



**Interpreter Commission Meeting**  
**Friday, December 7, 2018**  
AOC SeaTac Office

## **MEETING MINUTES**

### **Members Present:**

Justice Steven González  
Judge Andrea Beall  
Judge Laura Bradley  
Francis Adewale  
Kristi Cruz  
Eileen Farley  
Maria Luisa Gracia Camón  
Sharon Harvey  
Katrin Johnson  
Thea Jennings  
LaTricia Kinlow  
Dirk Marler  
Diana Noman  
Frankie Peters  
Fona Sugg  
Elisa Young

### **Members Absent:**

Judge Teresa Doyle  
Donna Walker

### **AOC Staff:**

Mary Lou Boles  
Jeanne Englert  
Robert Lichtenberg  
James Wells

### **Guests:**

Milena Calderari-Waldron  
Linda Noble  
Czar Peralta  
Nicole Walker

## **CALL TO ORDER AND INTRODUCTIONS**

The meeting was called to order by Justice Steven González at 8:45 AM

## **APPROVAL OF OCTOBER 19, 2018 MEETING MINUTES**

The October 19 meeting minutes were approved with no revisions.

## **CHAIR'S REPORT**

### **Recognition of Departing Commission Member and Introduction of New Member**

Justice González introduced the newest Interpreter Commission member, Frankie Peters, who will serve the remainder of the term of LaTricia Kinlow as she will depart from the Commission after December 31 due to pressing work obligations at her court.

### **GR 11 Amendments**

- Both GR11.1 and GR11.2 changes were adopted and training will be provided on the new GR 11.2 on 3/30/19 by NOTIS.
  - Courts to notify interpreters that aren't currently in our database that there is a new Code of Professional Conduct and to ensure they are familiar with it.
  - AOC can notify the courts and interpreter listservs about future trainings. Linda requested to also include ASL interpreters in these notifications.
  - Milena will notify the Medical Interpreters Union.
  - Judge Bradley can notify her colleagues of the need for awareness of the new GR 11.2 when appointing interpreters to administrative hearings..

### **BJA Court Interpreter Funding Task Force**

The purpose of this BJA Task Force is to find stable and adequate funding for interpreter services for court proceedings and services. They want to know what the demand for interpreter services is so the identified need can be transformed into a funding request for court interpreter cost reimbursement to the courts and what type of funding request strategies would be most successful.

- A budget decision package was developed to provide information about funding needs.
- BJA will coordinate with recommended organizations and judicial and legislative representatives to help spread awareness of interpreter service needs. They have solicited feedback from court officials and will relay their input to legislators.
- Interpreter Lobby Day is 1/25/19.

Justice González stated that about \$600,000 per year is allocated to the reimbursement program, with only 20% of the courts participating, and it is usually spent by the participating courts before their fiscal year ends. Passing this initiative would mean almost \$2.1 million in additional funds which would make a positive change towards supporting interpreter services and costs.

Justice González and Judge Sean O'Donnell met with the Washington Association of Prosecuting Attorneys (WAPA) and presented information about the budget request. The statute might have to be revised in order to move forward. They have a few more

meetings set up with various senators and court officials to present the budget request proposal.

### **Court Interpreter Forum Review**

On October 18, 2018, the Commission held an evening forum with court interpreters to discuss their work and to highlight the important aspects that need to be addressed by the Commission. Bob Lichtenberg shared with the Commission members a number of key comments from Forum attendees for consideration by the Commission.

- Luisa requested to do a national study on the court interpretation education models that the various state courts utilize as interpreters at the forum spoke about continuing education requirements and requested mandatory training for court interpreters and judges.
- Forum attendees expressed concerns about other agencies using non-credentialed interpreters and sending them to court assignments. Judge Bradley mentioned the Office of the Administrative Hearings typically do their hearings by phone using non-credentialed interpreters to save costs.

### **Committee Appointments**

Justice González explained that there was a need to ensure that committees had sufficient members to ensure committee meetings were able to have a quorum of members present and requested that Commission members serve on more than one of the three Commission committees. He finalized committee appointments as follows:

<b>Issues</b>	<b>Education</b>	<b>Disciplinary</b>
Judge Beall	Katrin Johnson	Judge Doyle
Thea Jennings	Sharon Harvey	Sharon Harvey
Diana Noman	Eileen Farley	Eileen Farley
Kristi Cruz	Luisa Gracia Camon	Luisa Gracia Camon
Fona Sugg	Donna Walker	Diana Noman
Frankie Peters	Kristi Cruz (LAP)	Katrin Johnson
Francis Adewale	Fona Sugg	
Elisa Young	Frankie Peters	
	Francis Adewale	
	Elisa Young (Outreach)	

- Luisa, Thea, and Fona volunteered to be on LAP Review committee. This committee will report back to the Issues Committee. Elisa will lead the Outreach subcommittee.

## **Ad Hoc Committee Charter and Members**

### Outreach

The Outreach Committee will work under the Education Committee to accomplish four goals:

- 1.) Spread awareness of the Interpreter Commission and current projects and accomplishments.
- 2.) Develop ways to generate public trust.
- 3.) Engage with youth communities to encourage interest in the interpreting profession and to educate their families about the value of their native language preservation.
- 4.) Create an effective communication framework between the court interpreter programs to share successful processes that can be implemented in the courts. It was proposed that these goals be accomplished by:
  - Conducting focus groups with community engagement groups, educational institutions, faith-based organizations or already established interpreter support organizations.
  - Enhance the Interpreter Commission website content to provide better education and awareness on what the Commission does.

Elisa is hoping to work with Jeanne to see how the funding will be able to support the outreach efforts. She asked if we could involve external community members to assist with outreach efforts since having community support helps with the success of outreach efforts. She also stated that we need to identify the appropriate community organizations to partner with.

- Justice González recommended reaching out to the Asian Bar Association and its members and mentioned Michelle Pham. He will provide other references as needed.
- Luisa recommended some interpreter organizations to partner with. The organization is working on an existing outreach project and she'd like to partner with the Outreach subcommittee on it.

### **Draft FY 19 Commission Strategic Plan**

- Cynthia has drafted a strategic plan that will be proposed to Dawn Marie Rubio after receiving the Commission's approval.

- Justice González requested changing the verbiage from “evaluate” to “implement” on page 31, #5 of the Strategic Plan since the modification to GR 11.1 has been approved by the Supreme Court.

## **2019 Interpreter Commission Meeting Dates**

Commission members voted on the following 2019 Commission meeting dates:

- March 29
- June 7
- September 27
- December 6

## **Committee Reports**

- **Education Committee Meetings Report by Katrin Johnson**
  - **Report on Petition Request**
    - Commission received a petition from the Northwest Translators and Interpreters Society (NOTIS) requesting two things:
      - Education Committee to be involved in reviewing and approving continuing education courses for interpreters.
      - Approval of funds for a developing a professional interpreter resource guide for court interpreters since the Commission does not have any publications explaining the ethical requirements for interpreters.

Katrin stated that her committee supports those ideas but they may not have authority to apply Commission time and funding for those requests due to the limitation on the scope of work of the Court Education Committee pursuant to GR 11.1 (b)(4).

She also mentioned the interpreter training session at the Judicial College in January 2019. Bob is in contact with the faculty for that specific segment. Commission Interpreter Representative Luisa Gracia Camón will be joining with Judge Estudillo and Judge Shadid to deliver the viewpoint of court interpreters working with judges and Limited English speakers appearing in court.

- **2019 Education Activities and Proposals**
  - The AWSCA approved a Commission proposal for a training session about how to provide accommodations related to the American’s with Disabilities Act (ADA), which will include training to court staff on providing assistive technology.
  - The DCMJA requested a webinar on working with court interpreters in 2019. She will work with AOC Staff to plan the webinar content and session delivery.

- She is working with DMCMA members on a workshop on providing spoken language and sign language interpreters at the Spring DMCMA conference.
  - Luisa and Linda recommended providing a webinar on this topic since it can be archived for training to new employees.
- **Issues Committee Meetings Report by Judge Beall**
  - **By-Laws**
    - Justice González does not see an issue against amending current bylaws.
    - Linda requested to remove the ambiguity in GR 11.1 and clarify what the Commission wants to do regarding how long someone can serve on the Commission. Judge Beall mentioned that a good number of members will be leaving in 2019 so we need clarification on membership terms and recruitment of new members for those position members ending either their first or second term.
    - The committee members prefer to focus on revising the bylaws and clarifying some of the language.
    - Kristi mentioned that we should focus on recruitment throughout the next year.
    - Linda Noble, who is serving as ad hoc member on the bylaws matter, said the committee should review the member term language. She suggested a policy that makes it more open to appointing new members to positions in which a term is expiring. She agrees that we need to establish guidelines for recruitment of new members. It makes sense to accept members that have already served two terms if we are limited in finding new members.
    - LaTricia expressed concern about applying shorter term limitations on recruited member positions since it may cause a barrier on accepting new members who are passionate about language access issues and who want to be able to contribute to the work of the Commission for a longer period.
  - **Skagit County Memorandum**
    - Skagit County Court Administration made a change in how they provide access to judicial proceedings in with a new practice of using telephonic interpreters for a number of hearing settings.
      - An attorney in Skagit County sent a letter to the Court going against this change. Robert Lichtenberg also worked to convince the court to re-evaluate their telephone interpreter use policy in light of the statutory language of RCW 2.43

requiring that a court-certified interpreter first be sought out and provided if available, which it did.

- **Complaints Against Courts**
  - A judge in King County District Court did not properly follow procedures for qualifying a non-certified interpreter for a hearing so Issues Committee will request copies of the hearing recording for review.
  - An advisement of rights in Spanish used in Snohomish County courts contained grammatical errors. The committee will review and notify the County court if revisions are needed.
- **Disciplinary Committee Report (delivered by AOC Staff)**
  - **Grievance Investigation**
    - Robert Lichtenberg updated the Commission on a grievance filed by Seattle Municipal Court against a certified interpreter.
    - The committee requested that the Interpreter Commission review the Disciplinary Process Manual to determine if counsel from the Attorney General's Office is needed.
  - **Credentialed Interpreter Compliance Status**
    - The Disciplinary Committee had a meeting to review the continuing education compliance status of a number of interpreters. Some interpreters were given an extension to complete their requirements and some had their credentials suspended. In November they held another meeting to review the progress of the interpreters in achieving compliance. They voted to revoke the credentials of 10 interpreters and to suspend 2 interpreters' credentials until they came into compliance..
- **Court Interpreter Mentoring Program by Luisa Gracia Camón**
  - Luisa requested funding and coordination with AOC to provide a interpreter training program to ensure that all registered language interpreters have the performance skills to interpret in court.
  - Luisa proposed newly registered interpreters should go through a mentoring program and be awarded credits to cover a full reporting cycle. Already registered interpreters can be grandfathered in and can be given sufficient educational credits for a full reporting cycle if they complete the program.

- The non-credentialed interpreters appear to not have the proper skills to work in court and need a mentoring opportunity. After the completion of the mentoring program, she suggest that AOC award a certificate of completion for non-credential interpreters. AOC should also notify interpreter schedulers so they are aware of the interpreters have completed training.
- She stated that a policy change related to interpreter skills is going to have to happen sooner or later since we can't have interpreters with different skill sets while also expecting them to comply with the new GR 11.2 which requires a higher level of skill to do so. Registered interpreters can have the option of going through the training program and obtain credits. The training would emphasize ethics and best interpreter court practices.
- **Course Description:** Twelve weeks of training, six in person sessions (two hours each session) which will take place in a court room so participants can observe, take notes and debrief; six additional webinar sessions (two hours each) led by instructors so interpreters can absorb information at their own pace.
  - This would be a language neutral program that any interpreter can attend. They would review legal terminology, ethics, self-assessment, court processes and rules, and interpreter skills.
  - The other component would be focused on training the trainers to ensure that we teach the same content to everyone to avoid gross differences in skills.
- **Course Completion Requirements:**
  - Must have registered credential or be in a non-credentialed language
  - Bachelor's Degree if possible.
  - Attend Mentoring Program for 12 weeks.
  - Demonstrate their skills during class.
  - Complete all homework.
  - Required attendance to sessions, with some provision for making up for missed sessions.
- **Cost of Training Program:** Roughly \$6,500
- **Advantages:**
  - Everyone would be aware of interpreter levels and expectations.
  - Will improve the interpreter quality within the courts.
  - Develop sense of community within interpreters.
  - Identify experienced interpreters to have a pool of qualified interpreters.

- Luisa requested that the commission review policy to implement this training program.
- Fona asked if a cost would be associated with the training. Luisa said there should be a little cost for the program to ensure people actually commit and complete the program.
- Linda pointed out that the mentoring program would allow interpreters to receive their CEU credits which justifies the cost.
- Francis mentioned the Commission may need to do think more about the process within the program since there may be unfair treatment for other courts that do not receive the opportunity to provide such training.

### **Commission Staff Report**

- **Commission Staff Updates**

- Cynthia and AOC Associate Director of Human Resources Jane VanCamp are working on a proposal for an AOC language access plan. Robert reported that the Department of Labor and Industries' legal counsel asserted that the Department was compelled to create its agency-wide language access plan because it received federal funds and that the implication is that it could be required of the AOC also since the AOC receives and distributes federal funding through some of its programs.
- Robert reported that contact is needed with Department of Youth and Family Services (DCYF) to discuss their use of non-credentialed interpreters at dependency hearings in King County after a concern made at the Forum by King County Superior Court Judge Rajul.

- **Interpreter Program Report**

- **Tagalog Exam Training**

James discussed a Filipino/Tagalog language-specific training project that Washington partnered with California to create. We wanted to provide training to help interpreters move from the registered to certified status and increase our pool of certified Filipino interpreters. California had different resources and some expertise with interpreter input taken into consideration.

- We ended up with a class with 23 people total, 10 of which were from Washington.
- The feedback was very positive since there has been no training focused on that specific language group. The training was to help pass the certified exam.
- James will present the findings of how many of these students passed their exam. It was an online class and thankfully no one expressed difficulties accessing and navigating the class. The only

constructive feedback was to reign in side conversations that took place within the class.

**Other Items**

- Robert received an email from an Arabic interpreter that feels discriminated against within the interpreter certification exams. Justice González requested that AOC Staff reach out to this interpreter and invite her to participate in a future meeting.
- Luisa re-capped that NOTIS will provide training to interpreters on the 30<sup>th</sup> of March. Justice González requested that she follow up with Bob and Sharon to coordinate provision of a webinar.

<b>ACTION ITEMS</b>	
Find a way to notify certified and un-certified interpreters about the revised GRs. Luisa Gracia also suggested that we coordinate with the Judicial College as well.	AOC Staff
Justice González requested Jeanne to make sure the court interpreters had a list of bullet points to share on Lobby Day.	Jeanne Englert
Justice González suggested having a meeting with the appropriate DCYF representatives to learn about their court interpreter selection process.	Robert Lichtenberg
Contact Judge Lee to get insight on developing a better interpreter selection process and discuss the over-use of telephonic interpretations. Luisa requested that Judge Bradley relay the suggestion for interpreter training when she speaks to Judge Lee.	Judge Bradley and Robert Lichtenberg
Email DCYF staff contact info to Bob regarding dependency cases.	Milena Calderari-Waldron
Recommend criteria for the approval of reimbursement program court LAPs.	Robert Lichtenberg and Kristi Cruz
Review bylaws and compare it to GR11 to recommend any changes that the committee feels would be beneficial options for the Commission.	Issues Committee
Review Luisa's Court Interpreter Mentoring Program proposal.	Justice González, Cynthia Delostrinos and Robert Lichtenberg

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Urge the Arabic-language test candidate to send her concerns to the Issues Committee or attend a future Interpreter Commission meeting.	AOC Staff
Coordinate the recording of the NOTIS webinar.	AOC Staff and Luisa

Meeting was adjourned at 11:50 AM.