

**Washington State Supreme Court  
Interpreter Commission**

**December 5, 2014**

**Meeting Packet**

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

## **Court Interpreter Commission Members**

**Justice Steven C. González, Chair**  
Washington State Supreme Court

**Dirk Marler**  
Administrative Office of the Courts (AOC)  
*AOC Representative*

**Judge Andrea L. Beall**  
Puyallup Municipal Court  
*District and Municipal Court Representative*

**Kristi Cruz**  
Northwest Justice Project  
*Public Member Representative*

**Thea Jennings**  
Washington State Bar Association  
*Public Member Representative*

**Samuel A. Mattix**  
*Interpreter Representative*

**Linda Noble**  
*Interpreter Representative*

**Theresa Smith**  
*ASL Liaison*

**Alma Zuniga**  
Northwest Justice Project  
*Attorney Representative*

**Eileen Farley**  
Northwest Defenders Association  
*Ethnic Organization Representative*

**Fona Sugg**  
Chelan County Superior Court  
*Court Administrator Representative*

**Danielle Pugh-Markie**  
Administrative Office of the Courts  
*Supreme Court Commissions Manager*

**Robert Lichtenberg**  
Administrative Office of the Courts  
*Interpreter Program Coordinator*



## Interpreter Commission

Friday, December 5, 2014 (8:45 a.m. – 11:45 a.m.)

AOC SeaTac Facility, Lower Plaza Level Conference Room, LP-16

18000 International Blvd., Suite 1106, SeaTac, WA 98188

### AGENDA

1. 8:45 am-8:55 am: Call to Order	Justice Steven González	
2. Introduction of James Wells, AOC Staff	Danielle Pugh-Markie	
3. Approval of September 9, 2014 Minutes	Justice Steven González	Page 1
<b>4. 8:55 am-9:45 am: Chair's Report</b> <ul style="list-style-type: none"> <li>• Superior Court Representative Search</li> <li>• Online Scheduling Report: Next Steps</li> <li>• 2015 BJA Legislative Budget Proposal</li> <li>• May 2015 Commission Meeting and Stakeholder Forum: Discussion</li> </ul>	<b>Justice Steven González/AOC Staff</b> <b>Justice Steven González</b> <b>Justice Steven González</b> <b>Commission/AOC Staff</b>	Page 9 Page 11
<b>5. 9:45 am-10:30 am: Committee Reports</b> <ul style="list-style-type: none"> <li>• Education Committee Meeting Report</li> <li>• SCJA Spring Conference Proposals</li> <li>• Issues Committee Meeting Report</li> <li>• Discipline Committee Update: Interpreters Compliance for Past Reporting Cycle</li> </ul>	<b>Sam Mattix and AOC Staff</b> <b>AOC Staff</b> <b>Judge Beall</b> <b>AOC Staff</b>	Page 13 Page 19
<b>6. 10:30 am-11:10 am: Court Interpreter Program Reports</b> <ul style="list-style-type: none"> <li>• LAP Materials Revision Team Selection</li> <li>• Korean Community Outreach Update</li> <li>• Minority &amp; Justice Commission Youth Forum</li> <li>• AOC Program Training Evaluations</li> <li>• 2015 Reimbursement Contracts: Reports</li> <li>• Interpreter Program 2015 Activity Schedule</li> </ul>	AOC Staff	Page 23  Page 25 Page 33 Page 35
<b>7. 11:15 am-11:40 am: Continuing Education Public Forum and Commission Discussion</b>	Commission Members & Attendees	Page 37
8. 11:45 am: Adjourn	Justice Steven González	

Persons with a disability, who require accommodation, should notify Robert Lichtenberg at 360-350-5373 or [robert.lichtenberg@courts.wa.gov](mailto:robert.lichtenberg@courts.wa.gov) to request accommodations.

**Next Meeting: Friday, February 20, 2015, 8:45 a.m. – 11:45 a.m., AOC SeaTac Office, Small Conference Room.**





**Interpreter Commission**  
**Friday, September 12, 2014 (8:45 a.m. – 11:45 a.m.)**  
**AOC SeaTac Facility**  
18000 International Blvd., Suite 1106, SeaTac, WA 98188

## MEETING MINUTES

### **Members Present:**

Justice Steven González  
Judge Andrea L. Beall  
Kristi Cruz  
Eileen Farley  
Thea Jennings  
Sam Mattix  
Linda Noble  
Fona Sugg  
Dirk Marler  
Alma Zuniga

### **Members Absent:**

Judge James Riehl  
Judge Greg Sypolt  
Theresa Smith

### **AOC Staff:**

Robert Lichtenberg  
Danielle Pugh-Markie

### **CALL TO ORDER AND WELCOME**

The meeting was called to order by Justice Steven González. Justice González introduced and welcomed a new member, Judge Andrea L. Beall. Members introduced themselves. It was clarified that Commission meetings will begin at 8:45 a.m. for the rest of the year.

The new public member representative to the Commission, Ms. Thea Jennings, also introduced herself and spoke about her work at the Bar Association. Ms. Jennings reported that there is a new program to license legal practitioners (called Limited License Legal Technician or "LLLTs") to enable them to offer limited legal services. At this point, there is no plan to provide training for the LLLTs about using court certified interpreters. In the event such a training is requested, the Commission would support it and provide resources.

Judge Beall noted that Puyallup Municipal Court has an interpreter calendar for many types of hearings, except for evidentiary, trials, and arraignment hearings. It is the responsibility of the police officer to inform the court if an interpreter is necessary for an arraignment. Sometimes there is difficulty securing interpreters for particular languages, particularly Vietnamese. Occasionally the court has someone who appears where interpreter arrangements have not been made. The hearing then is rescheduled in order to get an interpreter.

In response to a question about collaborating with educational institutions, Ms. Jennings said that several educational institutions offer limited licensed technician training. They have four area community colleges offering the education right now: Highline, Tacoma, Spokane, and Edmonds. Other community colleges are interested and the hope is to expand across the state. Currently, the University of Washington law school is the only law school offering the practice area education.

### **MAY 30, 2014 MEETING MINUTES**

The minutes of the May 30, 2014, meeting were unanimously approved after member corrections were made.

### **CHAIR'S REPORT**

The Commission meeting dates are included in the materials. Note: the first 2015 Commission meeting is February 20, 2015, **not** February 2.

### **AOC Interpreter Program Budget**

Mr. Lichtenberg passed out a projected Commission and Interpreter Program budget for the 2015 fiscal year. He explained some of the assumptions built into the figures. There are mandatory Program activities that can be covered by the budget allocation, such as interpreter testing, orientation to the oral exam, test rater services, and precertification training. A portion of the exam fees help to fund judicial officer and court staff training. One new approach the Program is considering for 2015 is to provide test candidates with an oral examination skill building track. He noted that the state of Oregon offered seven oral exam preparation training opportunities as they did not have anyone passing the National Center for State Court's (NCSC) certified oral exam last year and are trying to better prepare test takers to have the skills to pass the oral exam. It has not been determined what the cost would be for the Washington State Interpreter Program to do this, but Oregon charged \$110 per training date. The members discussed the lack of interpreters in certain languages and the fact that in more common languages there still are gaps in the geographic distribution of interpreters. One solution would be to offer the training in specific areas of the state where there is a need.

Mr. Lichtenberg reported that more courts than expected are using video remote interpreting (VRI) between the jail and the courthouse, with up to 15 courts involved. It is a matter of time before we will see it in the courtroom for some court hearings. We need to continue talking about what we might think would be a worthwhile subject of training for judges and court staff in using VRI properly. Judge Beall noted that some judges feel that it is not as important to have interpreters for non-criminal cases, such as mitigation hearings, so it is a training issue and may be related to the current RCW 2.43 language regarding non-indigent party costs for interpreters in civil cases.

Mr. Lichtenberg reported that Snohomish County requested the Administrative Office of the Courts (AOC) guidance in updating their Language Assistance Plan (LAP). Snohomish County is using an AOC-authored template from 2007 that mirrors what is required to be in LAPs by state law. He reviewed the technical assistance advisory from the Department of Justice and noted there is a federal emphasis involving notice signage and translation of documents that is not in the Washington State court model language access plan template. If the AOC provides updates to the LAP template and shares it statewide, it would need to provide some technical assistance and requested Commission guidance. Mr. Marler noted that the AOC has an opportunity to devise a new model template and provide instructional materials through the conferences in the spring, such as the District and Municipal Court Judges' Association (DMCJA) Spring Program. Justice González noted that the idea would be to have a good model for each

level of court. There is a preference for training on the plans and updating the old template and possibly creating a series of model plans for district and municipal courts, a superior court, or an appellate court. Mr. Marler suggested that we might want to propose an extended plenary session at one of the spring judicial conferences, possibly including a fundamental refresher about interpreting, about the revised template, and the importance of having a language assistance plan. The Commission members had an extended discussion, with many suggestions for what could be covered in a LAP and how the training would be provided. Mr. Lichtenberg inquired whether members of the Commission would be willing to assist in putting together a proposal for training judicial officers. Justice González requested that the Education Committee assist in creating a proposal for the judicial conferences and to collaborate with the Issues Committee on assist in updating our model language access plan, including considering model access plans for different levels of courts or with at least some variety to address the differences in court levels. Ms. Cruz suggested that we might want to reach out to Professor Jillian Dutton at Seattle University School of Law who is presenting at the Washington State Coalition for Language Access Summit in SeaTac on language access plans on October 25. AOC staff have budgeted for someone from the national level to come and provide LAP training. Justice González noted that we have a national expert locally in Ms. Dutton.

Mr. Lichtenberg said that in his draft budget there is a provision for having a Commission meeting in another part of the state. The members discussed this in detail, covering possibilities such as visiting a local courthouse, meeting with local court interpreters in a forum setting, or a CLE program such as for the Yakima County Bar Association. Members agreed to hold the May 29, 2015, Commission meeting in Yakima, with the Commission meeting from 9:00 a.m. to 12 noon and a session during the afternoon or maybe even during lunch. Justice González said that he would like to meet with everyone who has an interest in court settings in which interpreters would be needed and this would involve interpreters, administrators, judges, and counsel. It could be fashioned as a listening session where we can learn about their best practices. Justice González agreed with Ms. Pugh-Markie that community advocates should be included and the members agreed that Kittitas County and the City of Ellensburg should also be invited to attend. Bench cards for the judges along with model language access plans could be provided. Ms. Cruz suggested printing out model signage. Members suggested inviting the Northwest Justice Project, Columbia Legal Services, Team Child, and the Northwest Civil Rights Project, all of which are located in the region.

Justice González said that at the next meeting the Issues Committee can make some suggestions to us about formal budget and action priorities to adopt for the year. Ms. Farley asked about the \$11,000 budgeted for program incidentals and how it is related to "Santa Fe." Ms. Pugh-Markie clarified that the \$11,000 covers all of the bulleted points, and the annual NCSC Language Consortium meeting in Santa Fe would probably be about \$2,000 of that. There were questions about the actual cost of some of the incidentals in that figure. Justice González thanked AOC staff for putting together the budget and showing the Commission their working costs so that budget considerations can be an aspect of our priorities as we implement them.

Justice González asked for suggestions for a new Chair for the Issues Committee. Ms. Pugh-Markie noted it needs to be a judge. Judge Beall volunteered to Chair the Issues Committee. Mr. Marler noted that the Discipline Committee should be open as well. It was suggested Judge Beall be given the choice of either the Discipline Committee or the Issues Committee. Judge Beall chose the Issues Committee. Mr. Lichtenberg noted that GR 11.1 sets out the scope of the Issues Committee and suggested that there is a need for Issues Committee involvement that is more proactive on emerging issues than the scope of the rule allows.

The Commission then discussed the judicial membership vacancy as a result of the expiration of Judge Sypolt's term. Ms. Pugh-Markie reported that there was no nomination offered from the Superior Court Judge's Association and that Judge Sypolt had made a recommendation for a new member judge. She will discuss this with Justice González. Justice González suggested reviewing our bylaws to determine if a judicial commissioner might be allowed as a Commission member instead of a judge.

## **COMMITTEE REPORTS**

### **Online Interpreter Scheduling (Ad Hoc):**

Ms. Noble, the ad hoc Committee chair, reported that the Committee completed the guiding principles that Mr. Mattix had very diligently crafted, with minor changes. It is still open for further critique by new members. She asked about further steps for that document and how to best utilize it and present it. She stated that many disturbing issues arose from a King County budget committee proviso hearing on interpreting services and costs as misinformation about the profession of interpreting was presented which was shocking especially given that this is the biggest county in the state with the most use of interpreters. Other counties look to King County to set guidelines, including interpreter pay. She asked whether the Interpreter Commission play any role in addressing the misinformation without getting involved in their budget discussions. It was noted that a full King County Council meeting is scheduled for September 22, in which public comment will be accepted on the budget issue as the recent proviso presentation did not provide for it. Ms. Noble noted that interpreters working throughout King County find that any comments need to be very, very carefully crafted as they can suffer directly if they are critical. Mr. Mattix asked if it would be reasonable for the Interpreter Commission to take a review and somehow endorse it in sending it to the King County Council. Mr. Lichtenberg asked if there is any information provided in the hearing about cost savings involving sign language interpreters and mentioned the fallout the Health Care Authority had with sign language interpreters as a result of cost cuts. Ms. Farley said that she had mixed feelings because they wanted cuts and there is not money to be saved in interpreters. The video interpretation recommendation and cutting the public defense two-hour minimum indicates where cost savings can happen. The report's recommendations are on the Council's do-pass calendar which means unless somebody stands up and says no, it will be voted on. Ms. Farley expressed concern with what is going to happen with the recommendations as it might not really save money. Ms. Noble noted that we really don't want them to allocate less money to interpreters, rather we would like the money distributed differently because the information actually needs correcting. Ms. Farley suggested finding a councilmember

for whom this issue would be important. Justice González recommended educating the Council's Law and Justice Committee as well as reaching out for a meeting with several persons such as Dave Upgrove, Kathy Lambert, and Larry Gossett. It is important to review who is educated and cultivated to speak on those issues.

Ms. Noble reported that Mr. Lichtenberg finally found the right people at Snohomish County to respond to the complaints about interpreters using automated programs to snatch up all jobs involving a given language. Mr. Lichtenberg said that he was fortunate to have met Sonja Kraski, the County Clerk who pulled in Marilyn Finsen and Chris Shambro to address the issue. King County has been contacted to explain how it created its own CAPTCHA feature.

Mr. Mattix reported that Marla Simmons, Arkansas Language Access Coordinator, recommended that this should go to other language access coordinators in other states. The guiding principles envisioned that there be cooperation between the states, not just at a municipal court level. Mr. Mattix mentioned that all the states need a better tool to find out who is closest, who is most appropriate, and who is available, especially for the languages of lesser diffusion. Often they go with whomever they can find using personal contact lists they have compiled which can be inappropriate. He agreed that a scheduling model should go to a national level. Justice González said the next step is to decide what can the Commission do and asked if there are others who can use the tool and how do we present it to them nationally. Members discussed similar actions taking place at the National Center for State Courts (NCSC). Justice González noted that as an action item for the next meeting the Commission should decide what to do with the Online Scheduling Committee report.

#### **Discipline Committee Report**

Mr. Lichtenberg provided the Commission with a listing of interpreters who had their certifications revoked for non-compliance with certification maintenance requirements.

#### **Education Committee Report**

Mr. Mattix said that a three-page report is included in the meeting materials. The Education Committee had two meetings by teleconferences. The next meeting is set for September 19. The Committee worked on narrowing down what it is going to work on given the budget and past trainings that AOC has provided historically to judicial officers and court administrators. At the last Commission meeting, a job was assigned to the Committee regarding the current procedure for reporting continuing education credits and how issues of noncompliance are handled. The Committee will follow-up and report back.

#### **Registered Exam Test Results**

Mr. Lichtenberg reported that four people applied for the registered language oral exam. Of the four people who took the test, two have passed it.

### **Korean Community Outreach Update**

An e-mail from Dan Shin regarding an upcoming community forum on legal matters was included in the meeting materials. As there are many in the Korean community who do not fully understand English, the Interpreter Program and Mr. Shin were able borrow up to 100 receivers and headsets so that Korean language services could be provided to the attendees. Mr. Lichtenberg mentioned that this is a good opportunity for a legal services outreach model and the Minority and Justice Commission staff would like to look at such a model for some of their own activities involving other language communities.

### **Administrative Hearing Notices for Pro-Se Individuals**

Mr. Lichtenberg reported not being able to get samples from the courts as he only had samples of administrative hearing notices. Justice González asked members to look at what gets sent out from any court and to provide those to Mr. Lichtenberg for the next meeting. It would be good to get input from courts that are not represented around this table. Ms. Farley reported that the state Office of Public Defense may be able to provide that list of who they contacted in those courts when they did a statewide survey on public defense costs. The Commission reviewed how and when do litigants become aware of interpreting services and discussed the different forms that litigants encounter, many of which do not address language needs.

### **DVSA Training Evaluations**

Ms. Pugh-Markie reported that the compiled evaluations from the May 15-27, domestic violence and sexual assault training event for court interpreters is located in the materials. The training was well received. There has been discussion with the Asian & Pacific Islander Institute on Domestic Violence about what type of follow-up work can be done and about providing this event next year. The AOC should follow up and see what assistance the national technical assistance providers can offer. The STOP Grant money is coming through the Gender and Justice Commission and has other initiatives for 2015 and possibly not for a continuing event similar to this one. Another idea for the Interpreter Commission is to work with guardians and do training with guardians. So, if there is any STOP Grant money from the federal Office of Violence Against Women left over, it would probably be used for that. The AOC would like to do follow-up training on vicarious trauma as this was requested by the attendees.

### **IT Governance Submittal**

Justice González updated members on past efforts to address and implement online court interpreter scheduling solution(s) through the IT governance process. AOC staff reported on a meeting with the IT group after submitting the IT Governance proposal. Mr. Lichtenberg said one implementation and use route under review involves making online scheduling a module within the Odyssey case management system since Odyssey can serve as a centralized scheduling platform that is accessible to the vast majority of court systems in the state.

### **ODHH Regulations for Court ASL Interpreters**

Mr. Lichtenberg reported that the Department of Social and Health Services Office of the Deaf and Hard of Hearing (ODHH) has issued proposed regulations for American

Sign Language (ASL) interpreters in the courts and will host a public comment hearing on September 23. They are going to eventually get a list of qualified interpreters prepared for use by the courts in collaboration with the AOC. They are also going to do a quality screening process and possibly create a profile system for ASL interpreters. They will also work with the interpreter community to provide court-related training so that ASL interpreters are on the same plane as spoken language interpreters.

**NEW BUSINESS**

Ms. Pugh-Markie informed the Commission that we are short one staff person on the Interpreter Program. Tina Williamson has taken another job with AOC in the Customer Services Department. The position was posted last Friday and is open until September 24. If you know of anyone who is interested, let Danielle know. Danielle will send out the announcement on the Commission member ListServ.

Justice González informed the group that there is going to be a reception at the UW Law School on November 19, in the evening celebrating Justice Smith. Mr. Lichtenberg will be speaking briefly at that ceremony. Ms. Pugh-Markie noted that the reception is from 5:30 p.m. to 7:30 p.m.

**ADJOURN**

Meeting adjourned at 11:30 a.m.

**NEXT COMMISSION MEETING**

Friday, December 5, 2014  
 8:45 a.m. – 11:45 a.m.  
 SeaTac Facility, Lower Level Conference Room

Decision Summary	Status
<b>Commission:</b> Approval of May 30, Meeting Minutes	<i>Complete</i>
<b>Member Vacancy:</b> No decision was made to nominate a superior court judge to fill the superior court representative vacancy; AOC staff to review if judicial commissioners can serve in lieu of a judge.	<i>In-progress</i>
<b>Issues Committee:</b> Justice González appointed Judge Beall to Chair the Issues Committee.	<i>Complete</i>
<b>Education Committee:</b> Collaborate with AOC staff and Issues Committee in updating the model LAP, including considering model access plans for different levels of courts.	<i>Future Action</i>

<b>Decision Summary</b>	<b>Status</b>
<b>Commission and AOC Staff:</b> Develop agenda and materials (signage, bench cards, etc.) for the public forum following the May 29, 2015, Commission meeting in Yakima and inviting stakeholders with an interest in court settings involving interpreters.	<i>Future Action</i>
<b>Action Item Summary</b>	<b>Status</b>
<b>Education Committee:</b> Submit proposals for educational presentation on LAPs for the DCMCJA and SCJA Spring conferences.	<i>Completed (as of 11/1/2014)</i>
<b>Resource for LAP Training:</b> AOC staff to ask Professor Dutton to present on LAPs to judicial officers.	<i>Completed (as of 11/1/2014)</i>
<b>AOC Budget:</b> Issues Committee to recommend budget and action priorities to adopt for the year and present at the next meeting.	<i>In-progress</i>
<b>Commission:</b> Commission should decide what to do with the Online Scheduling Committee report.	<i>On agenda for 12/5/14 Commission Meeting</i>
<b>Education Committee:</b> Review the current procedure for reporting continuing education credits and how issues of noncompliance are handled.	<i>Future Action</i>
<b>Commission Members:</b> Justice González asked members to identify notices regarding availability of language services in documents sent by courts to pro-se parties and to provide those to Mr. Lichtenberg for the next meeting.	<i>In-progress</i>
<b>AOC Staff:</b> Provide Commission members with Language Access Program support staff recruitment announcement.	<i>Completed</i>

**2015-2017 Budget Request as Recommended by the Supreme Court Budget Committee  
November 2014**

<b>Administrative Office of the Courts - BJA Prioritized Requests, General Fund State</b>			
<b>BJA Priority</b>	<b>Title</b>	<b>FTE</b>	<b>Amount Recommended</b>
1	<b>Trial Court Funding for Language Access</b> Funding for interpreting services for civil and criminal proceedings in the courts. Initial request \$6,609,000. Limit growth to 4% (growth rate is slightly less than the fiscal growth factor) of AOC carry forward level.	FTE 0.5	\$5,070,000
2	<b>Employee Salary Adjustment</b> Funding is requested to bring selected salaries to an appropriate level as determined by a salary survey. Estimated amount.	FTE 0.0	\$654,000
3	<b>Telephonic Interpreting</b> Funding to offset 50% of the costs for telephonic interpretation for interactions outside courtroom proceedings. Request \$1,324,000- Funding allocated in priority number 1 can be used for telephonic interpreting.	FTE 0.5	<b>Dollars Included in Language Access</b>
5	<b>FJCIP Expansion</b> Funding for expansion of the Family and Juvenile Court Improvement Program. Initial request \$558,000. Limit growth to 4% (growth rate is slightly less than the fiscal growth factor) of AOC carry forward level.	FTE 0.0	\$428,000
6	<b>Juvenile Court and JDAI Staff</b> Funding to provide coordination and quality assurance for probation and detention programs. Initial request \$394,000. Limit growth to 4% (growth rate is slightly less than the fiscal growth factor) of AOC carry forward level.	FTE 2.0	\$302,000
	<b>Total Supreme Court Budget Committee Recommendation - State General Fund</b>	<b>FTE 3.0</b>	<b>\$6,454,000</b>





WASHINGTON  
COURTS

## INTERPRETER COMMISSION 2015 MEETING DATES

EVENT	DATE	LOCATION
Interpreter Commission Meeting	February 20, 2015 8:45 a.m.-11:45 a.m.	AOC Facility, SeaTac (small conference room)
Interpreter Commission Meeting	May 29, 2015 8:45 am-Full Day (TBD)	Yakima, WA (Meeting location TBD)
Interpreter Commission Meeting	October 2, 2015 8:45 am-11:45 am	AOC Facility, SeaTac (small conference room)
Interpreter Commission Meeting	December 4, 2015 8:45 am-11:45 am	AOC Facility, SeaTac (small conference room)





Interpreter Commission Education Committee  
Friday, September 12, 2014 12:00 – 13:00  
AOC SeaTac Facility  
18000 International Blvd., Suite 1106, SeaTac, WA 98188

## MEETING MINUTES

### In attendance:

Linda Noble  
Eileen Farley  
Sam Mattix (chair)

- Meeting called to order at 12:05 pm
  - Minutes of August 28, 2014 meeting accepted
  - Review History of trainings and presentations provided by AOC in conjunction with members of the Education Committee to judicial officers and court administrators since 2010, and Calendar of scheduled trainings and presentations through 2015.
    - Bob informed committee members prior to the meeting that he had contacted Judith Anderson to obtain information on trainings over the past 3-5 years, but due to the time crunch on preparing for the fall Judicial Conference, she was not able to provide that information. He has asked her to attend to the matter after the conference, at her convenience.
    - Sam reported on his review of minutes from past Interpreter Commission meetings and found the following list of conferences and schedules:
      - Judicial College held Jan, 2008
      - DMCJA Conference held June, 2008 (upcoming dates June 7-10, 2015)
      - State Court Administrators conference held in spring 2008 (e-mail sent to Fona to confirm this is still the case)
      - Superior Court Judges Association Conference held spring 2008
      - Judicial Fall conference – superior or dist and muni? Usually combined. Last year Judge Riehl and Justice Gonzalez spoke
      - Katrin Johnson held a training for GALs in 2008 and at Minority & Justice Commission annual conf. Eileen to look into whether GALs could be invited to participate in other language access trainings.
      - Consortium on Racial and Ethnic Fairness in the Courts.
      - LAP training sponsored by AOC (there was funding for AOC to help courts set up LAP; that funding is gone). Maybe good to leave it on the list since LAPs are mandated and so funding might be available.
      - Consider training specifically for schedulers, not only court administrators<sup>i</sup>

- Identify gaps in coverage (regional or by type) and work with AOC to establish a calendar for training that fulfills our committee's mandated role. With such a calendar in place, members of the Education Committee can sign up to assist Bob and the AOC in trainings.
  - We will wait for comprehensive list in order to identify gaps.
  - Consider covering regional gaps by hosting webinars, podcasts and/or video-taping presentations at conferences to be provided to judicial officers and court staff on a more cost-effective and regular basis
  - Hook in to WDA and piggy back on their already existing programs. WAPA maybe too? WSBA committee on public defense – Eileen will ask them to consider training in use of interpreters as an agenda item.
  
- Task assigned by IC at May 30, 2014 meeting: Report on current procedure for interpreters to report continuing education credits and how issues of non-compliance are handled. Discuss possible improvements to compliance procedure.
  - Recommendations:
    - Send reminders to all certified and registered interpreters in September before the end of the biennial compliance period, instructing them to check their profiles on the AOC website to determine what they have left to complete.
    - If not in compliance on Jan 1, issue letter of suspension, notify courts of suspended status and allow two months to bring themselves into compliance. Assess administrative fee (\$50?) for reinstatement. Allow to work in court during suspension period?ii
    - March 1 – de-certify and notify courts of decertification. Establish policy guidelines for reinstatement following decertification. Fee? Retesting? Waiting period? Clarify existing policies with Bob.
    - Appeal procedure per disciplinary guidelines. Consider assessing fee for appeal, which can be refunded if not interpreter's fault (e.g. website glitch).
  
- Action items:
  - Eileen – talk with Susan about GAL guidelines under GR11 regarding language access education
  - Eileen – see about adding language education to the WSBA committee on public defense agenda
  - Linda – ask Fona about SCA conference dates
  - Sam – contact Bob about scheduling another committee meeting prior to Oct 1 to discuss submitting proposals to the DMCJA conference (due to Sam's unavailability Oct. 1-23)
  - Sam – ask Bob to clarify existing policies re reinstatement after decertification
- No new meeting date scheduled at this time. Will be scheduled by e-mail
- Meeting adjourned at 13:00

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<sup>i</sup> Excerpt from minutes:

**COURT INTERPRETER COMMISSION**

**FRIDAY, APRIL 10, 2009**

**PIERCE COLLEGE - STEILACOOM**

**Members Present:** Justice Susan Owens, Leticia Camacho, Emma Garkavi, Judge Judith Hightower, Frank Maiocco, Dirk Marler, Judge James Riehl, Virginia Rockwood, and Theresa Smith

**Members by Phone:** Judge Gregory Sypolt and Steve Muzik

**Members Absent:** Mike McElroy

**Guest:** Jeff Hall

**AOC Staff:** Katrin Johnson, Karina Pugachenok and Tina Williamson

The Education Committee is planning to offer two educational sessions designed for interpreter coordinators, managers, court administrators, and any other court staff directly involved in procuring or scheduling court interpreters. The sessions are intended to provide information that will help court staff understand the proper role of interpreters, the required skills and abilities necessary for appropriate interpretation, the ethical limitations faced by interpreters, and the optimal use of ASL interpreters. The sessions will end with panel discussions regarding best practices, effective telephonic interpreting, local policy development and other "hands-on" suggestions for managing services for peoples of limited English proficiency. The first of two programs is scheduled for September 18, 2009 at the AOC SeaTac facility. A second program for the Eastern region of the state will also be in the fall, potentially around the October WASCLA conference in Spokane. Suggestions regarding presentation topics are still welcome.

<sup>ii</sup> SAM's note: Excerpt from Disciplinary Policy pertaining to "Suspension" (posted on [www.courts.wa.gov](http://www.courts.wa.gov) "WA Court Interpreter Disciplinary Process" Washington Court Interpreter Commission – May 2012)

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## 9.4 Suspension

- (a) Definition. Suspension of certification or registered status is the removal of the court interpreter's credential with the AOC for a fixed period of time.
- (b) Applicability of Suspension. Suspension is generally appropriate when an interpreter engages in serious misconduct, such as directly violating rules or regulations, causing injury or potential injury, demonstrating gross incompetence, engaging in criminal conduct, multiple findings of misconduct, or engaging in intentional misconduct that involves dishonesty, fraud, deceit or misrepresentation. The imposition of suspension or revocation as an appropriate sanction will likely depend on the mitigating and/or aggravating factors.
- (c) Term of Suspension. A suspension must be for a fixed period of time and specifically state what requirements, if any, must be completed prior to the interpreter respondent's reinstatement. Suspension does not affect the requirement to comply with other program policies such as continuing education.
- (d) Reinstatement. Before the conclusion of the suspension period, the respondent shall submit to the AOC a written request for reinstatement. The request shall include a statement verifying that the conditions of the suspension have been met. With approval of the Disciplinary Committee Chair, the AOC shall reinstate the interpreter's certification or registered status.
- (e) Duties on Suspension. If the respondent is scheduled to interpret for any court hearings during the period of suspension, or for case types identified in the suspension order, the interpreter shall immediately notify those courts of his/her suspension. The respondent shall immediately cease holding him/herself out to the public as a Washington court certified or registered interpreter during the period of suspension, and return the AOC-issued badge identifying him/her as a certified or registered court interpreter.

Note especially (b) Applicability of Suspension and (e) Duties on Suspension. Non-compliance is not "serious misconduct ..." Should non-compliance be dealt with exactly in this manner? Or should there be a special section added to "WA Court Interpreter Disciplinary Process" to govern non-compliance with biennial requirements?



Interpreter Commission Education Committee  
Friday, November 21, 2014 12:00 – 13:00  
AOC SeaTac Facility  
18000 International Blvd., Suite 1106, SeaTac, WA 98188

## MEETING MINUTES

### In attendance:

Linda Noble  
Robert Lichtenberg  
Kristi Cruz  
Sam Mattix (chair)

- Meeting called to order at 12:05 pm
- Minutes of September 19, 2014 meeting reviewed and approved.
- OLD BUSINESS
  - Task assigned by IC at May 30, 2014 meeting: Report on current procedure for interpreters to report continuing education credits and how issues of non-compliance are handled. Discuss possible improvements to compliance procedure.

### Recommendations set forth in Sept 19 meeting were reviewed and revised:

- Send reminders to all certified and registered interpreters by e-mail and US Postal Service in early September before the end of the biennial compliance period, instructing them to check their profiles on the AOC website to determine what they have left to complete. Send follow-up reminders to all certified and registered interpreters (e-mail only) in early October, November and December. Reminders should include the consequences of being out of compliance starting January 1.
- If not in compliance on January 1, issue notification to interpreter by e-mail and US Postal Service of non-compliance, and allow them two months to come into compliance and pay an administrative fee.
- March 1 –Refer non-compliant interpreters to the Disciplinary Committee for further action<sup>1</sup>.
  - NOTE: Preparatory to end of next biennial reporting period, Education Committee needs to work with Disciplinary Committee to review COURT INTERPRETER DISCIPLINARY RULES specific to interpreter non-compliance with biennial requirements and amend rules as necessary.

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<sup>1</sup> GR11.1(b)(2) "The Disciplinary Committee has the authority to decertify and deny certification of interpreters based on the disciplinary procedures for: (a) violations of continuing education/court hour requirements, ..."

- Issues and Education committee will work together to update our model language access plan, including considering model access plans for different levels of courts or with at least some variety to address the differences in court levels. Eileen Farley has volunteered to help get templates into compliance with federal guidelines for LAPs.
- **NEW BUSINESS**
  - Issue of approving AOC CEU credits to interpreters - will be discussed at Dec. 5 commission meeting. Input on this topic was requested through the AOC certified / registered interpreter list serv. Linda and Sam have received input – some which supports a broader interpretation of the rule for approving trainings for AOC credit and some which supports a stricter or more limiting interpretation of the rule. The committee discussed the importance of informing the interpreter community that recent actions to limit approval of courses submitted for CEU credit taken by Bob were not “rogue” – but rather were taken based on input of the full commission indicating a leaning toward a more strict reading of the rule. The commission will hear input at the next meeting on this issue. This committee wants to hear everyone’s point of view.
  - No new meeting date scheduled at this time. Will be scheduled by e-mail following Dec 5 full commission meeting.
  - Meeting adjourned at 13:10
  - **Action items:**
    - Bob – See if we have the electronic version of the WA model of LAPs for courts and provide if so. Are there federal guidelines?
    - Bob – Update commission website from minutes<sup>2</sup> of February 22, 2013 IC meeting with language about members serving on more than one committee, and number of IC members per committee

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<sup>2</sup> Apparently this refers to: 2013 02 22 IC FEB MTG MIN.pdf, top of page 5

**Interpreter Commission Mission:**

Commission members reviewed the commission’s mission and purpose...: ...

- The number of committee members required for each committee will be changed from “three” to “at least three”.
- The number of committees a commission member may serve on will be changed from “one” to “at least one”.

Changes to the rule must be submitted to the Supreme Court Rules Committee.

For these changes to take effect the language highlighted below in **GR11.1, PURPOSE AND SCOPE OF INTERPRETER COMMISSION**, must be amended:

(b) Jurisdiction and Powers. ... Each committee shall consist of three Commission members and one member shall be identified as the chair....

(c) Establishment. ... The Commission shall consist of eleven members. Members shall only serve on one committee and committees may be supplemented by ad hoc professionals as designated by the chair. Ad hoc members may not serve as the chair of a committee.

# SCJA Education Committee Session Proposal Form

Superior Court Judges' Spring Program

April 26 – 30, 2015

Skamania Lodge

Stevenson, Washington

**PROPOSAL DEADLINE: October 3 to [jesse.walker@courts.wa.gov](mailto:jesse.walker@courts.wa.gov)**

<b>Proposed Session Title:</b> Access to Justice and the Court's Language Access Plans: Time for Reform?	
<b>Proposed By:</b> WA State Supreme Court Interpreter Commission <b>Contact Name:</b> Danielle Pugh-Markie/Robert Lichtenberg <b>Contact Phone:</b> Danielle:705-5290 and Bob: 360-350-5373 <b>Contact Email:</b> Robert.Lichtenberg@courts.wa.gov	<b>Is there a limit to the number of participants?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Proposed Duration:</b> <input checked="" type="checkbox"/> 90 Minutes <input type="checkbox"/> 3 Hours <input type="checkbox"/> Other:	<b>Type:</b> <input type="checkbox"/> Plenary <input checked="" type="checkbox"/> Choice
<b>Target Audience:</b> <input checked="" type="checkbox"/> Experienced Judges <input checked="" type="checkbox"/> New Judges <input checked="" type="checkbox"/> Experienced Commissioners <input checked="" type="checkbox"/> New Commissioners	<b>Identified Educational Need:</b> Since 2009, RCW 2.43.090 has required all Washington courts to have language assistance plans (LAPs). The Department of Justice, which oversees Title VI and ADA compliance by state and local jurisdictions, has recently clarified further its expectations for LAP content for Title VI and ADA-protected persons. Courts which do not have a LAP or have not updated theirs can place all other state courts at risk of losing federal funds and possibly funds from the state interpreter program. Many of the superior courts in WA do not have compliant LAPs and are not in position to further support the efforts of the Board of Judicial Administration on language access issues.
<b>Program topic or area of law:</b> The Due Process Clause and several other constitutional provisions regarding access to counsel, right to cross examine witnesses and to understand the charges against them are the topical areas of the law this issue addresses. The topic is also related to Access to Justice and DOJ priorities as a result of recent immigration growth.	
<b>Recommended Faculty:</b> Jillian Dutton, Professor, Seattle University School of Law  Robert Lichtenberg, WA State Court Interpreter Program  WA State Assistant Attorney General (to be identified)  Kristi Cruz, Esq., Northwest Justice Project and co-developer of the ABA standards for language access planning and resources in the courts	

**Proposals due by October 3, 2014 to [jesse.walker@courts.wa.gov](mailto:jesse.walker@courts.wa.gov)**

## SCJA Education Committee Session Proposal Form

*Superior Court Judges' Spring Program*

*April 26 – 30, 2015*

*Skamania Lodge*

*Stevenson, Washington*

**PROPOSAL DEADLINE: October 3 to [jesse.walker@courts.wa.gov](mailto:jesse.walker@courts.wa.gov)**

**Describe the purpose of the session and key issues to be presented. Explain what judicial officers will learn in the course.**

The purpose is to bring to all Superior Court judges that have administrative responsibilities an updated awareness of DOJ's audits on various state courts' language access services and LAPs in a number of states, including Washington. Aside from threats to revoke federal funding, the DOJ has entered into settlement agreements with a few states, including one with King County in 2012, as a result of the lack of adequate language access services and features. The DOJ has emphasized the need for language access plans to use core features of the 2011 DOJ assessment and planning tool as well as the 2014 DOJ technical assistance guidelines. The federal expectations are now at a place beyond what is required under current WA state statutes.

Presenters will address the responsibility of court jurisdictions to have more current LAP content by addressing current federal and state policy and practice by comparing the federal and state requirements. This will provide attendees with the facts they need in order to evaluate whether their courts are fulfilling their legal obligations by using LAPs as the roadmap and toolbox resource.

**Generally, describe the knowledge and skills that judicial officers will gain from this session and how they may apply these to their work in the courts.**

Ideally, well-crafted Language Access Plans at the local court level will enable individual court jurisdictions to better manage court resources and administrative duties and procedures so to meet DOJ guidelines related to service delivery to LEP individuals as well as persons with hearing loss. While it is an overarching update presentation suited primarily for judges with administrative roles, superior court judges can learn how to best instruct LEP parties about using LEP resources before, during, and after each case proceeding as part of their daily judicial responsibilities. For example, non-presiding judges need to be aware that LEP and disabled persons will require an interpreter and/or document translator for many forms needed for out-of-court services, payment arrangements, etc., many of which are not provided in the language of the user. All judges can more effectively and efficiently instruct litigants about what to do before leaving the courthouse if they understood the challenges the LEP parties face in complying with their instructions and can provide better input to the presiding judge in their jurisdiction about its own LAP specifics.

**Describe the case law, best practices, or nuts and bolts issues that will be addressed.**

The DOJ has emphasized the need for language assistance planners to use core features of the DOJ assessment and planning tool and core components of the 2014 DOJ technical assistance guidelines where applicable. This best practices approach by the DOJ supports the goals of Title VI of the Civil Rights Act of 1964 as well as the ADA. These best practices will be addressed by presenting an update of the recent DOJ settlement language that clarifies DOJ expectations. Judges will also become aware of the current language of RCW 2.43.090 and how it differs from the federal provisions.

This session will address the concrete topics of:

What services are required?

What are the main components of a language assistance plan?

**Proposals due by October 3, 2014 to [jesse.walker@courts.wa.gov](mailto:jesse.walker@courts.wa.gov)**

# SCJA Education Committee Session Proposal Form

*Superior Court Judges' Spring Program*

*April 26 – 30, 2015*

*Skamania Lodge*

*Stevenson, Washington*

**PROPOSAL DEADLINE: October 3 to [jesse.walker@courts.wa.gov](mailto:jesse.walker@courts.wa.gov)**

Identifying areas for improvement in court services, court buildings and courtrooms, such as translated documents and accessible websites (i.e., accessibility for blind and deaf-blind persons), and signage and printed notice regarding the provision of access to LEP and ADA resources.  
Identifying resources that are in place for language assistance services, including AOC program resources..

**Describe how the session will actively engage the audience in adult learning/ interactive instructional methods.**

The session will provide judges with an understanding of court proceedings from the position of LEP persons using a Spanish-only skit, which will lead to an overview of DOJ requirements using powerpoint slides and handout materials. Presentations and materials will enable participating judges to better work with court administrators in developing new or revising outdated LAPs and enable non-presiding judges to put to work their knowledge to ensure a more rapidly effective compliance outcome.

**Anticipated Cost:**  
Less than \$1000 for presenters

**Funding Resources:**  
Interpreter Program

**Proposals due by October 3, 2014 to [jesse.walker@courts.wa.gov](mailto:jesse.walker@courts.wa.gov)**





KOREAN AMERICAN BAR ASSOCIATION OF WASHINGTON

2014 - 2015

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**SENT VIA EMAIL TO CYNTHIA.DELOSTRINOS@COURTS.WA.GOV AND  
ROBERT.LICHTENBERG@COURTS.WA.GOV**

Robert W. Lichtenberg  
Language Access Program Coordinator  
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Cynthia Delostrinos  
Minority and Justice Commission  
State of Washington  
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Olympia, WA 98504

November 4, 2014

Re: Korean Legal Seminar

Dear Mr. Lichtenberg and Ms. Delostrinos:

Thank you again for your generous and active support of our Korean American Bar Association legal seminar on Saturday, October 11, 2014 at the Ramada Inn Tukwila. Mr. Lichtenberg, we greatly appreciate the time and effort that you put in to help us prepare for the seminar and to join us during your weekend to share about the importance of court certified interpreters. Our Korean community was very thankful to have the support of the Administrative Office of the Washington Courts, the Office of the Deaf and Hard of Hearing, and the Interpreter and Minority & Justice Commission.

The two court certified interpreters, Grace Yi and Eunyoung Kim, provided excellent interpretation services to our over 100 attendees, and we were very appreciative to have Spencer Norbe onsite to ensure clear audio support.

Thank you again for your partnership with us. I thank you personally as well for all of your work and efforts, and we look forward to working with you again.

Sincerely,

Daniel Shin

DNS



14979SEAWEB Judge Pro Tem Training~ September 12-13, 2014

DAY 2: 2:15 pm: Diversity and Working with Court Interpreters: Hon. Veronica Alicea-Galvan - Des Moines Municipal Court Mr. Robert Lichtenberg - Interpreter Commission

Answer Options	1 - Poor	2	3	4	5 - Excellent	N/A	Rating Average	Response Count
Educational Content	2	1	3	11	29	0	4.39	46
Presentation	2	2	5	10	27	0	4.26	46
Written Materials	1	0	3	10	24	3	4.47	41
Any comments about this speaker(s) or content?								19
								46
								8

1 Sep 21, 2014 9:05 PM Unfortunately it was very difficult to understand Mr. Lichtenberg. It might be best when the listener is right in front of him? I was to the side.

2 Sep 18, 2014 9:11 PM This was a very thought provoking presentation.

3 Sep 18, 2014 4:53 PM Judge Alicea-Galvan was exceptional. The content of Mr. Lichtenberg's was not all relevant, but his presentation was interesting.

4 Sep 18, 2014 4:50 PM This was not at all helpful or informative. There was no roadmap as to what was happening. It was not at all useful. The example of interpreting was something most attorneys see all the time in court and do not need to have it shown again. They did not explain what was happening. Further, although it was obvious that Mr. Lichtenberg wanted to be heard, he was not at all easily understood. Maybe in a smaller setting he could have been more successful, but this was a wasted unit all together. The best of it was the written materials.

5 Sep 18, 2014 4:10 PM Mr. Lichtenberg was very difficult to understand.

5 Sep 17, 2014 5:26 PM I was dismayed that Judge Alicea-Galvan's would suggest that court proceedings be conducted in Spanish and was not able to hear anything that was done in Spanish (i.e. the first 15 minutes of her section) I did not understand anything Mr. Lichtenberg said during his session due to his speech problem. I understand he was making a point. 15 minutes in Spanish and 45 minutes in whatever language the deaf speaker was using was about 40

7 Sep 15, 2014 5:26 PM OUTSTANDING and memorable presentation by Judge Alicea-Galvan! Excellent and helpful materials and resources on interpreting.

8 Sep 14, 2014 5:09 PM It was very difficult to understand Mr. Lichtenberg. It would be helpful if his presentation more closely followed written materials so the audience could better track what he was talking about.

9 Sep 14, 2014 12:28 AM Mr Lichtenberg was extremely difficult to understand and spoke very softly

10 Sep 14, 2014 12:11 AM Really made me think! An increase in volume would have been helpful.

11 **Sep-13-2014 11:11 PM** | loved the Spanish-only hearing by Judge Alicia-Galvan. Great way to make the judge feel/realize what it is like to the non-English-speaking clients.

12 **Sep-13-2014 8:11 PM** | This section was completed yesterday, 9/12/14 at the end of the first day  
13 **Sep-13-2014 7:39 PM** | A comment re Mr Lichtenberg. His presence was very moving. It brought home for me how a hearing impaired person might feel, because I had a great deal of difficulty understanding his very important presentation. I would love to hear him again sometime, he had really important insights and experiences to relate. I would suggest closed captioning so that everyone can share the benefit of his knowledge and wisdom.

14 **Sep-13-2014 7:26 PM** | Judge Alicea-Galvan is excellent!  
15 **Sep-13-2014 7:24 PM** | This was very fun and interesting. She did a great job with her skit  
16 **Sep-13-2014 6:35 PM** | I found this to be a bit too much on the side of sensitivity training and thought the initial skit of conducting the court in Spanish to be uninteresting. I lost interest halfway through the presentation.

17 **Sep-12-2014 11:46 PM** | The hearing is Spanish was a brilliant way to convey what it must be like for a non-English speaking to participate in a proceeding, even with an interpreter. the powerpoint and presentation increased awareness of issues relating to interpreters and accommodation. Very valuable information about accommodation.

18 **Sep-12-2014 11:36 PM** | Powerful opening demonstration.

19 **Sep-12-2014 10:27 PM** | The Judge's session was quite good - and I would give her a 5 on both. Unfortunately I could hardly understand Mr. Lichtenberg and would have to give him a 1 on both.

Court Interpreter Ethics and Protocol  
September 19, 2014  
Evaluations

Nine evaluations.

Please complete this evaluation form and return it as you leave the program. The information you give us will help us plan subsequent programs.

**Courtroom Protocol, Procedures, and Interpreter Professionalism**

What was most helpful in this section?

- Serves as an aid so we do not err and possibly interrupt or interfere with court proceedings.
- What was said by my instructors are also important very informative and enable me to refresh and remind me about my job requirements.
- Court interpreter professionalism do's/don'ts.
- Having the actual interpreters to do some demonstration.
- Most helpful was the material you handed out and how you gave lectures.
- To know who to ask questions and know my responsibilities while in the courtroom.
- That it is always good to be as professional as other court officers to maintain order and uniformity.
- All the presenters did great. Thank you! Especially the skits and scenarios were helpful.
- Since I am a new interpreter for the first time all was important.

What would you recommend be done differently?

- I'd appreciate a scenario or reenactment or two.
- More scenarios in court settings.
- More note taking skills.
- To hand out many materials in future.
- None – the program was right to the point. Well done!
- Nothing.
- Not much, just more scenarios, perhaps.
- N/A to me.

**Court Interpreter Ethics**

What was most helpful in this section?

- Emphasis on there being a code of ethics we all need to abide by.
- Ethics are of paramount importance in the interpretation job and the class helped me a lot to deepen my knowledge and way of conducting myself in the courts.

- Scenarios.
- The plastic covered "GR 11.2".
- Most helpful was materials you hand out like ethics scenarios, code of conduct for court interpreters.
- All was helpful to be professional and part of the team
- That being reasonable and judicious for the long term is more important than a temporary benefit.
- I enjoyed the scenarios – learned from others experiences as well.
- Confidentiality to be emphasized intelligently.

What would you recommend be done differently?

- I love worst case scenarios! Also, it is good to remind us (I may have missed this) the need to take ethics workshops.
- Maybe also next time get involved more participants in the process of organizing the training and also to be part of the scenarios or actions.
- More scenarios.
- To improve more and more.
- None. Well done.
- N/A to me.

What was the most helpful part of today's training?

- All was useful!
- The listening and exchanging of ideas of participants and instructors during the whole training.
- Court interpreter ethics.
- All materials and lectures.
- Courtroom protocol and procedures.
- The most important part of the training was that we interpreters should do their best to provide a fair and effective service to all parties involved.
- The skits, the scenarios.
- The three modes.

What topic(s) do you wish had been covered in more detail?

- N/A to me.
- Interpreters' personal experiences – sharing could be useful to others.
- Code of conduct for court interpreters (General Rule 11.2).
- Again, note taking.
- Modes of interpretation.

What other comments/suggestions do you have?

- Nothing.
- Great job, THANK YOU!
- The next time I am in a courtroom I won't feel intimidated by the attorneys.
- To show videos and CDs.
- Great!

After attending today's training, do you feel better prepared to work as a court interpreter? If yes, in what ways?

- Yes.
- Yes, it is always nice to know others have similar experiences sometimes – interesting.
- Yes I do. By being equipped with all necessary tools that are important in court and related legal proceedings.
- Yes indeed. I know what to expect and how to speak up as needed. Thank You!
- Yes, as today explained to us.
- Yes, but not quite ready yet. I feel the need to observe more court proceedings to fully feel comfortable working as a court interpreter
- More effective/careful/be better improved.
- Yes – to increase my professionalism.
- Yes! We know our roles and it is good we have excellent reference material.

THANK YOU for your input and taking the time to complete this evaluation. Your feedback will be used for helping us design and deliver future training programs to court interpreters.



# Institute for New Court Employees

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Audience Evaluations

## October 6-8, 2014

### SESSION EVALUATION

**Session: Court Interpreters**

**Faculty: Ms. Kristi Cruz & Mr. Robert Lichtenberg**

Please include narrative comments, as well as numeric rating on a 5-point scale.  
(5 = Excellent; 4 = Good; 3 = Average; 2 = Below Average; 1 = Poor; N/A = Not Applicable)

**EFFECTIVENESS**

	5	4	3	2	1	
1. The objectives of the course were clear.	31	5	1	0	0	<b>4.8</b>
2. The objectives of the course were achieved.	28	8	1	0	0	<b>4.7</b>
3. The faculty engaged me in meaningful activities.	23	9	4	0	1	<b>4.4</b>
4. I gained important information or skills.	29	6	2	0	0	<b>4.7</b>
5. The faculty made a clear connection between the course and the work place.	30	4	3	2	0	<b>4.7</b>
<b>Average:</b>						<b>4.7</b>

**COMMENTS:**

- Very engaging and interesting.
- Great session!
- Wonderful information and resources!
- Good information presented. Exercise was eye opening about how difficult it can be to interpret.

**COMMUNICATION SKILLS**

	5	4	3	2	1	
1. The faculty was well prepared.	28	6	2	0	0	<b>4.7</b>
2. The presentation was organized.	23	11	2	0	0	<b>4.6</b>
3. Written materials enhanced the presentation.	28	3	5	0	0	<b>4.6</b>
4. Audiovisual aids were used effectively.	30	4	2	0	0	<b>4.8</b>
5. The presentation kept my interest throughout.	26	7	1	2	0	<b>4.6</b>
<b>Average:</b>						<b>4.7</b>

**COMMENTS:**

- Excellent examples why interpreters are needed.
- Enjoyed & learned a lot!

- Very informative!
- My only concern with the presentation was the fact that my office doesn't seem to use translators outside the courtroom.
- This was very engaging and entertaining! I found the interpreter portion of our training to be the best yet.

**ADDITIONAL COMMENTS:**

- This was an interesting course but I didn't feel it pertained to me at being such a new employee. This would be better for "experienced" employees.
- The presenters were very knowledgeable and passionate – but I don't think such a long presentation was needed for this group on interpretation services. These are often handled by people with many more years of experience – not new court employees.
- Could have better time management. Obviously important but most info did not seem generally relevant. At some point there was just a complete loss of interest. While some of the presentation was interesting most seemed dry and not terribly relevant to the everyday. For example: if listener is not an interpreter then most of this should really just go to a court interpreter or administrator to check on these qualifications. We're learning about how to get qualified which will never affect most people in this room. It'd be more helpful to know how to deal with interpreters or interact/work with them.
- Very informational.
- Shelly is awesome!
- Would have liked to receive more examples/resources re: overcoming language barriers at the front counter. My county has no "language line" or flash cards that I'm aware of.
- Great!
- Gracias! Thank you!
- Kristy was informative but made her opinions of the courts clear. She was very negative about the courts. It was offensive.



## Exhibit B

# Interpreter Reimbursement Program Court Report Template

This information is to help evaluate the effectiveness of the court interpreter reimbursement program.

- The report should cover the period July 1, 2011 thru December 31, 2014.
  - The report should include and answer the following and can be supplemented by other materials such as charts, spreadsheets, etc.
  - The report should be returned no later than January 31, 2015 to Robert Lichtenberg at [Robert.lichtenberg@courts.wa.gov](mailto:Robert.lichtenberg@courts.wa.gov).
  - The report should be no longer than three pages.
1. Name of Court
  2. Contract Number
  3. Name of Person Completing Report
  4. Provide a general description of interpreting services provided by your court. The report should provide information other than that provided on the quarterly Interpreter Services Funding Data (ISF) reports. For example, include information on charging litigants, types of hearings interpreters were provided for, use of staff interpreters, interpreter scheduling practices, pool of interpreters, etc.
  5. Describe any collaborative efforts with other courts including, why the collaboration was sought, the impact of these efforts, challenges, and why the efforts were initiated. For example, sometimes neighboring courts work with one another to improve interpreting services including combined scheduling, implementation of consistent payment policies, shared staff interpreters, or coordination of interpreter calendars.
  6. Identify two or three greatest improvements made or promising practices realized by our court to improve interpreting services and/or to reduce expenses.
  7. Identify any changes or improvements your court plans to implement in the future to improve interpreting services and/or to reduce expenses.
  8. Identify any challenges or trends your court is experiencing with providing interpreting services.

9. Indicate if your court is regularly reviewing, monitoring, and updating your Language Access Plan.
  - a. If so, who is responsible for this and how often is this accomplished? When was it last reviewed and/or revised?
  - b. If not, will your court be doing so in the future? When? What have been the impediments for doing so?
10. What do you see as the most significant areas of remaining need, with regard to improving services?
11. Provide any additional information you would like us to know about your court's use of these funds and interpreter services in general.

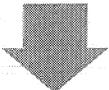


# WASHINGTON COURT INTERPRETER PROGRAM 2015 CERTIFICATION PROCESS

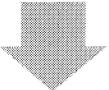
**FEBRUARY 28,  
2015**



**MAY 9, 2015  
(BELLEVUE)  
MAY 16, 2015  
(MOSES LAKE)**



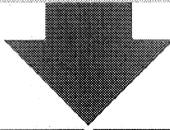
**SEPT. 5 & 6  
2015**



**FEBRUARY AND  
SEPTEMBER  
2015/2016**

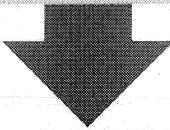
## WRITTEN EXAMINATION

English language, vocabulary, court related terms and ethics.  
*Locations: Bellevue College and Big Bend Community College, Moses Lake*



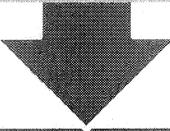
## INTERPRETER ORAL EXAM ORIENTATION

Information on legal terminology and procedure, simultaneous interpreting, consecutive interpreting and sight translation to prepare for oral interpreting examination.



## ORAL INTERPRETING EXAMINATION

Individually scheduled testing appointments. Sight translation, consecutive interpreting and simultaneous interpreting.  
*Location: Bellevue College*



## COURT INTERPRETER ETHICS AND PROTOCOL

Interpreters must pass a criminal background check, and meet all the above requirements to participate in this one-day class on interpreter ethics and courtroom protocol. The interpreter oath is administered as the final step in becoming certified. *Location: Seattle*



## Continuing Education Course Content Criteria Feedback

Pertinent Text of Comments from Stakeholders

(As of December 2, 2014)

- thank you. this is fabulous. i wholeheartedly agree that CEU's be obtained in a course that makes sense for our profession, allows us to hone our skills as well as increase our knowledge.  
-Rebecca (Rebecca Viezel Ortega)
- Thank you for this opportunity to give feedback. As overwhelmingly self-employed professionals, most usually getting jobs in two-hour increments (and being paid as little as 6 minutes for a second job for example via King County during the course of the same am or pm) but sometimes getting a coveted full day of work, each workday of continuing education costs us much more than it would an employee, who gets full salary, travel and even the course paid for by their workplace. Please take this into consideration.

If it is possible to grant credit hour approval BEFORE the activity takes places, interpreters will not be caught out paying for and traveling to (and missing work for) courses that end up not counting.

As to how broad or narrow the scope should be, please consider that as self-employed professionals, struggling to stay in a field with no guarantees or benefits, in order to stay in this field, most of us need help in mundane things such as bookkeeping, taxation, small business issues, dealing with stress and trauma, as well as the day-to-day vocabulary building, courtroom etiquette, and of course our core courses in ethics. Many of us speak and meet regularly with our colleagues and are continually building our skills and comparing terminology, or discussing how we can do our job better under different circumstances.

Almost all the interpreters I know either work part-time in a household with a second regular income, or struggle to make ends meet, most often supplementing with other work. I know many interpreters also do medical interpreting, often being on call seven days a week.

I ask you to consider broadening the scope of what counts as interpreter professional development, not only to keep interpreters learning, but to keep more of us in the field by helping us get the tools we need to stay in business in this shifting environment. This seems to be the case for other professions, such as real estate. You may want to cross-compare this real estate continuing ed WAC, to see how broad it can be, and also the limitations listed, as food for thought. (**AOC Staff**. Commentator provided information contained in WAC 308-124H-820 regarding approved and not-approved topics for real estate professionals' continuing education).

Thanks for allowing us to send in our comments so we don't miss work. We really appreciate it.

-from [Pationowest@comcast.net](mailto:Pationowest@comcast.net)

- Hello Linda and Sam, I'm writing to your re discussion of CEUs

2 issues: 1. I believe registered interpreters should be required equal amount of CEUs as Certified interpreters. Registered interpreters may be less prepared after becoming credentialed than Certified interpreters (they do not have to pass interpreting exam in 3 modes) and may need a more training. They are currently paid at the same level as certified interpreters. I strongly believe all credentialed interpreters (registered and certified) should be required to provide the same amount of CEUs.

2. The policy of awarding CEUs for WA court interpreters is quite clear ("*The instruction may be directly related to the act of interpreting, or may cover the types of cases, terminology, or legal concepts such as criminal investigation, weapons, sex offenses, and slang.*")

I strongly believe only these type of classes and training should be approved for continuing education credits. It is commendable for interpreters to attend a wide variety of classes, but to fulfill the requirement for mandatory training, they should attend training directly related to improving their court interpreting skills.

An attorney in WA state needs 45 MCLEs (Mandatory Continuing Legal Education) in 3 years, and they can afford to get some of the classes in other fields, like tax preparation or marketing. When a registered interpreter is required only 12 credits in 2 years, it is quite a disservice to the interpreters and to the courts to allow interpreters to get credits for classes only tangentially (if at all) related to court interpreting.

Strong adherence to the policy will allow for better continuing education and will result in better prepared interpreters.

- Emma Garkavi, *Court Interpreter Coordinator, Seattle Municipal Court*

- Perhaps some might try to make a narrow application to the guidelines, insisting that continuing education information only be applicable strictly in a court room setting. However, consider the vast gamut of subject matter and settings we deal with every day as we are called upon as court interpreters:

Juvenile- school attendance/ truancy, education issues, parenting, and many family life issues implied

Dependency- custody, GAL, parenting, divorce, child support, taxes,

biia- Administrative law , job security, worker injury/compensation, vocational training, phone interpreting

Client/Attny: meet in custody jail, deposition, phone conferences,

Evaluations- mental health, IME, patient/family emotions

And many more, while also maintaining our ethical/neutral posture

Certainly we are interested in maintaining our education and high standards as certified interpreters but let us not be so narrow in focus to imagine us interpreting only within structured settings/subjects before a bench. Rather, allow for subjects that encompass

the many aspects of the reality of the role of the court interpreter.

Thank you for taking these observations into consideration,

- Rodger Fristad

- With regard to granting of training credits, I recall a few years back I had taken a week-long mediation course at the University of Washington Law School and submitted it to see if any credits could be granted. None were granted. Nevertheless, I have since interpreted in a number of mediations and arbitrations and have found the knowledge gained by taking this course has served me well.

Often, courses may be offered which do not, on the surface, appear directly related to interpretation per se, yet contribute to the fund of knowledge interpreters need to have in order to accurately render true interpretation.

While the presentations offered at the International Translators Day may have seemed, for example, to relate only to how to run one's personal business, often in civil litigation, if not in criminal, the terminology and concepts of business practices are involved and interpreters certainly benefit from understanding them. Of course there should be some standards with regard to what is accepted in order to limit credit for marginal or off-the-wall training sessions; however, I see a great need to encourage interpreters to expand their fund of knowledge in fields which potentially end up in court. For example: I have interpreted in a number of cases where injured workers are suing the companies where they worked due to construction safety failures. I have been fortunate to have built two houses and become familiar with terminology used in English so that I had an idea what to include in my working glossary during depositions and mediations.

There are many such examples which would take too long to enumerate.

I do hope this conveys the value of encouraging interpreters to take courses which enhance their fund of knowledge in many diverse areas which may end up in court.

- P Diane Schneider

- In general, I enjoy every seminar or workshop I have attended in the past, but I would say that it's not been very helpful for my interpreting skills. If it did help, then there had been no measurement for any improvement due to these conferences, so it's also very hard to say that they helped. Personally, I just didn't think or feel that it helped. Of course, it didn't hurt to attend those conferences, either.

Most of the time, what is going to help is to actually practice with interpreters of the same language, ideally, on the skills or techniques that have been covered before. That's going to be hard to enforce that under current AOC's policy, because there is simply no guideline on that. To be honest, I attended these meetings or conferences for the sake of credits sometimes. Once again, I don't think these conferences are bad by any means. I just feel that the goal of making them a requirement should be re-examined. It might work for other professions, but not so much for interpreters.

My suggestion is that we could lower the required number of hours of conferences that are mostly lectures, and balance that with increased number of hours of practicing with a partner interpreter. During these reduced number of hours, we still get updated on the background type of knowledge. And we use the rest of the hours actually practicing during a given conference or workshop.

I remember that AOC once put together a special program for those who attempted and failed the exam, but were on borderline. If we could have more mini-version of that type of trainings throughout a period of time, say, 2 years, that will be more helpful. For example, AOC or NOTIS could hold that type of training twice a year, and during a 2-year period, an interpreter is required to attend a number of it, maybe depending on his/her hours of actual interpreting in courts.

I think it's OK that these trainings are under similar topic, structure or framework repeatedly because that's what we need. We need to have a partner to listen to us, provide feedback and even criticize our interpretation. And a lot of practices are really hard to do without a partner who is equally able or experienced in interpretation.

Or, there could be workshops of different components, or a skill set, in interpretation, and an interpreter is required to attend a certain number of them. For example, the components could be note-taking, paraphrasing, shadowing, sight-translation, multi-tasking, just to name a few. At each workshop of a component, a minimal amount of time is given to explain what these component is, and then pair up the interpreters and have them practice.

If we want to make it even more convenient for some languages due to the number of interpreters available, a recording of practices in private might be acceptable.

That's my comment. Once again, thank you for the opportunity for us to speak out. I really appreciate it.

- Edward Wung, WA Certified Mandarin Interpreter

- Hello, I am certified in English/Spanish. I will not attend the December 5, 2014 meeting at SeaTac and I am not sure what is allowed and what is not, though I recall encountering the situation a while back when a course I wanted to take was not approved for credits. I think what is approved for credit depends on how much money people pay. The majority of the conferences I hear of are usually far away and costly. I don't go because on top of registration one has to pay for flight or rental car, meals and lodging.

Paying for education does not have to be equated to cost. What people need to learn should be the goal.

The requirements for passing the oral test are very difficult. I know several, very good interpreters, who are employed as interpreters but have not been able to pass the test. I did but it took 3 tries and I had made up my mind that I wouldn't be taking the test again if I did not pass. It is discouraging when people know they are good but the test is beyond their reach. I think the oral test should revised to make it more accessible to people.

- Martha Kullman, Chelan County

- Sam, Bob from the AOC referred interpreters to leave comments with you for presentation at the commission meeting in December regarding the Continuing education credits certification and whether the criteria for the course contents needs to be revised.

I think we all know where this is coming from. AOC denied certification for the annual Interpreter's Day at the Museum of Flight this September. I was one of the unlucky folks who assumed that the event was certified (as it has been forever) and drove from Vancouver, WA to Seattle to be told that my time and money would not be used towards the credits.

I don't believe the language of the criteria is the problem. The language is broad enough to encompass different facets of the educational credit for the court interpreter. What needs to change is the rigid interpretation of that language that is then used to deny credits to otherwise worthy programs and educational events.

AOC approaches the credits approval so stringently as if there is a plethora of opportunities for interpreters to obtain the required good quality credits. That is not so. The vast majority of the events occur in Seattle. Many of them are cost prohibitive for interpreters who do not do a lot of volume in less often used languages. For AOC to deny certification to the NOTIS event in September was (and potentially could be) a death blow to the entire event. It was so poorly attended without the AOC credits that I am worried they would not be able to do it again.

Please convey my concern to the commission that the problem is the rigid interpretation and application of the standard to the courses submitted for approval. There is nothing wrong with the actual language of criteria.

Regards, Rob. # 10753 (Ukrainian Registered).

- Medical interpreting has no relevance in our job as court interpreters in my mind but legislation issues do matter. Legislation dictates how our service in the court system will be compensated and that is an important issue to people in the profession. Perhaps the best way is to categorize classes into "directly" related to the interpreting skills or the ones that are "indirectly" related but important in content such as legislation, marketing, small business taxation etc. Interpreting skills classes do deserve full credits due to the relevance and indirectly related classes could perhaps be awarded partial credits.

If you major in engineering in college for instance your electives might include accounting, economics, taxations or other areas that you can potentially benefit down the road while working as an engineer. Professional marketing and tax issues are relevant since we are all freelancers and small business owners as a result.

- Eunyoung Kim, WA State Court Certified KOREAN Interpreter

- Thank you for soliciting interpreters' input on the policy for awarding continuing education credits. I will weigh in briefly on the issue, as I think it is an important one, particularly nowadays that we have so many credentialed interpreters in Washington.

I encourage the Commission to take a liberal approach to awarding credit for continuing education events and to err on the side of awarding credit if an event has some bearing on our craft. I say this for a couple of reasons, chief among which is the astonishing breadth of subject matter we are called on to interpret or translate.

It is true that most of our activities as Washington State certified or registered interpreters are related to criminal law, so we must master vocabulary related to drunk driving, violent crimes, drugs, and so forth. However, by no means is this all we do. I have interpreted in matters relating to oil platforms, politics, war, fishing vessels, *santería* (a Cuban belief system related to voodoo), gold mining, cockfights, and much more. One time I interpreted a small claims trial over a defective birthday cake!

When we do our twice-yearly orientations for newly credentialed interpreters, sometimes I tell them that every field of human endeavor is litigated at some point. This is why interpreters must be generalists instead of specialists, which means that we must constantly strive to improve our knowledge of a multitude of fields and the vocabulary related to them.

As the Commission knows, I have been a Spanish interpreter for about fifteen years and a French interpreter for two. In order to acquire the language skills necessary to pass the court interpreter exam for French, I did an extremely broad assortment of activities. Some of them were obviously related to court interpreting, such as observing court proceedings in Quebec City and reading crime novels in French. Others, such as taking salsa lessons, learning to make sushi, and attending Zumba classes in French, might seem downright silly, but they sure helped to develop my vocabulary and fluency. (I'm not suggesting you award credit for salsa or Zumba, but you get the idea.) It is my firm opinion that the more eclectic an interpreter's interests are, the more his or her skills will tend to improve.

I would also like to note that for certain other professions that have continuing education requirements, such as the legal profession, there are more continuing education options available. As a relatively young profession, court interpreting has not yet developed a robust supply of continuing education providers. Many of us like to take advantage of events like the conferences held by associations such as WASCLA, ATA, and NAJIT to get lots of credits all in one go. These events are a great opportunity for us.

Such events may also represent a big savings for interpreters, who can incur travel, lodging, and registration expenses fewer times over the course of a two-year certification period. This is particularly important for interpreters of languages for which there is less demand. Now that we have credentials available for so many languages, some interpreters, particularly some registered interpreters, work in languages that are needed only occasionally. Those interpreters must rely on some other source of income to make a living because work is not steady enough to support them. On those occasions when we do need them, we really need them, so it behooves the State of Washington to make it practical for them to maintain their credentials.

These are some of the reasons why I encourage the Commission to continue to be receptive to a broad range of topics for continuing education events, as it has been for most of the time I have been interpreting. I'll leave it at that for now, and as ever, I remain at your service if I may offer any further information or be of assistance in any way.

- Kenneth Barger, Interpreter - Translator

