

**Washington State Supreme Court
Interpreter Commission**

March 30, 2018

Meeting Packet

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

**Interpreter Commission
Meeting Agenda**



Interpreter Commission Quarterly Meeting
 Friday, March 30, 2018
 SeaTac AOC Office, 18000 International Blvd. SW, SeaTac, WA
 Suite 1106, Large Conference Room
 8:45 am-11:45 am

AGENDA

<ul style="list-style-type: none"> • Call to Order 	<p>Justice Steven González</p>
<ul style="list-style-type: none"> • Approval of December 8, 2017 Minutes 	<p>Justice Steven González</p>
<ul style="list-style-type: none"> • Chair's Report <ul style="list-style-type: none"> • Moment of Remembrance • Introduction of Donna Walker • BJA Task Force and 2017-19 Legislation Updates • Non-Certified Interpreter Oversight • LAP Review and Approval • May Commission Meeting • 2017 Annual Report Reviewers • Departing Representative Recruitment 	<p>Justice Steven González</p> <p>Jeanne Englert</p> <p>Elisa Young AOC Staff</p>
<ul style="list-style-type: none"> • Committee and Partner Reports <ul style="list-style-type: none"> • Issues Committee Report <ul style="list-style-type: none"> • GR. 11.2 Final Approval • Education Committee Report <ul style="list-style-type: none"> • 2018 Conference Proposals • 2019 Judicial Conference Faculty • Outreach Ad Hoc Committee Report <ul style="list-style-type: none"> • Outreach Project Charter? • ATJ Board Liaison Report <ul style="list-style-type: none"> • State Plan Support 	<p>Judge Andrea Beall</p> <p>Katrin Johnson</p> <p>Elisa Young</p> <p>Judge Laura Bradley</p>
<ul style="list-style-type: none"> • Court Interpreter Program Report <ul style="list-style-type: none"> • Program Reports: <ul style="list-style-type: none"> • Commissions Manager Report • Court LAP Training Plan • Interpreter Program Updates • Business for the Good of the Order 	<p>Cynthia Delostrinos AOC Staff AOC Staff</p>
<ul style="list-style-type: none"> • Adjourn 	<p>Justice Steven González</p>

Next Meeting (tentative): Friday, May 18, 2018, 8:45 am. – 11:45 noon. AOC SeaTac Office Building, Large Conference Room

Meeting Minutes



Interpreter Commission Meeting
Friday, December 8, 2017
AOC SeaTac Office Building
18000 International Blvd, Seattle, WA 98188

MEETING MINUTES

Members Present:

Justice Steven González
Judge Andrea Beall
Francis Adewale
Eileen Farley
Maria Luisa Gracia Camón
Thea Jennings
Lynne Lumsden
Dirk Marler
Linda Noble
Fona Sugg
Elisa Young
Alma Zuniga

Members By Phone:

Judge Teresa Doyle
Judge Laura Bradley

Members Absent:

Katrin Johnson
LaTricia Kinlow

AOC Staff:

Cynthia Delostrinos
Robert Lichtenberg
James Wells
Jeanne Englert
Misty Butler

Guests:

Estella Castro
Dulce Bustamante
David Bradley
P. Diana Schneider
Montes de Oca Ricks
Milena Calderari-
Waldron
Emma Garkavi

CALL TO ORDER AND INTRODUCTIONS

The meeting was called to order by Justice Steven González at 8:45am.

APPROVAL OF SEPTEMBER 29, 2017 MEETING MINUTES

Minutes were approved without modification.

CHAIR'S REPORT

Community Representative Committee Appointment

- Ms. Young was appointed to the Issues Committee.

The Commission discussed allowing a public comment period:

- The draft should be put out for interpreter comment before going to the Supreme Court Rules Committee. This will allow the code to be more usable for the audience who will be using it and let them know they have support of the Commission.
- The notification for the comment period could take place after the holidays and last for a couple of weeks. Notification can be sent out on the listserv for credentialed interpreters. The request for comment should ask for specific suggestions and even refer to specific sections of concern.
- The Issues Committee will review the comments to bring back recommendations for the next Commission meeting.

CEU Hours Revision and Removal of Peer Review Requirement

- The policy for granting credit to court credentialed interpreters working on assignments for the Interpreter Commission has been updated. One reason was to restrict the number of credits an interpreter can for class preparation since interpreters could gain almost all of their required credits for a cycle very easily. This was unfair since not all interpreter can get credits by teaching.
- New language was added allowing the program coordinator more flexibility in the number of credits granted.
- The number of credits for certified and registered interpreters was equalized since both groups are now required to earn the same amount of credits in a given reporting cycle.
- Language allowing credits to be granted for translation work was removed for several reasons:
 - Interpreters are usually paid for translation work they do making the granting of credits unnecessary.
 - The Commission's scope does not currently include translation work.
 - Not all interpreters are capable or qualified to do translation work.

Motion: Updates to the CEU Hours policy are unanimously approved.

Motion: Removal of language allowing credits to be provided for translation work is unanimously approved.

Written Exam Results Three-Year Expiration Rule

- Current policy states that the written exam results of candidates in the credentialing process are only valid for three years. Candidates must pass the Oral Exam within 3 years of passing the Written Exam or re-take the written exam to become eligible again.
- This policy was put in place at a time when the fee for test candidates to take the exam was lower and rating each person's oral exam was more costly for the

diversion programs for the children may be affected by problems of communication between the court and the parents.

- Interpreters can be affected in these juvenile cases since there is often a great deal of untranslated reading material. Often the education level of the parents can be a factor when interpreters are required to sight-translate many documents.
- Superior courts usually deal with the kinds of juvenile cases being discussed. The fall conference is for judges from all levels, so it may be necessary to make the proposal for a choice session.
- A second possible topic could be how courts work with people who have disabilities that are not directly language related but affect their ability to communicate.

Staff Reports

Commission Manager's Report

Extension of CEU Reporting Deadline

- There will be a three month extension to the deadline for interpreters to complete their compliance requirements for the 2016-2017 cycle.
- The online system where interpreters enter their requirements was updated earlier this year. There had been some delays in the implementation and glitches so there was a concern interpreters might not be able to enter in all of their requirements on time.
- Interpreters have ID badges with expiration dates. All interpreters would be mailed stickers with an updated expiration date for the temporary extension.
- Interpreters and courts would be informed about the extension.

Joint Commissions Education Committee Update

- A committee made up of the chairs of each of the Commission's education committees had been created. The committee has been looking at where there are overlapping issues involving diversity, equity, and inclusion. The Committee is also looking at priorities of each of the Commissions and how those could be included in education sessions of other Commissions.
- Members of the Interpreter Commission are welcome to suggest any topics.

Translated Domestic Violence and Sexual Assault Protection Order Forms

- The Gender and Justice Commission funded the translation DV/SA Protection Order forms into Spanish, Russian, Vietnamese, and Korean.

LAP Approval Criteria

- Language access plans will be reviewed based on criteria found in state law. Concerns that arise during the review can go to the Issues Committee.

AOC Interpreter Program Reports:

Tagalog-specific Course Update

- The class is scheduled to begin early in 2018. The final contracts between had been prepared and are in negotiation between Washington and California.

Chairs Report

The Supreme Court
State of Washington

STEVEN C. GONZÁLEZ
JUSTICE
TEMPLE OF JUSTICE
POST OFFICE BOX 40929
OLYMPIA, WASHINGTON 98504-0929



(360) 357-2029
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E-MAIL J_S.GONZALEZ@COURTS.WA.GOV

Mr. Sean Lumsden
2710 S. Myrtle St.
Spokane, WA 98223-3724

Dear Mr. Lumsden and the Lumsden Family,

I would like to begin by expressing my deep condolences for the loss of your wife, the mother to your children, and the friend to many in the community you both shared. I received the news of her passing with sadness and hope that in time, grief will be overtaken by a sense of comfort that she helped create a better world because of her devotion to the right and good.

She was a much valued member of the Washington State Supreme Court Interpreter Commission from the beginning of her service. Her work on the Commission was historic in that she was the first ASL Court Interpreter Representative on the Commission. She was appointed by a former Chief Justice of the Washington State Supreme Court and I am proud to have nominated her for that appointment. The Commission's members serve a critical role to all levels of courts in this state by providing guidance to the state Administrative Office of the Courts and to members of the bench on matters involving the services of court interpreters for people who do not speak English or who rely on sign language for communication.

As a member of the Commission's Education Committee, Mrs. Lumsden provided important educational program content for interpreters, court staff, and judges throughout the State of Washington. She made significant contributions to a workgroup drafting new rules for the Supreme Court to adopt governing court interpreter ethics. During our Commission meetings, we appreciated her oft-expressed support for using best practices to ensure the delivery of effective interpreting services to protect the legal rights of deaf or hard of hearing people who are ASL users and to afford them the dignity and opportunity to avail themselves of our justice system.

She would often encourage us to "prevail" no matter what the challenge may be and as Chair of the Commission, I will do what I can to ensure that we continue to prevail in our efforts to improve the work of the courts. That we must carry on what Lynne Lumsden believed with so much heart-felt passion is very important to the progress of justice in this society and ultimately, justice must prevail.

With Sincere Regards,


Justice Steve González

Cc: Robert Lichtenberg, Administrative Office of the Courts

Donna S. Walker | SC:L | NIC-Advanced | CI | CT

Email: donnainterpreter@gmail.com | **Phone:** (509)-999-5326

Resolution

To facilitate communication between people who are deaf and hearing in a manner that is sensitive and respectful both to the person and their culture in a host of settings.

Key Accomplishments

- ❖ Business Owner 1996-current | Community Interpreting | specializing in
 - Judicial system | Court | Parole | Police | Attorney Meetings
 - Business matters
 - Drug and alcohol rehabilitation
 - Medical appointments
 - Conferences and Workshops
- ❖ Peer Mentor | 2000-current

National Certifications

- ✓ Registry of Interpreters for the Deaf | Special Certificate Legal | September 2011
- ✓ Registry of Interpreters for the Deaf | National Interpreter Certification-Advanced | October 2009
- ✓ Registry of Interpreters for the Deaf | Certificate of Transliteration | October 2006
- ✓ Registry of Interpreters for the Deaf | Certificate of Interpretation | March 2001
- ✓ National Association of the Deaf | Certificate Level III | December 1999

Education and Training

Spokane Falls Community College | Interpreter Training/Deafness | Associate in applied Science | Spokane WA | Graduated with honors | 1994-1996
Continuing Education Units | Legal and General Interpreting | 20-25 hours yearly | 1996-current

Professional Associations

- Registry of Interpreters for the Deaf, Inc.
- Washington State Registry of Interpreters for the Deaf
 - Executive Board | 2005-2007 | 2011-2013
 - Co-Chair | Annual State Conference, October | 2004 | 2009 | 2012
 - Chair | Professional Development Committee Spokane | 2000-2011

Donna S. Walker | SC:L | NIC-Adv | CI | CT | NAD III

Email: donnainterpreter@gmail.com | **Phone:** (509)-999-5326

Thank you for considering me as a member of the AOC, Interpreter Commission team. In my research, regarding the Interpreter Commission, I found key aspects of the mission and the scope of work to fit with my values and experience.

Mission: "...ensure equal access to justice..."

Having worked as a professional sign language interpreter for more than 20 years I have seen how systems can promote the oppression of individuals that do not speak, read or write English. I am encouraged to see the dedicated members of the Interpreter Commission working to ensure this right to all. I would be honored to be a part of team working toward this goal.

Scope of Work: continuing education and training

I have had the great fortune to present workshops, trainings and to mentor emerging interpreters. It gives me joy to be a part of the development of interpreters and their practice and to see them discover their skills.

Scope of Work: certification

From the beginning of my career it has been my goal to continually reach for the latest national certification. I earned my first certification in 1999 and have earned a total of 5 national certifications, including my Special Certificate: Legal. I believe national and local standards or certifications are imperative to the integrity of any interpreting practitioner.

The Deaf Community has given much to me in the way of mentorship and has entrusted me to be their language access. I would like to give back to those who have helped raise me in my career by contributing to the Interpreter Commission.

I appreciate your time and consideration.

Best Regards,

Donna S. Walker, SC:L, NIC-Advanced, CI, CT, NAD III

COURT INTERPRETER COMMISSION

<p>Justice Steven C. González, Chair Washington Supreme Court</p> <p><i>Appointed by Chief Justice</i></p>	<p>Dirk Marler Administrative Office of the Courts</p> <p><i>Administrative Office of the Courts Term expires 9-30-18</i></p>
<p>Eileen Farley Northwest Defenders Association</p> <p><i>Ethnic Organization Representative Term expires 9-30-19</i></p>	<p>Thea Jennings Washington State Bar Association</p> <p><i>Public Member Term expires 9-30-18</i></p>
<p>Luisa Gracia Camon</p> <p><i>Interpreter Representative Term expires 9-30-19</i></p>	<p>Linda Noble</p> <p><i>Interpreter Representative Term expires 9-30-18</i></p>
<p>Vacancy</p> <p><i>American Sign Language Interpreter Representative Term Expires 9-30-19</i></p>	<p>Alma A. Zuniga Northwest Justice Project</p> <p><i>Attorney Representative Term expires 9-30-18</i></p>
<p>Judge Andrea Beall Puyallup Municipal Court</p> <p><i>District and Municipal Court Representative Term expires 9-30-20</i></p>	<p>Judge Theresa Doyle King County Superior Court</p> <p><i>Superior Court Representative Term expires 9-30-20</i></p>
<p>Fona Sugg Chelan County Superior Court</p> <p><i>Court Administrator Representative Term expires 9-30-18</i></p>	<p>LaTricia Kinlow Tukwila Municipal Court</p> <p><i>District/Municipal Court Administrator Representative Term Expires 9-30-19</i></p>
<p>Katrin Johnson WA State Office of Public Defense</p> <p><i>Public Member Representative Term Expires 9-30-19</i></p>	<p>Francis Adewale Spokane City Ofc of the Public Defender</p> <p><i>Public Defender Representative Term Expires 9-30-19</i></p>
<p>Elise O. Young Office of Minority and Women's Business Enterprises</p> <p><i>Community Organization Representative Term Expires 9-30-2020</i></p>	<p>Staff</p> <p>Robert Lichtenberg, Program Coordinator/Commission Liaison robert.lichtenberg@courts.wa.gov</p> <p>James Wells, Interpreter Program Support james.wells@courts.wa.gov</p>



March 8, 2018

TO: Board for Judicial Administration Members
FROM: Justice Steven González, Judge Michael Downes, and Judge Andrea Beall, Co-Chairs
RE: Interpreter Services Funding Request for BJA review and approval

Purpose

The Interpreter Services Funding Task Force submits the interpreter funding request for BJA review and approval at the March 16, 2018 meeting.

Funding Request Overview

The Interpreter Services Funding Task Force reviewed data from the Interpreter Commission, AOC Reimbursement Program, research and document reviews and a survey distributed to Washington Courts to gather information about local courts' interpreter services and funding needs. The Task Force found that over the past two years, Washington State courts have experienced increased court interpreter costs and difficulties finding qualified interpreters.

To meet increasing needs, it is critical that courts have access to state funding in order to provide quality and timely interpreter services.

The Task Force recommends the following funding request for consideration:

- 1) Expand the AOC Interpreter Reimbursement Program to include new courts and to provide additional funds to existing courts. The Reimbursement Program currently provides limited funds to only 41 courts. No new courts have been able to apply for these funds since the program's inception in 2008. Increased funds will allow more courts access to quality interpretation. There will be a priority in the first year to recruit small and rural courts into the program. Increased funding for the program will also support additional recruitment, testing and training for all languages with a focus on rarer language and certified interpreters.

Interpreter Service Funding Task Force – Funding Request

Funding Request	FTE	Cost FY2020		Cost FY2021		Cost FY2022		Cost FY 2023	
		Pass Through	Other	Pass Through	Other	Pass Through	Other	Pass Through	Other
1) Funding to Expand Interpreter Reimbursement Program Funding to reimburse courts up to 50% of interpreter costs (pass through money), and staffing to support program expansion and increased interpreters testing and training.	1.6 Yr 1 1 Yr 2 1 Yr 3-4	0	212,000	1,301,000	170,000	2,435,000	170,000	3,568,000	170,000
Totals		Cost FY 2020 \$212,000	Cost FY 2021 \$1,471,000	Cost FY 2022 \$2,605,000	Cost FY 2023 \$3,738,000	Biennium 19-21 \$1,683,000		Biennium 22-23 \$6,343,000	

APPROVAL CRITERIA FOR LANGUAGE ACCESS PLANS

TO: All Washington trial courts

PURPOSE: To assist courts in the development of a written language access plan, as required by RCW 2.43.090. Below is a set of criteria that the Interpreter Commission will be looking for when assessing each court's language access plan.

Pursuant to RCW 2.43.090, each court's language assistance plan must include provisions addressing the following:

- Procedures to identify and assess the language needs of non-English-speaking persons using the court system;
- Procedures for the appointment of interpreters as required under RCW 2.43.030. Such procedures shall not require the non-English speaking person to make the arrangements for the interpreter to appear in court;
- Procedures for notifying court users of the right to and availability of interpreter services. Such information shall be prominently displayed in the courthouse in the five foreign languages that census data indicates are predominate in the jurisdiction;
- A process for providing timely communication with non-English speakers by all court employees who have regular contact with the public and meaningful access to court services, including access to services provided by the clerk's office;
- Procedures for evaluating the need for translation of written materials, prioritizing those translation needs, and translating the highest priority materials. These procedures should take into account the frequency of use of forms by the language group, and the cost of orally interpreting the forms;
- A process for requiring and providing training to judges, court clerks, and other court staff on the requirements of the language assistance plan and how to effectively access and work with interpreters; and
- A process for ongoing evaluation of the language assistance plan and monitoring of the implementation of the language assistance plan.

Committee Reports



Interpreter Commission - Issues Committee
Tuesday, January 9, 2018 (12:00 p.m. – 1:00 p.m)
Teleconference

MEETING MINUTES

Members Present:

Judge Beall
Thea Jennings
Linda Noble
LaTricia Kinlow
Elisa Young

AOC Staff:

Robert Lichtenberg
Nichole Kloepfer

Members Absent:

Alma Zuniga (Excused)

Call to Order

1. Approval of December 2017 meeting minutes

Meeting minutes from the December 2017 meeting approved as presented.

2. Cover letter and Comment Template for GR 11.2 Review by court interpreters (placeholder discussion item)

Suggested changes by Linda Noble at the last committee meeting in regards to General Rule (GR) 11.2 were adopted and to be distributed.

The time frame for input will be 2 weeks. The next Commissions meeting is February 6, 2018, so there should be plenty of time to relay feedback to the Commission. Comments on the changes will be submitted to Bob Lichtenberg via template and emailed to Linda.

ACTION: Bob will add language for ASL interpreters. Nichole Kloepfer and Bob will work together to disseminate the message and information.

3. Proposal to Eliminate Photo ID Compliance Status Stickers (Linda Noble proposal)

Linda Noble proposed to remove expirations dates from Interpreter badges. In her proposal she indicates that:

1. Expiration dates on badges are not reliable verification that an interpreter is in compliance. The expirations are printed on plain paper and mailed. The only way to verify that an interpreter is in compliance is to look them up in the data base.
2. "Expired" interpreters do not pose a significant risk to security. If an "expired" interpreter wished to rely on their badge to continue working, they could easily print a piece of paper and stick it on their badge.
3. The Bar Association issues bar cards to attorneys that do not expire. If an attorney is disbarred, that information is made public via the Bar Association, not by failing to extend an attorney's bar card.
4. The practice of sending pieces of paper that are then taped on to badges is a small, but not insignificant, way of demeaning the profession.
5. Generating and mailing these updated expiration pieces of paper is an unnecessary administrative task and misuse of valuable staff time.
6. The paper wears off the badge, rendering it illegible anyway.

Further details can be found on the proposal. After talking to James, Linda suggested amending the remedy to have an attachment to the badge that references the Interpreter website to verify compliance. The idea is not to reissue the badges just not send out the stickers.

Thea Jennings supports the proposal. Trish Kinlow would like to ask the DMCMA later this week about the issue to see how it would affect administrators and report what questions and concerns they many have.

Judge Beall asked Bob what the notification process is when interpreters are decertified. If the interpreters are not in compliance the courts and court interpreter coordinators get the information. If within the 2 year compliance period their certification is revoked an email will go out or they have to check the database.

ACTION: Judge Beall would like to table this until the next Issues Committee meeting.

4. Letter from NJP re: Conduct by courts in Whatcom County

The letter in question addresses concerns with Whatcom County courts not complying with Title VI, language access requirements.

Judge Beall asked if Whatcom County receives reimbursement through the Interpreter program. Bob says he doesn't think so.

Judge Beall was unsure what the Commissions purview is in this issue considering the county is not part of the reimbursement program. Trish Kinlow asked if the new Language Access Plan template addresses the concerns listed? Judge Beall and Bob indicate that it does.

In the past Interpreters Commission sent a letter to the county indicating that issues have been raised. The new LAP template can accompany the letter. Historically the

letter comes from the Justice of the Commission and if it continues to be a problem then it would go to full Commission.

ACTION: Bob will draft a letter and follow up with Justice Gonzalez before disseminating. Judge Beall and committee approves.

The next Issues Committee meeting is February 6th, 2018, 12-1pm.



Interpreter Commission - Issues Committee
Tuesday, February 6, 2018 (12:00 p.m. – 1:00 p.m)
Teleconference

MEETING MINUTES

Members Present:

Judge Beall
Thea Jennings
Linda Noble
Alma Zuniga (Excused)

AOC Staff:

Robert Lichtenberg
James Wells

Members Absent:

LaTricia Kinlow
Elisa Young

Call to Order

1. Approval of January 2018 meeting minutes

Minutes approved with modifications.

2. GR 11.2 revisions progress report

The draft of the revised Code of Conduct approved at the last Issues Committee meeting has been sent out to spoken and sign language interpreters for comment. About 11 comments were received and they varied in complexity from simple copy editing suggestions to more substantive changes that involve legal issues. The group working on the revised code has begun started reviewing the comments.

For the next Issues Committee meeting, Ms. Noble will create a document that includes some of the simpler changes that resulted from the comments. For the comments that require more substantive changes, she will provide the comment, the context in the code for the comment, and research that had been done on the issue.

The Committee discussed how judicial officers would be able to comment on the revisions. The Interpreter Commission has three judges so there has been a chance to add input from a judge's perspective. The Supreme Court Rules Committee would put the revisions out for comment during their consideration process. The Issues Committee would seek direction at the next Commission meeting about the need to put the revised code out for judicial comment before submitting it to the Supreme Court Rules Committee.



Interpreter Commission - Issues Committee
Tuesday, March 6, 2018 (12:00 p.m. – 1:00 p.m)
Teleconference

MEETING MINUTES

Members Present:

Judge Beall
Thea Jennings
Linda Noble
LaTricia Kinlow

AOC Staff:

Robert Lichtenberg
James Wells

Members Absent:

Elisa Young
Alma Zuniga

Call to Order

1. Approval of February 2018 meeting minutes

Minutes approved with modifications.

2. GR 11.2 Revisions Progress Report

The Committee discussed the edits to the code that had been suggested:

- **Definitions section:** Definitions had been added for terms "first person" and "third person". The Committee decide to not keep these definitions since the terms were only used once in the code and in a comment section instead of a cannon. Although misuses of these pronouns was a common problem, it was felt these definitions would not solve that issue.
- **Applicability section:** The Committee discusses the merits of using the term "must" versus "shall" in this section and in other parts of the document and the connotations of each term. They decided to keep the language as modified.
- **Impartiality and Neutrality section.** The Committee suggested the most inclusive language in this section would be "parties and/or the court."
- **Confidentiality section:** The Committee discussed the need and motivations for intepreters to keep information confidential. At times it may be a result of remaining impartial to the case and other times it may be due to being privy to privileged communication.

The Committee will present the draft with the changes discussed during the meeting to the Interpreter Commission at their March meeting. They would present the final version without the track changes, but have those changes available for reference during the meeting if questions arose. The materials needed to submit the changes to the Supreme Court Rules Committee would be discussed at the April Issues Committee meeting.

3. Interpreter ID Badges

AOC staff spoke with AOC management about need for Interpreter Commission approval to change the policy language regarding expiration stickers on interpreter ID badges. Management recommended that this change was administrative in nature and that a Commission vote would not be necessary to make the change.

Action Items
<i>Ms. Noble</i> – Submit the final draft incorporating the changes from this meeting to AOC staff, who will send it the Commission ahead of the meeting for review and include it in the meeting packet.

CODE OF PROFESSIONAL RESPONSIBILITY FOR JUDICIARY INTERPRETERS

TABLE OF CONTENTS

- Preamble
- Scope
- Applicability
- Compliance
- Definitions
- Canons and comments

PREAMBLE

As officers of the court, interpreters shall maintain high standards of professional conduct that promote public trust and confidence in the administration of justice. The purpose of this code is to establish standards of conduct that interpreters must abide by in order to preserve the integrity and independence of the judicial system. It establishes core ethical principles of interpreter conduct in all aspects of their profession.

SCOPE

The text of each rule is authoritative, while the comments provide important guidance in understanding the rules.

APPLICABILITY

All interpreters serving in the judicial system must abide by this Code of Professional Responsibility.

COMPLIANCE

Interpreters who violate the provisions of this code are subject to disciplinary action and/or any other sanction that may be imposed by law.

DEFINITIONS

Source language – the original language of the writer or speaker.

Target language – the language of the receiving reader or listener.

Register – the degree of formality of language.

Sight translation – the rendering of a written document directly into a spoken or signed language, not for purposes of producing a written document.

CANONS

(a) ACCURACY

Interpreters shall reproduce in the target language the closest natural equivalent of the source language message without altering it by means of addition, omission, or explanation.

Comment

[1] Interpreters are obligated to conserve every element of information contained in the source and target languages. In doing so, they fulfill a twofold duty: 1. to ensure that legal proceedings reflect in English precisely what is said or signed by Limited English Proficient individuals; and 2. to place Limited English Proficient individuals on an equal linguistic footing with those who are fully English proficient.

[2] Interpreters are required to apply their best skills and judgment to render, as faithfully as reasonably possible, the meaning of what is said or signed, preserving the style and register of speech, and the ambiguities and nuances of the source statement.

Everything should be interpreted, even if it appears non-responsive, obscene, rambling, or incoherent. This includes false starts and apparent misstatements. However, verbatim, "word for word," or literal interpretation is inappropriate if it distorts the meaning of what is said or signed.

Spoken language interpreters should convey the speaker's tone without reenacting or mimicking the speaker's emotions or dramatic gestures. Sign language interpreters, on the other hand, should employ visual cues, including facial expressions, body language and hand gestures, which are structural elements of sign languages.

[3] Interpreters have the duty to immediately address any situation or condition which impedes their ability to accurately interpret. Examples include, but are not limited to, linguistic ambiguities, unfamiliar terms, inaudible speech, inability to see a speaker, background noise or distraction, and pace of speech.

[4] The obligation to preserve accuracy includes the interpreter's duty to correct any substantive errors of interpretation as soon as possible. Interpreters should be prepared to accept feedback, including challenges to their interpretation, in a professional and impersonal manner.

[5] Due to the difficulty of extemporaneously interpreting recordings (such as 911 calls), the practice of doing so in court should be discouraged at all times. Rather, proper transcripts and corresponding written translations should be prepared in advance. If ordered by the presiding officer to interpret a recording in court, interpreters should comply but state, on the record, that they cannot guarantee the accuracy of the interpretation.

[6] Interpreters should refrain from sight translating documents for the record. Rather, written translations of documents offered in an evidentiary hearing should be prepared in advance. If ordered by the presiding officer to sight translate such documents, interpreters should comply but state, on the record, that they cannot guarantee the accuracy of the sight translation.

[7] The ethical responsibility to interpret accurately includes being prepared for assignments. Interpreters are encouraged to obtain documents and other information necessary to familiarize themselves with the nature and purpose of an assignment. Prior preparation is described below; it is especially important when testimony or documents include highly specialized terminology and subject matter.

Preparation may include but is not limited to:

- a. reviewing relevant documents, such as criminal complaints, police reports, briefs, witness lists, jury instructions, prior depositions, etc.;
- b. asking interpreters previously involved in the case for information on language use or style;
- c. asking attorneys involved in the case for additional relevant information.

(b) COMPETENCE

Interpreters shall not knowingly accept any assignment beyond their skill level. If at any point, before or during an assignment, they have reservations about their ability to satisfy an assignment competently, they shall immediately disclose this to all parties and, if applicable, to the court.

In their professional capacity, interpreters shall not give legal or other advice or engage in any activity that may be construed as a service other than interpreting or translating.

Comment

[1] Interpreters are duty-bound to inquire about the assignment in advance and assess their competence to render services.

[2] Interpreters are not qualified to give written or oral counsel about a legal matter that could affect the rights and responsibilities of the person receiving the advice. General Rule 24 sets forth what constitutes the practice of law.

[3] Interpreters should maintain and expand competence in their field through professional development. Professional development includes steady practice; professional training; ongoing education; terminology research; regular and frequent interaction with colleagues and specialists in related fields; and staying abreast of new technologies, current issues, laws, policies, rules, and regulations, that affect their profession.

[4] Interpreters should know and follow established protocols for delivering interpreting services. When speaking in English, interpreters should speak at a volume that enables them to

be heard throughout the courtroom. They should interpret in the first person and refer to themselves in the third person.

(c) HONESTY AND INTEGRITY

Interpreters have an inviolable duty to provide honest services in which their behavior upholds the values outlined in this Code. They shall accurately represent their credentials, training, and relevant experience. Interpreters shall not engage in conduct that impedes their compliance with this Code or allow another to induce or encourage them to violate the law or this Code.

Comment

[1] It is essential that interpreters present a complete, and truthful account of their credentials, training, and relevant experience prior to an assignment so that their ability to satisfy it competently can be fairly evaluated.

(d) IMPARTIALITY AND NEUTRALITY

Interpreters shall faithfully render the source message without allowing their own views to interfere. They shall refrain from conduct that may give an appearance of bias and shall disclose any real or potential conflict of interest to all parties and the court, if applicable, as soon as they become aware of it.

Comment

[1] Interpreters should strive for professional detachment. Interpreters should uphold impartiality by avoiding verbal and non-verbal displays of personal attitudes, prejudices, emotions, or opinions. Interpreters shall faithfully render all statements, even those they find personally objectionable, without allowing their own views or opinions to interfere.

[2] As officers of the court, interpreters serve the court and the public, regardless of whether publicly or privately retained. Interpreters should uphold neutrality by avoiding any behavior that creates the appearance of favoritism toward anyone. Interpreters should maintain professional relationships with persons using their services, discourage personal dependence on the interpreter, and avoid participation in the proceedings in any capacity other than providing interpreter services. During the course of the proceedings, interpreters should not converse with parties, witnesses, jurors, attorneys, or with friends or relatives of any party, except in the discharge of their official functions.

[3] Interpreters should not serve in any matter in which they have an interest, financial or otherwise, in the outcome, unless a specific exception is allowed by the judicial officer for good cause and noted on the record. Interpreters should not solicit or accept gifts or gratuities from any of the parties, even as a social courtesy, in order to maintain the appearance of neutrality. Interpreters shall disclose to the parties and/or the court any circumstance that creates a potential conflict of interest, including but not limited to the following:

- a. the interpreter is a friend, associate, or relative of a party, witness, victim, or counsel;

- b. the interpreter or the interpreter's friend, associate, or relative has a financial interest in the case at issue, a shared financial interest with a party to the proceeding, or any other interest that might be affected by the outcome of the case;
- c. the interpreter has served in an investigative capacity for any party involved in the case;
- d. the interpreter has previously been retained by a law enforcement agency to assist in the preparation of the criminal case at issue;
- e. the interpreter is an attorney in the case at issue;
- f. the interpreter has previously been retained for employment by one of the parties.

The existence of any one of the above-mentioned circumstances should be evaluated by the parties and the court but should not automatically disqualify an interpreter from providing services. If an actual or perceived conflict of interest exists, the appropriate authorities should determine whether it is appropriate for the interpreter to withdraw based upon the totality of the circumstances.

(e) CONFIDENTIALITY Interpreters shall not divulge privileged or other confidential information obtained in their professional capacity. They shall refrain from making any public statement on matters in which they serve.

Comment

[1] Privileged communications take place within the context of a protected relationship, such as that between an attorney and client, a husband and wife, a priest and penitent, and a doctor and patient. The law often protects against forced disclosure of such conversations. Interpreters are bound to maintain the confidentiality of all privileged communications.

[2] Interpreters are also routinely privy to communications that, while not necessarily privileged by law, are conveyed in confidence. In order to preserve the integrity of the judicial process, interpreters have an ongoing duty to refrain from disclosing information obtained in their professional capacity. This duty is consistent with Rule 2.10 of the Code of Judicial Conduct.



**2018 Judicial College
Session Evaluation**

Court Interpreters

Friday, February 2, 2018

Please check the appropriate box to indicate your evaluation of this course.

	YES	NO	NA
1. Did this course meet your needs as a new judicial officer?	28	0	1
2. Substantive written materials (if provided) assisted my learning.	28	0	1
3. The course was well organized/coordinated.	28	0	1
4. The faculty engaged/involved me in meaningful activities.	27	0	2

Please rate the faculty on a scale of 1 to 5 (1 = poor; 5 = excellent)

	Overall Teaching Effectiveness	Effectiveness of Teaching Methods	Knowledge of Subject
Judge Tam T. Bui	4.79	4.79	4.93
Judge David G. Estudillo	4.76	4.76	4.93

	Made clear connection to the workplace	Materials covered appropriate	Well prepared and organized	Average Score
Judge Tam T. Bui	4.86	4.83	4.86	4.84
Judge David G. Estudillo	4.86	4.83	4.86	4.83

What aspect of the course did you find most valuable and why?

Comments:

- The Consecutive Interpreting Exercise was very informative and illustrative.
- I especially appreciated the ASL section. I learned so much. Thank you.
- Liked the exercises to show just how hard it is to interpret.
- The ASL presenter was amazing.
- The exercises were so helpful in understanding some of the challenges interpreters face in the legal setting/courtroom. Both were fantastic presenters. Thank you.
- Tips for managing trials with interpreters.
- Little difficult to know which materials were in our handouts with regards to what speakers discussing.
- Very helpful program.
- I enjoyed the section on ASL.
- Very informative.
- Good program.

The Judicial College Deans and the AOC endeavor to promote equality and impartiality in our courses. Please check the appropriate box below. Diversity issues (e.g. gender, race, culture, sexual orientation, religion, disability) were:

Not relevant to topic	Relevant to course and addressed adequately	Relevant to course but not addressed adequately
2	22	1

Comments:

- Good question raised on concerns non-English speakers might have with admitting they need an interpreter over fears it will bias them.

SCJA Judicial Education Committee Session Proposal Form

Superior Court Judges' Spring Program

April 8-11, 2018

Campbell's Resort, Chelan, WA

PROPOSAL DEADLINE: September 1st to phil.zitzelman@courts.wa.gov

PROPOSED SESSION TITLE: Immigration's Impact on the Judiciary: Maintaining the Integrity of Your Courtroom		STATUS: <input type="checkbox"/> Received Date: _____ <input type="checkbox"/> Accepted <input type="checkbox"/> Not Accepted Why: _____		
PROPOSED BY: Washington State Minority and Justice/Gender & Justice/Interpreter Commission Education Committees CONTACT NAME: Carolyn Cole CONTACT PHONE: 360-704-5536 CONTACT EMAIL: Carolyn.cole@courts.wa.gov		TARGET AUDIENCE: <input checked="" type="checkbox"/> Experienced Judges <input checked="" type="checkbox"/> New Judges <input checked="" type="checkbox"/> Experienced Commissioners <input checked="" type="checkbox"/> New Commissioners		
PROPOSED DURATION: <input checked="" type="checkbox"/> 90 Minutes <input type="checkbox"/> 3 Hours <input type="checkbox"/> 2 Hours <input type="checkbox"/> Other:	SESSION TYPE: <input checked="" type="checkbox"/> Plenary <input checked="" type="checkbox"/> Choice	IS THERE A LIMIT TO THE NUMBER OF PARTICIPANTS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, maximum number:		
TOPIC AREA:				
<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <input checked="" type="checkbox"/> Criminal Law <input checked="" type="checkbox"/> Family Law <input type="checkbox"/> Civil Law <input type="checkbox"/> Ethics <input type="checkbox"/> Evidence <input type="checkbox"/> Decision-Making </td> <td style="width: 50%; vertical-align: top;"> <input checked="" type="checkbox"/> Courtroom Skills <input checked="" type="checkbox"/> Good Communication <input checked="" type="checkbox"/> Pro Se Litigants <input checked="" type="checkbox"/> Juvenile Law <input checked="" type="checkbox"/> Dependencies <input type="checkbox"/> Constitutional Law </td> </tr> </table>			<input checked="" type="checkbox"/> Criminal Law <input checked="" type="checkbox"/> Family Law <input type="checkbox"/> Civil Law <input type="checkbox"/> Ethics <input type="checkbox"/> Evidence <input type="checkbox"/> Decision-Making	<input checked="" type="checkbox"/> Courtroom Skills <input checked="" type="checkbox"/> Good Communication <input checked="" type="checkbox"/> Pro Se Litigants <input checked="" type="checkbox"/> Juvenile Law <input checked="" type="checkbox"/> Dependencies <input type="checkbox"/> Constitutional Law
<input checked="" type="checkbox"/> Criminal Law <input checked="" type="checkbox"/> Family Law <input type="checkbox"/> Civil Law <input type="checkbox"/> Ethics <input type="checkbox"/> Evidence <input type="checkbox"/> Decision-Making	<input checked="" type="checkbox"/> Courtroom Skills <input checked="" type="checkbox"/> Good Communication <input checked="" type="checkbox"/> Pro Se Litigants <input checked="" type="checkbox"/> Juvenile Law <input checked="" type="checkbox"/> Dependencies <input type="checkbox"/> Constitutional Law			
REQUIRED COMPONENTS <i>The session must address the following essential areas of information:</i>				
Substantive Knowledge	Administrative/Procedural	Skills, Attitudes & Beliefs		
<ul style="list-style-type: none"> Current executive orders regarding immigration enforcement Letter from Chief Justice Fairhurst to Homeland Security 	<ul style="list-style-type: none"> Completing judicial certification for U Visa for victims of crime Best practices for courthouse policies and procedures, including scheduling interpreters/posting dockets 	<ul style="list-style-type: none"> Responding to immigrant litigants Responding to victims of crimes such as domestic violence Ethical issues for courthouse interpreters when asked to interpret for ICE Access to justice for immigrant 		

Proposals due by September 1, 2017 to phil.zitzelman@courts.wa.gov

SCJA Judicial Education Committee Session Proposal Form

Superior Court Judges' Spring Program

April 8-11, 2018

Campbell's Resort, Chelan, WA

PROPOSAL DEADLINE: September 1st to phil.zitzelman@courts.wa.gov

		victims of crime
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RECOMMENDED FACULTY, INCLUDING CONTACT INFORMATION (tentative)

Grace Huang, Policy Director at Asian Pacific Institute on Gender Based Violence ghuang@api-gbv.org

Judge David Estudillo, Grant County destudillo@grantcountywa.gov

Milena Calderari-Waldron – Interpreter expert milenacw@live.com

SESSION DESCRIPTION: Describe the purpose of the session and key issues to be presented. Explain what judicial officers will learn in the course and how the information will apply to their work in the courts (*this information will be included in the program flyer as your session description*).

How are current executive orders and Homeland Security actions affecting courtrooms nationally and locally? What options do courts have if ICE agents are standing in the hallway prior to a domestic violence hearings? This presentation will review this complex and mobile area of law, with an emphasis on policies to increase access to the courts for crime victims.

LEARNING OBJECTIVES: Describe what participants will be able to do or say as a result of this session.

As a result of this session, participants will be able to:

1. Understand the current legal landscape of immigration enforcement in Washington State
2. Understand what a U Visa Certification is and why a Judicial Officer may be asked to sign one
3. Be prepared to assess and modify courthouse policies and procedures, including policies about scheduling interpreters, to increase access for immigrants, and specifically immigrant victims of crime

Proposals due by September 1, 2017 to phil.zitzelman@courts.wa.gov

SCJA Judicial Education Committee Session Proposal Form

Superior Court Judges' Spring Program

April 8-11, 2018

Campbell's Resort, Chelan, WA

PROPOSAL DEADLINE: September 1st to phil.zitzelman@courts.wa.gov

FUNDAMENTALS COVERED: Describe the case law, best practices, or "nuts and bolts" that will be addressed during the session.

This session will cover:

- Judicial officer's role in U Visa Certification
- Courthouse policies on immigration enforcement
- Best practices for scheduling interpreters for immigrant litigants and posting dockets
- Ethical issues for courthouse interpreters when asked to interpret for ICE

PARTICIPANT RESOURCES: Describe the resources faculty will recommend participants reference when handling the key issues described in this session (*e.g., bench books, checklists, bench cards, websites, organizations, agencies, etc.*).

- Bench cards
- Domestic Violence Manual for Judges Appendix F – the Overlap Between State Law and Immigration Law
- Online resources

PROPOSED TEACHING METHODS AND ACTIVITIES: Describe how the session will be presented to actively engage the audience in the education (*e.g., small/large group discussion, hypotheticals, case study review, role play, lecturette, etc.*).

- I. Power point
- II. Hypotheticals
- III. Large group discussion
- IV. Responder questions

ANTICIPATED COST:
\$2,000 for faculty travel expenses and lodging

FUNDING RESOURCES:
Gender and Justice Commission, Minority and Justice Commission, Interpreter Commission.

Proposals due by September 1, 2017 to phil.zitzelman@courts.wa.gov

Annual Conference Committee Session Proposal Form

60th Washington Annual Judicial Conference

September 23-26, 2018

Yakima Convention Center

Yakima, Washington

PROPOSAL DEADLINE: January 5, 2018 to Judith.Anderson@courts.wa.gov

PROPOSED SESSION TITLE: A Fair System for LEP Children and Connected Adults: The Importance of Linguistic and Cultural Competency		STATUS: <input type="checkbox"/> Received Date: _____ <input type="checkbox"/> Accepted <input type="checkbox"/> Not Accepted Why: _____
PROPOSED BY: Interpreter Commission; Minority and Justice Commission; Access to Justice Board CONTACT NAME: Robert Lichtenberg CONTACT PHONE: 360-350-5373 CONTACT EMAIL: Robert.Lichtenberg@courts.wa.gov		TARGET AUDIENCE: <input checked="" type="checkbox"/> Experienced Judges <input checked="" type="checkbox"/> New Judges <input type="checkbox"/> District Courts <input type="checkbox"/> Municipal Courts
PROPOSED DURATION: <input checked="" type="checkbox"/> 90 Minutes <input type="checkbox"/> 3 Hours <input type="checkbox"/> Other: _____	SESSION TYPE: <input type="checkbox"/> Plenary <input checked="" type="checkbox"/> Choice <input type="checkbox"/> Colloquium <input type="checkbox"/> Other: _____	IS THERE A LIMIT TO THE NUMBER OF PARTICIPANTS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
RECOMMENDED FACULTY: <ol style="list-style-type: none">Judge Roger Rogoff, King County Superior Court (to speak about the linguistic barriers that limited English proficient family members face inside the courtroom, in cases relating to children and families, and steps that judges can take to address and minimize those barriers)Washington State Court Certified Interpreter (to speak about the role of the interpreter and the limits to that role, particularly when interpreting for unrepresented parties and participants)Juvenile or Superior Court Administrator or National Technical Assistance Provider (someone who can speak to the practical aspects of how courts can provide language assistance and culturally relevant services and programs so as to effectively serve LEP children and their parents involved in juvenile and dependency proceedings).		
SESSION DESCRIPTION: Describe the purpose of the session and key issues to be presented. Explain what judicial officers will learn in the course and how the information will apply to their work in the courts (<i>this information will be included in the program flyer as your session description</i>). Many case types involving children, such as juvenile offender, status offenses, ARY/CHINS, dependencies, domestic violence, family law, and Involuntary Treatment Act cases require the active participation by parents, caregivers and other connected adults. Yet language and cultural barriers often make it difficult for immigrants who are Limited English-Proficient (LEP) to advocate for their children in court and understand court processes. Similarly, linguistic and cultural barriers make it difficult for judicial officers to understand and assess family dynamics. Moreover, where the youth is the focus of the		

Proposals due by January 5, 2018 to Judith.Anderson@courts.wa.gov

Annual Conference Committee Session Proposal Form

60th Washington Annual Judicial Conference

September 23-26, 2018

Yakima Convention Center

Yakima, Washington

PROPOSAL DEADLINE: January 5, 2018 to Judith.Anderson@courts.wa.gov

PARTICIPANT RESOURCES: Describe the resources faculty will recommend participants reference when handling the key issues described in this session (e.g., bench books, checklists, bench cards, websites, organizations, agencies, etc.).

- Checklists and self-evaluation tools for identifying areas of language and cultural barriers;
- Websites designed to help one better understand perspectives and behaviors of immigrants such as Ethnomed Culture Profiles, The World Factbook of Criminal Justice Systems, and the World Culture Encyclopedia, and how to use the resources effectively when making decisions.

PROPOSED TEACHING METHODS AND ACTIVITIES: Describe how the session will be presented to actively engage the audience in the education (e.g., small/large group discussion, hypotheticals, case study review, role play, lecturette, etc.).

- Role Play - Skit/demonstration of a non-English speaking family navigating a Truancy proceeding with language and cultural miscommunications.
- Hypotheticals & case studies
- Panel presentation – lecture, powerpoint, demonstration of online tools.

DIVERSITY AND INCLUSION: Describe how the session will incorporate issues of diversity and inclusion into the topic. (Consider different perspectives and experiences relating to gender, ethnicity, race, nationality, sexuality, socio-economic status, ability, language, age, etc.)

This presentation will address ethnic and linguistic barriers encountered by immigrant families who participate in court hearings and court-related services. It will touch on cultural and linguistic competency and steps that judges and courts can take to achieve both.

If you need assistance with this question, please let us know and we can connect you with a representative who can help with identifying ways to incorporate diversity and inclusion into your topic.

ANTICIPATED COST:
(??)

FUNDING RESOURCES:
(??)

Proposals due by January 5, 2018 to Judith.Anderson@courts.wa.gov



Interpreter Commission- Education Committee
December 14, 2017 (4:00 p.m. – 5:00 p.m.)
Teleconference

MEETING MINUTES

Members Present:

Katrin Johnson
Francis Adewale
Eileen Farley
Lynne Lumsden
Linda Noble
Fona Sugg

AOC Staff:

Robert Lichtenberg
James Wells

Fall Judicial Conference Proposal

The Committee discussed a possible proposal for the 2018 Fall Judicial Conference. The topic that had the most support was working with juvenile cases involving parents who are limited English proficient (LEP).

- Type of session: Since typically superior court deals with these cases and the conference includes judges from all levels, the Committee will propose a choice session rather than a plenary.
- Possible Topics:
 - Juvenile cases, particularly dependency cases, often involve a lot of paper work that is not translated. Interpreters are sometimes asked to translate on the fly. This could lend itself to a demonstration.
 - Understanding that some LEP parents may have a lower education or literacy levels. Courts and attorneys may not realize that questions that come up during sight-translation may be due to the education level of the parent rather than the interpretation itself.
 - Making sure attorneys know that they should be present when forms are being sight-translated to answer questions.

The Committee discussed having a cultural competency component to the session:

- A number of misunderstandings and cultural biases may arise that result from different parenting styles from different cultures.

- It would be important that this sections is done correctly and to find someone with the right expertise. One of the other Supreme Court Commissions may be able to cosponsor take ownership of the parts of the presentation that fall outside of the Interpreter Commissions expertise.
- Many people in family law cases may appear pro se and may need more attention from the court than those with an attorney or social worker. Improving the kinds of questions courts ask pro se parties is one of the ways to help alleviate these kids of issues.
- The limited role of the interpreter should be clarified. Interpreters are not cultural brokers. Judges should be given resources they can use for understating cultural differences that may impact their work. Some issues could be illustrated during the session.

Action Items

Take the session proposal to the chairs of the education committee of the other commissions to see if there is interest in collaborating.



WASHINGTON
COURTS

Interpreter Commission- Education Committee
February 14, 2018 (4:00 p.m. – 5:00 p.m.)
Teleconference

MEETING MINUTES

Members Present:

Katrin Johnson
Francis Adewale
Linda Noble
Fona Sugg

AOC Staff:

Robert Lichtenberg
James Wells

Members Absent:

Eileen Farley

Meeting Called to Order

- Minutes approved for November meeting.
- Will approve December meeting minutes by email at a later time.

LAP Planning

The Committee considered a plan to provide four online training modules to help courts in creating and implementing their Language Access Plans (LAPs). Two of the training modules will be put on a fast track to develop by mid-March.

- How to find and navigate data on languages spoken in your local population
- Quick overview of the state and federal legal authority showing why they need to develop and implement these plans.

Mr. Lichtenberg will develop a draft PowerPoint presentation and submit to the Committee for feedback.

To get a better idea of what challenges courts have been facing, Ms. Sugg will work with Trish Kinlow and use the listservs for court administrators to ask the courts. The responses will indicate what information would be best to include in a tutorial.

Judicial Conference Session

The proposal was accepted for a choice session. The topic involves cases with families who face linguistic and cultural barriers. Faculty for the presentation was discussed:

- Judge Roger Rogoff from King County Superior Court was recommended to speak about the linguistic barriers that limited English proficient (LEP) family members face inside the courtroom, in cases relating to children and families, and steps that judges can take to address and minimize those barriers.
- The staff interpreter from Chelan Superior court is experienced working in juvenile court and would asked it would like to participate.
- A presenter with expertise on the cultural aspects of the presentation. Mr. Adewale and Mr. Lichtenberg will work to identify a presenter.

Judge David Keenan from King County has been working on planning the session and hopes to have a meeting soon on next steps in planning the session.

Action Items
<i>All Committee Members</i> – Review the education proposals submitted by the other Commissions and look for areas where language access may be relevant.
<i>Mr. Lichtenberg</i> – Prepare draft of PowerPoints for LAP tutorials and send them to Committee members by the morning of the February 22.
<i>Mr. Adewale</i> – Look for additional panel member the judicial conference who can speak on the elements related to cultural competency.
<i>Ms. Sugg</i> – Work with Trish Kinlow to check with court administrators to identify what aspects of the LAP template would be most useful to provide tutorials for. Send information to Committee members by the morning of the February 22.
<i>Ms. Sugg</i> – Check with Chelan Superior Court’s staff interpreter to see if he would be able to serve as a panel member for the judicial conference.



Interpreter Commission- Education Committee
March 7, 2018 (12:00 p.m. – 1:00 p.m.)
Teleconference

MEETING MINUTES

Members Present:

Katrin Johnson
Francis Adewale
Eileen Farley
Fona Sugg

AOC Staff:

Robert Lichtenberg
James Wells

Members Absent:

Linda Noble

Meeting Called to Order

- December 14 Meeting Minutes approved with modifications.
- February 14 Meeting Minutes approved.

Joint Commissions Education Committee

The Committee discussed a recent meeting of Joint Commissions Education Committee. The Court Education group at the AOC were beginning to ask presenters about how they can integrate diversity into their presentations, which can help weave language access into presentations on other topics.

LAP training

The Committee discussed how training could be provided to courts working on their Language Access Plans (LAPs).

- AOC staff send out to the Committee a draft PowerPoint for implementing an LAP.
- Sections of the PowerPoint could be modified for certain presentations. An additional document such an FAQ could also be provided.
- The presentation could be put online for courts to review and more specific information could be provided as need by the courts.
- AOC was contacted by a court in Eastern Washington about an in-person training. Suggestions for the training included:
 - Have a half-day training with a lot of resources demonstrated.

- Have a walk-through during the presentation, incorporating appropriate the template into the presentation.
- To use the time most effectively, have the courts come prepared. Ask them to review the background material and begin working on their plans before the session.
- Make the presentation interactive. Participants can follow along with their own plans.

The Committee will review the presentation draft from the AOC with the viewpoint of court staff and send any suggestions to the AOC by March 20.

An email had been sent out to the court administrators at Superior, District, and Municipal courts asking about the challenges the courts had found while working through their LAP. Some general questions about the LAP had been received.

Fall Judicial Conference

The Committee discussed new panel members for the Fall Judicial Conference session. Professor Inga Laurent from Gonzaga University would speak to cultural issues and Jim Harvill, the staff interpreter at Chelan Superior Court, would represent the interpreter perspective.

Next Meeting

The next meeting would be decided by email or Doodle Poll.

Action Items
<i>Committee Members</i> – Review the draft PowerPoint about LAPs and provide feedback to AOC staff by March 20.
<i>Committee Members</i> – Brainstorm ideas for other trainings and events the Education Committee can be involved in.

**Outreach Implementation Plan Outline
 Interpreter Commission
 3/21/18 Draft**

Mission: The mission of the Commission is to ensure equal access to justice and support the courts in providing access to court services and programs for all individuals regardless of their ability to communicate in English.

Purpose: Engaging the community through outreach is critical to establishing the legitimacy of the court system and creating respect for the institution for the orders and decisions it makes. Purpose in creating this Outreach plan is to undertake comprehensive outreach and engage in partnership with LEP communities and those community organizations that serve them

Activities	Measurement of success	Methods/Resources	Timeline	Comments/Notes
<ul style="list-style-type: none"> • Promote best practices • Share success measures • Provide good data • Propose new efforts that Court administration can be more involved with • Share court collaboration success • Share data 	<ul style="list-style-type: none"> • Increased number of courts implementing best practices • Increased number of courts with a solidified language access plan • Increase in the involvement of Court Administration and staff 	<ul style="list-style-type: none"> • Courts • Community organizations or affiliate programs • Community Leaders • Local Churches • State agencies • Educational Institutions • Certified interpreters • WASCLA • Community Attorneys • Judges • Legal service providers • Bar associations • Ethnic media 	<p>May 18th deadline</p>	

Goal #1: Provide information on successful language access best practices and other measures of success

Strategy: Identify local Court with proven success and host forum targeted towards Court Administration

**Outreach Implementation Plan Outline
 Interpreter Commission
 3/21/18 Draft**

Goal #2: Educate the community about court services to instill trust and confidence in the legal system

Strategy: Conduct targeted outreach in partnership with community organizations

Activities	Measurement of success	Methods/Resources	Timeline	Comments/Notes
<ul style="list-style-type: none"> • Partners with organizations and programs proactively identifying and addressing language needs • Conduct “functional” workshops with certified interpreters • Conduct Focus Groups • Invite certified interpreters to get involved with sharing their stories in their own communities • Develop short information commercials that can be shared in multi media formats 	<ul style="list-style-type: none"> • Increase in number of certified interpreters • Increase in organizational partnership • Increase in the number of individuals that test for certification 	<ul style="list-style-type: none"> • Community organizations or affiliate programs • Community Leaders • Local Churches • State agencies • Educational Institutions • Certified Interpreters • WASCLA • Community • Attorneys • Judges • Legal service providers • Bar associations • Ethnic media 		

**Outreach Implementation Plan Outline
 Interpreter Commission
 3/21/18 Draft**

Goal #3: Create and develop program for Language preservation and pride

Strategy: Partner with AOC's youth education program to engage with community (specifically parents and children) on the importance of language preservation within homes and communities

Activities	Measurement of success	Methods/Resources	Timeline	Comments/Notes
<ul style="list-style-type: none"> • Create best practices/curriculum model • Partner with current AOC program to identify where the program could co-exist • Partner with current schools and after school programs on doing events or workshops with families • Partner with churches and community centers in distributing educational information regarding language preservation • Provide access to a compilation of resources address language preservation (access to possible online resources) that address specific language data for the state of Washington • Language advocacy program that court administrators, judges, lawyers can be involved in 	<ul style="list-style-type: none"> • Increase in the number of certified interpreters between the ages of 18-30 • Increased interest in becoming a certified interpreter • Increased participation with Color of Justice programs • Increased collaboration efforts with school and other community organizations 	<ul style="list-style-type: none"> • Educational Institutions • Community Partners with programs • Local Churches • Community Leaders • Public resources (articles, research, data, etc.) • Court Administration • Color of Justice Program Administrators 		

Outreach Implementation Plan Outline
Interpreter Commission
3/21/18 Draft

Activities	Measurement of success	Methods/Resources	Timeline	Comments/Notes
<ul style="list-style-type: none"> • Develop list of key stakeholders in identified regions • Identify existing programs that could embed the Commission's vision into their program • Coordinate outreach efforts with local organizations and other partner agencies. • Work with AOC to better identify barriers in those regions • Host events in targeted locations 	<ul style="list-style-type: none"> • Increased number of certified interpreters in the targeted region • Increased number of test takers in the specific language in the targeted region 	<ul style="list-style-type: none"> • Reliable data that establishes need for particular increase in interpreters • Legal service providers • Bar associations • Ethnic media 		<p>Goal #4: Increase the number of certified interpreters in regions where Courts lack interpreters for specific languages</p> <p>Strategy: Develop relationships with key stakeholders in targeted region (i.e. Spokane) to advance efforts around increasing interpreter certification</p>

THIS GOAL MAY BE ON HOLD WHILE FURTHER GAP DATA IS GATHERED RE: LANGUAGE NEEDS

Outreach Implementation Plan Outline
 Interpreter Commission
 3/21/18 Draft

Activities	Measurement of success	Methods/Resources	Timeline	Comments/Notes
<ul style="list-style-type: none"> • Develop enhanced branding strategies to increase confidence • Enhance website content to assist certification efforts. • Use social media tools to share Commission and interpreter certification information • Create new outreach materials such as fact sheets and brochures • Create video vignettes about Commission and process for interpreter certification • Create quarterly e-newsletter for stakeholders 	<ul style="list-style-type: none"> • Number of scheduled and requested outreach events • Number of subscriptions to newsletter • Number of posts/shares on social media • Number of views on any platform our information is posted • Completed 6-12 months communication plan 	<ul style="list-style-type: none"> • Website analytics • Website Customer satisfaction survey • Language Access Advocates • Non-profits • Educational Institutions • Lawyers • Judges • Legal Services providers • Bar associations • Community organizations • Community Leaders 		

Goal #5: Deliver clear and consistent information regarding the Commission and its mission.

Strategy: Utilize multimedia approach to outreach and education efforts.

Outreach Implementation Plan Outline
 Interpreter Commission
 3/21/18 Draft

Goal #6: Conduct a statewide survey	Strategy: Work with Courts and LEP Community to engage in gathering survey data to assist in describing patterns with service, identification of barriers and assist in overall strategic planning.			
Activities	Measurement of success	Methods/Resources	Timeline	Comments/Notes
<ul style="list-style-type: none"> • Collect information regarding community knowledge of the courts interpretation services and the sources of that knowledge • Collect information regarding perceived and experienced barriers to court access. • Collect information about understanding of interpreter certification and the desire to become an interpreter • Collect information regarding experiences as jurors, litigants or consumers of court information or language access requests • Collect information regarding expectations from the community on what they feel the Courts should be doing as it pertains to language access and availability of interpreters • Collect information regarding general perceptions of court access, fairness and efficiency of providing language interpreters 	<ul style="list-style-type: none"> • Established proposal of how to work with Courts and its' administration and distribution and collection of the surveys • Determine new data collection and information intake system. • Completed proposal timeline for survey distribution and collection 	<ul style="list-style-type: none"> • Courts • Community • AOC • Judges • Lawyers • Legal service providers • Bar associations • Educational Institutions • Local Churches • Community Leaders 		

Outreach Implementation Plan Outline
Interpreter Commission
3/21/18 Draft

Possible Venues for September Community Focused Forum in Spokane

1. Spokane Community College: <http://www.scc.spokane.edu/>
Availability is based on date, time and space
2. Spokane Library: <https://www.spokanelibrary.org/meeting-rooms/>
The Spokane Library is free, and has two options available Saturday morning. In addition, they are able to distribute the flyer through multiple networks.
3. Spokane Women's Club: <http://www.womansclubspokane.org/weddings-events>
The Spokane Woman's Club is not free but 'affordable.' Child Support Division of DSHS booked a meeting space there for their statewide tour and I am told it was a good location.
4. Center Place
They have a variety of room sizes and set up
5. Spokane County Waste: <https://www.spokanecounty.org/1555/Water-Resource-Center-Facility>
Spokane County has a really nice facility at their wastewater plant. There is a meeting room that could work.
6. Enduris: <https://www.enduris.us/home/training-facility/>
I am told this facility is nice but only sits up to 68 in the largest room available.
7. Red Lion Hotel: https://www.reservationcounter.com/hotels/show/6123516/red-lion-hotel-at-the-park-spokane-spokane-wa/?cid=sem::OTPRC::AC::PT-P01::Hotel-Chain-R::Hotel-RL-by-Red-Lion-Spokane-at-the-Park-Spokane-WA-US-130991-did-6123516::red-lion-spokane::Exact&creative=%7bcreative%7d&device=c&AdPos=%7badposition%7d&utm_source=bing&utm_medium=cpc&utm_term=red-lion-spokane&utm_campaign=Hotel-Chain-R&mclickid=3d99eef1792415dfa515b46ce2ba3f1b&gclid=CNmf57721dkCFYrFfgod3JgDww&gclidsrc=ds
8. List of Spokane Community Centers: <http://www.spokanecares.org/community-centers-spokane.php>

Meeting Notes
Interpreter Commission Forum Planning and Outreach
March 12, 2018

Attendees: Elisa Young, Alma Zuniga, Eileen Farley, Robert Lichtenberg, James Wells

Where to hold the forum:

- Spokane:
 - Outside western Washington that has seen a growth in the diversity of languages needed.
 - A number of potential meeting locations were investigated.
- Tri-Cities:
 - Outside western Washington with a large LEP community.
- Tukwila:
 - In western Washington and several courts are located nearby.
 - Elected officials could also be invited. Community organizations could also be invited.
 - Tukwila courthouse is a potential meeting place.
 - Could be a chance to recognize the work that Tukwila Municipal court has done in language access.
 - Could help increase momentum of courts implementing their language access.
 - If interpreters will be in court that day, the Commission could observe.

When to hold the forum:

- It would be better to postpone a public forum with members of the community that use court interpreter until the September Commission meeting. This would allow more time for better outreach and securing an appropriate location.
- A different kind of forum could be held in Tukwila for the May Commission meeting. This forum could be more focused on courts and the language access plan.

Other Considerations:

- To attract members of the community who use interpreters in the court, important things to consider are:
 - The environment should be somewhere the individuals would feel safe going to. Court houses and other official spaces may be deterrents.
 - The time and day should be when most people would attend. After work hours on the weekend when work and child-care would not conflict.
 - The location should be somewhere central and easily accessible.

- A potential scheduling conflict with the forum is the Northwest Immigrant Rights Project will be holding a gala on May 18.

Next Steps:

- Eileen will reach out to Tukwila Municipal Court to see if they have an interpreter docket the day of the Commission meeting and see about the possibility of using the court as a meeting space.



Memorandum

To: Alliance for Equal Justice
From: Access to Justice Board Delivery System Committee
Date: February 13, 2018
RE: Early Trends in State Plan Implementation

Over 35 organizations have shared their preliminary plans for how they hope to achieve the goals of the State Plan. The following information shows the trends of what many organizations are planning to initially focus on as they start their State Plan journey.

Because many of the strategies outlined throughout the goals are overlapping (e.g., reaching out to community partners, breaking down silos), we organized the trends based on themes as opposed to the goals. However, as you review the trends, here are the five goals as a reference:

- GOAL 1: Race Equity
- GOAL 2: Education and Outreach
- GOAL 3: Reaching Underserved and Underrepresented
- GOAL 4: Holistic and Client-Centered Approaches
- GOAL 5: Systemic Advocacy

Race Equity

Most organizations report prioritizing the implementation of Goal 1. Some organizations are already underway and some are thinking about getting started. The strategies most of interest or commonly in progress include:

- Train staff, board and/or volunteers
- Engage the board in discussion of applying a race equity lens and/or integrating race equity into strategic planning
- Use organizational self-audits
- Increase community outreach and/or partnership with community-based organizations in race equity work
- Diversify recruitment and hiring for board, staff, and volunteers
- Apply a race equity lens to advocacy work and decision-making

Working with Community-Based Organizations

Most organizations report various ways of working more closely with community-based organizations (CBOs), agencies and other Alliance organizations as they look to implement Goals 2, 3, 4 and 5. Whether identifying ways to improve client education and outreach, offer a more holistic approach to services, or recognize systemic issues that need coordinated advocacy, many organizations are planning to work with CBOs in the following ways:

- Offer trainings so CBOs can better issue-spot legal programs and know when to make a legal referral
- Learn more about CBOs so more cross-referrals (legal/non-legal) can happen
- Ask CBOs for feedback on how to improve communications about what services a civil legal aid organization provides
- Set up legal clinics at CBO locations
- Co-locate with a CBO
- Consult and partner with CBOs to identify client needs and systemic issues
- Serve on CBO boards

Working with Criminal Justice Partners

Similarly to working with CBOs, many organizations are thinking about what they can do to break down the silos between civil and criminal justice systems. The following is a summary of many organizations are planning:

- Continue to or plan to meet with people are incarcerated about their civil legal needs
- Use a holistic approach to serving client communities who straddle the civil and criminal systems
- Consult and partner more regularly with public defenders to identify civil needs and systemic issues
- Recruit people from the criminal justice system (public defenders, prosecutors, judges) to serve on the board

Innovative Approaches

In addition to trying new approaches to outreach and service delivery by working with CBOs and criminal justice partners, many organizations are also looking at or already using other innovative ways including the following:

- Integrate social workers into the service delivery of civil legal aid (e.g., host MSW student interns, hire non-attorney intake specialists and case managers)
- Work with people in other disciplines (e.g., financial counselors, therapists) to identify civil legal needs and cross-referrals
- Use technology to expand services, reach underserved areas, and make services more accessible

- Advance client empowerment (e.g., solicit client evaluation and input, train how to issue-spot own legal needs, offer opportunities to tell their own story, outline ways for clients to keep organization accountable)

Training Needs

As organizations gear up for implementing the State Plan, many have identified training needs for Alliance organizations which include the following:

- An Organization's First Steps for Prioritizing Race Equity
- Implicit Bias (from 101 to Advanced)
- Engaging Your Board in Race Equity Work
- Integrating Race Equity into Strategic Planning and Policy-Making
- How to Apply Equity in HR Policy and Practices
- Does Reaching More Communities of Color Check the Race Equity Box?
- Best Practices on Issue-Spotting Trainings for CBOs and Client Communities
- Forming a Match Made in Heaven with CBOs (to do outreach together, setting up clinics together, co-locating, etc.)
- Using Tech to Expand Services
- How to Use a Holistic Approach Without More Funding
- Community Lawyering 101 and Beyond

These trends and identified training needs have informed us on how to we can support organizations as they implement the State Plan. So we don't work in a vacuum and maximize resources, expertise and connections, we will soon be creating an online resources and monthly "State Plan Goal" learning and connecting opportunities. If you are interested in getting involved with organizing these opportunities or the State Plan implementation, please contact Diana Singleton, Access to Justice Manager, at dianas@wsba.org.

Court Interpreter Program Reports



WASHINGTON
COURTS
ADMINISTRATIVE OFFICE OF THE COURTS

The Administrative Office of the Courts

Language Access Plan Template Drafting Workshop

Tuesday, April 10, 2018

10 am – 3:00 pm

(One hour lunch on your own at noon)

WASHINGTON STATE ARCHIVES BUILDING
960 WASHINGTON ST
CHENEY, WA 99004
(Parking is in Lot 18)



You are invited to attend a free training and workshop.

This class is designed for court staff responsible for drafting their court's
Language Access Plan

- Understand how to draft language access policies and procedures using the Model Language Access Plan Deskbook guidance and template
- Learn how to use external resources to complete template sections related to serving the court-going public who are Limited-English users or who use sign language
- Gain collaboration opportunities with other courts to share resources and procedures that improve service delivery and reduce costs

Space is limited to 40 people.

To reserve a spot, contact Robert Lichtenberg: Robert.Lichtenberg@courts.wa.gov
with your name and court representation by Thursday, April 5, 2016

If you are in need of an accommodation due to a disability recognized by the Americans with Disabilities Act (ADA), please call the AOC at (360) 350-5373 (video relay service)

Court Language Access Plan Workshop

April 10, 2018

Cheney, WA

10 am -10:15 am	Introduction / Ice Breakers <ul style="list-style-type: none">• Share history of LAP development efforts by courts• Identify individual court challenges in LAP drafting
10:15 – 10:30 am	Deskbook and Template Orientation: How It Works <ul style="list-style-type: none">• Who is the LAP for? How is it to be used?▪ Basics of providing language access in various court and public encounters/settings▪ How the Deskbook is structured and how the Template is designed to create actionable policies and procedures that ensure language access
10:30 am – 12 pm	Template Sections I-IV <ul style="list-style-type: none">▪ How to identify needed languages using databases▪ Notice to the Public▪ Identifying staff roles and responsibilities
12 pm - 1:00 pm	LUNCH ON YOUR OWN
1:05 - 2:30 pm	Template Sections V-VII <ul style="list-style-type: none">▪ Identify public encounter points and needed services▪ Best Practices▪ Dealing with text-based information and websites▪ Ongoing internal staff development and training▪ Complaint Procedures▪ LAP Monitoring and Evaluation Processes
2:30 - 2:50 pm	Group Share-Out: discuss how the AOC and courts can optimize collaboration opportunities, identify the most challenging LAP issues, greatest needs, and planned accomplishments
2:50 - 3:00 pm	Evaluations & Adjourn