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

December 6, 2024

**Meeting Packet** 

Washington State
Administrative Office of the Courts
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Olympia, WA 98504-1170
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# Interpreter and Language Access Commission Quarterly Meeting

Friday, December 6, 2024 - 8:30 AM to 12 Noon PM Via Zoom

https://wacourts.zoom.us/j/81168746207

Meeting ID: 811 6874 6207

### AGENDA

Call to Order	Judge Diaz	
<ul> <li>Housekeeping</li> </ul>		
Member Introductions		
Chair's Report (Order Subject to Change)		
Approval of previous meeting minutes		P 5-9
New Member Committee Appointments	Judge Diaz	
Legislative Updates		P 11-19
ASL Interpreter Exam Update		
<ul> <li>Language Access Team Update</li> <li>Court Interpreter Program Update</li> </ul>	Eunyoung Kim	P 56
- Interpreter Scheduling	James Wells	
- Language Access and	Tae Yoon	P 20
Reimbursement Program (LAIRP)		
Guest Presentation		
Hope Card Presentation	Lauran Dodson and Lillian Hawkins	P 21-42
<ul> <li>Office of the Administrative Hearings: Spanish Language Hearings</li> </ul>	Diane Jennings and Judge Don Dowie	
Committee and Partner Reports		
Education Committee Meetings Report	Iratxe Cardwell or Designee	P 44
Conference Updates		
Remote Interpreting Survey		P 46
Translation Committee Report	Luisa Gracia or Designee	P 51
Issues Committee Report	Judge Oakes or Designee	
Disciplinary Committee Report	Judge Okoloko or Designee	
Liaisons Report	Vanna Singh	
Access to Justice Board		
Staff Presentation		
ILAC Onboarding	Leonard Alvarez and Laura Sanchez	





## Interpreter and Language Access Commission Quarterly Meeting

Friday 09.27/2024 | 8:45 AM – 12:15 PM Hybrid AOC-SeaTac & Zoom conference

#### **Meeting Minutes**

#### Members:

Judge Michael Diaz Judge Lloyd Oaks Judge Edrin Okoloko Justice Whitener Kristi Cruz Ashley Callan John Plecher Annalisa Mai Anita Ahumada Donna Walker Iratxe Cardwell Luisa Gracia Naoko Shatz Florence Adeyemi Diana Noman **David Poland** Michelle Hunsinger de Enciso Jeanne Englert

#### **AOC Staff:**

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

#### Liaisons:

Cristina Labra Berle Ross Vanna Sing

#### Guest:

Judge Robertson Irine Kaiuki Jess Mavica Julie Dugan Cassie Colvin Adrian Arias Yolanda López Socorro Villeda Nancy Leveson Socorro Villeda Yasemin Alptekin Marcelina Mendoza D'Adre Cunningham Laurie Reinhardt Lisa McKee Kristine Maine Jina Cusimano

#### **CALL TO ORDER**

The meeting was called to order at 8:45 AM.

#### **ILAC** meeting members Introductions & ICE breakers

ILAC members introduced themselves.

#### **CHAIR'S REPORT**

#### **Chair Report**

#### **Previous Meetings Minutes**

Motion to approve May meeting minutes-approved

#### **Recognition of outgoing members:**

Jeanne Englert, Kristi Cruz and Diana Noman

#### **Members Reappointments**

- Ashley Callan
- Justice Whitener

#### **New Member Candidates**

Candidates for vacant ILAC seats introduced themselves. ILAC members then met separately to choose the new members:

- Interpreter Representative Seat
  - Irine Kariuki
- Attorney Representative
  - Leticia Camacho
- Public Defender Representative
  - D'Andre Cunningham
- AOC Representative
  - Lilian Hawkins

#### **Proposed 2025 Meeting dates**

Suggested meeting dates/times for 2025 page#12 approved.

#### **RCW Changes updates**

- o RCW 2.43: The BJA approved moving the legislation request forward.
- Supreme Court will review legislative request from the judicial branch in October for approval to go to the legislature.
- A modified version of RCW 2.42 was discussed at the May meeting. However, ODHH had additional concerns about the language and felt strongly that additional community stakeholders' input would be needed. There was not enough time to gather the input before the deadline to submit the proposal. Submission did not move forward.

#### **Interpreter Recruitment**

- Ongoing and continued efforts on the interpreter multifaced recruitment.
- An analysis on how interpreters are distributed in various regions was conducted.
   The purpose of the analysis was to identify which areas are really needs more interpreters.
- Future analyzes hope to have the collaboration/contributions of WSCCR-Washington State Center for Court Research to figure out how many courts events are happening in certain areas verses how much interpreter coverage those areas have.
- Innovating ideas to get the word out about the needs and shortage of interpreters in the court systems include: attending meetings to speak of the needs and shortage

- (Skagit Valley College was one venue that was attended), BJA's-PECC committee partnership for public service announcements about the need and shortage of interpreters in the field and partnerships with educational programs to make the pitch for high school students to how to become court interpreters.
- ASL committee members pointed out that ASL interpreters do not have schools or training opportunities to participate in and advocated for such opportunities to be afforded to ASL court interpreters.
- Committee was asked if AOC provides scholarships for anyone interested in becoming a court interpreter. AOC does not have funds to support scholarships opportunities. AOCs' focus is within the credentialing process.

#### **Testing and Training Update**

- Summer skill training: Language neutral and Spanish Intensive gear toward individuals taking the oral exam in October 2024.
- o Ethics and Protocol training.
- Compliance standings are good. 27 new credential interpreters, 9 revocations, 14 suspensions/retirement.
- o Interview at a Korean radio station to talk about court interpreter job opportunities.
- Submitted an article about court interpreters to PNW council of foreign language, targeting school teachers teaching foreign languages.
- o Conferences attended: NOTIS conference, will attend Judicial and ATA conferences.

#### Interpreter Scheduling

- During the last legislative session AOC received funding to inquire about a state-wide scheduling system.
- During the last few months two AOC business analysts established a stakeholder group made up of courts and interpreters. Business analysts are finishing up their work, looking at the business requirements and speaking with AOC-IT staff to render findings and costs.

#### Language Access & Reimbursement Program (LAIRP)

o Review of pages 15, 16, 17, 18 & 19 was verbally provided.

#### **Interpreter Compensation Study**

Review of page 21 was verbally provided.

#### Language Access Plan

- Courts have been encouraged to provide feedback regarding Language Access Plan (LAP) template update.
- o Efforts to create LAP template for appellate courts is ongoing.

#### **ILAC Onboarding**

Postpone until December meeting

#### **Committee and Partners Reports**

#### **Committee Reports**

#### **Issues Committee Meetings Report**

- AOC studies exam conditions in a few jurisdictions. Some of these jurisdictions expressed interest in being a state holder.
- Issues committee hopes to bring all issues in one page as seen by all state holders and then elevate to the chair for committee assignments, prioritization and further discussion.
- Issues reported include: Supply of interpreters, demand for interpreters, funding, competition for limited resources, budget process, pay rates, remote vs. non-remote interpreter services, different types of translation services. A myriad of issues with myriad of layers.
- All emails directed to Judge Oaks should have the title: Issues Committee and James should be CC.ed

#### Court Manage Programs

- Another issue reviewed by Issues committee was: Safe Baby Court Program, Coordinated by DCYF.
- Program often meets with families outside the courts. Courts are currently not supporting these programs with interpreter services when services are required outside courts.
- Safe Baby Court program is not asking AOC for financial support, they are asking for information as to what other courts in other counties/jurisdictions are doing when interpreter services are needed outside courts and find information about who is required to pay for interpreter's services outside the courts.

#### **Education Committee Meetings Report**

- SCJA presentation was a success.
- o Fall Judicial conference coming up 10.02.2024. Commission members will present.
- Ashley is stepping down as chair in the Education Committee, yet will remain as part of Education Committee member. Iratxe will step up to as the new chair.
- Gender & Justice Committee asked for ILAC to co-sponsor during the 2025 Spring SCJA conference. Page 29 of meeting packet has all the details.

#### **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.
- 45 interpreters were identified as out of compliance. 9 interpreters received revocation of credentials, 14 voluntary surrender their credentials including retirement.
- Complaints regarding interpreters was also reviewed. Investigation is ongoing.
- Looking into best-practices methods to expediate investing process.

#### **Translation Committee Report**

- The committee worked on draft recommendation document for handling translations for the appellate courts.
- Draft includes recommendations for translation services using both; state-wide vendor contracts and independent contract agreements.
- Work to identify translation protocols is ongoing.

#### **Liaison Reports**

#### Office of Administrative Hearings (OAH)

- OAH will facilitate training for Administrative Law Judges (ALJs) on how to work with interpreters providing services via phone hearings.
- OAH continues to work on the translation process due to increased demand. OAH is working to expand translation services.
- Looking to qualify WA-State interpreters and non-WA State interpreters in the same way.
- OAH is looking to expand Spanish hearings from unemployment Insurance-UI case load to other caseloads.
- Chair of ILAC Translation Committee extended invitation to Cristina to join monthly meetings.
- OAH invited AOC to collaborate on presenting during a workshop on an upcoming Latinx Youth Summit. AOC accepted the invitation to speak to high school students about court interpreter opportunities.

#### Office of the Deaf and Hard of Hearing-Presentation by Laurie Reinhardt

- RID Certification and BEI Certification Comparative Analysis.
- BEI Court Interpreter Certification Summary.
- Explanation of the BEI Performance Test.
- o The ask:
  - For the ILAC committee to recognize BEI-Court Certification
  - Re-write the Washington Administrative Code (WAC) to incorporate BEI as an additional credential product
  - Develop training and induction process for hands on practice opportunities.
  - Partial sponsorship for initial cohort to travel to test locations.
- Judge Diaz asked for volunteers to draft a letter of support of BEI exam. David Poland, Donna Walker, John Plecher and Naoko Shatz volunteered.
- ODHH is not asking AOC for money. ODHH has funding to get started.

The meeting adjourned at 12:15 PM.



## Supporters of House Bill (HB) 2006 2024 Legislative Session

Below is a partial list of organizations that explicitly supported the bill (HB 2006) that included ILAC's proposed changes to RCW 2.43 during the 2024 Legislative Session. This list is not and exhaustive list of supporters and primarily includes organizations that indicated their support when the bill was heard at committee meetings.

**ACLU** of Washington

Administrative Office of the Courts

District and Municipal Court Judges' Association

Gender and Justice Commission

Interpreter Language and Access Commission

Northwest Community Bail Fund

Northwest Justice Project

Office of Civil Legal Aid

Superior Court Judges' Association

Washington Defender Association/ Washington Association of Criminal Defense Lawyers

Washington State Coalition Against Domestic Violence

Washington State Association for Justice

Washington State Catholic Conference

Washington State Coalition for Language Access

Washington State Office of Civil Legal Aid

Washington State Office of Public Defense

#### RCW 2.43.010 Legislative Intent

It is hereby declared to be the policy of this state to secure the rights, constitutional or otherwise, of persons who, because of a non-English-speaking cultural background, are unable to readily understand or communicate in the English language, and who consequently cannot be fully protected in legal proceedings unless ((qualified)) interpreters are available to assist them.

It is the intent of the legislature in the passage of this chapter to provide for the use and procedure for the appointment of such interpreters. ((Nothing in chapter 358, Laws of 1989 abridges the parties' rights or obligations under other statutes or court rules or other law.))

#### RCW 2.43.020 Definitions

As used in this chapter:

- (1) (("Appointing authority" means the presiding officer or similar official of any court, department, board, commission, agency, licensing authority, or legislative body of the state or of any political subdivision thereof.
- "Certified interpreter" means an interpreter who is certified by the administrative office of the courts.
- (3))) "Credentialed interpreter" means an interpreter who is credentialed by the administrative office of the courts in a spoken language.
  - (2) "Judicial officer" means a judge, commissioner, or magistrate of any court.
- (3) "Language access plan" means a plan that is publicly available which contains the elements required by RCW 2.43.090.
- (4) "Legal proceeding" means ((a)) <u>any</u> proceeding in any court ((in this state, grand jury hearing, or hearing)), and in any type of hearing before ((an inquiry judge,)) <u>a judicial officer</u>, an administrative law judge, or before an administrative board, commission, agency, or licensing body of the state or any political subdivision ((thereof)).
- (((4) "Non-English-speaking person")) (5) "Person with limited English proficiency" means ((any)) a person involved in a legal proceeding who cannot readily speak or understand the English language, but does not include ((hearing-impaired persons)) deaf, deaf-blind, and hard of hearing individuals who are covered under chapter 2.42 RCW.
- (((5) "Qualified interpreter" means a person who is able readily to interpret or translate spoken and written English for non-English- speaking persons and to interpret or translate oral or written statements of non-English-speaking persons into spoken English.))
- (6) (("Registered interpreter" means an interpreter who is registered by the administrative office of the courts.)) "Presiding officer" means the judicial officer or similar official of any court, department, board, commission, agency, or licensing authority of the state or of any political subdivision thereof.

#### RCW 2.43.030 Appointment of interpreter - Source of qualifications

- (1) ((Whenever an interpreter is appointed to assist a non- English-speaking person in a legal proceeding, the appointing authority shall, in the absence of a written waiver by the person, appoint a certified or a qualified interpreter to assist the person throughout the proceedings.
- (a) Except as otherwise provided for in (b) of this subsection, the interpreter appointed shall be a qualified interpreter.
- (b) Beginning on July 1, 1990, when a non-English-speaking person is a party to a legal proceeding, or is subpoensed or summoned by an appointing authority or is otherwise compelled by an appointing authority to appear at a legal proceeding, the appointing authority shall use the services of only those language interpreters who have been certified by the administrative office of the courts, unless good cause is found and noted on the record by the appointing authority. For purposes of chapter 358, Laws of 1989, "good cause" includes but is not limited to a determination that:
- (i) Given the totality of the circumstances, including the nature of the proceeding and the potential penalty or consequences involved, the services of a certified interpreter are not reasonably available to the appointing authority; or
- (ii) The current list of certified interpreters maintained by the administrative office of the courts does not include an interpreter certified in the language spoken by the non-English-speakingperson.
- (c) Except as otherwise provided in this section, when a non-English-speaking person is involved in a legal proceeding, the appointing authority shall appoint a qualified interpreter.)) (a) Credentialed interpreters shall be appointed in legal proceedings involving participation of persons with limited English proficiency, unless good cause is found on the record for appointing a noncredentialed interpreter.
- (b) For purposes of this chapter, "good cause" includes, but is not limited to, a determination that:
  - (i) Given the totality of the circumstances, including the nature of the proceeding and the potential penalty or consequences involved, the services of a credentialed interpreter are not reasonably available; or
  - (ii) The current list of interpreters maintained by the administrative office of the courts does not include an interpreter credentialed in the language spoken by the person with limited English proficiency.
- (2) If good cause is found for using an interpreter who is not ((certified or if a qualified interpreter is appointed, the appointing authority shall make a preliminary determination, on the basis of testimony or stated needs of the non-English-speaking person, that the proposed interpreter is able to interpret accurately all communications to and from such person in that particular proceeding. The appointing authority shall satisfy itself on the record that the proposed interpreter:

- (a) Is capable of communicating effectively with the court or agency and the person for whom the interpreter would interpret; and
- (b) Has read, understands, and will abide by the code of ethics for language interpreters established by court rules)) credentialed, the judicial or presiding officer shall make a preliminary determination that the proposed interpreter is able to interpret accurately all communications to and from the person with limited English proficiency in that particular proceeding. The determination shall be made on the basis of testimony or stated needs of the person with limited English proficiency.
  - (3) The judicial or presiding officer shall satisfy itself and state on the record that:
- (a) The proposed interpreter is capable of communicating effectively in English and in the non-English language. If the interpreter is assigned to interpret between two non-English languages (relay interpreter), the interpreter shall not be required to communicate in English;
- (b) The proposed interpreter has read, understands, and will abide by the code of professional responsibility for judiciary interpreters established by court rule. If the interpreter does not meet this requirement, the interpreter may be given time to review the code of professional responsibility for judiciary interpreters; and
  - (c) The person with limited English proficiency can understand the interpreter.
- (4) The court shall inquire whether the interpreter can accurately interpret in the consecutive mode and whether the interpreter can accurately interpret in the simultaneous mode.
- (5) <u>If the proposed interpreter does not meet the criteria in subsection (3) of this section, another interpreter must be used.</u>

#### RCW 2.43.0540 Oath

- (1)(a) Upon ((certification or registration with the administrative office of the courts, certified or registered)) obtaining an interpreter credential with the administrative office of the courts, credentialed interpreters shall take ((an)) a permanent oath, affirming that the interpreter will make a true interpretation ((to the person being examined)) of all the proceedings ((in a language which the person understands,)) and that the interpreter will repeat the statements of the person ((being examined)) with limited English proficiency to the court or agency conducting the proceedings, in the English language, to the best of the interpreter's skill and judgment.
- (b) The administrative office of the courts shall maintain the list of credentialed interpreters and a record of the oath in the same manner ((that the list of certified and registered interpreters is maintained)).
- (2) Before any person serving as an interpreter for the court or agency begins to interpret, the ((appointing authority)) judicial or presiding officer shall require the interpreter to state the interpreter's name on the record and whether the interpreter is a ((certified or registered)) credentialed interpreter. If the interpreter is not a ((certified or registered))

<u>credentialed</u> interpreter, the interpreter must ((submit the interpreter's qualifications)) <u>be</u> qualified on the record.

(3) Before beginning to interpret, every interpreter appointed under this chapter shall take an oath unless the interpreter is a ((certified or registered)) credentialed interpreter who has taken the oath as required in subsection (1) of this section. The oath must affirm that the interpreter will make a true interpretation to the person being examined of all the proceedings in a language which the person understands, and that the interpreter will repeat the statements of the person being examined to the court or agency conducting the proceedings, in the English language, to the best of the interpreter's skill and judgment.

#### RCW 2.43.0<u>56</u>0 Waiver of right to interpreter

- (1) The right to ((a qualified)) an interpreter may not be waived except when:
- (a) A ((non-English-speaking)) person with limited English proficiency requests a waiver on the record; and
- (b) The ((appointing authority)) judicial or presiding officer determines on the record that the waiver has been made knowingly, voluntarily, and intelligently.
- (2) ((Waiver of a qualified interpreter)) The waiver of the right to an interpreter may be set aside and an interpreter appointed((, in)) at the discretion of the ((appointing authority,)) judicial or presiding officer at any time during the proceedings.
- (3) The waiver of the right to an interpreter does not preclude a person with limited English proficiency from exercising the right to an interpreter at a later time.

#### RCW 2.43.080-060 Code of conduct for judiciary interpreters ethics

All language interpreters serving in a legal proceeding, whether or not ((certified or qualified)) credentialed, shall abide by a code of ((ethics)) professional responsibility for judiciary interpreters established by supreme court rule.

#### NEW SECTION: RCW 2.43.070 Team Interpreting

The court shall appoint a team of interpreters as required by supreme court rule.

#### RCW 2.43.070.080 Testing and Credentialing certification of Interpreters

- (1) Subject to the availability of funds, the administrative office of the courts shall establish and maintain a credentialing program for spoken language interpreters and administer ((a)) comprehensive testing ((and certification program for language interpreters)).
- (2) The administrative office of the courts shall work cooperatively with ((community colleges and other)) public or private ((or public)) educational institutions, and with other public or private organizations to establish ((a certification preparation curriculum and))

suitable training programs <u>and engage in recruitment efforts</u> to ensure the availability of ((<del>certified</del>)) <u>credentialed</u> interpreters. Training programs shall be made readily available in both eastern and western Washington locations.

- (1) The administrative office of the courts shall establish and adopt standards of proficiency, written and oral, in English and the language to be interpreted.
- (4) The administrative office of the courts shall conduct periodic examinations to ensure the availability of ((certified)) credentialed interpreters. Periodic examinations shall be made readily available in both eastern and western Washington locations.
- (5) The administrative office of the courts shall compile, maintain, and disseminate a current list of interpreters ((certified)) credentialed by the office.
- (6) The administrative office of the courts may charge reasonable fees for testing, training, and ((certification)) credentialing.
- (7) The administrative office of the courts may create different credentials and provide guidance for the selection and use of credentialed and noncredentialed interpreters to ensure the highest standards of accuracy are maintained in all judicial proceedings.

#### RCW 2.43.040.090 Fees and expenses Cost of providing interpreter — Reimbursement

- (1) Interpreters appointed according to this chapter are entitled to a reasonable fee for their services and shall be reimbursed for actual expenses which are reasonable as provided in this section.
- (2)(a) In all legal proceedings ((in which the non-English- speaking person is a party, or is subpoenaed or summoned by the appointing authority or is otherwise compelled by the appointing authority to appear, including criminal proceedings, grand jury proceedings, coroner's inquests, mental health commitment proceedings, and other legal proceedings initiated by agencies of government, the cost of providing the interpreter shall be borne by the governmental body initiating the legal proceedings.
- (3) In other legal proceedings, the cost of providing—the interpreter shall be borne by the non-English-speaking person unless such person is indigent according to adopted standards of the body. In such a case the cost shall be an administrative cost of the governmental body under the authority of which the legal proceeding is conducted.
- (4))) and court-mandated classes, a person with limited English proficiency is not responsible for the cost of the interpreter if that person is:
  - (i) A party;
  - (ii) Subpoenaed or summoned;
  - (iii) A parent, guardian, or custodian of a juvenile; or
  - (iv) Compelled to appear.
- (b) In legal proceedings initiated by agencies of government, the cost of providing the interpreter shall be borne by the governmental body initiating the legal proceedings.

- (3) Subject to the availability of funds specifically appropriated ((therefor)) for this purpose, the administrative office of the courts shall reimburse the ((appointing authority for up to one-half of the payment to the interpreter where an interpreter is appointed by a judicial officer in a proceeding before a court at public expense and:
- (a) The interpreter appointed is an interpreter certified by the administrative office of the courts or is a qualified interpreter registered by the administrative office of the courts in a noncertified language, or where the necessary language is not certified or registered, the interpreter has been qualified by the judicial officer pursuant to this chapter;
- (b) The court conducting the legal proceeding has an approved language assistance plan that complies with RCW 2.43.090; and
- (c) The fee paid to the interpreter for services is in accordance with standards established by the administrative office of the courts)) participating state court for language access services costs and one-half of the payment of interpreter costs unless a higher reimbursement rate is established in the omnibus budget.

#### RCW 2.43.090.100 Language access plan

- (1) ((Each trial court)) <u>Trial courts</u> organized under this title and Titles 3 and 35 RCW must develop <u>and maintain</u> a written language ((assistance)) <u>access</u> plan to provide a framework for the provision of ((interpreter)) <u>language access</u> services for ((non-English-speaking)) persons <u>with limited English proficiency</u> accessing the court system <u>and its</u> <u>programs</u> in both civil and criminal legal matters. <u>Courts may use a template developed by the administrative office of the courts in developing their language access plan.</u>
- (2) The language ((assistance)) access plan must at a minimum include((, at a minimum, provisions addressing)) provisions designed to provide procedures for court staff and the public, as may be necessary, that address the following:
- (a) Procedures to identify and ((assess)) <u>provide</u> the language needs of ((non-English-speaking)) persons <u>with limited English proficiency</u> using the court system;
- (b) Procedures for ((the appointment of)) requesting and appointing interpreters as required under RCW 2.43.030((. Such procedures shall not require the non-English-speaking person to make the arrangements for the interpreter to appear in court));
- (c) Procedures for notifying court users of the right to <u>an interpreter</u> and <u>the</u> availability of interpreter services. Such information shall be prominently displayed in the courthouse in the five ((<del>foreign</del>)) <u>or more</u> languages <u>other than English</u> that ((<del>census</del>)) <u>reputable</u> data indicates are predominate in the jurisdiction;
- (d) A process for providing timely communication ((with non- English speakers by)) between individuals with limited English proficiency and all court employees who have regular contact with the public and ((meaningful)) effective access to court ((services, including access to)) services provided by the clerk's office and other court-managed programs;
  - (e) Procedures for evaluating the need for translation of written materials, and

prioritizing <u>and providing</u> those ((translation needs, and translating the highest priority materials. These procedures)) translated materials. Courts should take into account the frequency of use of forms by the language group, and the cost of ((orally interpreting)) providing the forms by other means;

- (f) A process for ((requiring and providing)) training ((to)) judges, court clerks, and ((other)) court staff on ((the requirements of the language assistance plan)) best practices in serving individuals with limited English proficiency in legal proceedings and how to effectively ((access)) assign and work with interpreters and provide interpretation; and
- (g) A process for <u>an</u> ongoing evaluation of the language ((<u>assistance</u>)) <u>access</u> plan and <u>a process for</u> monitoring ((<del>of</del>)) the implementation of the language ((<del>assistance</del>)) <u>access</u> plan.
- (((2))) (3) Each court, when developing its language ((assistance)) access plan, must consult with judges, court administrators ((and)), court staff, court clerks, interpreters, and members of the community, such as domestic violence organizations, pro bono programs, courthouse facilitators, legal services programs, and/or other community groups whose members speak a language other than English.
- (((3) Each court must provide a copy of its language assistance plan to the interpreter commission established by supreme court rule for approval prior to receiving state reimbursement for interpreter costs under this chapter.
- (4) Each court receiving reimbursement for interpreter costs under RCW 2.42.120 or 2.43.040 must provide to the administrative office of the courts by November 15, 2009, a report detailing an assessment of the need for interpreter services for non-English speakers in court-mandated classes or programs, the extent to which interpreter services are currently available for court-mandated classes or programs, and the resources that would be required to ensure that interpreters are provided to non-English speakers in court-mandated classes or programs. The report shall also include the amounts spent annually on interpreter services for fiscal years 2005, 2006, 2007, 2008, and 2009. The administrative office of the courts shall compile these reports and provide them along with the specific reimbursements provided, by court and fiscal year, to the appropriate committees of the legislature by December 15, 2009.))
- (4) Beginning January 1, 2026, and every two years thereafter, all courts must submit their most recent language access plan to the administrative office of the courts.
- (5) The administrative office of the courts shall provide technical assistance to trial courts in developing their language access plans.
- (6) Each court must provide a copy of its language access plan to the administrative office of the courts in accordance with criteria for approval recommended by the interpreter and language access commission for approval prior to receiving state reimbursement for interpreter costs under this chapter.
- (7) Each court shall make available on its website translated information that informs the public of procedures necessary to access a court's language access services and

programs. The information shall be provided in five or more languages other than English that reputable data indicates are predominant in the jurisdiction.

# LANGUAGE ACCESS AND INTERPRETER REIMBURSEMENT PROGRAM

8 YWYa VYf 2024 Update

CONTRACTS, STATUS UPDATE, AND NEXT STEPS



#### **FY2025 PARTICIPATING COURTS**

Total number of contracts - 125

• 14 New Courts



#### REQUIREMENTS FOR REIMBURSEMENT

- Execute Interagency Agreement
- Submit Language Access Plan (LAP)
- Complete LAP Survey
- Submit timely and accurate quarterly invoices



#### **FY2025 DEADLINES**

Quarter 1 (July 1, 2024 - September 30, 2024)

due December 31, 2024

Quarter 2 (October 1, 2024 - December 31, 2024)

due February 28, 2025

Quarter 3 (January 1, 2025 - March 31, 2025)

> due May 30, 2025

Quarter 4 (April 1, 2025 - June 30, 2025)

due July 15, 2025

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



#### FY2025 Q1 STATUS UPDATE - as of 12/2/2024

#### Contracts

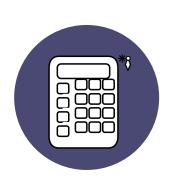
> 121 contracts executed

#### Invoices

- 35 started invoices
- > 41 submitted invoices

### Review and Payment

- Review process initiated in January
- Incorrect Invoices will be returned to courts
- > Email alerts once invoice is approved for payment



#### **NEXT STEPS**

Revenue Sharing based on approved Q1 and Q2 Invoices

- Notification in April
- Final Notice of Revenue Sharing in May

Budget Proposal for Increased Program Funds





# **Hope Card Protection Order Program**

Lauren Dodson, Program Coordinator HopeCard@courts.wa.gov

Please note this is a dynamic workplan actively in progress.
Last update: December 3, 2024

# Hello & Welcome!

Thank you for being here!



# Foundation and Background

- In the 2023 legislative session, House Bill 1766 was introduced to create a Hope Card Program catalyzed by survivor leadership
  - The bill was sponsored in a bipartisan effort by Representatives Griffey, Davis, Senn, Dent, Callan, and Cheney
- In May of 2023, Governor Inslee signed ESHB 1766 into law creating and funding Washington's Hope Card Program
  - Law takes effect January 1, 2025





Clips from TVW Coverage of Hope Card Legislative Hearings
Pictured: Representative Dan Griffey (top), Jamie Sullivan (left),
Thurston County Sheriff Derek Sanders (right)



## **Collaborative Stakeholders**

- Washington State Superior Court Judges' Association (SCJA)
- The Washington State District and Municipal Court Judges' Association (DMCJA)
- The Washington State Association of County Clerks (WSACC)
- Association of Washington Superior Court Administrators (AWSCA)
- District and Municipal Court Management Association (DMCMA)
- The Washington Association of Sheriffs and Police Chiefs (WASPC)
- Victim Advocacy Organizations and Coalitions
- Criminal Justice Training Center
- Local and State Law Enforcement Agencies
- Every Hope Card Program in the U.S.
- ...and many more!





# **Hope Card Program**



Provides a durable, laminated wallet-sized card



Survivors don't need to carry paper protection order, are more likely to have their order information with them, and increase enforcement



Must have a full civil protection order on file in a WA court; not a substitute for a protection order but has the same effect as the underlying protection order



Anticipated launch of January 1, 2025



Centralized program at the AOC: Information and Request Form will be accessed and submitted on AOC's Hope Card website: www.courts.wa.gov/hopecard. Cards will be issued and mailed by AOC.



# Who Is Eligible?

## Those with valid full civil protection orders of these types:





- ✓ Sexual Assault Protection Order (SAPO)
- **✓** Vulnerable Adult Protection Order (VAPO)
- ✓ Anti-Harassment Protection Order (AHPO)
  - Orders must be past temporary status before cards can be issued



## Hope Cards cannot be issued for:

- No-Contact Orders (NCO) in a criminal case
- **■** Extreme Risk Protection Orders (ERPO)
- Restraining Orders



# **Hope Card Program**

From 12-18 pages...



Hope Cards are simply a more portable, durable way to provide important information about an existing protection order that police can use to verify the order in the case of a potential violation





## **Hope Card Program**

- Hope Cards are free and can be used until a protection order expires, is dismissed, or materially modified
- Cards can be requested anytime while the order is active
- Requesting a Hope Card is optional and voluntary
- Cards will be printed and mailed within 14 business days
- One card per each protected party will be issued, plus one spare card
- Display a summary of essential information
- Law enforcement rely on current process to verify and view relevant details







# Implementation Capabilities and Limitations

# Centralization of the Hope Card Program

Pros	Cons	
Unified process – central, consistent, trusted source for information, requests, and issuance	AOC does not have access to all scans of protection orders because each court may use its own case management system	
Consistency and quality control statewide	Dependent on accuracy and completeness of information in case management systems	
Ability to implement program by deadline		
Minimized need for card printers, technical assistance, and supplies		
Provides a service to courts and public		



## Petition for Protection Order

#### **13 PAGES OF DATA TO INCLUDE:**

- Order Type
- Court Information (Court Name/Case Number/County)
- Issued/Expiration Dates
- Names/DOBs/Addresses/Relationships
- Locations/General Restraints
- Firearm Restrictions
- Law Enforcement Help
- Recent and Past Incidents
- Supporting Evidence

Court Case Management System

#### **ALLOWS FOR ENTRY OF:**

- Order Type
- Court Information (Court Name/Case Number/County)
- Issued/Expiration Dates
- Names/DOBs/Addresses/Relationships
- Notes

#### **PROVIDES FIELDS FOR:**

- Order Type
- Court Information (Court Name/Case Number/County)
- Issued/Expiration Dates
- Names/DOBs/Addresses

Enterprise Data Repository (EDR)



## Implementation Capabilities and Limitations

- The bill intended to provide for:
  - ☑Scannable format with access to all courts' data and protection orders
  - ☑Displaying relevant details of the order, including any locations from which the person is restrained
    - Why it won't be included: AOC does not have access to all scans of protection orders because each court may use its own case management system

## **☑** Distinguishing features

- Why it won't be included: Inconsistent data entry
- ☑While not part of the legislation, there have been inquiries about a firearms restriction indicator
  - Why it won't be included: AOC has access only to some firearms restriction information. Without consistent information, it cannot be implemented program-wide.







# **Previews**

## **Website Preview**







In May of 2023, Governor Inslee signed House Bill 1766 into law to create Washington's Hope Card Program. Hope Cards are wallet-sized physical cards that individuals who have been granted full civil protection orders can carry instead of hard copies of their full protection orders.

Hope Cards contain basic information about protection orders, including information needed by law enforcement, school officials, employers, and more.

Washington's Hope Card Program officially launches on January 1, 2025. Starting on this date, survivors with full civil protection orders can request free Hope Cards for themselves and anyone else protected by the order, including children and dependents.

Watch this site for additional information on the Hope Card program and return on January 1, 2025 to request your Hope Cards.

Note that Hope Cards are only available if you already have a full civil protection order. Visit the Washington State Court website to learn how to apply for a protection order in your county or call 888-201-1014 for referral to a legal service program or advocate in your area.

- + What is the Washington Hope Card Program?
- + Washington Hope Card Information
- + Request Form
- + Frequently Asked Questions
- + Resources
- + Contact Us Form

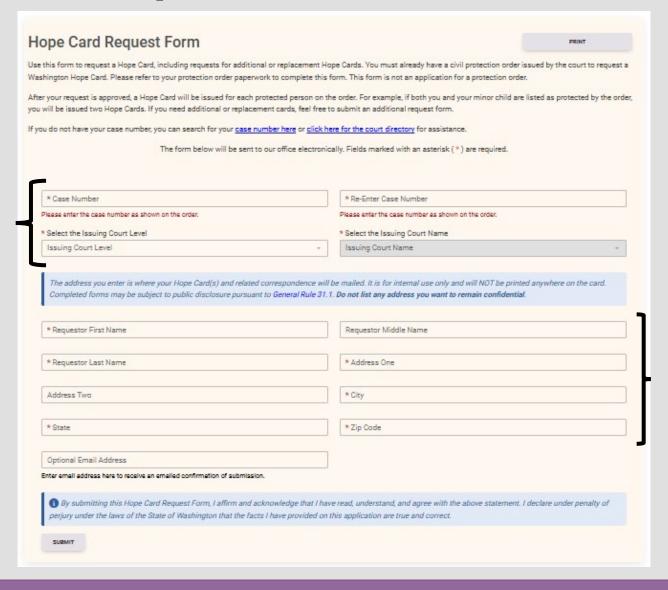


#### Website will be:

www.courts.wa.gov/hopecard

## **Request Form Preview**

Survivor-centered approach asks only for case number and issuing court



Requesters choose
where to receive
Hope Cards with no
validation or
verification of
mailing address

**NOTE**: Completed forms may be subject to public disclosure pursuant to General Rule 31.1

# **Washington Hope Card**

Adoption of this logo pays homage to the first Hope Card Program, first known as the Purple Feather Campaign, created in 2004 in partnership with the Crow Tribe in Montana

#### STATE OF WASHINGTON HOPE CARD

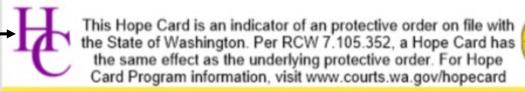
CASE NUMBER: 18-2-2954323
RESTRAINED: STANLEY ALAN DOE

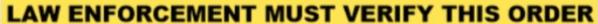
DOB: 08/03/1983

SEX: M RACE: W HEIGHT: 6' 1"

WEIGHT (lbs): 200

HAIR: Bro EYES: Bro







# **Washington Hope Card**

## STATE OF WASHINGTON HOPE CARD

CASE NUMBER: 18-2-2954323
RESTRAINED: STANLEY ALAN DOE

DOB: 08/03/1983 HEIGHT: 6' 1"

SEX: M WEIGHT (lbs): 200

RACE: W HAIR: Bro EYES: Bro

This Hope Card is an indicator of an protective order on file with the State of Washington. Per RCW 7.105.352, a Hope Card has the same effect as the underlying protective order. For Hope Card Program information, visit www.courts.wa.gov/hopecard



#### LAW ENFORCEMENT MUST VERIFY THIS ORDER

## STATE OF WASHINGTON HOPE CARD

ISSUING COURT: Thurston County District Court ISSUED: 03/03/2017 EXPIRES: 03/03/2099

PROTECTED: DOROTHY BEA DOE DOB: 09/15/1989

OTHER PROTECTED PARTIES AND DOB:

MICHAEL D. DOE 11/24/2014 KATE JO DOE 02/10/2023



Pursuant to RCW Chapter 26.52, protective orders issued by foreign jurisdictions shall be provided full faith and credit.







# **Key Areas of Collaboration**

# **Key Areas of Collaboration**

## Court Personnel



- Share program information and Request Form website with petitioners after the hearing
- Bookmark the website on public access computers, where available
- Post flyers and QR code/website
- AOC is developing a process for Hope Card requests on sealed and confidential cases



## Judicial Officers

- Share program information at hearing – refer petitioners to website as noted on petition



## Law Enforcement

- Accept the Hope Card as an indicator of an underlying civil protection order
- Verify the order as usual



## Victim Advocacy

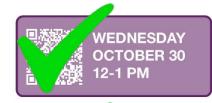
- Share program information, post flyers and QR code/website
- Assist in filling out Hope Card Request Forms





Join the Washington Hope Card Protection Order Program's Virtual Brown Bag Information Sessions with Live Q&A!

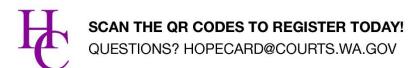
#### Attend one or come to them all!





















# Thank you for all you do!

Lauren Dodson, Program Coordinator <u>HopeCard@courts.wa.gov</u>





# Interpreter Commission Education Committee Meeting November 18, 2024

Zoom Videoconference 12:00 PM – 1:00 PM

#### **Meeting Minutes**

**Present:** Ashley Callan, Iratxe Cardwell, Chelle Hunsinger de Enciso, Yolanda Lopez, John Plecher, Daniel-ASL INTER, Irine Kariuki, Tae Yoon, James Wells, Leonard Alvarez, Laura Sanchez.

#### July-August-September & October Meeting minutes:

Minutes not approved-no quorum present.

## Update on You be the Judge Training (Joint SCJA session with Gender & Justice Committee):

• Proposal was rejected. Feedback was that the presentation resembles information that another presentation was providing. Suggestions to update the material was shared.

#### **Remote Interpreter Survey Overview:**

- Survey was sent to all trial courts in WA State.
- Link to Remote Interpreter Survey results: https://reporting.alchemer.com/r/654037\_66d21a3eb37b17.78353102
- Results demonstrate the continuous high demand of remote interpreters and the need to train court clerks.
- For ASL interpreter services, it is recommended for courts to consider assigning a laptop near the client so that the ALS interpretation may be direct line of sight and to avoid visual distractions.

#### **Remote Simultaneous Interpreting:**

- Overview why RSI is used in Yakima County District Court.
- Previous to COVID all interpreter services where provided consecutively.
- ASL remote interpreting requirements: Laptops are available in all six court rooms to successfully provide a direct line of sight for remote interpretation.
- Clerks are the hosts in ZOOM, they continuously received training to learn how to manage the simultaneous services via ZOOM.
- For relay interpreter services; services are only provided via consecutive mode.
- Challenges:
  - Staff don't feel competent using laptops functions / ZOOM simultaneous services.
  - Staff feels as an unwanted task being added to their duties.
  - Judges have reservations due to claims that they can't hear properly during simultaneous interpretation services.
- Webinar: VRI School Platform Agnostic | NCSC

**Next meeting:** 12.16.2024 12-1 pm



# Interpreter Commission Education Committee Meeting October 28, 2024

Zoom Videoconference 12:00 PM – 1:00 PM

#### **Meeting Minutes**

**Present:** Ashley Callan, Kariuki-Swahili INTER, Lilian Hawkins, D'Adre Cunningham, Chelle Hunsinger de Enciso, Iratxe Cardwell, James Wells, Tae Yoon, Leonard Alvarez, David Poland, Daniel- ASL, Leticia Camacho, and Laura Sanchez.

#### **Approved Meeting Minutes**

- Meeting minutes for 07.15.2024-not approved due to no quorum.
- Meeting minutes for 08.12.2024-not approved due to no guorum.
- Meeting minutes for 09.09.2024-not approved due to no quorum.

Iratxe was introduced as the new Education Committee Chair. New ILAC members were welcomed.

#### **Update on Fall Conference and Judicial College**

- James provided an overview of the Education committee functions and support to ILAC annual events with presentation during conferences.
- An overview of the Fall conference was shared. Links to videos of the Fall conference may be provided at a later time.
- Judge Oaks will present with Dana Walker and Diana Noman during the Judicial College Conference.
- New ILAC members provided a brief introduction of themselves and their interests and passion.

#### Overview of SCJA Education Sessions-Presenter: Chelle Hunsinger De Enciso

- Joint session with Gender and Justice Committee: "You Be The Judge: An Interactive Workshop on Trauma-Informed Decision Making in Civil Protection Order Cases" (Proposal provided).
- Upcoming meeting on Nov. 4<sup>th</sup> to develop scenarios and workshop ideas.
- Education Committee will stand-by to provide support when need(s) arise.

An overview of how ILAC members are assigned as members of ILAC committees was provided.

Scheduled November Meeting and Regular Meeting times Next meeting: Monday November 18<sup>th</sup> 12-1pm

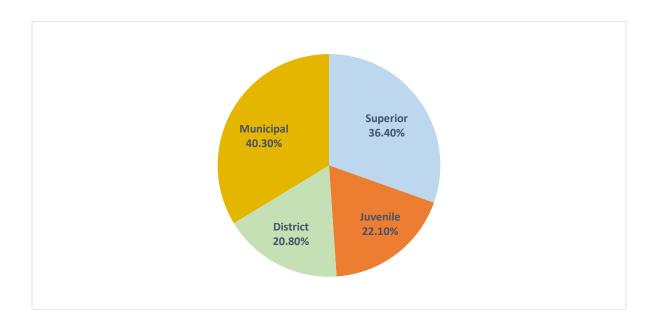
# Survey on Remote Interpretation in Washington Courts

## **PURPOSE**

- Analyze current remote interpreting practices.
- Identify challenges faced by courts.
- Highlight courts to share knowledge and best practices.

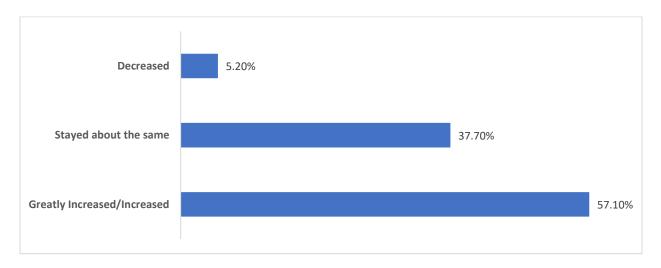
## **SURVEY PARTICIPANTS**

**Total Participants: 77 courts** 

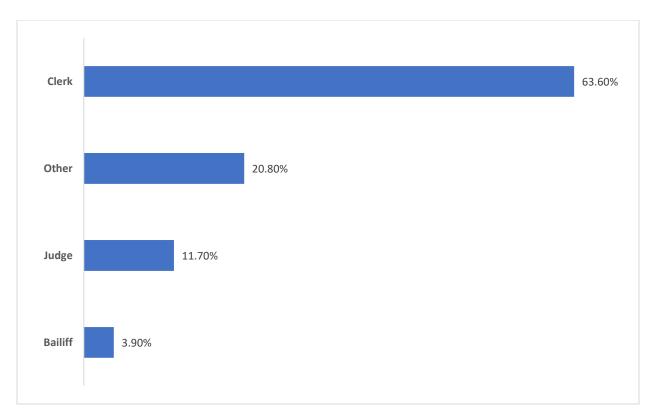


## **QUESTIONS**

#### Has the amount of remote interpreting increased, decreased, or stayed the same?

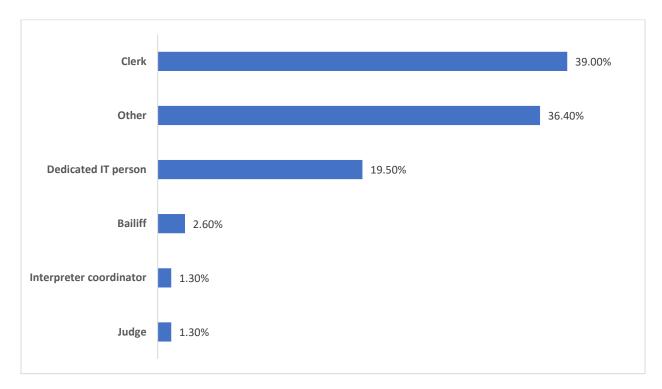


#### Who manages the remote platform during proceedings with remote participants?



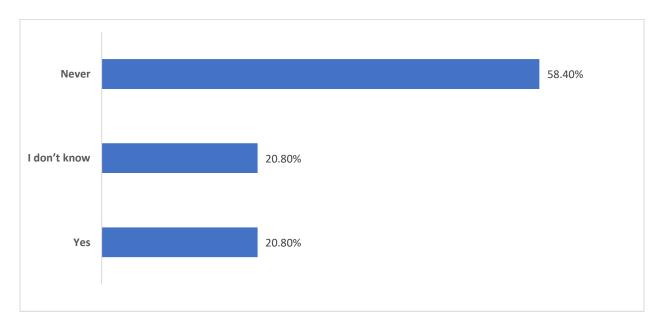
<sup>\*</sup> Other: Court Administrator, Combined effort, Other court staff

#### Who troubleshoots technical issues during remote proceedings?

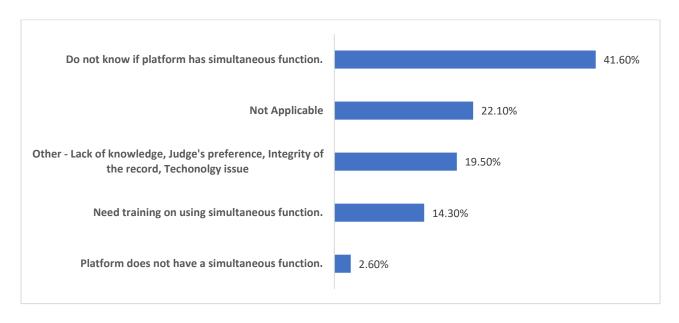


<sup>\*</sup> Other - - Court Administrator, Whoever is available

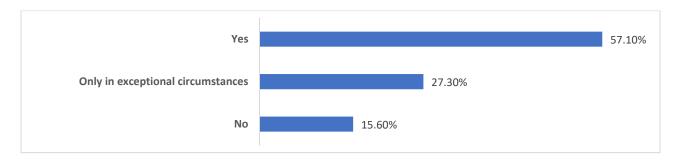
## Has your court used the simultaneous interpreter function on your platform?



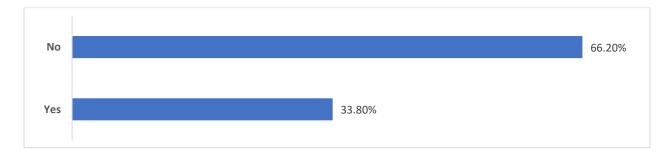
#### If your court does not use simultaneous interpreting, why not?



#### Does your court allow remote interpretation for sign languages?

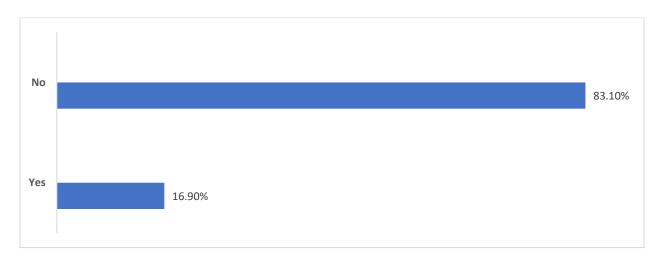


# Has your court used resources on remote interpreting on the Court Interpreter Program Website and Inside Courts?

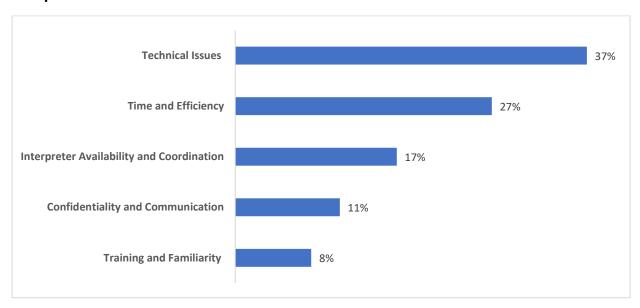


<sup>\*</sup> Yes - Mostly for AOC Court credentialed interpreter roster

Are there any court staff members at your court that are proficient with supporting proceedings with remote interpretation and would be willing to share their experience with other courts?



# What are the biggest challenges when your court holds proceedings with remote interpreters?





# Interpreter and Language Access Commission Translation Committee Meeting October 11, 2024

Zoom Videoconference 12:00 PM – 1:00 PM

#### **Meeting Minutes**

#### Present:

Members: Luisa Gracia (Chair), Laurie Garber, Laura Friend, Sandra Arechiga, Diana Noman, Annalisa Mai, Joy Moore, Iratxe Cardwell

<u>AOC Staff:</u> Leonard Alvarez, Eunyoung Kim, Laura Sanchez, Tae Yoon, James Wells, Kelley Amburgey-Richardson

Guests: Leticia Camacho, Yasemin Alptekin, Lillian Hawkins

#### **Previous Meeting Minutes**

o Previous meeting minutes of 09.13.2024 approved

#### Introductions:

 ILAC members Liliana Hawkins and Leticia Camacho as well as Yasemin Alptekin provided a brief introduction of themselves, all guests present for the meeting.

#### **Pattern Forms:**

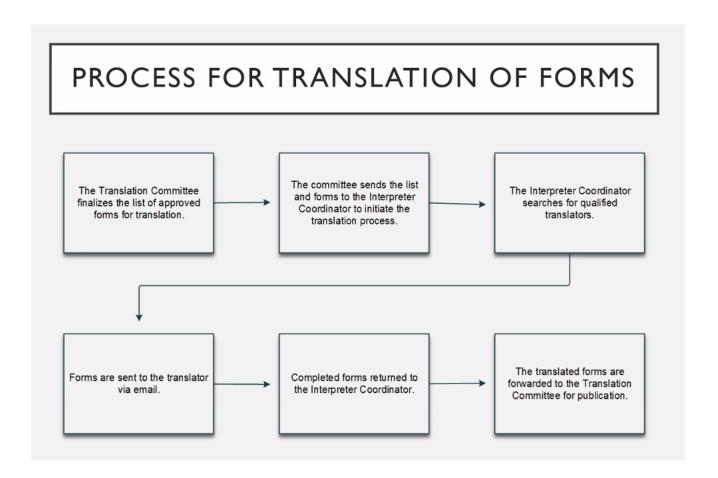
Joy's Presentation:

- Joy from AOC shared the current protocol for translation upkeep.
- o Funding is an essential element for translation work to be carried out.
- DES contracts are used to complete translation services.
- Only the top 3-5 languages are considered for translations.
- Pattern forms are available to be used by the courts. More details found Here: Washington State Courts - Court Forms

#### Analisa's Presentation:

- The King County District Court adapts court forms to meet local needs.
- King County District court has a translation protocol through DEI Translation Committee.
- Identifying forms for translation includes a focus on those used by pro se persons. It is a collaborative effort involving judges, management, and staff. The final step is for the DEI translation committee to review the recommended forms.
- DEI Committee meets every other week.
- Biggest challenges: reaching out to translators and getting timely responses; funding the work.
- Translated forms are available at the court's website and printed copies available at court.

 Languages identified for translation are the same top 5 identified in census (Spanish, Chinese, Somali, Russian and Vietnamese).



#### Pennsylvania Reading:

 Worthy mentions regarding the reading, the work is thorough as it details step by step process.

#### **Next meeting:**

o Translation Commission meeting 11.15.2024 | 12-1pm



# Interpreter and Language Access Commission Translation Committee Meeting November 15, 2024

Zoom Videoconference 12:00 PM – 1:00 PM

#### **Meeting Minutes**

#### Present:

<u>Members:</u> Joy Moore, Annalisa Mai, Laura Friend, Sandra Arechiga, Laurie Garber <u>AOC Staff:</u> Leonard Alvarez, Tae Yoon, James Wells Guests: Diana Noman, Ashley Callan, Christina Labra

#### **Previous Meeting Minutes**

 Previous meeting minutes will be reviewed and approved at the next meeting.

#### **Spokane Superior Court:**

Ashley Callan's Presentation:

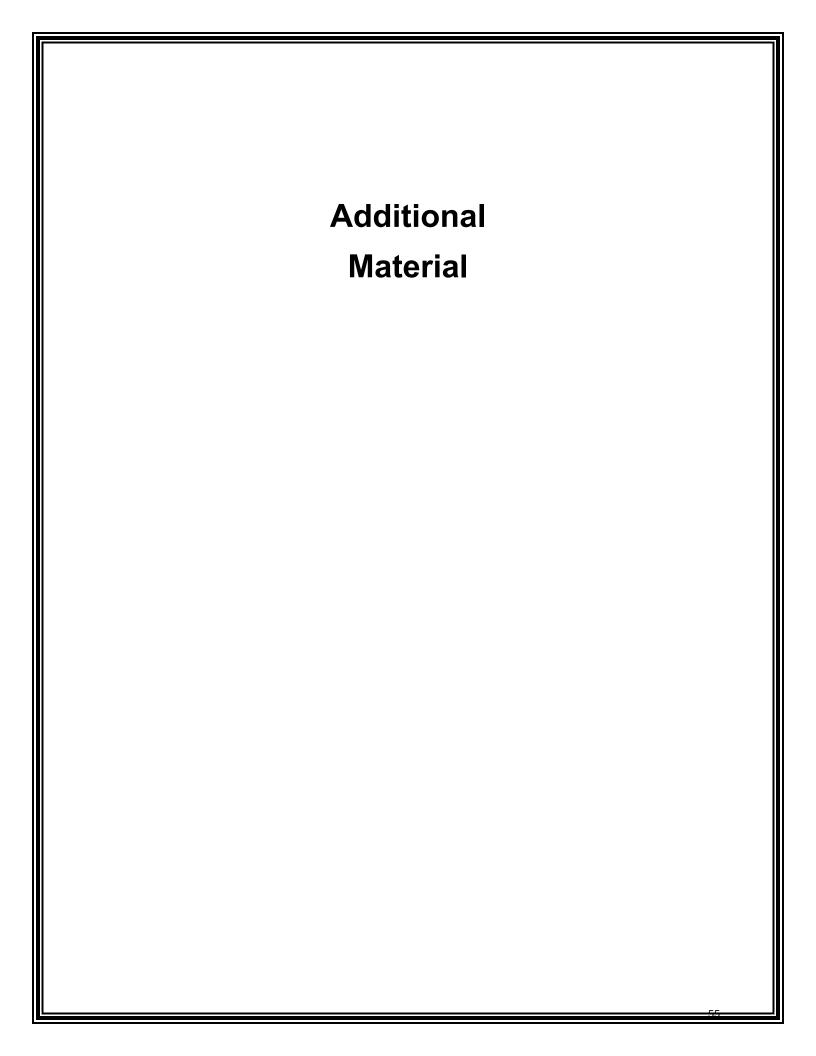
- Ashley from Spokane Superior Court shared protocols for order translation: Temporary and Final Civil Protection Orders, Criminal Protection Orders and/or Temporary and Final Family Law Orders.
- First step is to identify available State translated forms. If none are available, the Court will enter an Order Requiring Translation at no cost to LEP litigants.
- Standard vs Expedited Translation Processes: Different processes and costs
- Christina Labra from OAH shared cost savings options using technology and translation tools followed by a human review to ensure accuracy.

#### Pennsylvania Example and Protocols:

- Leonard presented a visual outlining various topic to consider when developing the translation protocol.
- Pennsylvania example: Selection process and setting criteria for identifying and prioritizing documents and languages for translation -> Translation Management Process
- James reviewed key sections from the Pennsylvania Translation Policy and Procedures Manual.
- 3-part approach: Before Translation -> Translation Process (including working with a vendor) -> After Translation
- Use of AI for cost savings option is a concern which needs to be used with caution.
- Highlighted importance of legibility features to the source documents.
- Discussed considerations for selecting translation providers.

#### **Discussion on Next Steps**

- Incorporate perspectives from courts to identify challenges and best practices.
- o Conduct further review of DES contracts.
- o Share information on calculators and spreadsheets from other agencies.
- o Prepare initial draft of translation protocol for committee member's review.
- o Schedule 2025 meeting dates.



#### WA AOC Court Interpreter Program

Program Report/December 2024

#### Program Highlights in 2024

#### *Credentialing (Testing and Training)*

- NCSC Certified Interpreter Oral Exams (June/Oct): Total of 49 registered and 38 tests were administered in 7 languages
- Summer Skills Training (Language Neutral and Spanish Intense) was hosted by AOC with the instructor Kelly Varguez
- Ethics and Protocol Training (Mar/Sep)
- Reciprocity credentialing process is updated and expedited to meet the needs of the courts
- Written Exam is online and administered year around

#### Outreach/Education Focus Presentation

- ABA hosted KCBA Workshop (Feb)
- Radio Hankook (Sep)
- NOTIS Conference (Sep)
- Fall 2024 Judicial Conference (Oct)
- 65<sup>th</sup> ATA Conference (Oct)
- Latinx Youth Summit (Nov)

#### Media outreach in 2024

- Radio Hankook (Sep)
- Contribution to the newsletter for Pacific Northwest Council for Language

#### **Educational Institution Collaboration**

- Collaboration with Skagit Valley Legal Aid and Whatcom county community college is ongoing
- Working with a network of community/Technical colleges in WA for program initiatives
- Ongoing collaboration with Bellevue College and OSPI

#### Technology Updates

 Interpreter Web Application/Website update is ongoing in order to improve outdated data system to meet the operational needs of the program. Estimated completion is June 2025

#### AOC Credentialed Interpreter Statistics (12/04/2024)

#### Active Status WA AOC Credentialed Court Interpreters:

- 337 credentials in total
- 259 Certified
- 78 Registered

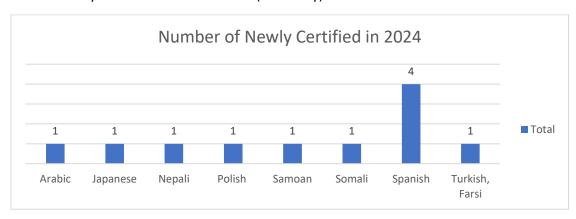


#### Number of Languages Represented in credentialed interpreter pool

Certified: 13 languagesRegistered: 46 Languages

#### Changes in credentialed interpreter pool in 2024 (Jan-Dec)

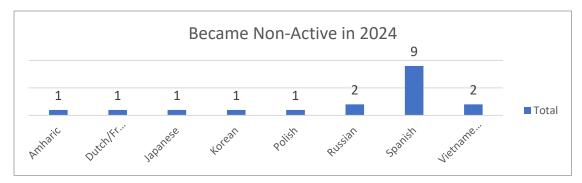
Newly credentialed – Total of 11 (2024 only)



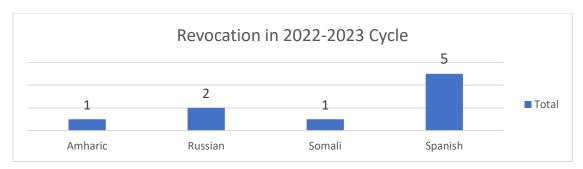
#### Breakdown by Interpreter Location

- Washington State— 3
- Reciprocity 8 (CA, ID, IL, MD, GA, TX, OR, MN)

#### 18 interpreters became non active (Retireing, voluntary suspension, deceased)



#### 9 Administrative Revocation due to non-compliance



#### Oral language Interpretation volume in 2024

• Total Number of Interpreting events in WA: Over 42,200

#### Remote vs In Person Breakdown

