



WASHINGTON
COURTS

**Washington State Supreme Court
Interpreter Commission**

Meeting Packet

Friday, October 2, 2015

SeaTac, Washington

8:45 am-11:45 am

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

Judge Theresa Doyle
King County Superior Court

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

Vacant
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

Cynthia Delostrinos
Administrative Office of the Courts
Interim Supreme Court Commissions Manager

Robert Lichtenberg
Administrative Office of the Courts
Interpreter Program Coordinator

**Interpreter Commission
Meeting Agenda**

Chairs Report

**New Member Appointments
And
Committee Assignments**

Lynne Lumsden

ASL Interpreter Representative
(Nomination Pending)

Lynne Lumsden, CI, CT, SC:L, QMHI-S, has been interpreting for more than 20 years and currently practices primarily in Eastern Washington and Northern Idaho States, specializing in mental health and legal settings. In addition to the two generalist interpreting certifications, she holds the Specialist Certificate: Legal issued by the Registry of Interpreters for the Deaf. She also holds the Qualified Mental Health Interpreter-Supervisor Certificate, issued pursuant to Chapter 580-3-24 of the State Code of Alabama, and has demonstrated competence as a supervisor for the Qualified Mental Health Interpreter Practicum administered by Alabama State. She currently serves in several roles (interpreter, staffing support, and facilitator) as a member of its yearly Mental Health Interpreter Training Program. Ms. Lumsden collaborates regularly with colleagues on emerging research in the confluence of issues surrounding mental health, legal settings, and the Deaf community's needs. In addition, as a traumatic brain injury (TBI) survivor, Ms. Lumsden understands language dysfluency which she experienced as a TBI patient. Her survivor experience offered her much insight towards her role as an interpreter in a variety of settings. She has presented on local, regional, and national levels on mental health interpreting. She runs, writes, and creates art in Spokane, Washington. Her motto is: "Prevail!"

Meeting Minutes



Interpreter Commission
Friday, May 29, 2014, 9:30 a.m. – 12:00 p.m.
Yakima Area Arboretum, 1401 Arboretum Dr., Yakima, WA. 98901

MEETING MINUTES

Members Present:

Justice Steven González
Judge Andrea Beall
Dirk Marler
Kristi Cruz
Eileen Farley
Sam Mattix
Alma Zuniga
Fona Sugg
Linda Noble (by phone)

Members Absent:

Judge Theresa Doyle
Thea Jennings

AOC Staff

Danielle Pugh-Markie
Robert Lichtenberg
James Wells

Guests

Abby Henson
Janealle Jenkinson
Berle Ross

CALL TO ORDER AND WELCOME

The meeting was called to order by Justice Steven González. The American Sign Language (ASL) interpreters and a guest from the Office of Deaf and Hard of Hearing introduced themselves. Members of the Commission and AOC staff then introduced themselves.

February 20, 2015 MEETING MINUTES

Justice González discussed the February 20, 2015 Commission meeting minutes and said they would be deemed approved as in the meeting packet if Commission members had no changes before end of the meeting.

CHAIR'S REPORT

Update on AOC staff changes

Danielle Pugh-Markie announced she began her new position as manager of the Office of Trial Courts and Judicial Education as of May 1, 2015. She is transitioning out of her role as manager of the Supreme Court Commissions and Cynthia Delostrinos will act as an interim lead for that group until a successor for Ms. Pugh-Markie is found.

Legislative Budget Update

Justice González updated the Commission members about the budget request from the BJA (Board of Judicial Administration) for additional funding for interpreter services in the trial courts. The initial lobbying effort for the funding was suspended after the Washington State House of Representatives and Senate released their budgets. The Senate budget included a sharp decrease in funding for interpreter related activities, the Administrative Office of the Courts (AOC), and the state Supreme Court. He referenced the strained relationship between the Supreme Court and some Legislators.

Mr. Marler reviewed some of the specific details of the Senate budget, which include large cuts to judicial education, eliminating the Center for Court Research at the AOC, take funds from technology development, not funding new technology to Courts of Limited Jurisdiction, and reducing the budget to the AOC by 15%.

Under normal circumstances, the AOC Court Interpreter Program would be working with the courts at this time of year to set up the reimbursement program for the following fiscal year starting July 2015. Given that budget negotiations by the legislature were ongoing at the time of this meeting and could continue for several more weeks, Mr. Marler suggested not the Court Interpreter Program wait to communicate to the courts regarding what the interpreter reimbursement program would look like for the next year.

AOC Letter to Courts

The Commission members took a few minutes to review the letter that had been recently sent from the AOC to judicial officers and court staff regarding "Provision of Language Access Services Under Title IV of the Civil Rights Act and the Americans with Disabilities Act".

The Commission clarified that the letter went to the presiding judges of the Courts of Limited Jurisdiction and discussed how other organizations, such as city and county associations, could also benefit from receiving the letter. AOC staff was requested to distribute electronic copies of the letter to the Commission members and Justice González encouraged them to share the letter. Justice González also pointed out that the letter references the proposed legislative budget's impact on the resources that court interpreter program provides.

AOC staff began a discussion on the apparent conflict between state law and federal law and policy regarding who assumes the cost of interpreters in court. General Rule 34 is the court rule under which a civil case litigant may request a waiver of interpreter costs that can be otherwise imposed under RCW 2.43.040. However, this conflicts with Title VI of the Civil Rights Act which guarantees the availability of interpreters to LEP litigants regardless of that person's ability to pay. The Commission members expressed interest in learning what the current court practices are for using GR 34 to waive costs and whether there may be a way to harmonize the statute and rule so that it does not create a violation of federal law. It was pointed out that many courts deal with the conflict by ignoring the process laid out in GR 34 with the understanding that it is superseded by federal law or by reasoning that constitutional due process rights are

protected by using interpreter services. The Commission considered how to advise courts on how deal with the conflict. A first step could be examining any policy statements that courts who do not follow GR 34 might have. Courts could also be advised to look at their county's budget and see how much federal money would be in jeopardy, both inside and outside the court, by not following Title VI and providing interpreters at no cost.

Mr. Lichtenberg mentioned that Grant County may have contacted the Office for the Attorney General (AGO) and the AGO may be able to help provide guidance on how to deal with the conflict between RCW 2.43 and Title VI. He suggested that the AG's office could sent out an advisory letter to counties that the counties could refer to in dealing with the conflict. Mr. Marler mentioned that someone from the AG's office had contacted the AOC about the issue. Justice Gonzalez suggested inviting someone from the AG to the next Commission meeting so that they can have a direct discussion about the issue. The Commission could explain the problems that are occurring statewide, explain the conflict between state and federal law, and inquire how the AG is advising or would advise state agencies when those agencies are dealing with the conflict. The Commission and AG could discuss what kind of advice that could be given that doesn't violate people's rights for access to justice or put federal funding at risk.

There was concern that it might not be appropriate for the Commission to have practical advice that in effect would be telling courts to not obey part of the law. Therefore, the Commission thought best course of action would be to work to change RCW 2.43.

The Commission discussed the possible issues that could arise going the Washington State Legislature with a proposed change to RCW 2.43 that would guarantee that courts provide an interpreter regardless of the LEP party's ability to pay. Identifying parties, such as those whose funding would be in jeopardy for violating Title VI, ahead of time and looking for support could help move the legislation forward. The Commission could also look at the administrative costs associated with processing In Forma Pauperis filings (IFPs) when the majority of the filings are approved. Since most IFPs are granted, this would also provide evidence that if changes to RCW 2.43 are made, there will not a significant increase in costs for courts providing interpreters.

Given the potential difficulties in changing RCW 2.43, the Commission discussed changing GR 34 instead. They reviewed some of the hurdles in initially passing GR 34 and how there was significant debate about the wording of the rule from many courts and there was a large number of iterations in the wording before something was eventually agreed upon.

There was a concern that the language used in the AOC letter could lead to confusion between Title VI and the ADA and between RCWs 2.42 and 2.43. Title VI and RCW 2.43 provide services for LEP parties while 2.42 and the ADA provide backing for services deaf individuals. Under 2.42 a deaf individual would never be required to prove indigency before being provided an interpreter at no charge. There was a concern that the growing conversation in the state involving LEP individuals could lead courts to

conflate the services that must be provided for LEP parties with deaf individuals, which have different legal authorities behind them. The Commission felt that communication addressing this issue could accompany the information that would be sent out to the courts regarding the new list of certified ASL interpreters.

Forum Briefing

Ms. Pugh-Markie described the public forum that would be taking place after the Commission meeting. The Commission reviewed the prepared questions that could be asked during the forum.

While discussing the potential questions that the audience might ask, Ms. Farley brought up the topic of public defenders using court certified interpreters and how the public defenders pay for interpreter costs. Members of the Commission discussed their own experiences in how public defenders used certified interpreters and how they managed the costs involved. The Commission suggested contacting Katrin Johnson, former coordinator of the Court Interpreter Program, who is currently working at the Office of Public Defense (OPD). This could give the Commission insight into what kind of education opportunities regarding interpreters the OPD might be interested in doing and also what kind of language access issues are faced by public defense work.

This discussion brought up a concern about using the same interpreter outside the courtroom for the defense and then inside the courtroom. This could result in a bias or divulging of information from different parties. The discussion revealed discrepancy between the practices in the ASL and spoken language interpreting communities. In the ASL community, it is standard practice to use different interpreters for a court proceeding and for attorney-client meetings outside of the court. For spoken language interpreters it is often preferred to use the same interpreter since their familiarity with the case and terminology could allow them to render a more accurate and complete interpretation. For spoken interpreters, the onus is on the interpreter to manage the information and to not reveal information.

The Commission also discussed how complaints and other issues brought up during the forum should be dealt with. Since most issues could not be resolved at the forum, it was suggested there might be more work for the Issues Committee. Since there would be a long interval before the next Commission meeting, the Commission could act in the interim if the Issues Committee felt there was a need.

The Commission moved on to discuss the public forum that would be taking place in the afternoon following the Commission meeting. They reviewed some prepared questions that could be asked to stimulate the conversation. They also discussed how particular types of complaints could be handled and directed.

Issues Committee

Continuing Education Credits

Judge Beall outlined the Issues Committee's work in modifying the policy for Continuing Education Units (CEUs). After exploring the frameworks that other states use for CEUs, and considering previous input from interpreters, the Issues Committee recommended adding a third category to for CEU credits. The proposal:

Category	Credits
Ethics	2
Performance or Skills Based	8
General	6

Judge Beall explained that one area where the Issues Committee struggled was how to apply this category system to registered interpreters who have only 10 required credits. Two options were described: raise the number of required credits for registered interpreters to 16 with the categories as certified interpreters or keep the number of credits at 10 and break down the credits into similar categories. The proposed breakdown of 10 credits:

Category	Credits
Ethics	2
Performance or Skills Based	6
General	2

Mr. Lichtenberg mentioned that the states who have the same number of credits required for registered and certified interpreters may be more proactive in ensuring there are enough affordable language neutral classes available for registered interpreters. He reported that some court administrators have commented that they would like to see both groups of interpreters have the same number of CEUs as a matter of quality control. He suggested that Washington could become more active in making sure education opportunities are available and then increase the number of CEUs needed for registered interpreters.

The Commission discussed how broad or narrow the language should be regarding what classes would qualify for approval and what kind of policy guidance the Commission should give to AOC staff. They reiterated the objective was to allow a broader range of courses to qualify for approval, but to also ensure that interpreters take courses specifically related to the interpreting field with the performance and skills based category.

Mrs. Zuniga raised the concern that registered interpreters may not be able to afford the additional six credits. Mr. Lichtenberg suggested that it's possible that some states who have the same number of credits required for both certified and registered subsidize the cost for some classes making it more affordable for registered interpreters to complete

the same number of credits as certified interpreters. This may be accomplished by working with providers to make help keep costs down.

Given the significance of the changes, the Commission decided it would be important for interpreting community to have input. Judge Beall made a motion to: 1) to add the third category of CEUs with the amended policy language below, and 2) bring the number of required CEUs for registered interpreters to 16. The policy would be published for interpreter review. If there are was no objections from interpreters, then the change would be deemed approved at the following Commission meeting. If there were objections to part 2, then the proposed category breakdown for the 10 CEUs for registered interpreters would be: 2 Ethics, 2 General, and 6 Performance or Skills Based.

The Commissioned approved the modified policy language for publication to interpreters for comment and, unless there is opposition, it would be adopted at the next Commission meeting. The proposed policy reads:

Biannual Reporting Requirements for Certified Interpreters

REQUIREMENTS:

A. Continuing Education

Every certified court interpreter shall complete 16 hours of AOC approved continuing education each two-year compliance period. *Of the 16 required hours, at least (2) must be earned in ethics-specific educational activities; at least eight (8) must be earned in performance or skills based education activities; and the remaining six (6) may be general continuing educational activities. Ethics-specific or performance/skills based education activities may be used to accrue the needed general continuing education credits.*

- i) **Ethics-Specific Continuing Education** is defined as: *An educational activity related to appropriate court interpreter ethics or court interpreter protocol based upon the Code of Conduct for Court Interpreters in the Washington Court Rules.*
- ii) **Performance or Skills Based Education** is defines as: *An educational activity which is specific to the development of interpreting skills (simultaneous, consecutive, and sight); language skills; or technical skills related to interpreting and/or translation*
- iii) **General Continuing Education** is defined as: *An educational activity on topics that will enhance the participant's ability to perform interpreting work for the courts competently, fairly, and efficiently.*

Status of Somali

The Issues Committee recommended that Somali be moved from the certified language category to the registered language category. The motion passed.

Mr. Lichtenberg explained that during a recent conference for Court Interpreter Program Coordinators there was a discussion on the possible issues that might be resulting in the difficulties that Somali interpreters are having in passing the oral exam. The National Center for State Courts (NCSC) is reluctant to change the test given the large investment of money and time it takes to develop a test. Some of the notable issues that could be affecting the exam pass rate for Somali court interpreter candidates are related to the educational background and literacy of many Somali-language speakers. NCSC reported that many Somali speakers cannot read their own language in text form.

One alternative discussed was to establish a provisional category for Somali interpreters where an interpreter who scores a 65% or higher on a NCSC test could be granted provisional certification. To secure permanent certification, they would have to pass all 3 sections of the test at the 70% or higher level within 3 years. Since the registered testing is only a language proficiency test, having the provisional status would allow some assessment of the test candidate's ability to interpret since they would have feedback provided with their registered exam score. The Commission felt this would be a large change to policy and decided not to pursue this possibility.

Commission members discussed that this could be temporary measure and that in a few years we could reevaluate the category after there has been time for more training of Somali interpreters. In the meantime, having registered Somali interpreters would give courts some kind of assessment as to the quality of the interpreters.

ODHH Interpreter List

Ms. Berle Ross, the Interpreter Program Manager at the Office of Deaf and Hard of Hearing (ODHH), presented and update to the Commission on the implementation of a new list of American Sign Language (ASL) interpreters. She explained that there would be three tiers for interpreters on the list. The highest tier would be interpreters who have obtained the Specialist Certificate: Legal (SC:L). There are only about 14 ASL interpreters with this certification in Washington. The second tier are interpreters who have passed the written exam portion of the SC:L certification but haven't yet taken the performance exam. There are currently 13 interpreters in a special training for taking the performance exam. The third tier are interpreters who are certified with the Registry for the Interpreters for the Deaf.

Currently there are 395 ASL interpreters in Washington, but only a small number are currently qualified to work in courts. ODHH will sponsor a 10 week training session to help interpreters pass the written portion of the SC:L. In addition, these interpreters would need to pass a background check paid for by ODHH, attend a court interpreter orientation related to the structure of Washington State Courts, and take an oath.

Ms. Ross went on to explain some issues that are still under consideration. These issues include:

- Who will handle grievances (the AOC or RID)
- How to combine the list of ASL and spoken language interpreters
- What kind of contract will be made with ASL interpreters, state contracts or direct contract
- How to ensure new interpreters are aware of both the RID code of ethics and the code of ethics in state law under General Rule (GR) 11
- How to handle the introduction to Washington courts class which will be required for certification. This class currently offered once a year and has up to now been tied to the spoken language test candidates

The Commission asked how they could help in implementing the new system. One suggestion was communication to the courts about the new list of interpreters.

After the conclusion of the presentation the Commission discussed how the Commission and the Committees could be involved in this new ASL certification process. How to communicate the new processes to courts was a key issue. Two audiences were identified: judges and court staff. This would be considered in a communication plan. Court administrators would be the most important audience to contact first since how they schedule ASL interpreter would be affected. This could be communicated via the available listservs.

Given the complexity and importance of the issues involved in implementing the new list, AOC staff should come up with recommendations for the Commission to consider. AOC can refer to the Committee chairs or the Commission chair for input regarding the recommendations. Justice Gonzalez recommended that staff call on the chairs of the Committees or himself if needed.

Education Committee

The Commission moved on with the committee reports with Mr. Mattix reporting for the Education Committee. At a previous Commission meeting the Education Committee was tasked with updating the language in the court interpreter policy manual regarding Continuing Education Unit Requirements. The Commission reviewed and approved the following changes to the policy manual effective January 1, 2016:

For Certified Court Interpreters - Policy Manual "Continuing Education Requirements" - "Biennial Reporting Requirements" – under heading "Non-Compliance":

Non-Compliance

A certified court interpreter, who fails to complete and record their biannual requirements at the end of the two-year reporting period, shall be considered out of compliance. Upon a preliminary determination of an interpreter's non-compliance by the AOC, the AOC will submit a written complaint of non-

~~compliance, together with supporting evidence, to the Discipline Committee of the Interpreter Commission. The AOC will send a notice of non-compliance and a copy of the complaint and supporting evidence to the interpreter. The interpreter may respond within 30 calendar days of the date of notice by submitting to the Discipline Committee a written response. The response shall be in writing, and may include, affidavits or declarations of witnesses, copies of court records, or any other documentary evidence the interpreter wishes to have the Committee consider. promptly notify Washington State courts that the interpreter is "out of compliance" with CE reporting requirements, but still certified. Courts and interpreters will also be put on notice that the "permanent" (2-year) oath is no longer valid, so that interpreters who are out of compliance will have to be sworn every time they appear in court. If the interpreter does not come into compliance within sixty (60) days, the matter will be referred to the Disciplinary Committee.~~

~~The Discipline Committee shall meet (in person, via email or telephone conference call) within 40 calendar days of the date of the complaint to review the complaint and supporting evidence to determine whether there is clear and convincing evidence that the interpreter is out of compliance and, if so, impose such disciplinary action as it determines appropriate.~~

Certified interpreters will not be issued a current ID badge until all continuing education requirements are satisfied. If the Discipline Committee suspends or revokes the certification of an interpreter, the interpreter's name will be removed from the directory of interpreters found on AOC's website at www.courts.wa.gov/interpreters and an electronic notice will be sent to presiding judges and court administrators/managers.

Similarly for *Registered Court Interpreters - Policy Manual:*

Non-Compliance

A registered court interpreter, who fails to complete and record their biannual requirements at the end of the two-year reporting period, shall be considered out of compliance. Upon a preliminary determination of an interpreter's non-compliance by the AOC, the AOC will submit a written complaint of non-compliance, together with supporting evidence, to the Discipline Committee of the Interpreter Commission. The AOC will send a notice of non-compliance and a copy of the complaint and supporting evidence to the interpreter. The interpreter may respond within 30 calendar days of the date of notice by submitting to the Discipline Committee a written response. The response shall be in writing, and

may include, affidavits or declarations of witnesses, copies of court records, or any other documentary evidence the interpreter wishes to have the Committee consider, promptly notify Washington State courts that the interpreter is "out of compliance" with CE reporting requirements, but still registered. Courts and interpreters will also be put on no tice that the "permanent" (2-year) oath is no longer valid, so that interpreters who are out of compliance will have to be sworn every time they appear in court. If the interpreter does not come into compliance within sixty (60) days, the matter will be referred to the Disciplinary Committee.

~~The Discipline Committee shall meet (in person, via email or telephone conference call) within 40 calendar days of the date of the complaint to review the complaint and supporting evidence to determine whether there is clear and convincing evidence that the interpreter is out of compliance and, if so, impose such disciplinary action as it determines appropriate.~~

Registered interpreters will not be issued a current ID badge until all continuing education requirements are satisfied. If the Discipline Committee suspends or revokes the certification of an interpreter, the interpreter's name will be removed from the directory of interpreters found on AOC's website at www.courts.wa.gov/interpreters and an electronic notice will be sent to presiding judges and court administrators/managers.

AOC staff stated it will notify interpreters of the policy change in a letter to be distributed September 2015 and which also will remind interpreters about their compliance reporting requirements being due on December 31, 2015.

Discipline Committee

Mr. Lichtenberg reported that he sent he had sent a sanction letter to an interpreter who had not reported a conviction in violation of policy. The person was considering issuing an appeal. Since this would have been a complicated process involving the Attorney General's office, the interpreter and Court Interpreter Program agreed to send an advisory letter rather than a letter of sanction to the courts.

Court Interpreter Program Reports

In the interest of time, Ms. Pugh-Markie suggested that the Commission could review the material in the packet regarding the Court Interpreter Program updates and any concerns that members of the Commission or staff had could be handled by email or a conference call if necessary.

Ms. Sugg went over the evaluations from the Language Access Plan presentation at the recent Superior Court Judge's Association meeting in Skamania. The presentation

overall received positive reviews. Ms. Sugg felt that some of the material was rushed and there may have been too much content for the amount of time that was available for the presentation. Also, some of the practical exercise that was done during the presentation might not have as beneficial as hoped given the mixed audience of both judges and court administrators. One suggestion was that not enough time was spent on solving practical problems the courts are likely to face.

NEXT COMMISSION MEETING

October 2, 2015
AOC Office, SeaTac, WA

Decision Summary	Status (as of 10/2/15)
Issues Committee: Somali will be moved from certified language to a registered language.	<i>Complete</i>
Issues Committee: Pending comments from interpreters, the number of categories for CEUs will be expanded from two to three; the number of required CEUs for registered interpreters will be raised to 16.	<i>In-Progress</i>

Action Item Summary	
AOC Staff: When reminding interpreters in September about the end of the two-year cycle and their reporting requirements, also inform interpreters about the change of policy requiring them to promptly notify the Commission about any convictions	<i>In-Progress</i>
AOC Staff: Provide Commission members with a copy of the "Provision of Language Access Services Under Title IV of the Civil Rights Act and the Americans with Disabilities Act" and the documents the letter refers to.	<i>Completed</i>
Issues Committee: Look at what changes to RCW 2.43 would look like and what a change to GR 34 would look like and assess and make a recommendation about which alternative might be the most reasonable.	<i>In Progress</i>

<p>Mr. Marler: Talk to Callie Dietz regarding the suggestion to share the letter with county and city associations. Reach out to the Attorney General's Office and invite them to the next meeting to discuss the conflict between Title VI and RCW 2.43 and what kind of advice the AG would be comfortable giving on how state courts can deal with the conflict.</p>	<p><i>Completed</i></p>
<p>AOC Staff: Contact Katrin regarding potential training opportunities for public defenders</p>	<p><i>Completed</i></p>
<p>AOC Staff: In future communication to the courts involving the upcoming list of ASL interpreters, clarify any potentially confusing issues regarding the differences between foreign language interpreters and ASL interpreters and the their statutes</p>	<p><i>Future Action</i></p>
<p>AOC Staff: Work with ODHH to come up with a recommendations for the Commission to consider related to the implementation of the new list of ASL interpreters.</p>	<p><i>In-Progress</i></p>

Washington State Supreme Court Language Access Plan

I. Policy Statement and Purpose

The Washington State Supreme Court together with the Appellate and Trial Courts of Washington State are committed to ensuring the availability of comprehensive, timely, effective, and free language services in court proceedings and operations that comply with Title VI of the Civil Rights Act of 1964, its implementing regulations, and all language access obligations.

Implementing language access plans (LAPs) will help ensure accuracy of communications, ensure meaningful access to court services for persons with Limited English Proficient (LEP) people, and promote efficiency in operations.

II. Legal Basis

Both federal and Washington law require that courts provide all Limited English Proficient people with competent interpreters during all court hearings, trials and motions in which the LEP individual participates as a party or witness.

The Federal Civil Rights Act of 1964 prohibits recipients of federal financial assistance from discriminating on the basis of race, color, or national origin. In the regulations and guidance implementing the Civil Rights Act, the U.S. Department of Justice (DOJ) indicated that every court receiving federal financial assistance must take reasonable steps to ensure that all LEP people will have meaningful access to all court proceedings and court-related programs and activities. Failure to comply with the Civil Rights Act requirements or DOJ Guidance could result in loss of federal funding for the court.

The provision of LEP language assistance services by state entities receiving federal financial assistance is also required under the Omnibus Crime Control and Safe Streets Act of 1968, Section 3789d(c).

Under the Washington State interpreter statute governing services to LEP parties, RCW 2.43, it is the policy of the state for the courts to appoint a qualified interpreter and to have the interpreter available at court expense in all legal proceedings in which an LEP person is a party or has been summoned to appear by the court.

III. Approach

The Supreme Court Clerk's Office will provide full and effective language assistance services necessary to afford the individual an opportunity to

participate in, and enjoy the benefits of, a service program or activity conducted by the Court.

- a. The Supreme Court Clerk will serve as the Language Access Coordinator for the Supreme Court and shall develop a LAP implementation plan on behalf of the Court.
- b. Language Assistance Resources
 - i. Language Services Procedures

1. Spoken Language Interpreters

Upon request made by a LEP party whose appeal is being heard by the Court, the Court will provide a certified or registered spoken language interpreter from the AOC interpreter directory. If there is no certified or registered interpreter for the language requested, the Supreme Court Language Access Coordinator will contact the AOC Interpreter Services Program and provide an available qualified interpreter in the target language.

2. Translated Documents

- a. When interpreters are hired for proceedings in the courtroom, they will be expected to provide sight translation for LEP individuals.
- b. The Supreme Court will identify vital documents necessary for LEP individuals to request or receive access to programs and services provided by the Court
- c. Each vital document will be translated at court expense into five of the most common languages used by LEP parties in the State of Washington as identified by the AOC Court Interpreter Program. Translation of vital documents at court expense in other languages will be provided upon request made to the Court.
- d. Upon request by a LEP party involved in a case heard by the Court, the court will provide parties with translated notices and orders.

- e. In the event a notice or order is not provided as a translated document, the court will provide the litigant with access at court expense to spoken language interpreter services to provide sight translation of the notice or order.
- f. The use of machine translation software is prohibited. The Court will utilize professional translators when translating court forms and website content.

ii. Language Services Outside the Courtroom

1. Telephonic Access

Telephonic language assistance will be provided for communication with LEP persons outside the courtroom, which includes interactions between the public and court offices over the telephone and in person. The Court will contract with a telephonic service entity and will provide all staff interacting with the public the information necessary for staff to access and use the telephone language assistance service.

2. Translated Forms and Documents

The Clerk will develop a LAP implementation plan to translate high use forms and instructions into commonly used languages.

3. Online access: Court Website

The Clerk shall review materials and information posted to the Supreme Court website for accessibility by LEP parties and bilingual materials will be added according to the Court's LAP implementation plan.

Multilingual notices shall identify the availability of free interpreter services and how to request them and will be provided on the court website in the top 10 languages.

IV. Staff Training.

The Supreme Court Clerk and staff will be trained by the AOC Language Access Coordinator in partnership with AOC Court Education. The Clerk

will work with the AOC Language Access Coordinator and Court Education to ensure that new employees are trained on the Language Access Plan at the Institute for New Court Employees.

V. Notice of Language Assistance Services to Public

The notice of availability of language assistance services shall be posted in one or more places of prominent display and will inform individuals of the right to interpreter services free of charge and how to request them. The Clerk will ensure that the signage to provide such notice is readily viewable by the public entering or using the Court facility and the notice shall be in the top ten languages as identified by the Supreme Court Clerk. Similar information shall also be posted on the Supreme Court website.

In 2015, the ten most common languages requested for interpretation services in Washington are:

1. Spanish
2. Chinese (Simplified)
3. Vietnamese
4. Russian
5. Korean
6. Cambodian
7. Laotian
8. Somali
9. Tagalog
10. Punjabi

The notice to the public will be translated into these 10 languages and reviewed annually to ensure adequate notice is provided.

Translated copies of the Language Access Plan will be provided upon request.

VI. Monitoring and Evaluation

The Supreme Court Clerk will review the plan periodically and make changes based on the results of his or her review. This review will include review of the languages commonly spoken in the State of Washington and languages for which translation is being provided.

Monitoring activities shall also include conducting oversight of the plan to develop translated materials and a review of the plan will include a review of the implementation plan for translations.

VII. Complaint

Written complaints containing the information listed below should be mailed

or e-mailed to the Supreme Court Language Access coordinator at the address provided below.

- (1) A description of your complaint,
- (2) A summary of the facts.
- (3) A description of the resolution sought.

The Supreme Court Language Access Coordinator should respond within five business days.

If your complaint is not resolved by the Coordinator, you may request further review by the Chief Justice of the Supreme Court.

Within five business days after receipt of the Coordinator's response, please mail a copy of your original complaint and the coordinator's response to the Chief Justice at the address provided below.

The Chief Justice will respond within five business days.

VIII. Contacts

Barbara A. Madsen, Chief Justice

Washington State Supreme Court
Temple of Justice
PO Box 40920
Olympia, WA 98504-0920

Supreme Court Language Access Coordinator

Ronald R. Carpenter, Clerk of the Court

Supreme Court
Temple of Justice
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AOC Language Access Coordinator

Robert W. Lichtenberg
Administrative Office of the Courts
PO Box 41170
Olympia, WA 98504-1170
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Language Access Plan Effective Date: _____

Approved by: _____

Barbara A. Madsen, Chief Justice
Washington State Supreme Court



WASHINGTON
COURTS

INTERPRETER COMMISSION 2016 MEETING DATES

DRAFT

EVENT	DATE	LOCATION
Interpreter Commission Meeting	March 4, 2016 8:45 am-11:45 am	AOC Facility, SeaTac (small conference room)
Interpreter Commission Meeting	May 20, 2016 8:45 am-11:45 am	TBD, County Locations: Clallam, Clark, Snohomish, or Whatcom
Interpreter Commission Meeting	September 30, 2016 8:45 am-11:45 am	AOC Facility, SeaTac (small conference room)
Interpreter Commission Meeting	December 2, 2016 8:45 am-11:45 am	SeaTac Facility Downstairs Conference Room – LP-16

Committee Reports



Interpreter Commission- Issues Committee
Tuesday, June 2, 2015 (12:00 p.m. – 1:00 p.m)
Teleconference

MEETING MINUTES

Members Present:

Judge Beall
Thea Jennings
Kristi Cruz
Linda Nobel (joined later in the meeting)

AOC Staff:

Robert Lichtenberg
James Wells

Members Absent:

Alma Zuniga

I Call to Order

- Meeting is called to order at: 12:04
- Previous meeting minutes approved

II New Business

Federal and State Law Conflict

The Committee began the meeting with a task assigned that was assigned at the previous Interpreter Commission meeting. The Committee discussed how to approach the problem of the conflicts between Title VI and Washington State law regarding who should cover the cost of interpreters in court. The Committee felt that RCW 2.42, which involves sign language interpreting, was compliant with requirements of Title VI. However, they felt that there was a conflict with Title VI in some sections of RCW 2.43, which involves spoken language interpreters. The Issues Committee would need to address the language in the following two sub-sections:

- 2.43.030 "Appointment of Interpreter"
- 2.43.040 "Fees and expenses -- Cost of providing interpreter -- Reimbursement."

The Commission discussed how the language in 2.430.030 is commonly interpreted to mean the court is required to appoint an interpreter for any LEP person involved in any court proceeding. However, 2.43.040 is commonly interpreted to say that costs of an interpreter in a criminal proceeding would be covered by the court, however, in civil

matters the court would not cover the costs unless the party requiring the interpreter is declared indigent.

Mr. Lichtenberg suggested a broader reading of the statute where the court would cover interpreter costs in most civil matters as well with only a very limited circumstances where the court would not be required to pay for the interpreter. Such circumstances would be occasions when an LEP person was appearing in court but was not directly involved in the proceeding and was not subpoenaed by the court.

One suggested problem in interpreting the statute was that language distinguishing who appoints and interpreter and who pays for the interpreter leads to a great deal of confusion. This confusion does not occur in 2.42 which address the appointment and payment for sign language interpreters at the same time. This led to the suggestion of two possible avenues of revising 2.43: revise 2.43.040, or remove 2.43.040 and add language to 2.43.030 to the effect of an interpreter being provided free of charge.

The Committee decided that additional information would be needed before making a plan of action.

- A review of the Title VI requirements. This could inform the Committee's discussion and improve any argument that is taken to the legislature to change state statutes.
- A review of a previous attempt to change 2.43. In July of 2012 the Board for Judicial Administration (BJA) adopted a bill in support of language access services which didn't succeed. At same time there was a bill to change the RCW 2.43. However, there was no money tied to the bill in the budget that would cover the increased cost to the courts so the Washington Association of Counties refused to support the change and the bill failed. The Committee would like to review the letter that the Interpreter Commission sent to the BJA.
- The Committee should look for what allies they would need in advance of going to the Legislature and what kind of information they might need, such as: what is the need and what would the financial impact be. Mr. Lichtenberg mentioned that some of that research may have already been done for the recent push by the Trial Court Advocacy Board to increase interpreter funding. Some additional information regarding the cost of civil cases would also be useful.
- A review of what courts are currently still using IFPs for interpreter related services and which courts which have done away with that practice. This could bolster the argument to change 2.43 with the argument that changing the law would make it more consistent with what many courts are already doing. Some of this information may already be available from previous surveys. However, a new survey could be done to gather the needed information

AOC staff can help lay the groundwork with a briefing paper to help the Committee to make recommendation on how to change to the legal statutes.

The Committee also discussed an alternative to changing RCW 2.43, changing General Rule (GR) 34 "Waiver of Court and Clerk's Fees and Charges in Civil Matters on the Basis of Indigency." Changes to GR 34 would go through the state Supreme Court rather than the Legislature. Changes to GR 34 could involve language regarding not using IFPs when there is a conflict with federal policy.

The Commission also addressed the question about whether or not an individual would not be appointed an interpreter by the court or asked to pay for one before receiving one. The discussion revealed that in some cases people are billed for an interpreter after the fact along with other court costs. However, there have been some reports where there has been confusion in the reading of 2.43 such that some courts may not be appointing interpreters properly due to the discrepancies in language between 2.43.030 and 2.43.040.

The Committee decided to table this issue pending additional background information.

III Old Business

Grievances

The Committee returned to the issues of grievances relating to interpreters and streamlining the process of making complaints. Mr. Lichtenberg expressed that may also confer with Judge Doyle, who is the chair of the Discipline Committee.

Mr. Lichtenberg confirmed that the AOC does not have a form for filing complaints. One suggestion to streamline the process would be to have a form available on the Court Interpreter Program website that would instruct a person making a grievance what kind of information they need to provide, who to send the complaint to and what to do if they need to make a complaint if but do not speak English. It would also be important to make sure the public is aware of the form and the process.

Two categories of complaints were discussed: complaints from an interpreter which is identified in GR 11 as going to the Issues Committee, and complaints from a litigant, a court or member of the public which is not spelled out in policy. Mr. Lichtenberg believed that these latter complaints fall under the providence of the disciplinary committee.

Since the disciplinary policy was updated in 2012, it was felt that the policy itself may not require any changes. The streamlining of the process may be a simple process which would involve making the policy more visible to the public and creating a standardized way for complaints to be filed with the AOC. The Committee decided to prioritize discussion on the grievance process for the next meeting.

IV Next Meeting

- Teleconference on June 23, 12:00 p.m. to 1:00 p.m.

Action Item Summary	
<i>Kristi</i> – summarize Title VI and pull out the language that is applicable to changing 2.43.040	<i>Future Action</i>
<i>Bob</i> – Provide the Committee with a copy of the pattern form mentioned in GR 34	<i>Future Action</i>
Think about what kind of survey for courts be might send out for more information on the issue.	<i>Future Action</i>
<i>Bob</i> – Provide a copy of the letter from the Interpreter Commission to the BJA in 2012	<i>Future Action</i>
<i>Bob</i> – Develop some potential survey questions for courts regarding their use of IFPs	<i>Future Action</i>
<i>Bob</i> – Look into any previous AOC survey information, possibly sent out by Tina Williamson, that could provide information about the processes courts have for providing interpreters.	<i>Future Action</i>
<i>Bob</i> – Provide a copy of the disciplinary process to the Issues Committee	<i>Future Action</i>



Interpreter Commission- Issues Committee
Tuesday, June 23, 2015 (12:00 p.m. – 1:00 p.m)
Teleconference

MEETING MINUTES

Members Present:

Judge Beall
Thea Jennings
Linda Nobel
Alma Zuniga (*was cutoff from the call
about 20 minutes into the meeting and
was unable to rejoin*)

AOC Staff:

Robert Lichtenberg
James Wells

Members Absent:

Kristi Cruz

I Call to Order

- Meeting is called to order at: 12:10
- Previous meeting minutes approved with modifications

II Old Business

CEU Policy Changes

The Committee discussed the CEU policy that the Issues Committee took to the previous Commission meeting. The Committee proposed using the interpreter listserv to inform interpreters about the policy changes and invite comment. Judge Beall will compose the letter soliciting such comments and the AOC will compile the interpreter comments for review by the Committee.

The Committee discussed how long the comment period should be open for. There was a concern that given that it is summer and many people may be on vacation and may not have an opportunity to respond. Another concern was giving the AOC and Issues Committee enough time to compile the results and review the comments. It was decided that the letter should go out to the interpreter around July 15 and then allow interpreters 30 days to respond. AOC staff would provide the Committee with the completion of the comments a week before the September Issues Committee meeting.

Grievances

The Committee reviewed the briefing paper Mr. Lichtenberg provided the Committee regarding grievances. The AOC has received three complaints related to interpreting performance errors from LEP parties against court certified interpreters in the past year and a half. AOC does a preliminary investigation into the merit of the grievance. Grievances often come without enough information to investigate. Some issues related to doing a preliminary investigation include the cost of getting a transcript of the appropriate court proceeding. Beyond the transcript, the audio recording may also be necessary to the investigation. The recording would have to be sent by the AOC to another interpreter located out of state to review and would have to pay them for their services. If the complaint has merit after the preliminary investigation, the complaint is sent to the Discipline Committee.

The preliminary investigation into the merit of the complaint can be costly. The Committee briefly discussed what other parties could bear some of the cost. There was a question about the local court interpreter coordinator being responsible to investigate whether a complaint against an interpreter has merit, instead of the AOC. As for an LEP party, the cost of providing the necessary information and lack of familiarity with the system would be a large deterrent in making a complaint against an interpreter

There was a suggestion the some interpreters may be willing to volunteer some of their time to give back the community and work on reviewing the proceedings. However, this would involve using interpreters in the same language group against their colleagues who are their competition, thus avoiding conflicts of interest could be difficult.

The Committee suggested that if a complaint comes lacking sufficient information in the allegation, AOC can request further information. Once sufficient information is received and if the complaint seems credible, AOC can then go to the Disciplinary Committee who can decide what further material, such as court transcripts or audio, would be necessary to proceed.

The Committee reviewed the types of complaints each committee would receive. Complaints involving court interpreter services or polices should be referred to the Issues Committee. Specific complaints about a particular interpreter or event should be directed to the Disciplinary Committee.

The Committee discussed the merits of creating a complaint form. A form would allow the AOC to request specific information up front, which could help alleviate the need for follow up communication. It would also let the person making complaint know the kinds of supplementary information, such as a transcript, that might be necessary to investigate the complaint.

The Committee suggested AOC staff create two forms. One would involve interpreter services which the Issues Committee would review. The second form would be for

complaints involving interpreters and Code of Conduct violations which the Disciplinary Committee would review.

A member of the Committee suggested that the Committee consider what kind of process the Issues Committee might want to create to process a complaint form that is submitted about interpreter services. The Discipline Committee has a specific process already laid out.

There was some concern from the AOC about what kind of authority the AOC has to handle complaints involving interpreter services at a court. It was suggested that Danielle Pugh-Markie be invited to the next Committee meeting to be involved in the discussion.

RCW Changes

The Committee reviewed their task in reviewing RCW 2.43 and GR 34. They felt that changes to GR 34 would not be necessary. The Committee wanted to review the previous attempt in 2012 to change RCW 2.43. They requested some information such as the pattern form for GR 34 and the letter from 2012 that the Interpreter Commission sent to the BJA.

III Next Meeting

- Teleconference on August 4, 12:00 p.m. to 1:00 p.m.

Action Item Summary	
Judge Beall – Write a letter regarding the changes to the CEU policy to distribute to interpreters for comment.	<i>Future Action</i>
AOC – Compile responses from the interpreters regarding the new CEU policy and provide the summary to the Committee a week before the September meeting	<i>Future Action</i>
AOC – Invite Danielle Pugh-Markie to the next Issues Committee meeting to discuss the scope of the AOC's authority in handling complaints about court interpreter services	
<i>From previous meetings:</i>	
<i>Kristi</i> – summarize Title VI and pull out the language that is applicable to changing 2.43.040	<i>Future Action</i>
<i>Bob</i> – Provide the Committee with a copy of the pattern form mentioned in GR 34	<i>Future Action</i>
<i>Bob</i> – Provide a copy of the letter from the Interpreter Commission to the BJA in 2012	<i>Future Action</i>
<i>Bob</i> – Develop some potential survey questions for courts regarding their use of IFPs	<i>Future Action</i>

Bob – Look into any previous AOC survey information, possibly sent out by Tina Williamson, that could provide information about the processes courts have for providing interpreters.

Future Action



Northwest Justice Project

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César E. Torres
Executive Director

MEMO

To: Interpreter Commission Issues Committee
From: Kristi Cruz
Date: July 24, 2015
Re: Overview of Title VI and Court Access

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in federally assisted programs. In understanding how the statutory language applies to the context of court services and access to free interpreter services, it is necessary to walk through a series of applicable doctrine - statutes, regulations, U.S. Supreme Court decision, Executive Order, and Agency Guidance - to apply the general statutory language to the specific governmental service provided by courts. Title VI itself was written for all federally funded programs and as such does not directly address language access in courts.

1) General Statutory Language

42 U.S.C. §2000d.

“No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”

42 U.S.C. §2000d-1.

Each Federal department and agency which is empowered to extend Federal financial assistance to any program or activity, by way of grant, loan, or contract other than a contract of insurance or guaranty, is authorized and directed to effectuate the provisions of section 2000d of this title with respect to such program or activity by issuing rules, regulations, or orders of general applicability which shall be consistent with achievement of the objectives of the statute authorizing the financial assistance in connection with which the action is taken.

2) DOJ Implementing Regulations

28 C.F.R. § 42.101(2):

A recipient, in determining the type of disposition, services, financial aid, benefits, or facilities which will be provided under any such program, or the class of individuals to whom, or the

situations in which, such will be provided under any such program, or the class of individuals to be afforded an opportunity to participate in any such program, may not, directly or through contractual or other arrangements, utilize criteria or methods of administration which have the effect of subjecting individuals to discrimination because of their race, color, or national origin, or have the effect of defeating or substantially impairing accomplishment of the objectives of the program as respects individuals of a particular race, color, or national origin.

The Supreme Court has held that these regulations may validly prohibit practices having a disparate impact on protected groups, even if the actions or practices are not intentionally discriminatory. *Guardians*, 463 U.S. at 582, *Alexander v. Choate*, 469 U.S. at 293.

3) Executive Order

Executive Order 13166, among other things, requires each agency providing Federal financial assistance to draft Title VI guidance specifically tailored to its recipients that is consistent with the LEP Guidance issued by the Department of Justice.

4) U.S. Supreme Court Decision

The Supreme Court, in *Lau v. Nichols*, 414 U.S. 563 (1974), interpreted regulations promulgated by the former Department of Health, Education, and Welfare, including a regulation similar to that of DOJ, 45 CFR 80.3(b)(2), to hold that Title VI prohibits conduct that has a disproportionate effect on LEP persons because such conduct constitutes national-origin discrimination.

5) Department of Justice LEP Guidance, 67 FR 41455-41472 (June 18, 2002)

The DOJ LEP Guidance, at 41471, states that the, "Application of the four-factor analysis requires recipient courts to ensure that LEP parties and witnesses receive competent language services, consistent with the four factor analysis. At a minimum, every effort should be taken to ensure competent interpretation for LEP individuals during all hearings, trials, and motions during which the LEP individual must and/or may be present. When a recipient court appoints an attorney to represent an LEP defendant, the court should ensure that either the attorney is proficient in the LEP person's language or that a competent interpreter is provided during consultations between the attorney and the LEP person.

6) DOJ Letter Applying The Guidance Directly To State Courts

In 2010, the Department of Justice issued a letter to all state courts regarding meaningful access to courts. In this letter, DOJ states clearly that, "Title VI and its regulations prohibit practices that have the effect of charging parties, impairing their participation in proceedings, or limiting presentation of witnesses based upon national origin. As such, the DOJ Guidance makes clear that court proceedings are among the most important activities conducted by recipients of federal funds, and emphasizes the need to provide interpretation free of cost. Courts that charge interpreter costs to the parties may be arranging for an interpreter's presence, but they are not "providing" the interpreter. DOJ expects that, when meaningful access requires interpretation, courts will provide interpreters at no cost to the persons involved."

This is an abbreviated summary of the steps that guide the discussion around language access services as it relates specifically to state courts. Ultimately, the DOJ letter to state courts may be the best resource to clarify the obligation of courts to provide free interpreter services in all legal proceedings because it comes from the agency responsible for ensuring meaningful access in all programs receiving federal financial assistance from DOJ and because DOJ is the entity that would investigate complaints of non-compliance with Title VI in these settings. The letter therefore provides insight into, if there was a complaint filed against a court, how DOJ would approach such an investigation and the vulnerability of the court to a finding of non-compliance where the court is charging some litigants for the cost of interpreter services. That letter is at: http://www.lep.gov/final_courts_ltr_081610.pdf

Kristi Cruz
Northwest Justice Project
401 Second Ave. S. Suite 407
Seattle, WA 98104
206-707-0856



Interpreter Commission- Issues Committee
Thursday, August 13, 2015 (12:00 p.m. – 1:00 p.m)
Teleconference

MEETING MINUTES

Members Present:

Judge Beall
Thea Jennings
Linda Nobel
Kristi Cruz

AOC Staff:

Robert Lichtenberg
James Wells

Members Absent:

Alma Zuniga

I Call to Order

- Meeting is called to order at: 12:08
- Previous meeting minutes approved with modifications

II AOC Staff Report

Tagalog Transition Period

The Committee discussed adding a year to the three-year window that was given to registered Tagalog interpreters to take and pass the certified oral exam without losing the credentials. This year would be the final year in the transition period and the last opportunity for those interpreters. The AOC had hoped to provide Tagalog interpreters with additional training to help prepare them for the oral exam, however, no Tagalog trainers were available. AOC staff also explained that they would most likely need to look out of state for a Tagalog trainer.

Decision: The Committee moved to give Tagalog interpreters an additional year to maintain the credentials and transition to becoming a certified interpreter.

Interpreter Feedback Regarding CEU Policy Changes

AOC staff explained that it had received only three responses after sending out the proposed policy changes to the list of interpreters credentialed in Washington. They also explained the initial deadline of August 15 was extended a week to allow interpreter more time to submit their input.

One interpreter was concerned that registered interpreters are typically paid less than certified interpreters and felt that if they have identical CEU requirements, then the pay should also be equal. Other interpreters felt that registered interpreters should take the same amount of credits.

The Committee suggested the AOC staff send out a reminder email about the deadline for the comment period to prompt more responses.

AOC Recognizing Interpreters on ODHH list as Certified

The Committee was asked to review a request from the Office of the Deaf and Hard of Hearing (ODHH). The request was for the AOC to recognize as certified the ASL interpreters on the ODHH list of court interpreters.

Ms. Noble raised a concern about some of the differences in practice between ASL and spoken language interpreters. She remarked on the differences in how the groups of interpreters interact with the litigants they are interpreting for and asked if there would be efforts to bring the two closer their standards of practice.

The Committee discussed some of the back ground ASL interpreters in courts. Ms. Cruz explained that neither the AOC nor ODHH have technically recognized "certified" ASL interpreters. They use national certification as a proxy. One of the goals of the AOC and ODHH collaboration is to clarify on what it means to be a "certified" ASL court interpreter.

Mr. Lichtenberg discussed some of the background of the request. RCW 2.42 says ODHH can set standards of pay for ASL interpreter in courts. However, ODHH was reluctant to set those standards. ODHH is taking on an administrative role to create a list of interpreter qualified to work in the courts. Qualifications for interpreters on that list include achieving performance certification standards from the Registry of Interpreters for the Deaf (RID), and attending the AOC's court interpreter orientation to learn about the structure of Washington courts and learn about how GR 11.2 differs from the RID code of ethics. However, the AOC is not certifying the ASL interpreters and does not have the legal authority to do so.

In 2010 the Interpreter Commission voted to recognize ASL as being in the certified language category, however, no action was taken at the time. The specific request today would allow ASL interpreter to include the word "Certified" on their interpreter ID badges. Later discussion would be needed regarding compliance requirements and discipline.

Judge Beall pointed out that Berle Ross's letter to the Committee mentioned that another reason to classify ASL interpreters as certified interpreters would be to bring them under the GR 11 Code of Conduct and allow Disciplinary actions related to

violations of the code. It was clarified that currently the GR 11 applies to any interpreters in the courts, including ASL interpreters. However, there isn't a currently a disciplinary process for ASL interpreters who violate GR 11 as there is for spoken language interpreters. RID does have a separate code of ethics and disciplinary process. Ms. Cruz mentioned she hesitated to bring ASL interpreters under the discipline authority of the Interpreter Commission which currently doesn't have an ASL representative. It was clarified that proposed changes to GR11.1, which describes the make-up of the Interpreter Commission, includes establishing an ASL representative on the Commission. However, the Washington Supreme Court has not acted upon those changes.

Given the Committee's ongoing discussion and the questions that had been raised, they decided to wait to vote. The Committee would like a review of the Commission's previous discussion since some of the Committee's current questions may have already been answered. To help further the discussion, the Committee asked AOC staff to provide some background on how the discussion between the AOC and ODHH started, some information about the Commission's previous discussion on "certifying" ASL interpreters, what are the goals of this discussion, and what kind of oversight will the AOC, ODHH, and the Interpreter Commission will have on ASL interpreters

Ms. Cruz mentioned that if there is new ASL representative at the next Commission meeting, that person should receive some background ahead of time if there will be discussion about this issue at that meeting

Decision: The Committee moved to reserve voting on the issue of categorizing ASL interpreters on the ODHH list as AOC certified pending.

III Next Meeting

- Teleconference on September 1, 12:00 p.m. to 1:00 p.m.

Decision Summary	
The Committee moved to give Tagalog interpreters an additional year to maintain the credentials and transition to becoming a certified interpreter.	
The Committee moved to reserve voting on the issue of categorizing ASL interpreters on the ODHH list as AOC certified pending.	

Action Item Summary	
AOC – Provide a memo that includes some background on how the discussion between the AOC and ODHH started; information about the Commission's previous discussion on "certifying" ASL interpreters; explanation about what the goals of current discussion	<i>Future Action</i>

are; and a description about what kind of oversight will the AOC, ODHH, and the Interpreter Commission will have on ASL interpreters	
AOC – Compile responses from the interpreters regarding the new CEU policy and provide the summary to the Committee prior to the September meeting	<i>Future Action</i>
AOC - Send out a reminder email about the deadline for the comment period to prompt more responses.	<i>Completed</i>
<i>From previous meetings:</i>	
<i>Kristi</i> – summarize Title VI and pull out the language that is applicable to changing 2.43.040	<i>Future Action</i>
<i>Bob</i> – Provide the Committee with a copy of the pattern form mentioned in GR 34	<i>Future Action</i>
<i>Bob</i> – Provide a copy of the letter from the Interpreter Commission to the BJA in 2012	<i>Future Action</i>
<i>Bob</i> – Develop some potential survey questions for courts regarding their use of IFPs	<i>Future Action</i>
<i>Bob</i> – Look into any previous AOC survey information, possibly sent out by Tina Williamson that could provide information about the processes courts have for providing interpreters.	<i>Future Action</i>



STATE OF WASHINGTON
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
OFFICE OF THE DEAF AND HARD OF HEARING

July 20, 2015

The Honorable Steven C. Gonzalez
415 12th Ave SW
PO Box 40929
Olympia, WA 98504-0929

Dear Justice Gonzalez:

I am the Program Manager for Sign Language Interpreters with the Washington State Office of the Deaf and Hard of Hearing (ODHH). ODHH is a division within the Department of Social and Health Services (DSHS). We manage the statewide Sign Language Interpreter Contracts and proposed the new Washington Administrative Code subsections 388-818-500 through 388-818-630 to implement the provision under RCW 2.42.170 requiring that ODHH establish standards for fees to be paid to sign language interpreters working in Washington courts. The new language took effect on January 12, 2015.

This resulted in ODHH having created a list of ODHH-certified ASL interpreters pursuant to the WAC criteria. I am writing to request that the Washington State Supreme Court Interpreter Commission ("AOC") exercise its policy-making authority under Washington State Court General Rule 11.1 for American Sign Language ("ASL") interpreters on the ODHH Court-Certified list to be credentialed as a certified language group and eligible to work in the Washington State court system under the authority of the Commission, subject to most of the Commission's rules governing certified interpreters. The current ODHH Court Certified ASL interpreters list can be found online at <https://www.dshs.wa.gov/altsa/odhh/court-interpreting>.

As I mentioned during the Interpreter Commission meeting in May 2015, the Office of the Deaf and Hard of Hearing has no disciplinary process in place, and therefore no way to enforce ethical standards compliance among sign language interpreters working in Washington courts. If the Commission consents to recognizing the sign language interpreters on ODHH's Court Certified list as credentialed, these interpreters would then be subject to the same GR 11.2 requirements that currently apply to spoken language interpreters working in Washington courts. ODHH is ready to move forward to purchase and issue Court Certified Interpreter Badges for the ASL interpreters on the ODHH Court-Certified list.

ODHH will continue to collaborate with AOC to increase the number of Court Certified interpreters available in Washington State through outreach and training.

Respectfully,

A handwritten signature in cursive script that reads "Berle Ross".

Berle Ross

CC: Robert Lichtenberg
William Crites, Interim Director, ODHH

CERTIFIED ACCREDITATION

I. Accreditation Requirements

- A. Spoken Foreign Language Interpreter Candidates must complete the following before receiving accreditation as a certified court interpreter:
1. Pass the written exam administered by the Administrative Office of the Courts (AOC) with a score of 80% or better.
 2. Attend an orientation program sponsored by the AOC.
 3. Pass the oral exam administered by the AOC with a score of at least 70% in each section.
 4. Submit a completed fingerprint card and application fee to the AOC. (The AOC will submit the fingerprint card to the Washington State Patrol for processing.)
 5. Attend a mandatory class sponsored by the AOC on topics that include, but are not limited to, courtroom protocol, interpreter ethics, and legal terminology and procedure.
 6. Execute the Oath of Interpreter.
 7. Obtain interpreter ID badge for court proceedings.

Criminal Background Check

A criminal background check will be conducted for each person who complies with the foregoing final requirements. A misdemeanor, gross misdemeanor or felony conviction may be grounds for denial of certification of a candidate. A candidate's history of criminal convictions will be reviewed by the Issues Committee of the Commission, which will consider the relevance of the criminal history to the profession of court interpreting, the period of time since the conviction date(s) and any evidence of rehabilitation submitted by the candidate.

Based upon its review, the Committee will decide whether to grant or deny the certification status. If the Committee denies certification based on a candidate's criminal history, the candidate may appeal the Committee's decision to the entire Commission by filing a written appeal with the AOC within 40 calendar days of the date of the Committee's decision. The Commission shall hear the appeal solely on the written information in the candidate's application file, including information submitted by the candidate, unless, in the Commission's sole discretion, it permits the candidate to file additional written information. The Commission shall issue a written decision on the candidate's appeal.

- B. American Sign Language Interpreters must complete the following before receiving accreditation as a certified court interpreter:

1. Register with and meet qualification standards established and administered by the Office of the Deaf and Hard of Hearing (ODHH) pursuant to the applicable sections of Washington Administrative Code (WAC) 388-818-500 through WAC 388-818-600.

II. Identification Badge

All candidates granted a certification status by the AOC shall receive an ID badge that includes their picture and two-year expiration date sticker from the AOC. At the end of each two-year continuing education reporting period, a certified interpreter in good standing will be issued a sticker with a new expiration date to be placed over the old expiration date.

Interpreters should wear their badge whenever serving as court interpreters and judicial officers are encouraged to check for the interpreter's badge prior to any court proceeding. In the event of a lost badge, replacement badges can be ordered at the interpreter's expense.

All candidates granted a certification status by ODHH shall receive an ID badge that includes their picture and annual expiration date sticker from ODHH. At the end of each one-year registration period, an ODHH-certified ASL court interpreter will be issued a sticker with a new annual expiration date to be placed over the old expiration date.

III. Reciprocity Policy for Spoken Language Interpreters

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

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

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



Interpreter Commission- Issues Committee
Thursday, September 1, 2015 (12:00 p.m. – 1:00 p.m)
Teleconference

MEETING MINUTES

Members Present:

Judge Beall
Thea Jennings
Linda Nobel
Kristi Cruz

AOC Staff:

Robert Lichtenberg
James Wells

Guests:

Berle Ross

Members Absent:

Alma Zuniga

I Call to Order

- Meeting is called to order at: 12:08

II AOC Staff Report

AOC staff reviewed the comments received from interpreters regarding the proposed policy that changes to the categories of Continuing Education Units (CEUs) and that increases the number of required CEUs for registered interpreters to 16. The AOC received approximately eight to ten responses.

Most of the responses were not in favor of raising the number of registered interpreter CEUs. Some challenges that were cited included, the unavailability of classes, the expense of taking more classes, and the need to take more time off to attend classes. Most of the responses in favor of increasing the CEUs came from certified interpreters.

As for the new division in CEU categories for all interpreters, there were some concerns about there being enough available classes to fulfill the professional category. In particular that was concern that there wouldn't be classes available in their language and in their location. The Committee discussed how with the exception of Spanish, there are few if any languages that have language specific training, so may not be a valid concern. However, interpreters in some parts of the state may be more limited in the number of classes offered.

Another issue raised was that registered interpreters have less opportunity to work in the courts and would less have income from interpreting to take additional CEUs. However, it was noted that it is the lack of time spent interpreting in the courts and practicing their skills that would make additional CEUs beneficial. Registered

interpreters often need more basic interpreting skills classes, including classes that focus on ethics and courtroom protocol. However, there are very few basic interpreting classes available.

To help registered interpreters get more experience, it was suggested that resources be spent to make available classes that target interpreters who have less opportunity to work in the courts. These classes wouldn't need to have specialists from out-of-state brought in for faculty, but instead could use experienced local interpreters. This could also take form as a mentoring program using experienced interpreters. The mentoring wouldn't need to be language-specific, which would help eliminate the issue of interpreters creating competition for themselves. The experienced interpreters could be compensated with CEUs.

For the cost issue, it was suggested that providers find ways to drop the fees for some workshops to make it as accessible as possible. Another suggestion was that the AOC communicate to interpreters about training opportunities that are available through the listserv.

The Committee expressed that they didn't want the requirements to be so burdensome that people leave the profession. Given the low number of responses, it was suggested that partnering with organizations like Northwest Translators and Interpreter's Society (NOTIS) could allow a more detailed survey to find out specifically what the concerns are. One concern with a survey, however, was that it may not reveal more information than has already been gathered.

Ms. Noble brought up the concern held by some registered interpreters that if registered interpreters are required to take the same number of credits as certified interpreters then their pay should be equal. Ms. Noble expressed that it is a valid concern and that the status of being registered or certified is not up to the interpreter. Judge Beall mentioned that there is a lot of confusion among court personnel about the two categories. Many people believe that languages have both certified and registered interpreters and that it's a question of skill level for interpreters rather than a division in how the languages are tested.

For the October 2 Commission meeting, the Issues Committee can suggest that the Commission move forward with the new categories of CEUs. The concern about the lack of availability of skills-specific classes may not be a good reason to hold back from the new categories. However, part of the recommendation should include devoting resources to work with providers to make sure that appropriate classes are offered, publicized, and available to interpreters in less populated areas of the state.

The Committee felt that there should be a discussion among the full Commission about equalizing the number CEUs for registered interpreters. The discussion should include the topic of making the payment of registered interpreters the same as certified and any further information gathering, such as a survey.

III ODHH Request to Recognize ASL Interpreters as "Certified"

The Committee returned to the issue of the AOC recognizing the interpreters on the ODHH list as certified. Although much of the issue was about labeling, there were some details involving CEUs and discipline.

AOC staff explained that for education requirements, the ASL interpreters currently follow the Registry of Interpreters for the Deaf (RID) standards which consists of 80 hours of continuing education over a four year period. This works out to four more hours per year than is required of certified spoken language interpreters. Ten of those hours are in the category of "Power and Privilege" which involves ethics, although it does not specifically address GR 11.2, the Washington Code of Conduct for Interpreters.

Berle Ross from the ODHH clarified more of the qualifications to be on the ODHH list. She explained that interpreters fall into two categories, those that hold the Specialist Certificate: Legal (SC:L) and those that have passed the written portion of the SC:L exam. Interpreters in both categories must also have five years of experience and attend the court interpreter orientation class that the AOC provides for spoken language interpreters. With the 80 hours of required CEUs and the five years of experience, it was felt that many ASL interpreters are more experienced than most spoken language interpreters at the time of attaining certification. However, it was noted that none of the CEUs are court specific credits.

The Committee discussed having the discipline of ASL interpreters fall under the AOC and Interpreter Commission. This would make the discipline consistent with that of spoken language interpreters. Ms. Ross explained that ODHH currently relies on the RID disciplinary process, however, it is not a very strong disciplinary process and it is out of state. ODHH recommends that the disciplinary process be handled by the AOC and Interpreter Commission.

There was a concern about the Interpreter Commission handling discipline for ASL interpreters when there isn't any representation from the community on the Commission. AOC updated the Committee with the information that Washington State Registry of Interpreters for the Deaf (WSRID) has nominated an interpreter from Spokane to be on the Interpreter Commission. It was suggested that prior to the October Commission meeting, the nominee should be advised about what the Issues Committee's recommendation to the Commission will be and should be informed about the Committee's recent discussion about the topic. Also, it should be made clear that neither the AOC nor ODHH is actually certifying interpreters. Instead ODHH was tasked with creating a list of interpreters who are most qualified to work in courts and they are using the assessments done by the RID to help make that determination.

The Committee also discussed the compensation rates for ASL interpreters. Courts in King County often pay \$50 - \$55 per hour for certified spoken language interpreters. However, ASL interpreters on the ODHH contract are often paid \$75 - \$85 per hour. If ASL interpreters are then considered "certified" by the AOC, courts might start paying the ASL interpreters less to be on par with certified spoken language interpreters. It was noted that the Interpreter Commission has previously voted to consider ASL interpreters with SC:L certification to be treated the same as certified spoken language interpreter for purposes of the reimbursement program. In practice, the AOC has reimbursed for all ASL interpreters regardless of their certification. The Committee felt that considering the ASL interpreters on the ODHH list would be useful guidance for the courts in choosing qualified interpreters. The courts themselves would be left to negotiate payment

For the October 2 Interpreter Commission meeting Judge Beall will update the Commission about this topic.

IV Next Meeting

- Teleconference on October 6, 12:00 p.m. to 1:00 p.m.

Action Item Summary	
AOC – Put the topic of the CEU policy change on the agenda for the October 2 Interpreter Commission meeting.	<i>Completed</i>
AOC – Put the topic of recognizing ASL interpreter on the ODHH list as certified on the agenda for the October 2 Interpreter Commission meeting. Include the previously circulated policy language that would be added to the policy manual in the meeting packet.	<i>Completed</i>
AOC – If the ASL representative will be at the October 2 Interpreter Commission meeting, inform them of the Issues Committee's discussion so far and what kinds of things will be discussed at the meeting regarding the ASL interpreters on the ODHH list.	<i>Future Action</i>

Recently, the Issues Committee of the Washington State Interpreter Commission was asked to review the biannual reporting requirements for registered and certified interpreters and to recommend revisions if warranted. The Issues Committee compared the reporting requirements of a number of other states and drafted proposed changes to the current Washington state reporting requirements. Those suggested changes were brought to the Interpreter Commission at the last quarterly meeting. While the changes have not been formally adopted, the Commission did vote to approve the revised requirements, and agreed to put the recommended changes out for comment from the interpreter community.

The proposed changes are to 1) break the continuing education course requirements into categories and 2) increase the number of required hours for registered language interpreters to be the equivalent of those required for certified language interpreters (16 credit hours). The proposed changes are attached to this email.

Comments should be directed to Robert Lichtenberg, Language Access Program Coordinator for AOC by email at Robert.Lichtenberg@COURTS.WA.GOV and should be submitted by August 15, 2015.

Respectfully,

Andrea Beall
Puyallup Municipal Court Judge
Chair, Issues Committee and DMCJA Representative to the Interpreter Commission

Biannual Reporting Requirements for Certified Interpreters

REQUIREMENTS:

A. Continuing Education

Every certified court interpreter shall complete 16 hours of AOC approved continuing education each two-year compliance period. *Of the 16 required hours, at least two (2) must be earned in ethics-specific educational activities; at least eight (8) must be earned in performance or skills based educational activities; and the remaining six (6) may be general continuing educational activities. Ethics-specific or performance/skills based educational activities may be used to accrue the needed general continuing education credits.*

- i) **Ethics-specific Continuing Education** is defined as: An educational activity related to appropriate court interpreter ethics or court interpreter protocol based upon the Code of Conduct for Court Interpreters in the Washington Court Rules.*
- ii) **Performance or Skills Based Education** is defined as: An educational activity which is specific to the development of interpreting skills (simultaneous, consecutive and sight); language skills; or technical skills related to interpreting and/or translation.*
- iii) **General Continuing Education** is defined as: An educational activity on topics that will enhance the participant's ability to perform interpreting work for the courts competently, fairly and efficiently.*

Certified interpreters may carry over a maximum of six (6) continuing education credits earned in excess of the requirement in any two-year compliance period to the next compliance period. If an interpreter earns more than two (2) ethics credits in a review period, the additional credits may carry over as general credits but will not be counted toward the ethics requirement for the next reporting period.

Continuing Education Provider Guidelines

A. Overview

The Washington State Interpreter Program demands superior skills for certified court interpreters. In an effort to maintain the skill level that court interpreters possess at the time they pass their exams, the Interpreter Commission adopted a policy requiring each certified court interpreter to participate in continuing education activities and report them every two years to maintain their certified status. Court interpreter continuing education refers to

educational activities in which court interpreters participate to improve their professional knowledge, skills, and abilities *and in which the subject matter is relevant to court interpreting, the work of the courts, or the judicial branch.*

An "approved continuing education activity" is a course, workshop, lecture, field trip, or other educational activity that has been approved by the AOC. *To be approved, the educational activity must be ethics-specific; performance or skills based; or satisfy the requirements of a general continuing education course.* The course of study may be a short-term workshop or long-term such as a conference or sequence of classes. *The educational activity must be at least one hour in length.*

- i) **Ethics-specific Continuing Education** is defined as: An educational activity related to appropriate court interpreter ethics or court interpreter protocol based upon the Code of Conduct for Court Interpreters in the Washington Court Rules.*
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- iii) **General Continuing Education** is defined as: An educational activity on topics that will enhance the participant's ability to perform interpreting work for the courts competently, fairly and efficiently.*

The term "approved continuing education activity" or similar phrase shall not be used in promotional materials for any educational activity unless an application for approval was submitted to and approved by the AOC. If an application for approval is pending, the provider shall state in the notice that the application has been made and is pending approval.

Biannual Reporting Requirements For Registered Interpreters

REQUIREMENTS:

A. Continuing Education

Every registered court interpreter shall complete *16 hours* of AOC approved continuing education each two-year compliance period. *Of the 16 required hours, at least two (2) must be earned in ethics-specific educational activities; at least eight (8) must be earned in performance or skills based educational activities; and the remaining six (6) may be general continuing educational activities. Ethics-specific or performance/skills based educational activities may be used to accrue the needed general continuing education credits.*

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Responses from Interpreter Survey for Proposed CEU categories and their CEU hours and Increase in CEU requirements for Registered Interpreters

Number of Responses: 8

From Certified Interpreters:

- "When my court judges and attorneys were surveyed they gave high marks to Interpreter Services – but some specifically mentioned much lower skill set of the registered and non-credentialed interpreters compare to certified interpreters – it's a fact and good CE training should help to bridge this gap....people on the commission believed that Registered interpreters are too poor to pay for additional credits – this is rather a wrong view – registered interpreters are paid quite well and frequently have more work than certified interpreters in some languages. But the main concern – they never had to take "interpreting" exam – they just proved that they know English and another language – they do need to get the same, if not more, credits that certified interpreters... I'm in the category of the "user" of interpreter services and speak from experience".
- "The proposed changes seem fair to me. Hope that education would be available to the interpreters on this side of the cascades."
- "I would like to keep the general education requirements the same. Interpreting mode workshops can become redundant, so interpreters should still elect other areas of interest, even adding more ethics as carry over general credits the same year (I'm glad that's there for ethics). Ethics usually isn't too redundant. Please do not divide general Ed into categories. Registered interpreters should without a doubt be held to the same standards as certified interpreters .
- I agree with the 16 hours required for certified interpreters. But, I think this will make it harder for the agencies who provides us with classes to be able to provide "approved" courses! As it is now, it's difficult find the right provider at the right time. AND isn't that the reason for the 20 hours of court hours you require us to have?

From Registered Interpreters:

- “My opinion is that increased educational requirements for registered court interpreters to 16 credit hours to equate it to educational requirement for certified court interpreters will cause the WA Court Interpreter Program to lose Registered Court Interpreters. I think that WA state doesn't have same need for registered languages as CA. I think that Courts have established relationships with Registered Court interpreters and it is hard for new Registered Court interpreters get jobs. And, jobs become available after established Court interpreters find different employment. For example, I became Registered Court Interpreter in Ukrainian language in 2012, but I was asked by an interpreter coordinator for a Superior Court of King County to take one job 2 years after I submitted my resume to them.”
- “Its a good thing for anyone in any profession to keep up with continuous education; however, if certified and registered Interpreters are held to the same standards, then this should also reflect in their pay as well. I really do not understand why as a registered Interpreter I'm paid less. Mind you its not my fault that I'm not certified but there is no certification for the Swahili language. I also think that the so called qualified Interpreters should also be required to do some sort of training because I have been in court with some of them and I was shocked with how little they adhere to the code of conduct.(Not sure that they are even aware of the code of conduct).”
- “I and my law partner [name withheld] find the new rules very unfair for those of us who are practicing attorneys, have many years of court experience, are bi-lingual, and take over 15 hours of CLE every year, on the average. These requirements may be necessary for those interpreters who, unlike the attorneys, are not a part of the legal and court systems, but they are time consuming and almost useless for attorneys. These rules just forces us to give up our registrations as court interpreters just because we don't have time to keep up with the continuing education requirements. Even when the required number of hours was 10, it was not easy for us to find time to take them, now it is even more difficult to manage it, especially when a lot of the lectures and classes are not in or around Seattle and are not offered online. Even if your organization cannot reduce the required number of continuing education hours for attorneys, it should be able to accept WSBA approved CLE credits at least as half of the required hours for interpreters.”
- **[See comments from Ukranian interpreter, enclosed]**

ROBERT S. PHED

Attorney at Law

(Admitted in Oregon and Washington)

1001 SW 5th Av, # 1220
Portland, OR 97204
(503) 796-7433 (PHONE)
(503) 796-5154 (FAX)

August 18, 2015

Mr. Robert Lichtenberg
AOC Interpreter Coordinator

Via email only: Robert.Lichtenberg@COURTS.WA.GOV

***Re: Proposed Changes to Continuing Education Requirements for
Registered Interpreters in WA Courts***

Dear Mr. Lichtenberg and Members of the Interpreter Commission:

Please allow me to submit my objections to the proposed changes to the Biannual Reporting Requirements for Registered Interpreters and the changes to the language of the provider guidelines.

As a Court Registered interpreter these comments pertain only to the suggested changes to the Registered Interpreters' requirements.

The Interpreter Commission should not allow a new requirement for 16 hours of AOC approved Continuing Education to be adopted and should not revise the guidelines for approval of such credits.

A. The increase in hours in not economically feasible.

The increase in the CE hours represents a 62% jump from the current 10 hour requirement. This increase is cost prohibitive and is unfair for a registered interpreter. Equalization of the 16 hour requirement with the certified court interpreters unfairly discounts the limited opportunities to provide a service to the WA courts in one of the registered languages.

Is there enough work in the registered languages to justify the increased cost of obtaining 62% more CE hours? To my knowledge there is no easily publicly available statistics for the registered program on how much use each registered language generated in the courts (whether by the hours paid, times the language is requested, etc.) to either support or refute the argument that registered interpreters are not getting enough work. Maybe the Commission does have access to such data and is able to evaluate the statistics properly. Could the Commission, at the minimum, request such data to be available publicly and postpone any decision on the increase in the hours' requirement until a proper evaluation of the true utilization of the registered interpreters' services can be performed?

In the almost four years that I practiced as a registered interpreter my gross income for any year for interpreting work in the WA Courts rarely exceeded several thousand dollars gross. Admittedly, the income opportunity is limited by the geographical restriction of the practice to SW Washington and availability in other counties by telephone only. However, when you take

into account the taxes, the cost of the CE hours and their limited availability, the take home pay from the registered program in Ukrainian is infinitely small. With the changes in front of the Commission, I would be required to spend 62% more on the CE requirements, thus completely negating any economic reason to provide a service in SW Washington.

In my years as a registered interpreter I have never found a WA interpreter CE credit available in the Vancouver WA area. The only local credits I obtained were through Oregon Court Interpreter Services' CE seminars which were later accredited by the AOC. Anyone out of the Seattle/Olympia area would be forced to travel to the Seattle/Olympia area 62% more to attend more CE classes and spend more time on travel, hotels and food. That is not a fair solution.

Additionally, this proposed increase in the CE requirements is not accompanied with any corresponding increase in the level of monetary compensation for the registered court interpreter. I cannot raise my rates 62% easily to offset the costs of doing business with the AOC. The change in the CE requirements could have an unfortunate ill effect on the financial condition of the registered court interpreters, at least in languages of limited use.

Additionally, there appears to be no rationale at all as to how much more competent would the registered interpreters become or how much more quality interpreting would the registered interpreters provide if they were required to spend 62% more on the CE credits. Instead of requiring registered interpreters to sit in class 62% more, the AOC would achieve a better interpreting quality by providing opportunities to the registered interpreters to actually work in a courtroom by actively promoting availability of the registered languages' interpreters and by educating the county clerks and the LEP population as to the availability of registered languages for their use. To improve as an interpreter, it is better to spend 62% more time in the courtroom than 62% more time in the classroom.

The Interpreter Commission should decline to increase the CE hours' requirements for registered interpreters.

B. Change of provider guidelines language will make it harder for the providers to qualify and thus reduce even further available CE opportunities.

The change in the language describing the guidelines which will be used by the AOC to approve or disapprove a CE credit should not be changed. The new version is highly restrictive, even though it ostensibly strives to achieve a greater quality of CE credits for the needs of the interpreters.

It appears that the Commission is tasked with making changes based on a "feeling" that more restrictive language must be better than a less restrictive language. Again, with no data to support the proposed change, is the Commission just guessing at how much better the available training for the interpreters would become with a limited, more restrictive language of the CE requirements?

No suggestion is made and no comparison provided to allow any quantitative analysis of why the change is needed. Were the needs of the community not served by the current, less restrictive language? Did interpreters obtain CE credits for attending a class in a completely unrelated field? Would the quality of the interpreting services greatly increase with the new, more restrictive language? Would the new language severely restrict availability of the CE courses for the registered interpreters?

For instance, on the surface it appears that such change, if implemented, would allow the AOC to deny all credits to the ethics programs offered by the Oregon Court Interpreting Service as not based on the Code of Conduct for Court Interpreters in the Washington Court Rules. There has already been an example when the AOC denied certification of the CE credits to a yearly interpreter event organized by NOTIS, which is a great source of education for interpreters of all stripes, not just court interpreters. It is usually difficult to organize just a court interpreter specific CE class, without an appeal to the more general interpreting audience. Also, limiting exposure to the classes offered in other interpreting fields could limit cross pollination of the ideas and stifle the exchange between members of the interpreting community.

It would be nice to see the comments from the providers of the CE credits, which could have allowed the members of the interpreting community to adequately respond to the proposed changes. It appears all comments are due from everyone by one date and no further opportunity to rebut or file follow up comments is offered by the AOC. The AOC should allow follow up comments to be submitted after everyone had an opportunity to review the incoming responses.

Overall, while on its surface the changes to the provider guidelines appear to be positive, there is a void of data to support the reasons why such change is even needed. As such, the Commission should either deny approving the change or, at the minimum, to decline to review such changes in the provider guidelines language without a further detailed study.

This Commission has done well in gently guiding the court interpreters of this State. It should take a cautious approach and not approve changes which are currently proposed and which have the potential for adverse effect on the members of the registered interpreters group and the court interpreters overall.

Very truly yours,

A handwritten signature in black ink, appearing to read 'R. Phed', written in a cursive style.

Robert S. Phed

RSP/rsp

1 **Rule 11.1 Purpose and Scope of Interpreter Commission**

2
3 (a) Purpose and Scope. This rule establishes the Interpreter Commission
4 ("Commission") and prescribes the conditions of its activities. This rule does not modify
5 or duplicate the statutory process directing the Court Certified Interpreter Program as it
6 is administered by the Administrative Office of the Courts (AOC) (RCW 2.43). The
7 Interpreter Commission will develop policies for the Interpreter Program and the
8 Program Policy Manual, published on the Washington Court's website at
9 www.courts.wa.gov which shall constitute the official version of policies governing the
10 Court Certified Interpreter Program.

11
12 (b) Jurisdiction and Powers. ~~All certified court interpreters who are certified in the state~~
13 ~~of Washington by AOC are subject to rules and regulations specified in the Interpreter~~
14 ~~Program Manual.~~ ***Issues Committee Requested Revision: All court***
15 ***interpreters who are credentialed by the State of Washington AOC in either a***
16 ***certified or registered language category are subject to the rules and regulations***
17 ***specified in the Interpreter Program Policy Manual.*** The Commission shall establish
18 three committees to fulfill ongoing functions related to issues, discipline, and
19 judicial/court administration education. Each committee shall consist of at least three
20 Commission members and one member shall be identified as the chair.

21
22 (1) The Issues Committee is assigned issues, complaints, and /or requests from
23 interpreters for review and response. If an issue related to interpreter certification
24 cannot be resolved at the Issues Committee level, the matter will be submitted by
25 written referral to the Disciplinary Committee.

26
27 (2) The Issues Committee will also address issues, complaints and/or requests
28 regarding access to interpreter services in the courts, and may communicate with
29 individual courts in an effort to assist in complying with language access directives
30 required by law.

31
32 ~~(3) (2)~~ The Disciplinary Committee has the authority to decertify and deny certification of
33 interpreters based on the disciplinary procedures for: (a) violations of continuing
34 education/court hour requirements, (b) failure to comply with Interpreter Code of
35 Conduct (GR 11.2) or professional standards, or (3) violations of law that may interfere
36 with their duties as a certified court interpreter. The Disciplinary Committee will decide
37 on appeal any issues submitted by the Issues Committee.

38
39 ~~(4) (3)~~ The Judicial and Court Administration Education Committee shall provide
40 ongoing opportunities for training and resources to judicial officers, and court
41 administrators, and court staff related to court interpretation improvement.

42
43 (c) Establishment. The Supreme Court shall appoint no more than 15 members to the
44 Interpreter Commission ~~and The Supreme Court~~ shall designate the chair of the
45 Commission. The Commission shall include representatives from the following areas of
46 expertise: judicial officers from the appellate and each trial court level (3), spoken

1 language interpreter (2), sign language interpreter (1), court administrator (1), attorney
2 (1), public member (2), representative from ethnic organization (1), and an AOC
3 representative (1), and other representatives as needed. The term for a member of the
4 Commission shall be three years. Members are eligible to serve a subsequent 3 year
5 term. ~~The Commission shall consist of eleven members.~~ Members shall only serve on at
6 least one committee and committees may be supplemented by ad hoc professionals as
7 designated by the chair. Ad hoc members may not serve as the chair of a committee.
8

9 (d) Regulations. Policies outlining rules and regulations directing the interpreter program
10 are specified in the Interpreter Program Manual. The Commission, through the Issues
11 Committee and Disciplinary Committee, shall enforce the policies of the interpreter
12 program. Interpreter program policies may be modified at any time by the Commission
13 and AOC.
14

15 (e) Existing Law Unchanged. This rule shall not expand, narrow, or otherwise affect
16 existing law, including but not limited to RCW chapter 2.43.
17

18 (f) Meetings. The Commission shall hold meetings as determined necessary by the
19 chair. Meetings of the Commission are open to the public except for executive sessions
20 and disciplinary meetings related to action against a certified interpreter.
21

22 (g) Immunity from Liability. No cause of action against the Commission, its standing
23 members or ad hoc members appointed by the Commission, shall accrue in favor of a
24 certified court interpreter or any other person arising from any act taken pursuant to this
25 rule, provided that the Commission members or ad hoc members acted in good faith.
26 The burden of proving that the acts were not taken in good faith shall be on the party
27 asserting it.
28

29 *[Adopted effective September 1, 2005]*
30

1 **Rule 11.2 Code of Conduct for Court Interpreters**

2 PREAMBLE. All language interpreters serving in a legal proceeding, whether certified or
3 uncertified, shall abide by the following Code of Conduct:

4 A language interpreter who violates any of the provisions of this code is subject to a citation
5 for contempt, disciplinary action or any other sanction that may be imposed by law. The
6 purpose of this Code of Conduct is to establish and maintain high standards of conduct to
7 preserve the integrity and independence of the adjudicative system.

8 (a) A language interpreter, like as an officer of the court, shall maintain high standards of
9 personal and professional conduct that promote public confidence in the administration of
0 justice.

1 (b) A language interpreter shall interpret or translate the material thoroughly and precisely,
2 adding or omitting nothing, and stating as nearly as possible what has been stated in the
3 language of the speaker, giving consideration to variations in grammar and syntax for both
4 languages involved. A language interpreter shall use the level of communication that best
5 conveys the meaning of the source, and shall not interject the interpreter's personal moods
6 or attitudes.

7 (c) When a language interpreter has any reservation about ability to satisfy an assignment
8 competently, the interpreter shall immediately convey that reservation to the parties and to
9 the court. If the communication mode or language of the non-English speaking person
0 cannot be readily interpreted, the interpreter shall notify the appointing authority or the court.

1 (d) No language interpreter shall render services in any matter in which the interpreter is a
2 potential witness, associate, friend, or relative of a contending party, unless a specific
3 exception is allowed by the appointing authority for good cause noted on the record. Neither
4 shall the interpreter serve in any matter in which the interpreter has an interest, financial or
5 otherwise, in the outcome. Nor shall any language interpreter serve in a matter where the
6 interpreter has participated in the choice of counsel.

7 (e) Except in the interpreter's official capacity, no language interpreter shall discuss, report,
8 or comment upon a matter in which the person serves as interpreter. Interpreters shall not
9 disclose any communication that is privileged by law without the written consent of the
0 parties to the communication, or pursuant to court order.

1 (f) A language interpreter shall report immediately to the appointing authority in the
2 proceeding any solicitation or effort by another to induce or encourage the interpreter to
3 violate any law, any provision of the rules which may be approved by the courts for the
4 practice of language interpreting, or any provisions of this Code of Conduct.

5 (g) Language interpreters shall not give legal advice and shall refrain from the unauthorized
6 practice of law.

7 *[Adopted effective November 17, 1989; September 1, 2005.]*
8



Interpreter Commission- Education Committee
September 3, 2015 (12:00 p.m. – 1:00 p.m.)
Teleconference

MEETING MINUTES

Members Present:

Sam Mattix (chair)
Linda Noble
Fona Sugg

AOC Staff:

Robert Lichtenberg
James Wells

Absent Members:

Eileen Farley
Kristi Cruz

I. Meeting Called to Order

- Call to Order at 12:10

II. Old Business

Calendar of Training

The Committee began a discussion on the educational activities for the upcoming year. Mr. Lichtenberg brought suggestion to the Committee by Martha Cohen from King County Superior Court and Emma Garkavi of Seattle Municipal Court. They suggested having a state-wide court interpreter coordinator conference. They had a concern that many court interpreter coordinators work in isolation and often feel that they get little attention from the AOC or Interpreter Commission. A conference may improve the consistency in how courts work with interpreters. The AOC's court interpreter coordinator listserv could be used to notify courts and send out a letter of interest to begin setting the groundwork.

Some of the topics proposed by Ms. Cohen and Ms. Garkavi were interpreter scheduling, ethical behavior, identifying quality control measures, and screening interpreters. The Committee discussed how courts in Eastern Washington and rural areas often face very different issues than the courts in King County. Coming up with topics applying across the board could be challenging. One issue facing smaller courts is handling basic violations of the interpreter code of conduct. In smaller courts, the person coordinating interpreters only has that function as a very small part of their responsibilities. The scheduler is often not present in the court, so,

unless the scheduler is also the court clerk, the scheduler is not in a position to see the interaction of the interpreter with the court. Even if the scheduler is the court clerk, clerks are usually unlikely to correct behavior in the courtroom and would leave that to the judge.

An additional challenge would be that smaller courts may not be able to afford to send people to a one-day conference. An alternative could be to hold smaller, regional trainings in different parts of the state. The training could also be included as a session as part of other regional court manager trainings. A webinar would be another possibility.

The Committee found that the last time there was a presentation at the District and Municipal Court Judges and Managers Conference was in May of 2010. The focus of the presentation was cost saving strategies.

The Committee ended the discussion considering holding a session at the 2016 District and Municipal Court Spring Conference and having a separate live/recorded webinar for court interpreter coordinators. They also clarified that Mr. Lichtenberg will be giving a training session at the Institute for New Court Employees in October 2015.

Inactive Status Proposal

The Committee discussed a revised proposal for inactive status for interpreters. Concerns about the original proposal included interpreters working in the courts while on inactive status, the amount of CEUs interpreters would need to make up when becoming active again, and there not being sufficient need or demand to merit the creation of new policy.

The proposal was revised to address some of these concerns. The new proposal makes clear that interpreters will be unable to work in Washington State courts while on inactive status. When interpreters return to active status, the AOC will decide on a case-by-case basis the number of CEUs that an interpreter would need to make up before returning to active status. Interpreters who used their interpreting skills while on inactive status may require fewer CEUs to make up than those who did not. These new proposals may help alleviate the concern of the policy being abused.

The Committee's discussion clarified that if the new policy is approved, it would appear in the interpreter policy handbook. The Committee also discussed the potential circumstances that would require a five-year period of inactive status.

AOC staff expressed concern that interpreters who are on inactive status but are still living in the state may occasionally work in the courts and receive the compensation of a certified

interpreter. How the AOC and Interpreter Commission would sanction an interpreter is still unclear. The revised proposal didn't discuss how interpreters on inactive status would be monitored and what kind of oversight there would be.

The Committee wasn't comfortable making a decision or recommendation about the policy without the input from the Committee members that were absent. The topic will be placed on the agenda for the October 2 Interpreter Commission meeting, and AOC staff and Mr. Mattix will prepare a statement of pro and con points on the revised proposal.

Next meeting

To be decided by doodle poll during the week of 9/14 to 9/18

Action Item Summary	
AOC staff: Send out Doodle Poll to Committee to decide on next meeting date	<i>Completed</i>
AOC staff: Put Inactive Status policy on agenda for October 2 Interpreter Commission meeting	<i>In Progress</i>
AOC staff and Mr. Mattix: Write a paper about the revised inactive status policy for inclusion in the meeting packet for the October 2 Interpreter Commission meeting	<i>In Progress</i>
AOC staff: Get the appropriate forms for the Spring conference.	<i>In Progress</i>
AOC staff: Correct date for the DMCJA Spring Conference on calendar.	<i>In Progress</i>
AOC staff: Talk to Martha and Emma regarding possible topics for court interpreter coordinator conference.	<i>In Progress</i>

2015 – 2016 TRAINING EVENT CALENDAR

TRAINING EVENT	DATE	PLAN DUE ¹ :	TOPIC	PRESENTERS	LOCATION	NOTES
Judicial College 2015	Jan 2015	September	Working with Court Interpreters	Justice Gonzalez and others	Sea Tac	Well-received
Judicial College 2016	Jan 2016	Mid-August	Working with Court Interpreters	Justice Gonzalez Judge Galvan Judge Tam Bui (shadow faculty)	Sea-Tac	Orient shadow faculty to materials in preparation for being presenter in 2017.
DMCJA Spring Conference 2015	June 7-10, 2015	Oct. 24, 2014	Same as SCJA- (<i>Proposal not accepted</i>)			Not accepted but TA materials to provide
DMCJA Spring Conference 2016	June 2016	October 2, 2015	Proposal for LAP Template Session for Muni and District Courts	TBD		Focus would be on DCMCJA members
SCJA 2015	Apr 2015	Oct. 3, 2014	Language Access Plan Requirements and Updating	Fona Sugg; Theresa Doyle; Gillian Dutton	Skamania Lodge	
SCJA 2016	Apr 2016	Oct. 2015	TBD	TBD	Skamania Lodge	Propose topics
AWSCA 2015	Spring 2015	Oct. 3, 2014	Language Access Plan Requirements and Updating		Skamania Lodge	Joint presentation with SCJA Spring Conf
AWSCA 2016	Spring 2016				Skamania Lodge	joint with SCJA
DMCMA Spring Conference 2015	June 2015	Oct. 24, 2014	Not invited to furnish proposal			
DMCMA Spring Conference 2016	April 2016	Same as DCMJA				
Judicial Fall Conference 2015	Fall 2015	Spring 2015				
Judicial Fall Conference 2016	Fall 2016	<i>Need to check</i>				

¹ DATE DUE: Bold indicates Bob is not sure of exact date

“Optional” groups/events

TRAINING EVENT	DATE ²	PLAN DUE:	TOPIC	PRESENTERS	LOCATION	NOTES
GAL	May	Discuss with Shirley Bondon	Working with certified interpreters in GAL court settings	Shirley Bondon and Interpreter staff	TBD	invite to other trainings if not included in judicial officer training
LAP training			Technical Assistance in Plan Development? Train the Trainer?			
Minority & Justice Comm Annual Conf	April					Evaluate if to do yearly
Institute for New Court Employees (INCE)	October	July	Interpreter Program requirements and Courts' obligations for language access services	RL & KTC	Yakima, WA	
Presiding Judges Conference	Dec – every other year	Spring-time	Pro-Se litigants? Use of VRI? Document Translation LEP Accessible websites and resources		Next time in 2016	Propose topics
Pro Tem Training, sponsored by the Washington State Bar Association and DMCJA	April	November			Seattle	Depends if we get invited.
					Spokane	
WSBA	April 15, 2015	Indeterminate	Attorneys and Interpreters: Working Together	AOC staff and panelists	Seattle	Need names of persons with ethnic backgrounds
ATJ Access to Justice	June 12-14, 2015	December	Annual Conference	Bob Lichtenberg and Kristi Cruz	Wenatchee	
WSRID conference	October 8-12, 2015		Washington State Registry of Interpreters for the Deaf	Bob Lichtenberg	Lynnwood	
Workshop for court interpreter coordinators and any other court staff directly involved in supervising, procuring	March 2016 (tentative)		Tentative Agenda: 1. Credentialing Program 2. Ethical Roles of Interpreters 3. Working with New Interpreters 4. Working with Deaf court			

² DATE DUE: highlighting indicates date is approximated/guessed based on mentions of similar event in AOC-IC minutes 2007-2013.

or scheduling interpreters.		customers and ASL interpreters		
		5. Communication Tools		

BACKGROUND: PAST TRAINING EVENTS

Incomplete list of past training events mentioned in Education Committee reports or other reports in AOC-IC minutes 2007-2013

TRAINING EVENT	DATE	TOPIC	PRESENTERS	LOCATION	NOTES
Judicial College	January 2008	1½-hour session: interpreter best practices and LEP/State funding.		Tacoma	
Judicial College	January 2009 Session Plan DUE DATE: November 17, 2008	1¼-hour session: working with court interpreters	Judge James Docter, Mindy Baade and Katrin Johnson		See file: Judicial College Session Plan Interpreters 09.docx
Judicial College	January 24-29, 2010	45-minute presentation on working with interpreters	Katrin and Kenny Barger of WITS.		
Judicial College	January 23-28, 2011	1-hour plenary, highlight working with court interpreters.	Judge Riehl and Katrin	Cedarbrook Conference Center in SeaTac	
Judicial College	January 2012	Nothing reported			See file: Interpreter Presentation Materials. Jud Coll 2012. krj.docx
Judicial College	January 2013	Nothing reported	Judge Riehl & ???	Bellevue	
DMCJA Spring Conference	June 1-4, 2008	plenary session (1½ hour) on interpreter best practices ("communicating through interpreters"), resource table (staffed)	Collaboration of IC, WITS & AOC staff: Judge Mamiya, Emma Garkavi, Kenny Barger, Diana Meredith and Katrin Johnson.	Chelan	per September 14, 2007 minutes, Ed.C. members were: Emma, Frank, Virginia
DMCJA Spring Conference	2009	Nothing reported			
DMCJA/DMCMA joint Spring	May 2010	One elective session: best	Katrin J. coordinating a	Spokane	Examples include

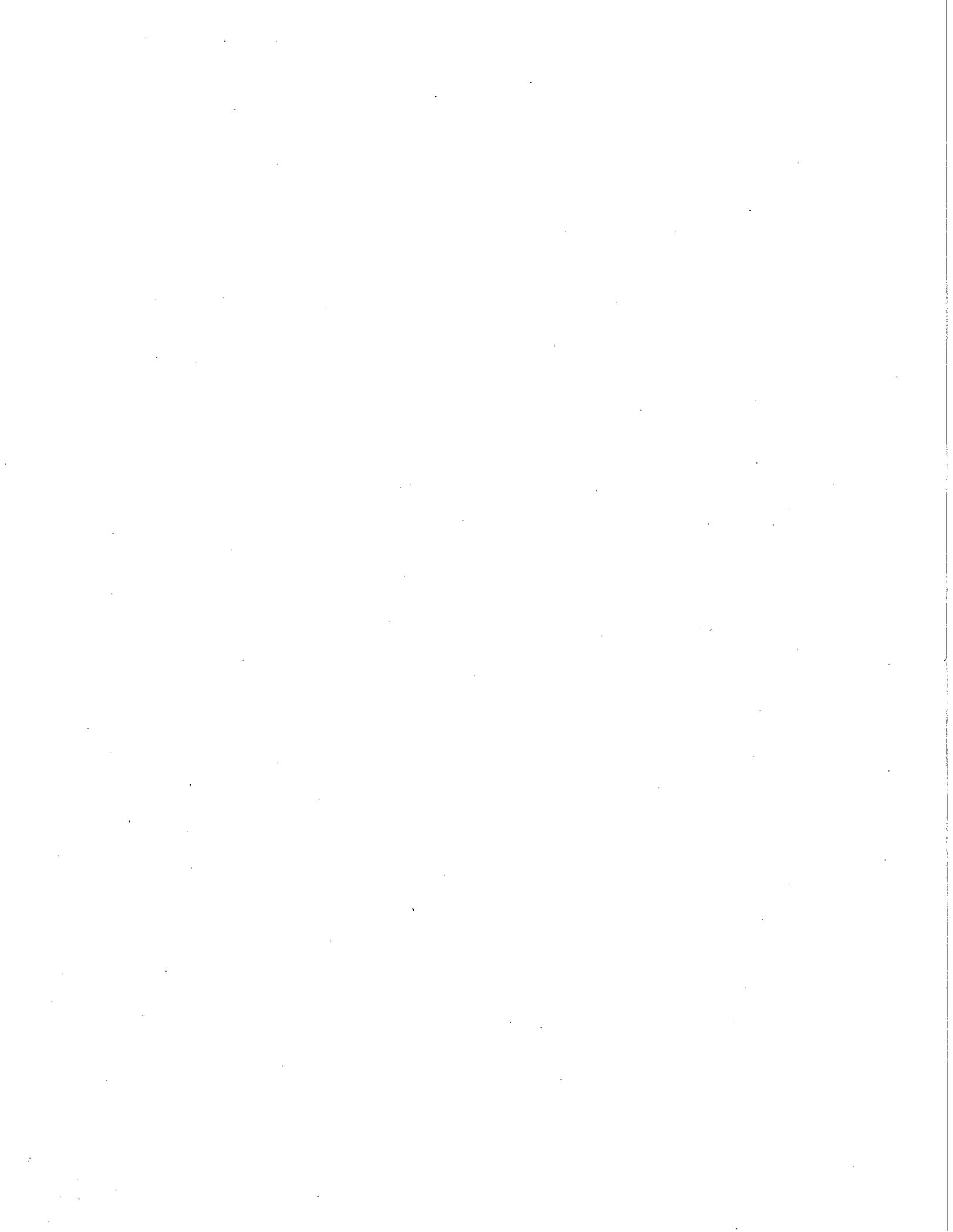
Conference			practices and cost saving measures regarding court interpreters.	session with court administrators and judges from Tukwila Municipal Court and Snohomish District Court		highlighting the Snohomish County's web-based interpreter "scheduler" and the joint payment policy of the municipal courts in King County.
DMCJA Spring Conference	June 5-8, 2011 Reported in February 4, 2011 minutes as "in the early stages of planning", no follow up report		two-hour plenary session and topics will include 1) sign language and deaf court customers, 2) understanding requirements under the ADA, and 3) GR 33 requirements.	Theresa Smith, Judge Catherine Shaffer of King County Superior Court, and Bruce Moran of Pierce County Superior Court		The Education Committee has submitted a plenary session proposal for the DMCJA Spring Conference focusing on language access for persons who are deaf and hard of hearing. The committee would like to offer this session to court administrators in the future.
DMCJA Spring Conference	2012		Nothing reported			
DMCJA Spring Conference	2013		Nothing reported			
SCJA	April 2008		Resource table: court interpreter program information, materials and bench cards	AOC staff		
SCJA	April 2009		None			
SCJA	April 25-28, 2010		Proposed session: navigating linguistic and cultural dynamics for Russian, Vietnamese and deaf court customers.	Proposal in conjunction with the Gender and Justice Commission. These three groups were specifically targeted because they represent the highest demand beyond Spanish interpreters. The Gender and Justice Commission's interest is illuminating family dynamics in these culture groups.		
SCJA	May 1-4, 2011		Nothing reported			
SCJA	April 2012		Nothing reported			
SCJA	April 2013		Nothing reported			

AWSCA	April 2008	Post-report: status of state funding of interpreter services; Pre-report: planned one-hour presentation: materials and discussion on the practical guide for court staff, LAP Plans and funding, etc.	Chris Ruhl and Katrin Johnson		materials were also sent to the AWSCA conference (maybe same materials as used for Fall Judicial Conference – Resource Table.
AWSCA	2009-2013	Nothing reported			
Judicial Fall Conference	Fall 2007	Interpreter Program Resource Table	Tina Williamson and Karina Pugachenok	Vancouver, WA	1 st time; October 19, 2007 minutes: Chris Ruhl reported on recent, current, and future interpreter-related presentations at judicial and court manager conferences and training sessions.
Judicial Fall Conference	October 2008	1½-hour elective. It was recommended that the presentation given here not repeat, but rather elaborate upon the presentation at the DMCJA Conference. one-hour presentation on working with sign language interpreters	Judge Yule, Emma Garkavi, Katrin Johnson, Kenny Barger and Claudia A'Zar. Bob Lichtenberg of ODHHL.	Spokane	
Judicial Fall Conference	2009-2010	Nothing reported			
Judicial Fall Conference – proposal denied	2011	A joint session proposal was submitted with the Minority & Justice Commission			
Judicial Fall Conference	2012-2013	Nothing reported			
GAL annual training	May 2008	invited to present for 40 minutes at a plenary	Katrin Johnson		invite to other trainings if not included in judicial

	session			officer training
LAP Training Sponsored by the AOC	Spring 2008	training on Title VI and the requirements for courts in providing LEP (limited English proficiency) assistance	Bruce Adelson, former attorney with U.S. Dept. of Justice who investigated LEP complaints against courts and court-related agencies	There was interest in the participants to offer this training via AOC's website – either as pre-filmed presentations or webinars.
Minority & Justice Commission Annual Conference	April 2008	Panel: "Enhancing Language Access in our Justice System."	Panel: six members from WITS, WASCLA and the Interpreter Commission.	evaluate if to do yearly
[National] Consortium on Racial and Ethnic Fairness in the Courts Annual Conference. In attendance were judges and court staff from around the country.	Spring 2008	combination of lecture, demonstrations and Q&A.	Justice Owens, Leticia Camacho, Chris Ruhl, Kenny Barger, Martha Cohen, and Molly Ertel (IC chair & member, AOC staff, WITS, KC OIS director, WA-DOC interpreter coordinator).	Seattle
WASCLA (Washington State Coalition for Language Access) Summit	Oct. 24-25, 2008	panels discussing a wide variety of language access issues. plenary session included Justice Owens, Judge Sypolt, and Judge Yule	Panelists include Justice Owens, Judge Sypolt, Judge Yule, and Katrin Johnson.	Leticia Camacho, IC member, is one of the organizers for the event.
WASCLA (Washington State Coalition for Language Access) Summit	Prior to November 5, 2010	various sessions	Katrin, Theresa and Kristi	Shoreline
Institute for New Court Employees (INCE)	Early Nov. 2008	30 minutes presentation on working with interpreters and how to provide better customer service to non-English speakers.	Katrin Johnson	Wenatchee
Institute for New Court Employees (INCE)	Prior to November 5, 2010	focusing on working with court interpreters and strategies for providing language assistance in customer service.	Katrin	

<p>Presiding Judges Conference</p>	<p>December 2008</p>	<p>compliance with Title VI and federal requirements for providing language access</p>	<p>Bruce Adelson, former attorney with the U.S. Department of Justice,</p>	
		<p>information on efforts to assist courts with their language access plans and other language access efforts.</p>	<p>AOC staff</p>	
<p>educational sessions designed for interpreter coordinators, managers, court administrators, and any other court staff directly involved in procuring or scheduling court interpreters.</p> <p>Both trainings were cancelled due to budget constraints for potential attendees, and a reported plan to offer this training again in March-June 2010 apparently never materialized.</p>	<p>Sep. 18, 2009</p>	<p>“Enhancing Court Services through Interpreters and Language Access”, including: how to find and work with interpreters, understanding interpreter ethics, considerations specific to sign language interpreters and deaf court customers, and innovative ways that courts have provided quality interpreting while reducing costs.</p>		<p>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.</p>
	<p>Oct. 15, 2009</p>			<p>AOC SeaTac facility</p> <p>Spokane</p>

<p>Pro Tem Training, sponsored by the Washington State Bar Association and DMCJA</p>	<p>Shortly before April 30, 2010</p>	<p>basic information on working with interpreters</p>	<p>Emma Garkavi and Katrin Johnson</p>	<p>Seattle Spokane</p>	<p>the class also included a protection order hearing conducted exclusively in Spanish. The litigant was English speaking, and a certified interpreter simultaneously interpreted into English for the litigant (and the audience). The audience in both venues providing an overwhelming response to the mock hearing, expressing how difficult and frustrating it was to be the person who couldn't communicate in the language spoken by the judge and attorneys. It was an impactful way to demonstrate the LEP litigant's perspective.</p>
<p>WSBA</p>	<p>Before August 24, 2012</p>	<p>Interpreting from the perspective of the litigant.</p>	<p>headed by Judge Alicea-Galvan</p>		<p>Recent effective presentations have been made at WSBA training events, headed by Judge Alicea-Galvan, with a Spanish court hearing. This places the audience in the perspective of the LEP court participant.</p>
<p>WSBA attorney training event</p>	<p>After August 24, 2012</p>	<p>working with interpreters</p>	<p>AOC staff will co-present with Russian Certified Interpreter Emma Garkavi</p>		<p>Recent effective presentations have been made at WSBA training events, headed by Judge Alicea-Galvan, with a Spanish court hearing. This places the audience in the perspective of the LEP court participant.</p>
<p>Judicial conferences</p>	<p>August 24, 2012 minutes: proposals for 2013</p>	<p>Judicial Education Session Proposals The Commission discussed possibilities for educational proposals for judicial conferences in 2013. After discussion, members agreed that the proposal should include a session which addresses the following topics: <input type="checkbox"/> Interpreting from the perspective of the litigant. Recent effective presentations have been made at WSBA training events, headed by Judge Alicea-Galvan, with a Spanish court hearing. This places the audience in the perspective of the LEP court participant. <input type="checkbox"/> Comparison of the state legal requirements versus the federal legal requirements in the provision of interpreters and other language access services. <input type="checkbox"/> Video Remote Interpreting</p>			





Interpreter Commission- Education Committee
September 17, 2015 (3:00 p.m. – 4:00 p.m.)
Teleconference

MEETING MINUTES

Members Present:

Sam Mattix (chair)
Linda Noble
Fona Sugg
Kristi Cruz

AOC Staff:

Robert Lichtenberg
James Wells

Guest:

Emma Garkavi

Absent Members:

Eileen Farley

I. Meeting Called to Order

- Call to Order at 3:10
- Previous minutes approved with a small correction

II. Old Business

Calendar of Training

Given funding and time constraints, AOC staff asked the Committee to consider focusing on either a presentation at the DMCJA spring conference or holding conference for court interpreter coordinators. The Committee discussed how a court interpreter coordinator conference would allow direct training of those who manage language services in the court.

Ms. Garkavi, the court interpreter coordinator from Seattle Municipal Court, provided the Committee with a draft agenda for workshops whose audience would be court administrators, court interpreter coordinators, or other court staff tasked with interpreter related duties. It was envisioned as being either a standalone event or it could be scheduled a day prior to another conference to make traveling more convenient. The conference could be held over one or two days.

Ms. Garkavi explained that one of the things that prompted the idea of a conference came from the number of basic questions that were sent out on the on the court interpreter coordinator listserv. Few courts have dedicated court interpreter coordinators. Usually a member of the court staff is tasked with scheduling interpreters as one of their responsibilities and there can be high turnover for this role.

The Committee discussed submitting a proposal to the DMCJA spring conference and then have that session videotaped for court staff who would not attend. However, it was felt that the training might not be suitable for the court administrators who would attend since many of them don't work directly with interpreter matters and so it may not be relevant for them. Also, the sessions are at most 90 minutes for a session which wouldn't come near the content that would be covered in a one- or two-day conference.

The Committee discussed having two workshops, one in Western Washington and one in Eastern Washington. Ms. Garkavi noted that when the idea was brought up initially the audience was receptive and that there would probably be an audience for both locations. However, it was thought that this would not be affordable.

The Committee also discussed how the training would be expanded to a two-day training based on the draft agenda. Team interpreting, translation of court forms, and sharing resources are some of the topics that could be given more time. Online scheduling systems are also a hot topic for courts. Some of these topics already have presentations prepared. It was noted that translation of forms probably wouldn't be done by an interpreter scheduler and that the audience for the conference should include court administrators.

There was a suggestion that scheduling this conference adjacent to the court administrator conference might make it cheaper for people since they would already be traveling. However, scheduling additional days away from court would be a challenge since they would be away from work longer.

Some members of the Committee expressed their concern about not providing training at the DMCA, especially since there hasn't been an interpreter session there for several years. A proposal was submitted last year, but it was not accepted.

The Committee suggested that a proposal be submitted to the DMCJA conference regarding the new language access plan that is currently being developed. A one-day conference on court interpreter coordinating should also be held. Courts would be invited to send whoever they think would be most appropriate, whether it be the court administrator, court interpreter coordinator, or other court staff who has been delegated the responsibility of scheduling and working with interpreters.

AOC staff suggested that they may be able to work with the Office of Deaf and Hard of Hearing to help prepare a court interpreter coordinator conference and include American Sign Language topics. They may be able to provide some funding and staff-time in preparing.

Mrs. Cruz discussed that she would be stepping down from the Education Committee, however, she would still be available for trainings in the future.

Inactive Status

Mr. Mattix discussed how he would like to have a proposal on inactive status to present at the October 2 Interpreter Commission meeting. He could submit the second version of the proposal that was previously sent to the Committee along with a list of pros and cons. Some members of the Committee did not feel comfortable submitting the proposal at that time since some members had been absent from the previous meeting and had not had time to give their input.

The Committee decided that Mr. Mattix will resend the proposed policy by email to the Committee members. AOC staff can provide comments. The Committee would continue the discussion about the proposal by email and would ideally be concluded by September 25 to allow the discussion to be part of the meeting packet for the October 2 Interpreter Commission meeting.

Ms. Cruz added some final suggestions for areas where the policy may need to be clarified: interpreters working while on inactive status; the factors that the AOC would consider on a case-by-case basis for granting or denying the active status; the five-year time limit and frequency that inactive status could be requested.

III. Next Meeting

The Committee will continue the discussion of the inactive policy proposal by email.

Action Item Summary	
<i>Mr. Mattix</i> – Resend the updated inactive policy proposal to Education Committee members to allow discussion by email.	<i>Complete</i>
<i>AOC staff</i> – Submit a proposal to the DMCJA spring conference regarding LAPs	<i>Future Action</i>
<i>AOC staff</i> – Begin preparations for a conference for court staff working with interpreters. Approach ODHH about the possibility of collaborating on the conference.	<i>Future Action</i>

FULL TEXT OF 2nd PROPOSED POLICY AMENDMENT:

Inactive Statusⁱ

- A. Interpreters may ask the AOC Interpreter Program to place them on "Inactive Status" without losing their certification or registration after the completion of no less than one two-year compliance cycle, during which period they shall not workⁱⁱ as interpreters in Washington State courts, county courts or municipal courts. The period of inactivity is limited to five years. Interpreters who do not return to active status within five years will automatically lose their certification or registration credentialⁱⁱⁱ. Requests for inactive status must be submitted in writing ~~in advance~~ to the AOC Interpreter Program ~~and include the proposed effective dates requested for inactive status.~~ The AOC Interpreter Program will consider such requests on a case-by-case basis^{iv} and will provide written confirmation of requested status to the interpreter within 10 business days.
- B. Only interpreters in good standing with the AOC Interpreter Program are eligible for inactive status. An interpreter is considered in good standing if s/he (1) has not had his or her certification or registration revoked; (2) has satisfied all continuing education, certification/registration, and/or certification/registration renewal requirements for the previous compliance period; and (3) has satisfied all other AOC Interpreter Program requirements.
- C. The Master List^v will reflect that the interpreter is on inactive status^{vi}.
- ~~D. An interpreter on inactive status is exempt from continuing education requirements while on inactive status but is awarded credit if s/he chooses to complete continuing education courses during the period of inactive status. The credit will be awarded as per section E.~~
- ED. An interpreter who wishes to return to active status must submit a written request to the AOC Interpreter Program. The interpreter must also complete the compliance requirements for continuing education and courtroom interpreting assignment hours for the period of inactive status in proportion to the number of months the interpreter is on active status during the compliance period in which reactivation occurs as the AOC Interpreter Program shall determine to be appropriate on a case-by-case basis^{vii}. (See Appendix A.)
- ~~F. An interpreter who returns to active status after a period of inactivity must complete 2 continuing education ethics credits within the compliance cycle in which s/he returns to active status.~~

ⁱ Reasons to have an Inactive Status policy:

1. For the sake of completeness: Many professions have an inactive status policy to allow their members the flexibility, without losing their credentials, to attend to lengthy personal, medical and family needs and crises, to take sabbaticals, to add to and diversify their expertise, and to serve in crisis situations. Interpreters and translators are in a profession that gives them more reasons than most other professions to need an active status policy; the very fact that they are language professionals indicates that they have lived in other language and

cultural settings for extended periods of time; thus most have significant ties outside of and in addition to their ties to Washington State. Such ties may require that they leave Washington State for extended periods of time after obtaining their court interpreter credentials. And by virtue of the fact that they are competent interpreters, there may be all the more demand and reason for them to respond to needs elsewhere.

2. At present, for lack of an inactive status policy, court interpreters who fail to maintain their compliance requirements for legitimate reasons such as those listed above become subject to a disciplinary policy process which may culminate in loss of their credential. This is counter-productive for AOC, WA courts and interpreters; it is also not the purpose of disciplinary policy.

Examples (not an exhaustive list) of valid reasons to request inactive status:

Personal and Family:

Surgery and recuperation, pregnancy and childbirth and child rearing, temporary retirement, sabbatical, extended travel abroad, care for an elderly family member here or abroad

Government service:

employment or contract work for US Department of State, US Department of Defense (e.g. unexploded ordinance removal-UXO, or Joint Casualty Accounting Task Force), extended assignment with DEA or FBI during surveillance, investigation or prosecution of cases, interpreting at the International Court of Justice at the Hague, at the UN or at European Union offices, on a Justice and Reconciliation Commission, at a war crimes trial

Professional development:

Obtaining more training as an interpreter or translator, teaching translation and interpretation courses

Pursuing other vocations:

Work in another area of expertise that the interpreter has such as medicine, law, engineering, journalism, language teaching (Note: many, if not most, interpreters are professionals in other disciplines), refugee relief work, development work, disaster relief and rebuilding efforts, religious and other charitable work

ⁱⁱ Applicants for Inactive Status need to understand clearly that this status is only for people who plan to cease working in the Washington State judicial system for an extended period of time such that it may be inconvenient, difficult or impossible to maintain timely compliance.

ⁱⁱⁱ Request for extension or for another inactive status: An existing inactive status authorized for less than five years may be granted an extension up to the full five years allowable. Any subsequent period of inactive status may only be granted after return to active status in accordance with D.

^{iv} The concern is that some people might attempt to abuse this policy in order to retain their credential even though they do not have a *bona fide* reason for failing to meet compliance requirements. This policy does not automatically grant Inactive status; rather it subjects the change of status to AOC Interpreter Program review. This should scare off those who might try to abuse the policy; and AOC staff should be able to weed out any with such motives brazen enough to apply.

^v Master List: Clarification needed: Does this refer specifically to AOC Interpreter Program in-house Master List, or is it equivalent to the WA Courts online interpreter directory?

^{vi} The Master List should provide clear message to users of the list that "inactive status" means that the interpreter is not available and not authorized currently to work in the Washington State judicial system.

^{vii} Considerations that the AOC Interpreter Program might use to determine what is appropriate on a case-by-case basis: Did the interpreter maintain and/or improve skills and knowledge needed for legal interpreting work during period of inactive status? Did the interpreter fulfill CE requirements by taking AOC-approved courses? Did the Interpreter work as an interpreter or translator in another venue while on inactive status? Can the interpreter document activities during period of inactive status of sufficient quality and quantity to be granted credit in lieu of some or all CE and legal interpreting hours for compliance purposes?

Interpreter Workshop (need a catchier title)
DRAFT Agenda

8:30 – 9:00 Registration

9:00 – 10:00 Certified, Registered, Qualified... Oh My

- Understanding why credentials matter
- Proper interpreting demos & audience activities
- Team interpreting
- Why interpreters ask to review files
- Electronic simultaneous equipment

10:00 – 10:45 The Role of the Interpreter – What they Should & Shouldn't Do & Why

- Understanding interpreters ethics
- What to do when interpreters appear to be breaking the code

10:45 – 11:00 Break

11:00 – 12:00 Finding Interpreters, and Preparing Non-Interpreters to Interpret

- Different online sources for interpreters, other possible sources
- How to coach a first timers (very rare languages) to do the job correctly, and what to tell the judge

12:00 – 1:00 Networking Lunch Onsite

1:00 – 2:30 ADA, ASL Interpreters, and Court Customers who are Deaf and Hard of Hearing

2:30 – 2:45 Break

2:45 – 3:30 How to Provide Access and Services in the Absence of Court Interpreters

- I speak cards, telephone interpreting, tricks

3:30 – 4:30 Group Discussion – Challenges, Resources to Share, Resources to Develop, Etc.

Court Interpreter Program Reports

FY 2016 Washington State Interpreter Commission and Program Workplan

Focus Areas & AOC Objectives	Projects	Activity Timeframe	Activities	AOC Staff	Commission Assigned Role	Projected Budget
<p>A. Interpreter Testing</p> <p>AOC External Objective 2d: <i>Strive to provide judges, court administrators, and staff the information, resources, and technology needed to provide a consistent level of core services.</i></p>	Written Exam (Bellevue College)	December 2015-Feb. 2016	<p><u>For Contracted Interpreter Testing Sessions</u></p> <ul style="list-style-type: none"> July 1: Create a contract with Bellevue College (BC) to perform written and certified language oral examinations pursuant to NCSC requirements. Create contract for Eastern WA written exam candidates Procure exam from NCSC and distribute written exam and conduct exam at 2 sites 	RWL JMW	Issues and Education Committees	<p>Testing fees= \$22,750* less payment to BC of \$7500 and AOC staff costs of \$375</p> <p>Revenue: to AOC: \$14,875</p> <p>*based on 130 people</p>
	Registered Oral Exam (conducted at AOC facility)	<p><i>FY16 Budget and Activity</i></p> <p>July-August 2015</p> <p><i>FY16 Budget and Activity</i></p>	<ul style="list-style-type: none"> Make arrangements with OPI and Versant for specific language raters' services Conduct OPI and Versant tests to registered oral language candidates Make remaining credentialing arrangements for passing candidates. 	RWL JMW	Issues and Education Committees	\$0.00
	Certified Language Oral Exam (Bellevue College)	<p>October 2015</p> <p><i>FY16 Budget and Activity</i></p>	<ul style="list-style-type: none"> Create flyers and registration forms for BC; Inform oral exam candidates of test and registration; Collect payments from BC and tender payment to BC for services 	RWL JMW	Issues and Education Committees	<p>Testing fees= \$16,200* less BC payment of \$6,750 and AOC staff: \$75</p>

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							<u>Revenue to AOC:</u> \$9,375 *based on 54 candidates
Interpreter Test Scoring (cont'd)	Certified Language Oral Exam Scoring	October 2015-December 2015 <i>FY16 Budget and Activity</i>	<ul style="list-style-type: none"> Secure test instruments from NCSC and distribute to BC. Notify candidates as results come back Make remaining credentialing arrangements. 	RWL JMW	Issues and Education Committees	Oral exam rating costs: \$12,000* *estimated	
B. Interpreter Candidate Training	Fall 2015 Ethics and Protocol Training <i>(did not occur in FY 15)</i> <i>Written Exam Prep Training (new)</i> FY 16 Budget/Activity	August 2015 for Fall E&P training December 2015 for Jan-Feb 2016 Trg.	<ul style="list-style-type: none"> Review training plan and training curriculum with committee chairs Identify faculty for educational sessions Work with faculty to develop and distribute curriculum 	RWL JMW	Education Committee	Estimated training costs: 2 Written Exam Prep Trgs: \$2,000	
AOC External Objective 2d; <i>Strive to provide judges, court administrators, and staff the information, resources, and technology needed to provide a consistent level of core services.</i>	Spring 2015 Ethics and Protocol Training Orientation to the 2016 Oral Exam	Jan. 2016 for March E & P; March 15 th for June 2016 Training	<ul style="list-style-type: none"> Prepare materials for education sessions to complement curriculum or training goals Logistics: Location arrangements, faculty contracts & travel; presentation materials and distribution 			2 Ethics and Protocol Training: \$2000 (est.) Oral Exam Training:	

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	<p>Proposed: Oral Examination Preparatory Training</p>	<p>July 1 for training sessions thru summer 2015 FY15/16 Budget and Activity</p>	<ul style="list-style-type: none"> • Review training plan and training curriculum with committee chairs • Identify faculty for educational sessions • Work with faculty to develop and distribute curriculum • Prepare materials for education sessions to complement curriculum or training goals • Logistics: Location arrangements, faculty contracts & travel; presentation materials and distribution 	<p>RWL DPM JMW</p>	<p>Issues and Education Committees</p>	<p>Fees to cover training costs. Cost: \$10,000 Fees: \$7500* = - \$2500 *\$150/person</p>
<p>C. Judicial & Court Staff Education AOC External Objectives 1c: Support efforts that ensure people of different cultures and backgrounds will be treated fairly and with respect. 1d: Offer judicial education programs that enhance training on issues of fairness and diversity designed to minimize the appearance of bias and other barriers facing court users. 2d: Strive to provide judges, court administrators, and staff the information, resources, and technology needed to provide a consistent level of core services.</p>	<p>2015 Pro-Tem INCE Judicial College DCMCJA Spring Conference: Not yet proposed; Court Interpreter Coordinator Training</p>	<p>August 2015 for Fall Trg. July 2015 for October Trg July 2014 for January 2015 trg. September 2015 for April 2016 trg. November 2015 for March/April 2016 Trg.</p>	<ul style="list-style-type: none"> • Pro-Tem, INCE, and Judicial College costs estimate is less than \$1,000, total. • Conference cost: \$1,500 estimated for faculty and AOC staff costs and lodging • \$4,000 (AOC IC and ODHH, TBD, FY16 budget) <i>Can charge attendance fees to court staff.</i> 			

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<p>1b: Improve services, assistance and information to self-represented litigants using existing and emerging technologies to provide better access to information and/or services of courts.</p>	<p>Pro-Se Resources Training for Court Staff</p>	<p>TBD</p>	<p>FY16 Budget and Activity</p>	<p>November for Spring 2017 Trg</p>	<p>Identify underserved or high-needs communities that have access barriers</p> <ul style="list-style-type: none"> Work with stakeholder groups to facilitate and implement outreach events. Prepare materials for education sessions to complement curriculum or training goals Logistics: Location arrangements, faculty contracts & travel; presentation materials and distribution 	<p>RWL DPM CD/MJCom</p>	<p>Issues and Education Committees Minority and Justice Commission</p>	<p>FY16 Budget</p>
<p>D. Underserved Language Community Outreach</p> <p>To facilitate communication between the three Supreme Court Commissions and the public, with the involvement of the legal and court communities of Washington State, regarding interaction with and participation in the justice system by foreign language speaking minorities or persons with disabilities.</p> <p>AOC Objective 4e: Educate and inform community organizations and the public about the judicial branch, legal principles, constitutional issues, and the operation of the courts.</p>	<p>Vietnamese Community Outreach</p> <p>Other language-minority groups:</p> <ul style="list-style-type: none"> African nations language groups Individuals with ASL needs 	<p>FY16 Budget and Activity</p>	<p>Identify underserved or high-needs communities that have access barriers</p> <ul style="list-style-type: none"> Work with stakeholder groups to facilitate and implement outreach events. Prepare materials for education sessions to complement curriculum or training goals Logistics: Location arrangements, faculty contracts & travel; presentation materials and distribution 	<p>November for Spring 2017 Trg</p>	<p>Identify underserved or high-needs communities that have access barriers</p> <ul style="list-style-type: none"> Work with stakeholder groups to facilitate and implement outreach events. Prepare materials for education sessions to complement curriculum or training goals Logistics: Location arrangements, faculty contracts & travel; presentation materials and distribution 	<p>RWL DPM CD/MJCom</p>	<p>Issues and Education Committees Minority and Justice Commission</p>	<p>\$1,000 per outreach training for interpreter costs for attendees who do not speak English plus \$500 in staff travel per outreach event</p> <p>2 outreach presentations per year = \$3000</p>

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<p>E. RESEARCH To design, fund, and conduct research projects relating to language access problems experienced by non-English speaking groups in the Washington state justice in order to improve the delivery of interpreting services needed by the courts.</p>	<ul style="list-style-type: none"> Language demographics and needs in WA state Court document translation resources and needs survey 	<p>Ongoing</p> <p>Surveys TBD</p>	<ul style="list-style-type: none"> Consult with DSHS and other state agencies to get data Conduct data analysis Conduct gap analysis Recommend plan of action 	<p>RWL DPM JMW</p>	<p>Issues Committee</p>
<p>EVALUATION AND IMPLEMENTATION To review Commission and justice-related issues and obligations, rules and processes, and to develop action plans that will enhance the ability of the courts to provide for the access to justice by Title IV and ADA-covered individuals AOC Objective 2a: <i>Strengthen the structure and policy development process within the governance entities of the judicial branch so that policies will be developed and implemented in an efficient and effective manner</i></p>	<ul style="list-style-type: none"> Updating language access plans with courts in reimbursement program Assist with implementing AOC's LAP Document Translation Resources Project 	<p>Ongoing</p> <p>FY16/17 <i>Budget and Activity</i></p> <p>TBD</p>	<ul style="list-style-type: none"> Review existing program participant LAPs Create up-to-date model template 	<p>Issues and Education Committees</p>	<p>Staff travel: \$1500</p>

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<p>POLICY ANALYSIS AND GOVERNANCE Interpreter Commission Meetings AOC Objective 2a: <i>Strengthen the structure and policy development process within the governance entities of the judicial branch so that policies will be developed and implemented in an efficient and effective manner</i></p>	<p>Four Commission meetings per fiscal year</p>	<p>Quarterly basis: September, December, February, and May FY15 Budget and Activity</p>	<ul style="list-style-type: none"> Logistics: Location arrangements, member travel and per diem; presentation materials and distribution 	<p>AOC staff</p>	<p>Commission members</p>	<p>\$700 per SeaTac Commission meeting (3 meetings) May 2016 Forum \$3500 Total \$5600</p>
<p>Program Incidentals</p>	<ul style="list-style-type: none"> CLAC Conference Training materials Document translation Badges and Fingerprint costs Mail Copies Telephone Misc. Travel 2015 NCSC Dues 	<p>May 2016 in New Orleans</p>		<p>RWL DPM PA*</p>	<p>AOC Staff</p>	<p>\$10,000 \$8,734</p>

Revenue:

Interpreter Commission Budget Allocation:	\$ 41,150
Fee Revenues	\$ 24,250 (after payment to Bellevue College for their services)
Total Revenue	\$ +65,400
Estimated Budget Expenses	\$ -53,834
Estimated Budget Balance	\$ +11,566