with a Legal A interpreter.	9/12/2017 2:07 PM
4	Only certified interpreters are allowed to work in court. Depending on the certificate they hold some are classified as Master	9/12/2017 1:33 PM



THE UNITED STATES ATTORNEY'S OFFICE
WESTERN DISTRICT *of* WASHINGTON

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Department of Justice
U.S. Attorney's Office
Western District of Washington

FOR IMMEDIATE RELEASE

Tuesday, July 18, 2017

**Justice Department and Washington State Courts Partner
to Ensure Access to State Court Services for Limited
English Proficient Individuals**

WASHINGTON - The Department of Justice (DOJ) announced today that the Washington State Supreme Court and the Washington State Court Administrator published a [Model Language Access Plan \(LAP\) and accompanying Deskbook](#) to assist its state courts in ensuring access for all limited English proficient (LEP) individuals to court services and programs. The LAP and Deskbook are the culmination of several years of collaboration between Washington State Courts and DOJ, through its Civil Rights Division and United States Attorney's Office for the Western District of Washington, which provided technical and resource development assistance to the State.

Under Title VI of the Civil Rights Act of 1964 (Title VI), the Omnibus Crime Control and Safe Streets Act of 1968 (Safe Streets Act), and the regulations implementing these federal laws, all courts are required to provide language assistance services to all LEP individuals in civil and criminal court proceedings, and in all court-managed services and programs. The LAP and the Deskbook assist state courts in developing a written language access plan and creating or improving its language assistance services to meet federal civil rights obligations.

"We applaud the Chief Justice and the many contributing stakeholders for working collaboratively with us to ensure compliance with applicable civil rights laws that ensure that everyone – regardless of their national origin – is able to participate meaningfully, fully and fairly in all state court proceedings," said United States Attorney for the Western District of Washington, Annette L. Hayes. "Providing effective language assistance services is essential to safeguarding the civil rights of court users and ensuring the integrity of our justice system and the rule of law."

"Ensuring the integrity and fairness of court proceedings goes hand in hand with providing interpreters and other language assistance services," said Acting Assistant Attorney General Thomas E. Wheeler II. "This joint effort demonstrates the Department of Justice and the Washington State Courts are committed to ensuring that court proceedings are administered as fairly and equitably as possible for individuals coming through the courthouse doors, regardless of national origin."

The Justice Department's initial engagement with the Washington State Courts began as a review of the King County Superior Court's (KCSC) language assistance services program. In 2011 and 2012, the Justice Department received complaints from LEP individuals who alleged they did not receive interpreter services in KCSC civil cases. In response, DOJ opened a civil rights review to determine whether KCSC's actions constituted national origin discrimination pursuant to Title VI, the Safe Streets Act, and their implementing regulations.

In early 2014, the KCSC agreed to provide language assistance services (including interpreter services) at no cost for LEP parties and persons in interest in court proceedings and operations, both civil and criminal. Until that time, KCSC had been providing these services without consideration of cost only in criminal cases. KCSC also agreed to provide DOJ information about the financial impact of extending its language services to civil cases. During that time, hundreds of additional LEP individuals received interpreter services in civil legal proceedings who otherwise may not have. In December 2015, KCSC agreed to continue to provide free language assistance services indefinitely. As a result, DOJ agreed to close its engagement with KCSC and, to replicate KCSC's success, sought to work with the Washington State Administrative Office of the Courts, its Office of Court Innovation, and the Washington State Interpreter Commission, and its community partners, in developing the LAP and Deskbook for the Washington State Court system as a whole.

DOJ, through the Civil Rights Division and U.S. Attorney's Offices, is responsible for investigating complaints of alleged violations of Title VI, as well as other federal laws, made against recipients of federal financial assistance from the Justice Department. When the Justice Department is unable to secure voluntary compliance with Title VI by a recipient, the Department has the authority to suspend or terminate financial assistance to a recipient provided by the Justice Department or to bring a civil suit to enforce the rights of the United States under applicable federal, state, or local law. The Justice Department also may provide technical and resource development assistance to recipients of federal financial assistance, as occurred here.

Both matters were handled by Assistant U.S. Attorneys J. Michael Diaz and Christina Fogg in the U.S. Attorney's Office and Michael Mulé, Attorney in the Federal Coordination and Compliance Section (FCS) of the Civil Rights Division at the Justice Department.

For more information about FCS's State Courts Language Access Initiative, a multi-pronged initiative focused on enforcement, technical assistance, outreach, resource development and policy efforts to ensure meaningful access to state courts receiving federal financial assistance, visit <http://www.lep.gov> or view the recent DOJ publication, "[Language Access in State Courts](#)." To learn more about the LEP communities in Washington State or other parts of

the United States, go to the Language Map App, available [here](#). Further information about Title VI is available [here](#).

[wa_courts-v5_spanish_002.pdf](#)

Topic(s):

Civil Rights

Community Outreach

Component(s):

[Civil Rights Division](#)

[Civil Rights - Federal Coordination and Compliance Section](#)

[USAO - Washington, Western](#)

Contact:

Press

contact for the U.S. Attorney's Office is Emily Langlie at (206) 553-4110 or Emily.Langlie@usdoj.gov.

Updated July 24, 2017

Professor, alumna work to improve language access in courts

JULY 28, 2017

Professor Gillian Dutton and 2008 graduate Kristl Cruz were both significant contributors to a new plan that assists state courts in ensuring access for all limited English proficient (LEP) people who need court services and programs.



Washington's Supreme Court and the Washington State Court Administrator published a [Model Language Access Plan \(LAP\) and Deskbook](http://www.courts.wa.gov/programs_crgs/pos_interpret/content/pdf/StateLAP.pdf) (http://www.courts.wa.gov/programs_crgs/pos_interpret/content/pdf/StateLAP.pdf) earlier this month. The LAP and Deskbook reflect the work and collaboration between Washington State Courts and the U.S. Department of Justice, through its Civil Rights Division and United States Attorney's Office for the Western District of Washington, which provided technical and resource development assistance to the State.

Dutton said that working on this new plan was a continuation of the work that she and Cruz did several years ago as they teamed up nationally with judges, interpreters, courts, advocates, and the Department of Justice to draft the ABA Standards for Language Access in Courts, approved by the ABA in February 2012.

Cruz, an attorney with the Northwest Justice Project, is a certified American Sign Language interpreter and created the CLEAR*ASL line in 2013 to provide direct legal services to deaf clients statewide in sign language by video phone. Dutton is the director of Seattle University School of Law's Externship Program.

"This new plan makes some significant improvements and once again puts Washington state at the forefront in this crucial area of access to courts," Dutton said.

"It ensures that interpreters are provided without charge in both civil and criminal settings, and provides a blueprint for courts to add language access in court-ordered and mandated services, areas that are expanding with the increased use of alternatives to incarceration," she said. "It also adds interpreter services for the deaf, deaf-blind, and hard of hearing into the language access plan as a way to consolidate and improve those services."

Under Title VI of the Civil Rights Act of 1964 (Title VI), the Omnibus Crime Control and Safe Streets Act of 1968 (Safe Streets Act), and the regulations implementing these federal laws, all courts are required to provide language assistance services to all LEP individuals in civil and criminal court proceedings, and in all court-managed services and programs. The LAP and the Deskbook assist state courts in developing a written language access plan and creating or improving its language assistance services to meet federal civil rights obligations.

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