

**Washington State Supreme Court
Interpreter and Language Access
Commission
(ILAC)**

September 27, 2024

Meeting Packet

Washington State
Administrative Office of the Courts
1112 Quince Street SE
PO Box 41170
Olympia, WA 98504-1170
Phone: 360-753-3365

Meeting Agenda



Language Access and Interpreter Commission Quarterly Meeting

Friday, September 27, 2024 - 8:30 AM to 12:00 PM (*meeting*)

12:00 pm – 1:00 pm (*working lunch*)

Via Zoom

<https://wacourts.zoom.us/j/85094569699>

And at AOC SeaTac Office (*ILAC Members only*)

AGENDA

| | | |
|---|--|--|
| <ul style="list-style-type: none"> • Call to Order • Meeting Rules • ILAC Member Introductions & Ice breaker <ul style="list-style-type: none"> <i>Your name,</i> <i>Your organization (if any)</i> <i>Your seat on ILAC</i> <i>How long you've been on ILAC</i> <i>Any committees you are on</i> <i>One fun summer activity</i> | <p>Judge Diaz</p> <p>Judge Diaz</p> <p>ILAC Members</p> | |
| <p>Chair's Report (<i>Order Subject to Change</i>)</p> <ul style="list-style-type: none"> • Approval of previous meeting minutes • Recognize outgoing members • Current Member Reappointments • New Member Candidates • Proposed 2025 Meeting dates • RCW Changes Update • Interpreter Recruitment • Language Access Team Update <ul style="list-style-type: none"> - Testing and Training Update - Interpreter Scheduling - Language Access and Reimbursement Program (LAIRP) - Interpreter Compensation Study - Language Access Plans • ILAC Onboarding | <p>Judge Diaz</p> <p>Judge Diaz</p> <p>Judge Diaz</p> <p>Judge Diaz</p> <p>Judge Diaz</p> <p>James Wells</p> <p>Judge Diaz and Eunyoung Kim</p> <p>Eunyoung Kim</p> <p>James Wells</p> <p>Tae Yoon</p> <p>Leonard Alvarez</p> <p>Leonard Alvarez and Laura Sanchez</p> | <p>P 5</p> <p>Supplement</p> <p>P 12</p> <p>P 14</p> <p>P 16</p> |
| Break | | |
| Committee and Partner Reports | | |

| | | |
|--|---------------------------------|------|
| Office of the Deaf and Hard of Hearing (ODHH) | Laurie Reinhardt and Berle Ross | |
| <ul style="list-style-type: none"> • BEI Sign Language Interpreter Exam | | |
| <u>Issues Committee Meetings Report</u> | Judge Oaks or Designee | P 22 |
| <ul style="list-style-type: none"> • In-person Interpreting Workgroup • Court Managed Programs | | |
| <u>Education Committee Meetings Report</u> | Ashley Callan or Designee | P 24 |
| <ul style="list-style-type: none"> • Recent Conference Presentations • Upcoming Conference Presentations • Remote Interpreting Work | | P 29 |
| <u>Disciplinary Committee Report</u> | Judge Okoloko or Designee | |
| <u>Translation Committee Report</u> | Luisa Gracia or Designee | P 32 |
| <ul style="list-style-type: none"> • Draft Recommendations for Appellate Courts | | |
| <u>Liaison Reports</u> | | |
| <ul style="list-style-type: none"> • Office of Administrative Hearings (OAH) | Tony Griego / Cristina Labra | |
| Announcements | | |
| Working Lunch | ILAC Members only | |

Meeting Minutes



**Language Access and
Interpreter Commission
Quarterly Meeting**

Friday 05/10/2024 | 8:30 AM – 11:40 AM
Zoom Videoconference

Meeting Minutes

Members:

Judge Diaz
Judge Oaks
Judge Okoloko
Kristi Cruz
Ashley Callan
John Plecher
Donna Walker
Iratxe Cardwell
Luisa Gracia
Naoko Inoue Shatz
Anita Ahumada
Florence Adeyemi
Jeanne Englert
Diana Noman
David Poland

Liaisons:

Cristina Labra
Berle Ross

Guests:

Judge Robertson
Latricia Kinlow
Veronica Trapani-Huebner
Anita Khandelwal
Caitlin Walsh

AOC Staff:

James Wells
Kelley Amburgey-Richardson
Eunyoung Kim
Tae Yoon
Leonard Alvarez
Laura Sanchez

CALL TO ORDER

The meeting was called to order at 8:35 AM.

Previous Meetings Minutes

- Motion to approve February meeting minutes as modified.

CHAIR'S REPORT

Chair Report

- **Current and Upcoming Membership Vacancies**
 - A list of relevant members is in the meeting packet pg.15.
 - Members are approaching the end of their second term; therefore, recruitment will be needed to replace Diana Noman, Jeanne Englert, and Kristi Cruz.
 - Commissioners were asked to provide suggestions for replacement of upcoming membership vacancies.
 - Justice Whitener and Ashley Callan are members approaching the end of their first term yet eligible for reappointment. Judge Diaz will ask both first-term candidates if they consider running for a second term.
 - Vacancy: Public Defender Rep. The WDA has not hired a new nominee. After reviewing the bylaws, it was noted that there are no restrictions to limit the solicitation to the WDA. Proposal to contact the OPD to get a new potential

member ahead of the September meeting. Members were also asked to provide any suggestions they had.

○ **In-Person/Hybrid September Meeting**

- We will host an in-person meeting at the AOC SeaTac office in September. A hybrid option will be available for members who cannot attend in person.
- AOC will provide travel reimbursement (hotel/mileage). AOC SeaTac office has validated parking.
- The agenda is being developed; more details will come over the summer.
- Members were asked to provide ideas on best practices to host a meaningful hybrid meeting.

○ **RCW Changes and Updates**

- 2.43: The plan is to submit the version of RCW 2.43 as amended during the Legislative session last year. A copy of this revision is included in the packet.
- 2.42: Based on a conversation with ODHH on 5/9, AOC staff recommends removing the proposed references to the AOC list of credentialed sign language interpreters and implementing policies and procedures for testing and credentialing sign language interpreters.
- AOC confirmed there is no support from senators or house representatives. Members suggested contacting known senators and representatives who have previously supported language access initiatives. Senator Saldaña, Senator Manka Dhingra, and Senator Hasegawa are among the names mentioned.
- AOC met with Berle Ross from ODHH to discuss the elements of RCW 2.42. That conversation related to the AOC taking on the responsibility of credentialing sign language interpreters, which ODHH is currently doing.
- The AOC would implement policies and procedures for the testing and credentialing of sign language interpreters working in courts.
- The AOC would maintain a list of certified sign language interpreters.
- Currently, ODHH is not in agreement with these changes. Concerns relate to the AOC not being a known entity in the Deaf community, not having the trust of the community, and not being a subject matter expert at this time. ODHH recently received funding to establish a workgroup to develop more sign language interpreters in WA, and this group will have heavy community involvement. Some of that work may inform how to move forward with sign language credentialing in WA. The workgroup will run from 7/1/24 to 6/30/25. Also, before making the proposed 2.42 changes, ODHH would like to establish a charter or another relationship between the AOC and ODHH.

Based on the conversation, The AOC staff will suggest that we respect ODHH's expertise in this matter and recommend removing the references to the AOC's role in administering the exams and maintaining a list of credentialed interpreters.

○ **ASL Exam Update**

- 2016 previous testing materials are considered outdated by ASL services.
- The ASL exam is being looked at for process and implementation.
- Conversations at the AOC are ongoing about what kind of legislative funding will be requested.

- **Language Access Team update**

- Court Interpreter Program

- Testing and training update: A copy of the full report is included in packet pg.40.

- Over 80 attendees participated in the Ethics and Protocol training in March.
 - Eunyoung attended OJD Court Interpreter Program orientation in Salem, OR.
 - The oral exam is set for June 1st and 2nd in Shoreline and June 5th in Olympia.
 - Generated compliance reports for 2022-2023.

- Language Access and Interpreter Reimbursement Program (LAIRP): A copy of the full report is included in packet pg.41.

- The AOC has 111 contracts for the reimbursement program, of which 98 have submitted invoices. 13 courts have not submitted any invoices and confirmed they have no claims.
 - Total claims for QTR1 and QTR2 amount to about 2 million dollars, with a 10% denial rate, which is standard as some events do not qualify.
 - Revenue sharing was initiated on March 1st to ensure all funding was being utilized. This process analyzed the proportion of approved claims in the first half of the fiscal year in relation to the courts' allocated budget, serving as a basis for identifying courts requiring budget adjustments.
 - QRT3 invoices are due by May 31st, and QRT4 invoices are due by July 15th. Reminders of these deadlines will be sent.
 - Updates on goods and services under the reimbursement program, including subcategories for training, translation services, and telephonic interpreting equipment and devices, will be provided.
 - Members asked about Wi-Fi and laptops as part of the reimbursement program. They also asked if a ZOOM subscription for a simultaneous interpretation feature can be considered under good in services. There is no definite answer at this moment; questions will be brought up for further discussion as all claims are subject to further consideration under the specifics of the budget.

- Interpreter Compensation Study:

- The contracted vendor is currently in the data analysis process.

- Surveys were sent to courts and interpreters.
 - 95 courts and 202 Interpreters participated in the survey.
 - After receiving the surveys, focus group discussions were held to gather more understanding and qualitative data. Focus groups were broken into groups for the courts and three separate focus groups for interpreters: 1) Spanish interpreters, 2) ASL interpreters, and 3) interpreters of lesser diffusion.
- The final report is anticipated to be available by the end of June 2024.

- Language Access Plans

- An overview of the trajectory of the LAPs and reviews for 2007, 2017, and 2022 was presented.
 - Takeaways from the Consultant's review include taking advantage of local data to fully understand the language access needs and the challenge courts have in getting an ASL interpreter to execute jobs.
 - Next steps, considering the 2017 roll-out schedule as a possible model

- Language Equity through Translation & Interpretation Programs Presentation

- Veronica Trapani-Huebner from OSPI and Caitlin Walsh from Bellevue College presented OSPI's work, which created a pathway into interpreting and translation careers.

- 231 Languages represented in the State of WA. The top three languages are 1) Spanish, 2) Russian, and 3) Vietnamese.
- Types of k-12 language programs in WA state include World, Dual, Heritage, and tribal language programs.
- Courts are not the only ones feeling the demand for world language skills.
- High School Careers and Technical Education programs are currently focusing on native speakers to train for careers in the field of linguistic skills.

CALL TO ORDER Committee and Partners Reports

Issues Committee Meetings Report

GR 11.3-Remote Interpretation comments for revisions. Found on pg47 in packet.

- A copy of the letter submitted to the Supreme Court as comments on the proposed changes to GR 11.3 was briefly explained.
- No updates from the Supreme Court.

Reported concerns from courts about remote interpreting

- Judge Oaks introduced Judge Robertson to discuss the issues she and other judges have seen around remote interpreting, including the challenges of acquiring in-person interpreters.
- Judge Robertson believes GR11.3 has had unintended consequences where it allows remote interpretation while acknowledging that in-person interpretation is best practice. Yet, the result has been that remote interpretation has become the default and the norm to the point where courts are experiencing significant issues regarding due process.
- Judge Robertson brought Anita Khandelwal to speak more about the current challenges with due process. Latricia Kinlow was introduced to discuss the challenges of getting an interpreter to come in person for interpreting services.
- Currently, interpreters have no incentive to come to court due to the accessibility of ZOOM option interpretation services, which gives interpreters the flexibility to do up to 6 interpretation jobs in a day versus 1-2 jobs when commuting to an in-person job.
- This convenience and financial benefit to interpreters is being experienced at the expense of due process for the people at the court and the court's ability to manage court calendars. Across the State, concerns have been raised because courts cannot get interpreters to sign up for in-person interpretation jobs.
- Courts have been quoted exorbitant amounts from interpreters when asked to do in-person interpretation jobs. Quotes of up to \$100-to-\$225 dollars an hour to get an interpreter in person. Courts can not afford to pay these amounts.
- Another challenge for courts is that remote interpretation takes twice as long. Oftentimes, courts need to find a private room to have a side chat with parties.
- Anita Khandelwal runs the King County Court of Public Defense and shared that it's incredibly challenging to stop the hearing and find a side room to provide interpretation services to a client. Ongoing communication and check-ins between the client and attorney are unavailable when the interpreter is absent. Her attorneys find remote interpretation services ineffective and a disservice to their clients.
- Commissioners asked why it was uniquely difficult to get space to facilitate a Zoom breakout room at the King County Court of Public Defense during the hearing. Space limitation was the reason given.

- Commissioners shared that court staff need training to facilitate Zoom resources for translators' services. Court staff can benefit from learning how to activate simultaneous interpretation mode in Zoom and strategizing a plan for better pre-planning when a separate room is needed for ongoing communication and check-ins between the client and attorney.
- Latricia Kinlow shared that we must find effective ways to support and provide meaningful representation through effective communication between parties to sustain effectiveness within court processes. The old ways of doing things are no longer the way to move forward. We now must embrace all that is new after COVID-19 and be willing to understand that certain 'old ways' still work better. We must push our jails to be equipped with the proper equipment and staff training for hybrid court matters.
- Next steps: Various commissioners will volunteer to help train and teach how to implement best practices during remote interpreting via Zoom.

Education Committee Meetings Report

- Remote Interpreting Materials-collaborations for ZOOM training for courts/interpreters is ongoing.
- Fall conference Proposal-found in packet on pgs.56-57
- SCJA and DMCJA conferences
 - The Equity and Access Team invited ILAC to participate in a panel discussion on self-represented litigants in the courts. ILAC's part was 15 minutes. The proposal was initially accepted by the SCJA (which took place in Yakima on April 29 and later by the DMCJA to take place on June 3. Iratxe has agreed to present it to the DMCA.

Disciplinary Committee Report

- In February, the committee met to review the start of credential interpreters who did not comply with biannual requirements due in December 2023.
- Out of compliance, interpreters were notified with options to help them meet pending biannual requirements. Three-month and six-month extensions were granted. Suspension will be given to those who do not meet requirements by June.
- Investigations regarding complaints are ongoing.

Translation Committee Report

- The Committee surveyed courts regarding translation experiences. A presentation summary is in the packet.
- Met with the deputy of the Supreme Court to learn more about the language access plan in place.
- Project to create a subcommittee within the translation committee to assist with the appellate language access plan.

Liaison Reports

Access to Justice (ATJ) Board

- On behalf of Vanna Singh, James shared the plans for an upcoming event in Tacoma. The AOC can lend LEP participants interpreter equipment (transmitter/receivers). Flyer available in the packet.

- OAH continues to work on the translation process due to increased demand.
- A computer system technology (CAT) tool for internal staff was being considered, yet due to IT blocks, OAH is now looking for other options.
- Working on developing LAP.
- Looking into simultaneous interpretation services via on-the-phone hearings.
- Developing training for judges to help them learn how to work best with interpreters.

Office of the Deaf and Hard of Hearing

- Obtained \$900,000.00 dollars in funds and are now implementing a study.
- Employing a full-time project manager and will do research with a community-driven workgroup.

Announcements

- Next meeting September-hybrid

The meeting adjourned at 12:00 PM.

DRAFT

Chair's Report



**INTERPRETER AND LANGUAGE
ACCESS COMMISSION
(ILAC)
2025 MEETING DATES
(*TENTATIVE*)**

| DATE | TIME | LOCATION |
|--------------------|---------------------|--|
| February 21, 2025 | 8:30 am to 12:00 pm | Zoom Videoconference In-person: TBD |
| May 30, 2025 | 8:30 am to 12:00 pm | Zoom Videoconference In-person: TBD |
| September 26, 2025 | 8:30 am to 12:00 pm | Zoom Videoconference In-person: TBD |
| December 12, 2025 | 8:30 am to 12:00 pm | Zoom Videoconference In-person: TBD |

Language Access Team Reports

AOC COURT INTERPRETER PROGRAM

PROGRAM HIGHLIGHTS (MAY-SEPTEMBER 2024)

EXAM TRAINING

- SUMMER SKILLS TRAINING
- ETHICS AND PROTOCOL
- COURT INTERPRETER ORAL EXAM

2022/20223 COMPLIANCE CERTIFICATION

- 27 NEWLY CREDENTIALLED (11 WA, 16 RECIPROCITY)
- 9 REVOCATION
- 14 VOLUNTARY SUSPENSION (RETIREMENT AND OTHER)

OUTREACH

- RADIO HANKOOK KOREAN LANGUAGE INTERVIEW
- PNCFL ARTICLE ON COURT INTERPRETER CAREER
- AOC COURT INTERPRETER NEWSLETTER

EDUCATIONAL COLLABORATION

- SKAGIT VALLEY LEGAL AID - COURT INTERPRETER PROGRAM
- ONGOING PROJECT WITH A LOCAL UNIVERSITY TO ESTABLISH A TRAINING PROGRAM

CONFERENCE PRESENTATION

- NOTIS ETHICS WORKSHOP(PAST)
- FALL JUDICIAL CONFERENCE (UPCOMING)
- ATA CONFERENCE (UPCOMING)

TECHNICAL PROJECT

- INTERPRETER WEB DATABASE APPLICATION/WEBSITE UPDATE PROJECT

LANGUAGE ACCESS AND INTERPRETER REIMBURSEMENT PROGRAM FY 2024



Period covered: Jul 1, 2023 - Jun 30, 2024

Introduction

The Language Access and Interpreter Reimbursement Program (LAIRP) is dedicated to enhancing language access in courts by providing reimbursement for interpreter services and related costs. In Fiscal Year 2024, the program experienced significant growth with the addition of **12 new courts**. Throughout the year, the program allocated **\$3.8 million** across **111 contracts**, expanding the program's support to **34 counties** in WA State.

FY 2024 Financial Highlights

\$8.79M

Actual Court Cost

\$4.05M

Approved Reimbursement Claims

43.5k

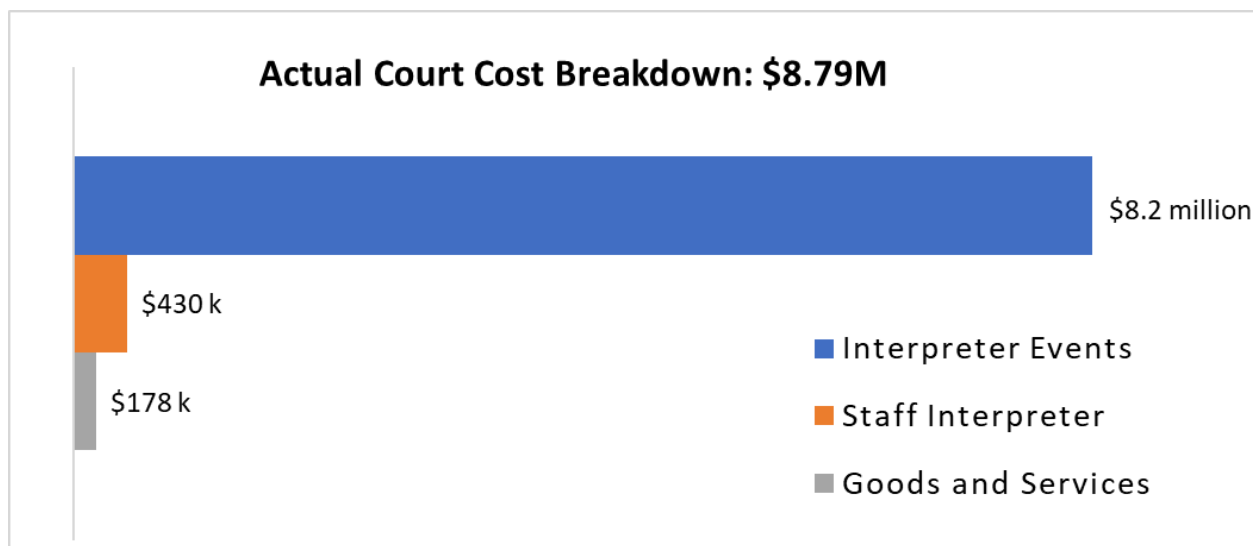
Interpreter Events

LAIRP Funds Utilization

Court Cost by Category

The LAIRP offered reimbursement in three categories: Interpreter Events, Staff Interpreter, and Goods and Services. Qualifying **Interpreter Events** and **Staff Interpreter** costs were reimbursed at **50%**, while approved **Goods and Services** were **fully reimbursed**.

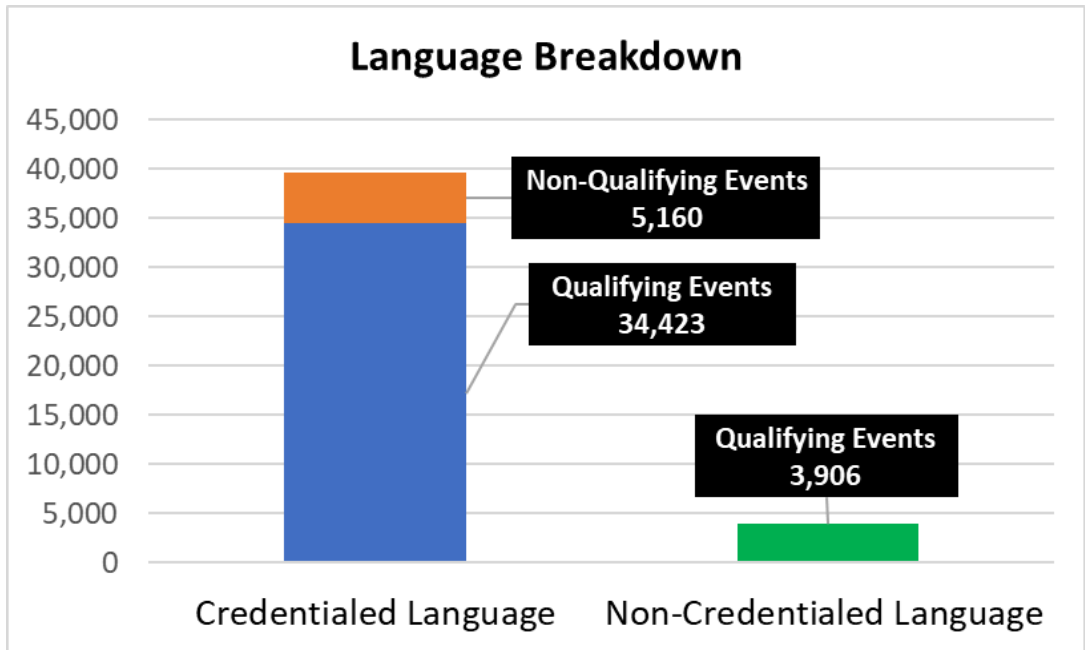
Courts can utilize their annual LAIRP budget across all three categories to fully maximize their available funds.



LAIRP Languages

Courts provided interpreter services for **112 languages**: 43 ‘credentialed’ (languages with one or more AOC court credentialed interpreters in WA) and 69 ‘non-credentialed’ (languages without any WA AOC court credentialed interpreters). Of the credentialed languages, **87% qualified for reimbursement**, while **13% were denied** due to using non-credentialed interpreters. Note: All non-credentialed language events were approved.

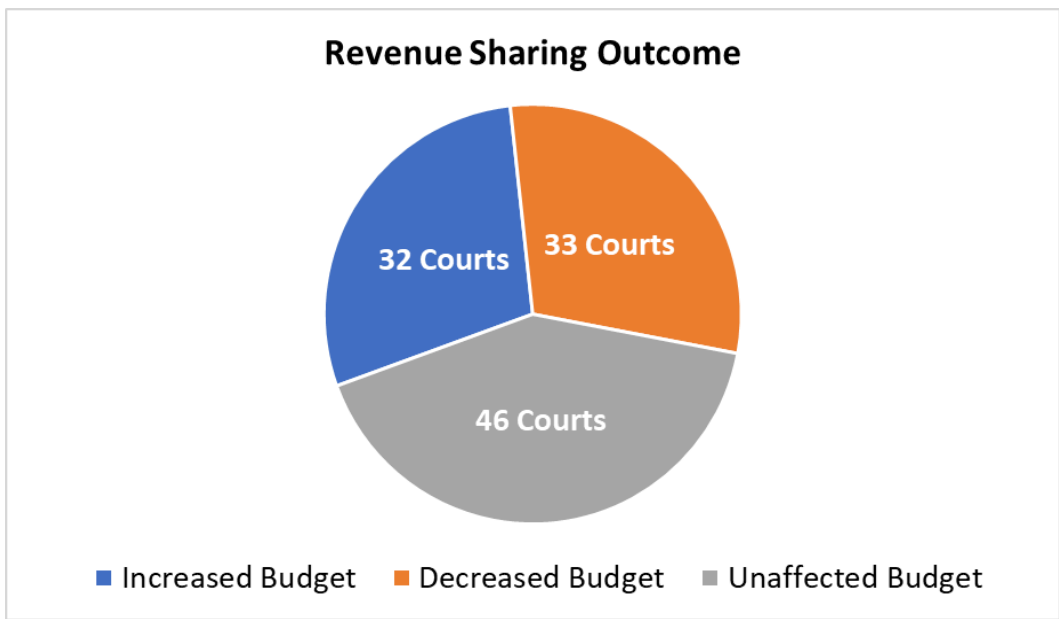
To maximize reimbursement, courts should use WA state AOC court credentialed interpreters for credentialed languages.



Revenue Sharing

In **April 2024**, we initiated a Revenue Sharing process to ensure optimal budget allocation among courts and adjusted some of the court’s budget to maximize LAIRP program funds and resources. Courts with affected budgets received a **Notification Letter** in May.

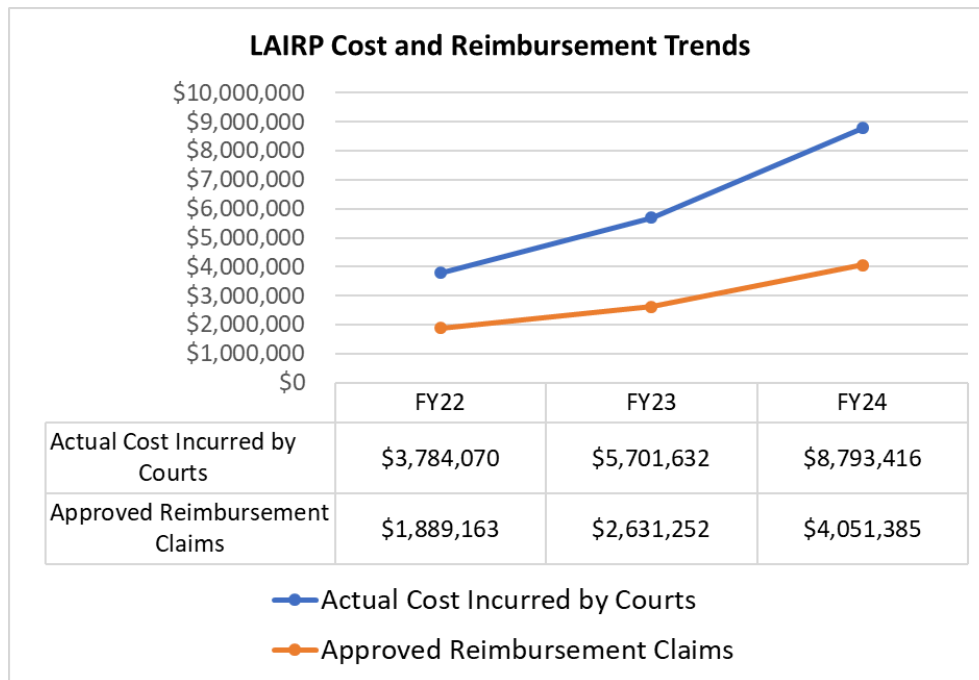
Courts should submit accurate and timely invoices as the revenue sharing process is based on approved Q1 and Q2 data.



Program Expansion at a Glance

This year, the LAIRP experienced unprecedented growth and fully expended its annual funding allocation with **approved reimbursement claims totaling \$4.05 million**, surpassing the program's budget. This increase resulted from new courts joining the program, rising caseloads, higher interpreter rates, and greater demand for other language access services. Consequently, **53 courts** overspent their allocated budget in FY 2024.

In order to receive adequate funding for the following year, courts should continue to report interpreter service data and submit invoices even if they have already overspent the budget.



Looking Ahead

FY 2025 Overview

- **14 New Courts** joining in FY 2025
- FY 2025 **Budget Allocation** based on previous year's approved claims for returning courts
- **Interagency Agreement** via DocuSign on [September 3rd, 2024](#)
- **Revenue Sharing** process in [April 2025](#) based on approved Q1 and Q2 invoices

LAIRP Application

- **Template Upload Feature** and other enhancements in the FY 2025 Application
- FY 2025 **LAIRP Application and Template** available on [September 3rd, 2024](#)
- FY 2025 **Kick-Off Webinar and Application/Template Training** on [September 4th, 2024 @ 12-1pm](#)

What's next?

- **Interpreter Compensation Study Report** published by the end of December 2024
- **Budget Proposal** to request additional LAIRP funds

For questions, comments, or suggestions, contact **Tae Yoon @ tae.yoon@courts.wa.gov**.

LANGUAGE ACCESS AND INTERPRETER REIMBURSEMENT PROGRAM

September 2024 Update

CONTRACTS , STATUS UPDATE , AND NEXT STEPS



FY2025 PARTICIPATING COURTS

Total number of contracts - 125

- 14 additional courts



BUDGET ALLOCATION FY25 LAIRP BUDGET \$3.87M

- Returning Courts
 - based on FY24 approved events
- New Courts
 - based on caseload and % of LEP population
- Revenue Sharing
 - based on FY25 Q1 & Q2 data



LAIRP APPLICATION UPDATES

- CSV Upload Feature
- Goods and Services Subcategories
- Staff Interpreter Estimated Hours
- Multiple Case Types and Participants

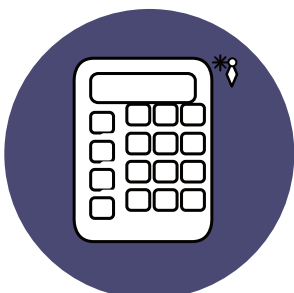
"Thank you for the opportunity to participate in this partnership to provide improved interpreter access to the community."

FY2025 LAIRP KICK OFF WEBINAR



- Topics Covered
 - LAIRP Overview
 - Application Training and Updates
 - Template Upload Demonstration
 - Language Access Plan and Survey
- Recording Available

NEXT STEPS



- Execute Interagency Agreement
- Submit LAP and Complete LAP Survey
 - By October 31, 2024
- Submit FY25 Q1 Invoice
 - December 31, 2024
- Budget Proposal for Increased Program Funds

PARTNERS - LIST OF NEW CONTRACTS

Welcome to the FY25 LAIRP!

- 1. Aberdeen Municipal Court*
- 2. Adams County District Court - Othello*
- 3. Adams County District Court - Ritzville*
- 4. Adams County Superior Court*
- 5. Elma Municipal Court*
- 6. Everson-Nooksack Municipal Court*
- 7. Ferndale Municipal Court*
- 8. Ferry County District Court*
- 9. Grays Harbor County Superior Court*
- 10. Lewis County Juvenile Court*
- 11. Okanogan County Juvenile Court*
- 12. Walla Walla District Court*
- 13. Whatcom County Superior Court*
- 14. Winlock Municipal Court*

INTERPRETER COMPENSATION STUDY

November 2023 – June 2024

PURPOSE

- Analyze court interpreter compensation in WA state
- Provide data-driven recommendations and strategies
 - Enhance language access in courts

INFORMAL SOLICITATION

METHODOLOGY

-) "o
 - FY2022 and FY2023 O &h datasets
- o " 7 "8 Discussions
 - #ourt interpreters and #ourt administrators
- Online Research
 - @ " " "

ANALYSIS AND FINDINGS

- Current Landscape
 - Non-unified WA court system
- Hourly Rates and Minimum Hours
 - opoken Language and American Sign Language
- Identify Variations
 - " "language, credential status, and region
- M "#
 - Job market overview and competitors

RECOMMENDATIONS

- Compensation Policies
 - Competitive compensation rate rage for credentialed interpreters
 - Flexible Rate Structure: Variations based on multiple factors
- Statewide Contract Solutions
 - Statewide templates
 - Standardized invoicing practices
- Scheduling and Assignment Practices
 - Interpreter Scheduling System
 - Additional incentives
- Recruitment and Retention
 - Strategies to attract and retain qualified interpreters
- Other Considerations
 - Increased funding for courts through LAIRP budget proposal

PUBLIC RELEASE

- Expected to be publicly available by the end of the year
- Executive Summary

Committee Reports



**Interpreter Commission
Issues Committee Meeting
August 13, 2024**
Zoom Videoconference
12:00 PM – 1:00 PM

Meeting Minutes

Participants: April Kraft, Rosalyn Guillen, Kim Rush, Naoko Inoue Shatz, Chelle Hunsinger de Enciso, Anita Ahumada, Iratxe Cardwell, Diana Noman, Ashley Callan, Daniel-Interpreter, John Plecher, James Wells, Eunyoung Kim, Tae Yoon, Laura Sanchez.

Update on court reporting concerns with not being able to secure in-person Interpreters:

- In the spring of 2024, King County courts reported difficulty getting interpreters to accept in-person assignments.
- King County has continued to meet, and a workgroup was created.
- Workgroup is working on establishing activities and a survey.

Issues with providing interpreters in court-managed programs:

- A guest discussed the issue of interpreters not being provided consistently outside court proceedings.
- Safe Babies court programs are offered as an option for parents to participate voluntarily during the duration of their court case. Since participation in these programs is not mandatory, courts tend not to consider it necessary to provide translation and interpretation services for Limited English Proficiency (LEP) families.
- For complex services, no documents are translated into other languages to provide an understanding of the process in the targeted language other than English.
- Currently, language link services are used, yet interpreters via this service are often not equipped to provide meaningful interpretations to help the LEP understand and follow processes and procedures. There could be serious consequences if there are misunderstandings.
- Interpreters in court hearings being provided but outside they generally are not.
 - Lack of interpreters during Family Team Meeting are one of the biggest concerns.
 - DCYF, attorneys, and Safe-Babies staff can be at these meetings.
 - In some jurisdictions, DCYF may pay for interpreters.
 - These meetings may include a lot of complex terminology.
 - Families in the program learn a great deal from listening to the court proceedings of other families. This information source isn't available to LEP families.
- In one case, it took four times as long for a family to be able to join the program.
- Members identified biases that are preventing equal access to court services and supportive programs and violating federally mandated rights under Title IV.

- A court reimbursement program was mentioned as a possible avenue to explore as an option to offset financial needs in court-managed programs.

DRAFT



**Interpreter Commission
Education Committee Meeting
June 10, 2024**
Zoom Videoconference
12:00 PM – 1:00 PM

Meeting Minutes

Present: Ashley Callan, David Poland, Jeanne Englert, Joslyn Nelson, Erin-ASL INTER, James Wells, Tae Yoon, Leonard Alvarez, Eunyong Kim, Laura Sanchez

- Previous meeting minutes approved after making the following amendments:
Under Remote Interpreting: change the typo of ALS to ASL-American Sign Language
The suggestion to avoid using acronyms as much as possible was approved.

DMCJA Presentation:

- DMCJA presenters shared positive feedback remarks from judges and others in attendance. Many attendees shared that the presentation was informative and included a variety of real-life examples that can be useful to assist pro-se litigants.
- Many attendees asked for the Administrative Office of the Courts-AOC's Multilingual poster. Presenters provided Point of Contact-POC information to get requests for Multilingual posters mailed to requesters soon. A committee member suggested adding a reminder to all courts of AOC's available resources (like the Multilingual poster) during the annual LAPs publication.

Fall Judicial Conference Presentation:

- Panelists for the presentation met on Friday to brainstorm potential topics, which were shared for review via email meeting packet.
- Panelists are tasked with creating an outline for the presentation. Some Ideas and Topics for the Session include best practices for working with court interpreters, GR 11.3's suggestion to describe an evidentiary proceeding, providing real-world stories as they are known to be most impactful. The swearing in of interpreters, technical support best practices, and voir dire were also suggestions for topics.
- Member shared examples of a real-life situation when an interpreter made a mistake during interpretation and was caught by a colleague, a judge, or someone else in attendance. The law governing what is accepted to be presented to the jury was briefly explained, along with the effects that can come from it. Preferably, corrections to these mistakes should be made by a professional court-certified interpreter.
- Member will contact Jonathan-ADA AOC Coordinator, for feedback on the strategies being executed for when American Sign Language interpreters make a mistake during a court hearing.
- Members share real-life situations where a Team of interpreters of the same targeted language was scheduled, which sometimes gave the impression of over-booking and over-utilizing a resource. Members also shared real-life situations where the team of interpreters had to be scheduled to provide and sustain security and privacy for each party present. Members agree that in the "general best practices," there will be exceptions to the rule, and modifications will have to be considered.
- During the presentation, everyone was reminded that the courts may have many technical needs to qualify under the Reimbursement program.

- Member asked if there is a way to hold interpreters accountable for performing their jobs as expected by law (GR11.3). Member shared tips and best practices for accommodating needs during interpretation services provided by American Sign Language interpreters. The member stated that the American Sign Language code of ethics may be a resource for spoken language interpreters and courts.

Next Steps:

- Committee members will brainstorm for court/interpreter training on GR11.3.
- James will follow up with Jonathan-ADA AOC Coordinator.

Next meeting: July 15, 2024, 12 pm - 1 pm

DRAFT



**Interpreter Commission
Education Committee Meeting
July 15, 2024**
Zoom Videoconference
12:00 PM – 1:00 PM

Meeting Minutes

Present: Kristi Cruz, Jeanne Englert, David Poland, Jeanne Englert, James Wells, Tae Yoon, Leonard Alvarez, Eunyoung Kim, Laura Sanchez, Phil Zitzelman

Fall Judicial Conference Presentation: October 1st, 2024

- The conference is for all the judges in Washington state. Some will attend online, many in person. ILAC will co-present with the Disability Justice Task Force, the DJTF Equity and Access Team, and the AOC ADA Coordinator.
- Presenters include 1 judge, 1 English as a Second language interpreter, 1 spoken language interpreter, 1 Certified Deaf Interpreter, and AOC ADA Coordinator.
- All presenters are meeting next week to work on their outline.
- The draft outline was shared as an attachment via email invitation for the meeting.
- Recently added talking points identified in the draft outline by yellow highlights were added after a planning meeting recently held by presenters working on the draft outline.
- Draft outline continues to be the presenter's work in progress. No priority pieces have been identified.
- The presentation is being planned for 3 hours. The plan is to have 1-hour sessions broken by breaks at the top of each hour. For the last hour, presenters want to include activities and present impactful real-life scenarios and also share what is currently being done well as part of the current court services.
- Draft outline presentation items for discussion in the first, second, and third hours. (see draft outline shared via meeting email invitation)
- Members recommended that presenters speak of all spoken language needs followed by non-spoken language needs or vice versa. Both topics in their own space rather than in addition to one another. Giving space for both issues in separate spaces is believed to provide stronger collaborative efforts.
- Members inquire about ADA and jurors' requirements to learn more about how courts are managing ADA requirements for jurors in the deaf community. The following links were shared: [Microsoft Word - GUIDE_FINAL4_2_F1.doc \(wa.gov\)](#) and [RCW 2.36.070: Qualification of juror. \(wa.gov\)](#)

Survey regarding courts and remote proceedings:

- A draft survey will be shared with the education committee to help identify what courts need for education and training purposes. The survey is also intended to help identify ways for courts to be more open to remote interpretation services.

Next meeting: Early in August



**Interpreter Commission
Education Committee Meeting
August 12, 2024
Zoom Videoconference
12:00 PM – 1:00 PM**

Meeting Minutes

Present: Ashley Callan, Chelle Hunsinger de Enciso, Iratxe Cardwell, James Wells, Tae Yoon, Eunyoung Kim, Laura Sanchez.

July's Meeting minutes:

- Remove Ashley's name under attendees, as she was not present.
- July's meeting minutes are pending approval until the next meeting.

Fall Judicial Conference Presentation: October 1st, 2024-UPDATE

- Conference previously used material to plans to create practice groups are ongoing.
- No feedback regarding content is needed from the ILAC committee.

Survey regarding courts and remote proceedings-DRAFT:

- Draft survey questions were shared with the committee to help identify what courts need for education and training purposes.
- The background of how the questions came to exist was shared.
- Members provided amendments and reframing of questions to capture the "why" and solicit various topics to capture fundamentals regarding court hearings processes and procedures.
- Members shared various ideas regarding case types, current requirements for remote interpretation, and telephonic interpretation setup.
- Members suggested adding questions that will solicit why courts are not using simultaneous interpretation.
- Members will have a few days to share and provide more feedback for survey questions.

Remote Interpreting Training:

- During meetings with vendors for training, devices for remote interpretation and simultaneous training trends were discussed.
- Vender introduced remote interpretation landscapes and platforms.

Next meeting: 09.09.2024 12-1 pm



**Interpreter Commission
Education Committee Meeting
September 09, 2024
Zoom Videoconference
12:00 PM – 1:00 PM**

Meeting Minutes

Present: Ashley Callan, Kristi Cruz, Daniel-ASL INTER, James Wells, Tae Yoon, Eunyoung Kim, Leonard Alvarez, Laura Sanchez.

Meeting minutes:

- No quorum to approve minutes.

More than one INTER per Limited English Proficiency-LEP in Spokane courts:

- Committee member shared that it's been reported that interpreters are being booked for each individual LEP's instead of booking teams of interpreters to represent all LEPs in once case. This practice is not ok. If there's 2-Interpreters in one hearing, they are to relieve one another while providing interpretation for all LEP present. This matter calls for training judicial staff.

Remote Interpreting Survey:

- The survey discussed at the last Education Committee Meeting has been sent to courts. The survey is still open for additional respondents.
- Preliminary results made available to committee members.

SCJA Conference proposal:

- Deadline for ILAC to decide if they want to co-sponsor the protection order training being proposed by gender and justice is September 30, 2024.

Fall Conference:

- Question from panelist regarding deaf jurors for the upcoming fall conference. The current information about the services courts need to offer is outdated and ambiguous.

Meeting was adjourned as no quorum was present

Next meeting: TBD

SCJA Education Committee – Session Proposal

2025 Spring Program – April 2025

PROPOSAL DEADLINE: September 30, 2024 to Juliette.kern@courts.wa.gov

Complete as best as possible.

| | | |
|---|---|--|
| PROPOSED SESSION TITLE <i>You Be The Judge: An Interactive Workshop on Trauma-Informed Decision Making in Civil Protection Order Cases</i> | | |
| PROPOSED BY | Gender & Justice Commission (Domestic & Sexual Violence Committee) and Interpreter & Language Access Commission | TARGET AUDIENCE |
| CONTACT NAME | Laura Jones | <input type="checkbox"/> Commissioners |
| CONTACT PHONE | 360-791-4906 | <input type="checkbox"/> Judges |
| CONTACT EMAIL | Laura.Jones@courts.wa.gov | <input checked="" type="checkbox"/> Both Commissioners & Judges |
| SPONSORED BY | Gender & Justice Commission (Domestic & Sexual Violence Committee) & Interpreter & Language Access Commission | |
| RECOMMENDED PRESENTER(S) (<i>add lines as necessary</i>). All Presenters <u>must be confirmed by December 31.</u> | | |
| This interactive presentation will include a discussion moderator and several actors, who will be acting out a civil protection order hearing from a script. There will be 4-6 scripted roles including court commissioner, petitioner, respondent, counsel, and interpreter, to be played by members of the GJC's Domestic & Sexual Violence Committee and AOC's Language Access Team. | | |
| Name | Contact Info (email, phone number, etc.) | |
| Judge Elizabeth Berns (moderator) | Elizabeth.Berns@kingcounty.gov | |
| Actors may include: | | |
| Commissioner Terri Farmer | tfarmer@piercecountywa.gov | |
| Quinn Dalan | quinndalan@gmail.com | |
| Sandra Shanahan | Sandra.Shanahan@kingcounty.gov | |
| 1-3 other players not yet identified | | |
| PROPOSED DURATION: (<i>Includes breaks</i>) | | |
| <input type="checkbox"/> 90 Minutes | <input type="checkbox"/> 120 minutes | <input type="checkbox"/> 180 minutes |
| | | <input checked="" type="checkbox"/> Other: 150 mins (includes one 15 minute break) |

Proposals due September 30, 2024 to juliette.kern@courts.wa.gov

SCJA Education Committee – Session Proposal

2025 Spring Program – April 2025

PROPOSAL DEADLINE: September 30, 2024 to Juliette.kern@courts.wa.gov

| THEME: | | |
|---|---|--|
| ANNUAL CORE COMPETENCIES <i>(check those that apply)</i> | 2025 FOCUS AREAS <i>(check those that apply or indicate another topic)</i> | |
| <input checked="" type="checkbox"/> Civil Law <input type="checkbox"/> Criminal Law <input checked="" type="checkbox"/> Courtroom Skills <input checked="" type="checkbox"/> Decision Making <input checked="" type="checkbox"/> Diversity, Equity, Inclusion <input checked="" type="checkbox"/> Ethics <input type="checkbox"/> Evidence <input checked="" type="checkbox"/> Family Law | <input type="checkbox"/> Administrative Duties <input type="checkbox"/> Caseflow Management <input type="checkbox"/> Constitutional Law (State and/or Federal) <input type="checkbox"/> Guardianship <input type="checkbox"/> Judicial Procedures <input type="checkbox"/> Juvenile Law <input type="checkbox"/> Leadership <input type="checkbox"/> Mental & Physical Health/Wellness <input type="checkbox"/> Procedural Duties <input type="checkbox"/> Team Building <input checked="" type="checkbox"/> Unrepresented Litigants <input checked="" type="checkbox"/> Other Domestic Violence | |
| <p>SESSION DESCRIPTION: Describe the purpose of the session and key issues to be presented. Explain what attendees will learn in the session and how the information will apply to their work in the courts.</p> <p>The law and procedures governing civil protection orders in Washington State have been evolving over the past several years. This session will focus on practical application of key provisions of the statute that are aimed at promoting greater access, safety, and procedural justice for protection order litigants. In this interactive session, participants will walk in the shoes of a judicial officer presiding over a protection order case to synthesize evidence, apply the law, and deploy best practices.</p> <p>Significant time allotted to moderated discussion of issues and best practices will allow participants to leave this session with practical tips and resources that they can utilize on the bench. At the conclusion of this presentation, participants will be able to:</p> <ul style="list-style-type: none">• Recognize and understand the impacts of trauma and domestic violence dynamics, including coercive control, and associated risks;• Identify language access issues and best practices to promote understanding and engagement;• Facilitate greater access and procedural justice for unrepresented litigants; and• Understand key provisions of Chapter 7.105 RCW and their application in civil protection order cases. | | |
| <p>FUNDAMENTALS COVERED (LEARNING OUTCOMES)</p> <p>The session should incorporate components of substantive knowledge, administrative/procedural areas or/and skills, attitudes & beliefs. Please describe what will be addressed during the session.</p> | | |
| Substantive Knowledge | Administrative/Procedural | Skills, Attitudes & Beliefs |

Proposals due September 30, 2024 to juliette.kern@courts.wa.gov

SCJA Education Committee – Session Proposal

2025 Spring Program – April 2025

PROPOSAL DEADLINE: September 30, 2024 to Juliette.kern@courts.wa.gov

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| <ul style="list-style-type: none">• Domestic violence, with an emphasis on understanding and identifying coercive control and RCW 7.105.• Laws and rules governing language access within the context of potential language barriers.• Understand how trauma impacts the Court process and develop better tools on how to create a trauma and language access-informed courtroom.• Identify sections of Judicial Code of Conduct designed to afford unrepresented litigants fair and equal opportunities to participate in the court process. | <ul style="list-style-type: none">• Best practices to ensure access (both from a trauma informed and language accessible approach) within the Civil Protection Order dockets.• Best practices to obtain the best evidence available from parties in civil protection order cases.• Civil Protection Order Docket management strategies. | <ul style="list-style-type: none">• Role of judicial officers and the courts in providing equal and safe access to the courts, procedural fairness, and overall justice for all litigants when domestic violence is an issue.• Understanding and addressing the impact of implicit bias and judicial demeanor on litigants. |
|--|---|--|


INTERACTIVE INSTRUCTION: Presenters should be prepared for interactive instruction and hands on activities to engage the learners. Describe how you will engage audience (*e.g., small/large group discussion, hypotheticals, case study, role play, polls, games, quests, etc.*).

This presentation will include a combination of role-playing and observation by audience members, with pause points for a moderated discussion to facilitate audience participation and discussion. Instruction will include an overview of the procedural and legal requirements of Chapter 7.105 RCW, with an emphasis on the following issues:

- Domestic violence dynamics including coercive control (Current research, applicable case law, RCW 7.105.010(9), RCW 7.105.010(4))
- Language access (Title VI, ADA, RCW 7.105.245, Chapter 2.43 RCW)
- Unrepresented litigants (Code for Judicial Conduct, Cannon 2, Rules 2.2 and 2.6)

ANTICIPATED COST: *e.g., speaking fee, transportation (airfare, vehicle rental, mileage, meals); lodging; special materials (e.g., books/workbooks).*
Travel, per diem, and lodging costs for presenters from Puget Sound area to conference location. [Est. \$3,500]

FUNDING RESOURCES: *Is the session sponsored/paid for by another entity? If so, provide the entity and contact information.*
Gender & Justice Commission (STOP Grant)

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|---|---|
|  | <p style="text-align: center;">Interpreter and Language Access Commission Translation Committee Meeting July 26, 2024</p> <p style="text-align: center;">Zoom Videoconference 12:00 PM – 1:00 PM</p> |
| Meeting Minutes | |

Present: Luisa Gracia, Annalisa Mai, Laura Friend, Laurie Garber, Sandra Arechiga, Diana Noma, Tae Yoon, James Wells, Leonard Alvarez, Laura Sanchez

Previous Meeting Minutes

- Motion to approve meeting minutes of 05.17.2024 approved.

Draft Recommendations for Appellate Courts Translation Process


- Leonard Alvarez, the AOC Language Access Program Coordinator, introduced himself to the members and shared a document illustrating the appellate courts' specific translation service needs, recommendations for the appellate court translation process, and how the translation process is currently being managed at the appellate court.
- Members were made aware that the appellant courts in WA consist of the Supreme Court and the three divisions of the Court of Appeals. The point of contact (POC) for language access at the three divisions can be a deputy court or a court clerk. These POCs will occasionally receive a request or petition written in a language other than English. Courts have been translating these requests into English within a quick turnaround (3 days) due to time-sensitive pending actions. Discussions between Leonard, deputy clerk, and Luisa Gracia have been ongoing to determine the best process for meeting these needs.
- Members were asked to focus on the process illustrated in the PDF presented (attached). They were also asked to consider the vendor contract option versus the independent contractor translator services as tentative principal options.
- Another option to consider is sight translation. The idea is to do a sight translation once the inquiry comes in. The suggested process requires the receiver to execute a verbal translation over the phone

or in person and subsequently provide a written translation of the request at a later time.

- Members were asked to provide feedback on whether it can be beneficial for courts to create a bench card/quick guide reference/flow chart of the process to help the courts navigate the process of when these types of language access requests are made.
- A member mentioned that not all translators are trained or experienced in providing sight translations, so it will be worth asking them first if they can do the task. The member suggested asking the ATA to add a description of when translators are capable/experienced in doing sight translations to translator profiles.
- Members agree that sight translation is best when the document needing translation is short. For any other lengthy document, sight translation will not be the most effective way of providing support to a Limited English language (LEP) person.
- Leonard confirmed to members that when courts send replies to LEPs, they will not be provided via sight translation. All replies will be provided in written translation.
- Members asked if AI services can help when time-sensitive issues arise. Various members shared that AI can't translate slang or lousy grammar or provide whole meaning when dialects are the target language. Using AI has the potential to misinterpret and misuse meaning. Although AI may not be the best option, members recognize that using AI should be mentioned/discussed and recognized as a process often used in courts. Members also noted the importance of acknowledging the percentage of accuracy expected via any translation method.
- A member asked how sight translation services are arranged for inmates. The member was informed that sight translations are arranged for inmates' correspondence and not for response. Sight translation is only for initial screening. All incoming letters will go through the proper translation process.

Standardized Trial Court Support

- Members have until 08.09.2024 to provide FAQs, guidance, and practical tips that can help standardize trial court support for translation services.

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|---|--|
|  | <p style="text-align: center;">Interpreter and Language Access Commission Translation Committee Meeting August 30, 2024 Zoom Videoconference 12:00 PM – 1:00 PM</p> |
| Meeting Minutes | |

Present: Members: Luisa Gracia, Laurie Garber, Diana Noma, Sarah Pendleton, Iratxe Cardwell
AOC Staffing: Tae Yoon, James Wells, Leonard Alvarez, Eunyoung Kim, Laura Sanchez.

Previous Meeting Minutes

- Previous meeting minutes of 07.26.2024 approved.

Review updated Appellate Courts Translation Recommendations:

- Leonard Alvarez, the AOC Language Access Plan Coordinator, provided a whiteboard presentation with the draft Recommendations document for handling translations at appellate courts with suggested revisions.
- Members suggested Recommendations document be paired with a flow chart to locate information in a timely manner.
- The final document will include a guide/flow chart with concise guidelines.
- Members shared that for translation services there are no set rates for translations from English to targeted language and vice versa.
- Translation Technologies is a matter that requires more research.
- Other considerations expressed include whether specific reference to ATA is considered an endorsement; whether the recommendations need to be made more concise; that Recommendations should include considerations such as a Statewide Vendor Number

Discuss Scheduling: Suggested dates and times for translation meetings

- Translation Commission meetings 09.13 | 12-1pm
- Translation Commission meetings 10.11 | 12-1pm
- Translation Commission meetings 11.15 | 12-1pm
- Translation Commission meetings 12.13 | 12-1pm

All suggested dates and times were accepted by members.

Next meeting:

- Translation Commission meeting 09.13 | 12-1pm