

**COURT INTERPRETER COMMISSION**  
**Seattle Municipal Court**  
**June 20, 2008**

---

**Members Present:** Justice Susan Owens, Leticia Camacho, Emma Garkavi, Frank Maiocco, Judge Ron Mamiya, Mike McElroy, Steve Muzik, Theresa Smith, Judge Dennis Yule

**Members Absent:** Jeff Hall, Virginia Rockwood, Lourdes Portello Salazar

**AOC Staff:** Katrin Johnson, Karina Pugachenok, Chris Ruhl, Tina Williamson

**I. GENERAL BUSINESS**

**Meeting Minutes**

A motion was made, seconded and **passed** to approve the March 14, 2008 meeting minutes.

**II. COMMITTEE UPDATES**

**A. Issues Committee**

**Reciprocity Policy Language:** AOC staff was asked to make edits to the Certified Interpreter Program Policies Manual regarding the Commission's decision to extend reciprocity to Federally Certified Interpreters and Oregon State Certified Court Interpreters. The Issues Committee met to discuss that recommended language, and also took the step of discussing reciprocity for interpreters from other state programs who have passed the oral certification exam from the Consortium for State Court Certification.

Based on those discussions, the Issues Committee recommended the following policy language:

**Reciprocity**

(a) Interpreters certified by the Oregon Court Interpreter Certification Program or the Federal Court Interpreter Certification Examination Program may become certified by the Washington Administrative Office of the Courts upon: (1) providing formal written documentation of certification status; (2) providing a letter from the certification program stating that the interpreter is in good standing; (3) submitting to a fingerprint background check; (4) executing the Oath of Interpreter, and (5) obtaining an interpreter ID badge from the Washington Administrative Office of the Courts.

(b) Interpreters who have taken and passed the oral certification exam developed by the Consortium for State Court Interpreter Certification, but administered by another state court interpreter program under the same testing standards used by the Washington Administrative Office of the Courts, may become Washington certified upon (1) providing written documentation of passing the oral certification exam from the administering state; (2) passing the Washington Court Interpreter Program written exam; (3) attending a mandatory class on the Introduction to Court Interpreting, provided by the Washington Administrative Office of the Courts, and (4) meeting requirements three through five in paragraph (a) above. The Washington Court Interpreter Program reserves the right to reject oral certification exam test scores for individuals who passed the exam more than four years prior to application for certification in Washington and have subsequently performed little or no court interpreting.

(c) Interpreters certified under provisions (a) or (b) above are subject to all Washington Certified Court Interpreter requirements for continuing certification, including continuing education.

A motion was made, seconded and **passed** to approve the above reciprocity policy language.

## **B. Discipline Committee**

### **Certified Court Interpreter Continuing Education Compliance**

Tina reported on the status of continuing education compliance for the reporting period ending December 31, 2007.

#### As of January 2008

- 160 interpreters in compliance
- 50 interpreters out of compliance
- 12 interpreters have submitted some component of continuing education and are working on their compliance.

#### As of June 2008

- 200 interpreters in compliance
- 12 interpreters out of compliance
- 10 interpreters have submitted some component of continuing education and are working on their compliance.

Approximately 22 interpreters remain out of compliance. The Disciplinary Committee convened via conference call to discuss and consider the steps to be taken. Pursuant to policy rules, AOC staff will file formal complaints on each interpreter, in the form of a letter. Complaints will be sent to the Disciplinary Committee, with copies sent to the interpreters. The complaints will include recommended sanctions and the rationale for those sanctions. The committee will meet at a later date to consider the facts of each situation, the AOC recommendations, and any mitigating information provided by the interpreters.

**Non-Compliance Policy:** The Disciplinary Committee advised that the Commission should consider revising the policy pertaining to the steps taken against interpreters who are out of compliance. With the addition of the registered category, there are substantially more interpreters required to comply with continuing education. Yet it is clear that more and more interpreters are failing to complete their requirements by the deadline, and AOC staff is dedicating a large amount of time to working with those interpreters. The Commission may want to consider revising the process so that interpreters face temporary, but automatic consequences for failure to meet requirements by the deadline.

This matter was tabled until formal recommendations are brought to the Commission.

### **C. Judicial and Court Manager Education Committee**

- **SCA Spring Conference:** Chris Ruhl and Katrin Johnson presented to State Court Administrators about the status of state funding of interpreter services.
- **SCJA Spring Conference:** AOC staff set up court interpreter program information, materials and bench cards at the Superior Court Judges' Association Spring Conference.
- **DMCJA Spring Conference:** A successful ninety-minute plenary session on communicating through interpreters was delivered at the District and Municipal Court Judges' Association Conference. The presenters were Judge Mamiya, Emma Garkavi, Kenny Barger, Diana Meredith and Katrin Johnson. This collaboration between the Commission, the AOC and WITS resulted in a highly effective training for judges across the state. Evaluations were extremely positive.
- **Consortium on Racial and Ethnic Fairness in the Courts Annual Conference:** The Consortium's annual conference was held in Seattle, and presenting were Justice Owens, Leticia Camacho, Chris Ruhl, Kenny Barger, Martha Cohen, and Molly Ertel. In attendance were judges and court staff from around the country. The presentation included a combination of lecture, demonstrations, and Q & A.
- **LAP Training Sponsored by the AOC:** The AOC sponsored a training on Title VI and the requirements for courts in providing LEP (limited English proficiency) assistance. The presenter was Bruce Adelson, a former attorney with the U.S. Dept. of Justice who investigated LEP complaints against courts and court-related agencies. Nineteen participants attended the training. Frank and Emma said that it was a very valuable training, which included valuable information on how to comply with Title VI, understanding of local objectives and how to comply with the Department of Justice. There was interest in the participants to offer this training via AOC's website – either as pre-filmed presentations or webinars.

### III. TRANSLATION OF STATE FORMS

Leticia provided a handout outlining the protocol for translators, editors, and reviewers of translated state forms:

- Certification by a national translation organization or academic program; or five years of legal translation work experience.
- Translators must provide five work references and five samples.
- Certification or registration as a court interpreter is preferable but not required.
- The primary translator will use an editor, qualified as a translator, to review the work product for accuracy and completeness.
- One additional reviewer, qualified as a translator, shall review the work product for accuracy and completeness. If an editor is not utilized, then two additional reviewers shall review the document for accuracy and completeness.
- A glossary of terms used must accompany each completed assignment. Translators will be required to use the master glossary that is developed.
- Translators must adhere to the NAJIT's code of ethics ([www.najit.org](http://www.najit.org)).

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

Steve noted that WITS is currently formulating a list of translators.

King County's forms are still missing the second review in order to put them on AOC's website.

### IV. IIINTERPRETER TESTING and TRAINING UPDATE

**Introduction to Court Interpreting Class:** This class, for all newly registered interpreters, is scheduled for August 11, 2008, in the Jury Assembly Room at Seattle Municipal Court (22 participants). This class is being expanded from half-day to full day, and will include information on interpreter ethics, protocol, and the modes of interpreting.

**2008 Written Exam—Results:** The Written Exam for registered and certified interpreters was administered on May 3 at Bellevue Community College and Yakima Valley Community College. There were 154 certified interpreter candidates and 55 registered interpreter candidates that took the exam. In the registered category, 27 interpreters passed the written exam, with the following languages represented: Amharic, Bulgarian, Dutch, Farsi, French, German, Hebrew, Hindi, Indonesian, Italian, Japanese, Portuguese, Punjabi, Romanian, Tagalog and Urdu. In the certified category, 65 interpreters passed the written exam, with the following languages represented: Arabic, Korean, Mandarin, Russian, Spanish, Somali, and Vietnamese.

Katrin Johnson has been in communication with Judges Yule and Mamiya regarding concerns over some of the legal questions in the written exam. Some questions were “thrown out” for inconsistencies with Washington law, and exam candidates were not penalized for incorrectly answering those questions. The Commission will discuss the written exam at a future meeting to determine whether further analysis should be done. (Note: The written exam is provided to the Washington AOC from the Consortium for State Court Interpreter Certification.)

**2009 Testing and Training Program:** Katrin Johnson handed out a proposed testing and training schedule for 2009. Changes include: (1) a mandatory day-long orientation session prior to the written exam for any interpreter interested in pursuing certification/registration; (2) two optional weekend skills building courses for certified candidates, preferably with language-specific training components; (3) Spanish classes would be delivered in the Central Washington area and not in Bellevue, as a way to help increase the pool of certified interpreters in Central/Eastern Washington.

## **V. AOC INTERPRETER PROGRAM**

**Interpreter Legislation:** Chris announced that funding for Karina’s position has been extended until June 30, 2009, to support the new legislation requiring LAP development in the courts.

A decision package is currently being developed for the Supreme Court budget and will request \$4 million to pay for half the cost for interpreters in all state courts.

**State Justice Institute Technical Assistance Grant Update:** John Martin has been working with AOC staff in identifying courts that have implemented effective and efficient interpreter practices as a result of state funding. The selected sites are Yakima, Snohomish, and Chelan/Douglas. John Martin came to the AOC for working meetings, including a conference call involving those three sites. The AOC staff will work on collaborating with those sites to help meet their interpreter needs.

## **VI. COMMISSION TERM STRUCTURE**

Because all members’ terms are scheduled to end September 30, 2008, and because the Commission wants to avoid 100% turnover at the same time, staff presented a structure proposal to commission members. The structure would provide staggered terms that would ensure no two judges, interpreters or public members’ terms expire the same year. Members were in agreement with the proposed structure. Justice Owens will work with AOC staff to develop Supreme Court Orders to extend terms, where necessary, and create the administrative framework to implement the new term structure.

It was suggested that members review other Judicial Branch Commissions' rules/bylaws regarding terms and other matters, as perhaps the Interpreter Commission could adopt similar standards, if appropriate. Frank Maiocco, Theresa Smith, and Judge Yule volunteered to work on this area.

## **VII. KHMER CERTIFICATION EXAM**

Katrin explained that while going through old boxes marked for destruction, she came upon test results from a Khmer exam administered ten years ago. Although it did not include all components of the exam, it did include the marked scripts for the three modes – simultaneous, consecutive and sight translation. Those documents have been forwarded to the Consortium for State Court Interpreter Certification. It is hopeful that with these documents the Consortium can more efficiently develop a full Khmer certification exam.

### **Announcement:**

The WASCLA (Washington State Coalition for Language Access) Summit is scheduled for October 24-25, 2008 in Wenatchee.

### **Next Meeting:**

October 3, 2008  
12:00 p.m. - 4:00 p.m.  
Pasco School District Office