

# Washington State Judicial Branch

## 2025-27 Biennial Budget

### Stabilize Interpreter Reimbursement Program

**Agency:** Administrative Office of the Courts

**Decision Package Code/Title:** BD – Stabilize Interpreter Reimb Pgm

#### Agency Recommendation Summary Text:

The Administrative Office of the Courts requests \$1.8 million in ongoing funding to provide greater interpreter access to the court system and better support language access to court customers in the 125 contracted courts. Increasing the use of highly-skilled and trained credentialed court interpreters and translating materials (forms, documents, signs, and resources) increases access to justice for court users who are not proficient in English or who are deaf or hard of hearing. (General Fund – State)

#### Fiscal Summary:

	FY 2026	FY 2027	Biennial	FY 2028	FY 2029	Biennial
<b>Staffing</b>						
FTEs	0.00	0.00	<b>0.00</b>	0.00	0.00	<b>0.00</b>
<b>Operating Expenditures</b>						
Fund 001-1	\$900,000	\$900,000	<b>\$1,800,000</b>	\$900,000	\$900,000	<b>\$1,800,000</b>
<b>Total Expenditures</b>						
	<b>\$900,000</b>	<b>\$900,000</b>	<b>\$1,800,000</b>	<b>\$900,000</b>	<b>\$900,000</b>	<b>\$1,800,000</b>

#### Package Description:

The Legislature created the Language Access and Interpreter Reimbursement Program (LAIRP) in 2008 to “provide equal access to the courts for non-English speaking persons by ensuring professional interpreters are provided in all languages in all levels of court.”<sup>1</sup> In 2019, the Board for Judicial Administration (BJA) and Administrative Office of the Courts (AOC) were successful in obtaining a significant increase in funding to bring new courts into the program. Since then, the number of participating courts has increased from 33 contracted courts in FY 2018 to 111 contracted courts in FY 2024, and 125 contracted courts in FY 2025. Over 40 percent of all Washington trial courts participate, including most Superior Courts, with a heavy focus on rural Superior Courts. The goal is to ensure interpreters are used in all courts in Washington so that justice may be accessed equally by all.

Current staffing is sufficient to accommodate these increases. However, the funding allocated to AOC to reimburse participating courts for their language access expenses is not. In FY 2024, the program experienced unprecedented growth and is projected to fully expend its annual funding allocation. The projected cost of providing language access, as reported by participating courts, is expected to reach \$8.7 million in FY 2024. This is a \$3 million increase from FY 2023 and a \$5 million increase from FY 2022. Consequently, more than 45 courts are projected to fully spend their allocated budget in FY 2024, compared to ten courts in previous years.<sup>2</sup>

This is due to a number of factors: caseloads increasing post-pandemic, court interpreter hourly rates increasing, and growing demand for translations and other language access related expenses.

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<sup>1</sup> House Bill 2176 Report – An act relating to Interpreter Services.

<sup>2</sup> Under RCW 2.43.040, the AOC may reimburse up to one-half of qualifying interpreter expenditures for participating courts.

### **Increase in Caseloads**

Post-pandemic, court caseloads have increased significantly as operations return to normal. Consequently, there has been a significant growth in the demand for interpreter services. LAIRP-participating courts reported 24,000 interpreter assignments in FY 2022, which increased by 24 percent to 30,000 in FY 2023. Projections based on reported data indicate a further 41 percent increase to 42,000 interpreter events in FY 2024.

### **Increase in Court Interpreter Hourly Rates**

There has been a steady increase in court interpreter hourly rates over the past few years. The LAIRP data shows that in FY 2022, the average rate was \$60 per hour, which increased to \$65 by FY 2024. The increase is even more pronounced compared to FY 2019 when the average rate was \$57 per hour. This increase in rates, combined with an increase in caseloads, adds to the financial burden on courts providing interpreter services.

### **Increase in Demand for Translations**

There is a growing awareness of the importance of translation services in courts, not only for court forms but also for case-specific documents, signage, and websites in an effort to bridge language gaps. As courts recognize this need, there has been a substantial increase in requests for funding to support translation services.

Based on the LAIRP data, translation-related expenses increased significantly from \$14,000 in FY 2022 to \$77,000 in FY 2024. The AOC has increasingly heard from court associations and local courts regarding the need for more resources to support translation. While the program was able to allocate funding for some translation projects, there are insufficient funds to meet all the needs.

Meanwhile, courts across the state are facing difficulty obtaining qualified interpreters, particularly when in-person hearings are required for meaningful access to justice such as trials or evidentiary hearings. Issues like this will almost certainly require courts to be willing to pay interpreters more in the form of minimum hours, hourly rate increases, or travel pay.

These issues are not unique to Washington. Court interpreter hourly rates are increasing across the country due to interpreter shortages and cost-of-living increases. There has been a growing demand for interpreters across various public and private sectors, making competitive compensation essential to attract and retain skilled interpreters. In recent years, there has also been a rising demand for languages of lesser diffusion, which have limited highly skilled interpreters, further contributing to higher interpreter rates. To better understand this issue and identify possible solutions, the AOC commissioned an Interpreter Compensation Study in the fall 2023.

The study, which was completed in June 2024, focused on analyzing current compensation rates and payment policies for Washington state court interpreters, evaluating disparities across courts, states, and other sectors, and examining recruitment and retention strategies for court interpreters. The study confirmed that the limited number of credentialed interpreters in many languages is a significant factor contributing to the challenges in providing high quality court interpreter services, as the demand surpasses the available supply of qualified interpreters. The growth of language access services in various industries, coupled with increased remote work options in other states, also intensified competition and raised interpreter hourly rates nationwide.

Surveys and focus group discussions with courts and court interpreters during the study highlighted courts' ongoing challenges in securing skilled, court credentialed interpreters, especially for in-person assignments. Meanwhile, court interpreters emphasized the importance of pay rates in selecting assignments, while indicating no preference between in-person and remote assignments as long as adequate compensation was provided for travel time.

The study recommendations include:

- Implement a fair and equitable compensation model.

- Utilize new recruitment strategies.
- Establish a statewide standardized payment policy with an hourly rate aligning with industry standards.
- Implement non-monetary benefits for court interpreters, such as dedicated space in the courthouse, recognition for consistent services, offering professional support and mentoring.
- Establish higher minimum hours to maintain competitiveness.
- Provide compensation for travel time to incentivize court interpreters take on more in-person assignments.
- Foster stronger relationships between courts and court interpreters.
- Streamline the interpreter scheduling process across the state.

If implemented, these recommendations will further escalate the cost of providing interpreter services. Additional funding is crucial to meet this increased demand and ensure equitable access to court proceedings for all participants.

**Fully describe and quantify expected impacts on state residents.**

This decision package would impact Washingtonians who have Limited English Proficiency (LEP) and those who are deaf and hard of hearing. About eight percent of Washington's total population is considered Limited English Proficient (LEP), approximately 488,800 Washingtonians, and about four percent are deaf and hard of hearing, approximately 254,619 Washingtonians. Every courthouse in Washington State has served, will serve, or currently is serving people from the LEP and deaf and hard of hearing community.

This funding would ensure that courts have the ability to serve these communities well by hiring qualified interpreters and translating important court documents, forms, signs, and resources.

**Explain what alternatives were explored by the agency and why this was the best option chosen.**

In FY 2024, to better understand this issue and identify possible solutions, the AOC commissioned an Interpreter Compensation Study. The study recommended recruiting new interpreters to the profession and providing non-monetary incentives to working court interpreters. For example, recognizing interpreters when they do good work and providing opportunities for feedback, providing professional support like glossaries or other preparation materials for assignments in advance, and providing dedicated spaces for interpreters to use for assignment preparation, and to take breaks when not interpreting. The study also recommended a more centralized interpreter scheduling system and the AOC is exploring the viability of establishing a statewide scheduling system that could improve efficiency. However, the key recommendations from the study are to increase minimum hours, hourly rates, and to provide travel pay.

Implementing the non-financial solutions and continuing collaborative efforts with other stakeholders will help, but it will not solve the problem alone. Additional funding for qualified interpreters and translation is essential to maintain and improve language access services.

**What are the consequences of not funding this request?**

If this request is not funded, the AOC will be faced with a choice between declining to admit new courts to the LAIRP or reducing the funding provided to existing courts in order to accommodate new courts. Considering that many existing courts are already underfunded and expressly requested the AOC pursue more funding, this approach is untenable.

Additional consequences include: courts relying on automated translation or hiring unqualified interpreters at lower rates, which risks inaccuracy; limited local and reimbursement funds preventing courts from undertaking important language access initiatives, such as translating courthouse signage or implementing necessary technology and equipment upgrades for remote interpreting assignments.

Finally, not funding the request will restrict the ability of courts to pay competitive rates to interpreters, pushing interpreters to work in other sectors and discouraging new interpreters from working in the courts. This exacerbates the existing problem of not having enough interpreters to meet the needs of the courts.

**Is this an expansion or alteration of a current program or service?**

This would be an expansion of current funding. The AOC's Language Access and Interpreter Reimbursement Program (LAIRP) funds trial court interpreter services. This ensures trial courts can offer high quality interpreter services and access to the courts for LEP individuals and deaf and hard of hearing individuals. This request would increase the funding available to courts to meet increased need and expand the program to serve additional courts.

<b>Expenditures by Object</b>		<b><u>FY 2026</u></b>	<b><u>FY 2027</u></b>	<b><u>FY 2028</u></b>	<b><u>FY 2029</u></b>	<b><u>FY 2030</u></b>	<b><u>FY 2031</u></b>
N	Grants, Benefits & Client Services	900,000	900,000	900,000	900,000	900,000	900,000
	<b>Total Objects</b>	<b>900,000</b>	<b>900,000</b>	<b>900,000</b>	<b>900,000</b>	<b>900,000</b>	<b>900,000</b>

**How does the package relate to the Judicial Branch principal policy objectives?**

**Fair and Effective Administration of Justice**

This package would help ensure people of different cultures and backgrounds, including those who are LEP or deaf and hard of hearing, will be treated fairly and with respect.

**Accessibility**

This package would fund trial courts to hire high quality interpreters and to translate important documents, forms, signs, and resources, which will help ensure equal access to justice for LEP and deaf and hard of hearing individuals.

**Access to Necessary Representation**

Legal aid organizations and private attorneys experience many of the same challenges securing interpreters as the courts which limits their ability, and sometimes willingness, to help or represent LEP and deaf and hard of hearing individuals. Courts having access to sufficient funding to contract with high quality interpreters may help alleviate this challenge and will also improve court access for unrepresented litigants.

**How does the package impact equity in the state?**

**Address any target populations or communities that will benefit from this proposal.**

This package will benefit Limited English Proficient and deaf and hard of hearing individuals and communities. It will also benefit immigrant communities and communities of color, as many LEP individuals are immigrants and/or people of color.

**Describe the how the agency conducted community outreach and engagement.**

The AOC hosted an open forum for court administrators to discuss interpreter compensation, scheduling, and related issues in February 2023. At the forum, the AOC addressed and identified ongoing challenges in providing court interpreter services, such as interpreter availability and compensation, interpreter shortages across languages, challenges in securing interpreters for in-person hearings, and the increasing burden on courts due to rising hourly interpreter rates and minimum hour requirements. Since the forum, judges and court administrators have been invited to address the Interpreter and Language Access Commission (ILAC), where they have reiterated the challenges and increasing difficulties.

Additionally, as part of the above-referenced Interpreter Compensation Study, the AOC's contracted vendor conducted surveys and focus group discussions with courts and court interpreters. A significant 94% of court interpreter survey respondents highlighted interpreter pay rate as a primary factor influencing their decision to accept court interpreter assignments. Additionally, the findings identified that private sector assignments generally offer higher pay rates than court interpreter assignments.

These findings highlight the importance of offering competitive pay rates and travel related reimbursements to attract interpreters to court interpreting and enhance language access in courts.

**Consider which target populations or communities would be disproportionately impacted by this proposal. Explain why and how these equity impacts will be mitigated.**

We do not anticipate disproportionate impacts on any populations or communities.

**Are there impacts to other governmental entities?**

This package would impact trial and appellate courts by providing funding to contract with high quality court interpreters and to translate important documents, forms, signs, and resources. The program also impacts participating courts by providing reimbursement for training costs so court staff may advance their interpreter skills. Trial courts have specifically requested that the AOC pursue this decision package.

Increasing the pool of skilled court interpreters benefits other governmental entities that use court interpreters. These include, the Office of Administrative Hearings; Department of Youth, Children, and Families; Department of Licensing; Labor and Industries; and the Board of Industrial Insurance Appeals. These agencies frequently require court interpreters and have expressed having challenges similar to the courts in securing court interpreters. These initiatives made possible by the LAIRP lead to a long-term expansion of the pool of qualified interpreters, benefiting other government entities and enhancing language access services across various public agencies throughout the state.

**Stakeholder response:**

Superior Court Judges Association (SCJA)  
District and Municipal Court Judges Association (DMCJA)  
Association of Washington Superior Court Administrators  
District and Municipal Court Management Association  
Interpreter and Language Access Commission  
Credentialed Court Interpreters  
Members of the Legal Aid and Access to Justice Community  
Washington State Coalition for Language Access  
Persons who are Limited English Proficient  
Persons who are Deaf and Hard of Hearing  
Advocates of Immigrant and Refugee Populations

The Administrative Office of the Courts anticipates that these stakeholders will be supportive of this package as it will allow courts to better serve LEP and deaf and hard of hearing community members. Both SCJA and DMCJA specifically requested that AOC put forward a budget package to increase funding for the Language Access and Interpreter Reimbursement Program.

**Are there legal or administrative mandates that require this package to be funded?**

RCW 2.43.090 requires that all trial courts must develop written language access plans that outline how they will provide language access to LEP and deaf and hard of hearing court customers. Components of the plan include how interpreter services will be provided and what materials must be translated. This budget package requests funding to help courts implement their required language access plans.

Additionally, RCW 2.43.040 requires the AOC to reimburse courts participating in the LAIRP for 50% of the cost of services provided by credentialed interpreters. Additional funds are needed to continue to progress toward the program goal of serving all courts and ensuring equitable language access across the state.

**Does current law need to be changed to successfully implement this package?**

No changes to current law are required to successfully implement this package.

**Are there impacts to state facilities?**

This request does not impact any state facilities.

**Are there other supporting materials that strengthen the case for this request?**

Interpreter Compensation Study Report (available July 2024)

LAIRP Data Analysis (available upon request)

**Are there information technology impacts?**

No.

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