



## **Interpreter Services Funding Task Force 2019**

### **Frequently Asked Questions and Answers**

#### **Funding Request**

The Administrative Office of the Courts (AOC) and the Board for Judicial Administration (BJA) seek \$2.1 million to provide increased funding for interpreters in the courts.

This request prioritizes funding to rural and small courts in the first year to ensure equal access to services.

The State Interpreter Reimbursement Program provides up to 50% reimbursement for interpreter costs. Courts must have an updated language access plan in place and use qualified interpreters to receive reimbursement funding.

Funding will also provide additional recruitment, testing, and training opportunities to increase the interpreter pool so that courts have greater access to qualified interpreters.

#### **Who needs/benefits from interpreters?**

Individuals who have limited English proficiency or are deaf or hard of hearing have a constitutional and statutory right to interpreters. Hearings are inherently unfair without good communication.

Accurate interpretation allows judges to make the best decision and for court orders to be understood and enforced

Interpreter services aren't just for criminal cases. For a family facing a housing crisis, a parent who is in court for a custody hearing, or a domestic violence victim seeking a protection order, access to timely interpreter services is crucial.

#### **Why should the state pick up the tab when the local governments are already paying for interpreter services?**

Local governments are struggling to pay for interpreter costs. No new courts have been able to apply for state interpreter reimbursement funds since the program's inception in 2008. The courts that do receive funding routinely exhaust state funds within the first seven months of the fiscal year.

Some courts report \$10,000 – \$14,000 interpreter costs for one hearing requiring multiple interpreters. These unanticipated costs can be difficult for small and rural courts, and may impact other local services.

Services can be inconsistent between courts without a reliable source of funding. State dollars ensure money is spent on qualified interpreters.

When they first established the funding in 2008, the Legislature recognized that interpreter funding is a partnership between state and local governments. We want to continue this partnership.

### **Why should funding be provided to AOC instead of directly to local courts?**

- The AOC Interpreter Reimbursement Program is an effective method of distributing state fund to courts.
- Quality interpretation benefits all court participants. Credentialed court interpreters must be used when available for the court to receive state dollars.
- Courts involved in the State Interpreter Reimbursement Program have implemented cost-saving and quality-ensuring practices such as web-based scheduling, multi-court payment policies, and self-help kiosks. Increasing funding for the program would encourage more courts to do the same.

### **Why aren't funds being requested to increase video interpreting or telephonic interpreting?**

While some courts have successfully utilized remote video interpreting, others experience challenges depending on capabilities and services. Telephonic interpreters are not typically qualified court interpreters, reception may be spotty, and something may be missed when you cannot see the individual.

### **Why should public dollars pay for interpreters when parties can afford them? For example, why should the court pay for an interpreter for a Toyota CEO?**

Courts are not funding interpreters for wealthy individuals. In the majority of cases, individuals are indigent.

RCW 2.43.040 instructs courts to pay all interpreting costs in criminal cases, mental health commitment proceedings, and all other legal proceedings initiated by government agencies. It further requires courts to pay all interpreting costs in civil matters for persons with limited English proficiency who are indigent.

### **How many languages are courts dealing with?**

- The need for different language interpreters varies across the state.
- While Spanish is the most interpreted language in Washington, 36% of courts provided interpreter services for over ten different languages.
- One court reported services for 165 languages.
- Courts involved in the State Interpreter Reimbursement Program reported a 30% increase in the number of languages addressed in their courts over the last eight years.
- More languages require more resources to locate and pay for services.

### **What is a credentialed interpreter and why is it important?**

Washington State's court interpreter certification process ensures minimum standards for interpreter competency in linguistic and interpreting skills and legal knowledge which leads to greater confidence and consistency of interpreter services across the state.