

**Washington State Supreme Court
Interpreter Commission**

October 19, 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

COURT INTERPRETER COMMISSION

<p>Justice Steven C. González, Chair Washington Supreme Court</p> <p><i>Appointed by Chief Justice</i></p>	<p>Sharon Harvey Administrative Office of the Courts</p> <p><i>Administrative Office of the Courts Term expires 9-30-21</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 9-30-19</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 10-19-18</i></p>
<p>Donna Walker</p> <p><i>American Sign Language Interpreter Representative Term Expires 9-30-19</i></p>	<p>Kristy Cruz Northwest Justice Project</p> <p><i>Attorney Representative Term expires 9-30-21</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 9-30-21</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>Elisa 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>

**Interpreter Commission
Meeting Agenda**



Interpreter Commission Quarterly Meeting

Friday, October 19, 2018

Temple of Justice, 415 12th Ave SW, Olympia, WA 98504

Chief Justice Reception Room, 1:00 pm-4:00 pm

Call-In Number: 1-360-704-4131 (toll-free for 6 callers)

AGENDA

• Call to Order	Justice Steven González	
• Approval of July 25, 2018 Minutes	Justice González	P. 5
• Chair's Report	Justice González	
• Recognition of Departing Commission Members		
• Interpreter Funding Task Force	Justice González/ Judge Beall	
• Petition re: New Member Appointment	Justice González	P. 17
• Introduction of New Commission Members	Justice González	P. 22
• Interpreter Representative Position Nominees	Justice González	P. 35
• Petition Re: Interpreter Education	Justice González Maria Luisa Gracia Camón	P. 44
• Court Interpreter Forum	AOC Staff	
• Benchcard for Judicial College		
• Committee and Partner Reports		
• <u>Education Committee Meetings Report</u>	Katrin Johnson	P. 52
• 2018 Fall Conference Report		P. 56
• 2019 Conference Proposals		P. 57
• Dependency Tip-Sheet		P. 66
• <u>Issues Committee Meetings Report</u>	Judge Andrea Beall	P. 77
• Courts Use of Suspended/Decertified Interpreters		
• Rare Languages/CEU Requirements Burden		
• GR 9 Cover for GR 11 Revisions		P. 83
• <u>Disciplinary Committee Report</u>	Judge Theresa Doyle	P. 105
• Grievance Investigation		
• Status of CEU Reporting	AOC Staff	

<ul style="list-style-type: none"> • Court Interpreter Program Report <ul style="list-style-type: none"> • Commissions Updates • Interpreter Program Updates <ul style="list-style-type: none"> • Reimbursement Program • 2018 Exams and Trainings • Business for the Good of the Order: Motion to Appoint Third Interpreter Representative 	Cynthia Delostrinos AOC Staff	P. 109
<ul style="list-style-type: none"> • Adjourn 	Linda Noble	P. 104
Next Meeting: Dec. 7, 2018 (AOC SeaTac, Lower Level Room L-16, 8:45 am-11:45 am)		

Meeting Minutes



Interpreter Commission Meeting
Friday, July 25, 2018
AOC SeaTac Office Building
18000 International Blvd, Seattle, WA 98188

MEETING MINUTES

Members Present:

Justice Steven González
Judge Teresa Doyle
Judge Andrea Beall
Francis Adewale
Judge Laura Bradley
Eileen Farley
Maria Luisa Gracia Camón
Katrin Johnson
LaTricia Kinlow
Dirk Marler
Linda Noble at 9:30
Fona Sugg
Donna Walker
Elisa Young
Alma Zuniga

AOC Staff:

Cynthia Delostrinos
Jeanne Englert
Robert Lichtenberg
James Wells

Members Absent:

Thea Jennings

CALL TO ORDER AND INTRODUCTIONS

The meeting was called to order by Justice Steven González.

APPROVAL OF March 30 2018 MEETING MINUTES

Minutes were approved without modification.

CHAIR'S REPORT

BJA Task force

The Commission reviewed some of the recent activities of the Board for Judicial Administration (BJA) Interpreter Funding Taskforce, which is working on a budget package to submit to the Legislature:

- Justice González and Judge O'Donnell, two of the co-chairs of the taskforce, presented the proposed budget package to the Supreme Court Budget Committee.
- Ms. Englert is finalizing talking points to use with stakeholders.
- Ms. Englert has been being with a number of stakeholder groups in person and by phone. This has led to a number of other potential contacts.
- The stakeholder meetings revealed a few challenging areas in providing interpreter services:
 - Not having enough interpreters available in a region, which can lead to delays and continuances.
 - Providing interpreters in dependency cases, which can involve serious consequences, where a party is LEP.
 - The continued need for education on best practices when working with interpreters.
 - Increase in the diversity of languages used in rural areas.
- Feedback will be sought from judges at courts that are in the Reimbursement Program.
- The high use of telephonic interpreting, illustrated by a survey sent out to the courts by the Task Force

The Commission discussed ways of increasing the number of credentialed interpreters, such as further training and mentoring. There are some languages that do not offer a credential since there are no testing instruments.

Staffing Update

The Commission reviewed some of the staffing changes at the AOC:

- The state court administrator, Callie Dietz, will be retiring in December.
- Sharon Harvey will be replacing Dirk Marler as the AOC representative on the Commission.
- The Minority and Justice Commission will be getting a new staff person at the AOC.

LAP Review/Approval Process

The courts that are part of the Reimbursement Program were required to submit updated Language Access Plans (LAPs) as part of their contracts. AOC staff has been reviewing these plans and found that many of the plans did not include court procedures

and often lacked information on how members of the public could get language access assistance.

The Interpreter Commission will review the LAPs to see if they meet the criteria needed to remain in the Reimbursement Program. The upcoming contracts with those courts will include language about the courts working with the AOC to improve their plans.

Ms. Kinlow volunteered to help work with AOC staff and go through the King County Municipal Court's LAO and see where it can be improved to help create a model plan.

The Commission discussed the difficulties that courts have in tracking interpreter services. The court management systems that courts use vary between courts and are inadequate for tracking interpreters. If more funding is received from the Legislature, courts might be able to improve their tracking, including services that occur outside the court.

FALL COMMISSION MEETING AND FORUM PLANNING

The September Commission meeting was moved to October 19 in Lacey to coincide with the annual conference for the Washington Coalition for Language Access (WASCLA). The Commission will hold a public forum with interpreters in the evening after the meeting.

COMMISSION RECRUITMENT UPDATE

The Commission discussed upcoming changes to the Commission Membership:

- Kristi Cruz may return to the commission in the attorney representative seat which will be vacated by Ms. Zuniga.
- Sharon Harvey will replace Dirk Marler as the AOC representative.

BENCH CARD

The Commission discussed updating the court interpreter bench. Some of the content would be updated immediately and there would also be a more thorough review to ensure the card is up-to-date and still reflects current statutes. A group from Seattle Municipal Court with some members of the Commission will do the longer review. The Commission would then approve the final product.

Immediate changes

The bench cards contains sample questions for judges to ask a party to evaluate their English proficiency. Two of these questions were deemed to be problematic and inappropriate:

3. Please tell me about your country.
4. Tell me more about your country.

The Commission voted unanimously to strike these two questions and send out the revised card to judges.

Motion: Strike the two questions from the bench card for court interpreting.

The online version of the card would be updated immediately. The updated version would be send out by email in an email from Justice Gonzalez. The email will include a link to the online version and a copy of the card as an attachment. The email will include a request for input from judges and asking if they would like to be involved with the review. The email will be sent to judges and administrators. It will also show the language that has been excised.

Longer Review

The longer review of the bench card will be done by a group at Seattle Municipal Court and some Commission members: Judge Doyle, Mr. Adewale, Ms. Walker. The review will include:

- Ensuring that the information that is included is relevant for judges. For example, looking at how “good cause” should be interpreted.
- Checking that the legal language and references are current are still accurate.
- Ensuring the use of the terms “certified”, “registered”, and “credentialed” are used accurately and clarifying the certification for medical interpreters is different from the court certification.

Ideally the updated bench card should be ready for the 2019 Judicial College. The Commission can review the edits to the bench card between the October and December meetings so that the draft seen at the December meeting is mostly complete.

COMMITTEE REPORTS

Issues Committee

The Issues Committee discussed the Commission's authority over non-credentialed interpreters. The Commission was given some authority as laid out in the Revised Code of Washington (RCW) and General Rules (GR). The Committee recommends amending the GR 11.1 to include language that non-credentialed interpreters are subject to the disciplinary policies of the Commission. The disciplinary policy would then be amended to include the investigation and sanctioning of non-credentials. The Commission unanimously passed a motion to amend the General Rules. The rule change would be submitted to the Supreme Court Rules Committee in October for review.

MOTION: The proposed changes to GR 11.1 located in Appendix A are approved to be submitted to the Supreme Court Rule Committee.

Education Committee

AWSCJA/SCJA Evaluation

An interpreter related education session was held at the recent joint conference of the Association of Washington Superior Court Administrators (AWSCJA) and Superior Court Judges' Association (SCJA). The session included a panel that discussed recent actions of the immigration enforcement. The evaluations indicated that the perspective of the interpreter that was on the panel was one of the highlights of the presentation.

2018 Fall Judicial Conference

The topic of the session is the language and cultural issues that occur in juvenile and family matter cases. The faculty for this presentation was being modified and will include Judge Rugoff and Judge Riquelme. They will be joined by Monica Rodriguez from New Mexico, and Fernando Giurardo, who is involved in probation services in California.

Pre-Proposal Planning

Deadlines for some of the 2019 education session proposals are in September. The Commission discussed some possible topics:

- ADA Accommodations
 - The presentation could focus on languages access issues. Other kinds of physical issues could be referenced, but not focused on.
 - Cognitive processing issues that affect communication and how this can lead to judges may make assumptions that are incorrect.
- Video Remote Interpreting
- How to approach rare and unusual language access issues

Tip Sheet

The AOC sends out a tip sheet to judicial officers and other participants in the courts system. The Committee will be working on tip sheet that can be sent out through this system.

COMMISSION INTERPRETER PROGRAM REPORT

Commissions Manager Report

Joint-Education Committee

Chairs of each of the Commission's education committees meet to look for areas where there can be collaboration. One of the outcomes has been a joint presentation on immigration at the recent spring conference. Another has been working with the education group at the AOC to add a question on conference proposals that asks about how the session will touch on equality or diversity. Currently the answers to that question are being monitored.

A recent Committee meeting found some differences between the Interpreter Commission and the other Supreme Court commissions, including:

- The high number of judges on the Minority and Justice Commission seems to result in the have a proposal accepted at conferences.
- The Interpreter Commission does not have any judges on its education committee.
- The other commissions have more ad hoc members involved in their work.

The Minority and Justice Commission and the Gender and Justice Commissions are working on a joint education session on Evidence Rule 4.1, which takes effect in September. This rule involves the inadmissibility of evidence of immigration status in criminal and civil cases. The session will involve hypothetical situations, at least on the will involve the use of interpreters.

Commissions Activity Update

- The Gender and Justice Commission recently received a \$150,000 grant to do study of women of color and women in poverty, which may tie to immigration issues.
- There will be funding to hold Color of Justice events. These presentations are similar to the Youth and Justice Forum by encouraging young people to enter the legal profession and become judges.

Program Reports

NCSC VRI Database

Mr. Lichtenberg has been working with National Center for State Courts workgroup that is looking at create a database for interpreters to be used in VRI. Some issues that have been discussed:

- Concerns about how a state will monitor the national database for interpreters credentialed in their state.
- Where it is appropriate to use VRI and settings where its use should be limited.
- The difficulty in generating a rapport between the interpreter and the party they are working with to ensure that they are understanding one another. Sign language interpreters are been facing this issue for a long time, but it is a newer are for spoken language interpreters.

Filipino / Tagalog Training

The Filipino/Tagalog Court Interpreter training class concluded in mid-June after 10 weeks of class. The class met weekly for two hours per session. There were 23 total participants: 10 from Washington and 13 from California. AOC staff will be looking at evaluations of the class and test results to help identify the strengths and weakness of the class. If successful, this model of collaborating with other states and incorporating more language-specific content will hopefully be something we can replicate in the future.

Trainings and Exams in 2018

Ethics and Protocol Class

The Ethics and Protocol Class for the first time in eastern Washington on April 6, 2018. It took place at the Spokane Superior Court House. There were three faculty members, two from western Washington and one from eastern Washington.

There were 16 total participants in the class who interpret in 14 languages. Four participants attended the class as a mandatory part of the credentialing process. The remaining participants were invited by the local courts and the Court Interpreter Program as guests.

Some Commission members commented that is would be good to include information about doing trainings in other parts of Washington when speaking to Legislators to demonstrate the activities being done to benefit the people in their communities.

Court Interpreter Orientation

The Court Interpreter Orientation was held on June 16 at Shoreline Community College and June 23 at Gonzaga. There were 57 attendees in western Washington and 16 attendees in eastern Washington. Six of the attendees in eastern Washington were not in the credentialing process but were invited because of their experience working the court and because there are few other trainings opportunities in the area. Judge Tam T. Bui of Snohomish County District Court and Judge Michelle Szambelan of Spokane Superior Court were two of the presenters. A PhD student from Washington State University, who is studying court interpreter training, also attended.

Written Exam

The written exams were held on April 7 in Spokane and on April 14 and 15 in Shoreline. There were 231 test candidates who took the exam. This was the largest number of candidates since 2010. Sixty-seven test candidates passed representing about 17 languages.

Oral Exam

The registered language exams are scheduled individually and will take place throughout this July and August. Six candidates are expected to take the registered exams.

The certified oral exams will take place in October. They are tentatively scheduled for October 6 and 7 in Spokane and October 13 and 14 in Shoreline. Registration will open the first week in August.

There will be a special test session for Filipino (Tagalog) interpreters who attended our online training. Three candidates are planning to take the exam in the last week of August.

Compliance Status

The deadline for the most recent compliance period was originally December 31, 2017. A general extension was given to all interpreters because of technical issues with the Interpreter Profile System, which is an online application that interpreters use to keep track of their continuing education credits.

Many of the technical issues have been resolved. About 20 interpreter profiles in the application still have issues that may affect their next reporting period. All interpreters had the option of submitting the compliance requirements using paper instead of the online application.

As of July 19, 2018:

- 27 interpreters have not completed their compliance requirements.
 - About 12 interpreters have not completed any requirements or communicated with the court interpreter program.
- 11 Interpreters retired at the end of 2017 (Czech, Farsi, Spanish and Thai)

The Commission discussed the reasons why some interpreters may not be coming in to compliance, such as retirement. They talked the need to target language communities for interpreters for the languages with the most demand. The medical interpreter certification has adapted their testing schedules based on language.

Action Items
<i>Ms. Camón</i> – Check to see what kind of data Seattle Municipal Court has available regarding interpreter usage, including for settings outside the court.
<i>AOC Staff</i> – Work with Ms. Delostrinos to draft the new language for the contracts for courts in the Reimbursement Program
<i>AOC Staff</i> – Contact the SCJA to re-nominate Ms. Sugg for a second term
<i>AOC Staff</i> – Remove the two questions from the bench card for court interpreting. Update the online versions of the bench card and send the card out to judges and administrators by listserv.
<i>AOC Staff</i> – Begin work to have the next Commission meeting on October 19 in Lacey to be followed by a forum with court interpreters.

Appendix A

Proposed Revision to GR 11.1:

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

(b) Jurisdiction and Powers.

~~All court interpreters who are credentialed by the State of Washington AOC in either a certified or registered language category are subject to the rules and regulations specified in the Interpreter Program Policy Manual~~

Every interpreter serving in a legal proceeding must comply with GR 11.2, the code of professional responsibility, and are subject to the rules and regulations specified in the Court Interpreter Disciplinary Policy Manual.

The Commission shall establish three committees to fulfill ongoing functions related to issues, discipline, and judicial/court administration education. Each committee shall consist of at least three Commission members and one member shall be identified as the chair.

(1) The Issues Committee is assigned issues, complaints, and/or requests from interpreters for review and response. If the situation cannot be resolved at the Issues Committee level, the matter will be submitted by written referral to the Disciplinary Committee.

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

(3) The Disciplinary Committee may sanction any interpreter serving in a legal proceeding for a violation of GR 11.2, the code of professional responsibility, and has authority to decertify or deny certification of credentials to interpreters based on the disciplinary procedures for: (a) violations of continuing education/court hour requirements, (b) failure to comply with Interpreter Code of Professional Responsibility (GR 11.2) or professional standards, or (c) violations of law that may interfere with their duties as an

interpreter in a legal proceeding. The Disciplinary Committee will decide on appeal any issues submitted by the Issues Committee.

(c) Establishment. The Supreme Court shall appoint no more than 15 members to the Interpreter Commission, and shall designate the chair of the Commission. The Commission shall include representatives from the following areas of expertise: judicial officers from the appellate and each trial court level (3), spoken language interpreter (2), sign language interpreter (1), court administrator (1), attorney (1), public member (2), representative from ethnic organization (1), an AOC representative (1), and other representatives as needed. The term for a member of the Commission shall be three years. Members are eligible to serve a subsequent 3 year term. Members shall serve on at least one committee and committees may be supplemented by ad hoc professionals as designated by the chair. Ad hoc members may not serve as the chair of a committee.

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

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

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

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

Chair's Report

October 1, 2018

Issues Committee of the Supreme Court Interpreter Commission

RE: Term of Service on the Interpreter Commission

As former members of the Interpreter Commission and past Presidents of the Washington State Court Interpreters Society, we are writing to oppose the appointment of former Commission member Kristi Cruz to the Interpreter Commission at this time. There has not been a proper break of service for Ms. Cruz, who stepped down from the Interpreter Commission on September 30, 2016, after serving 2 consecutive terms.

According to GR 11.1

The term for a member of the Interpreter Commission shall be three years. Members are eligible to serve a subsequent 3 year term.

There is no provision for a member to serve again.

The Interpreter Commission does not have its own set of bylaws which would govern matters such as term limits for members. The bylaws of the **Gender and Justice Commission** relevant to this matter state:

"Terms of membership on the Commission shall be three years. Terms shall be staggered so that approximately one-third of the terms expire in any given calendar year. Members appointed to a full term may be reappointed only once to another full term without a break in service" [emphasis added by the authors].

If the bylaws of this other Commission were relied upon to permit a member to serve an additional term on the Interpreter Commission after serving two full terms, then a break in service would be called for. Although the length of time for the break in service is not specified in these bylaws, one could reasonably infer that it would be the equivalent of a full term: in this case 3 years. Otherwise, a break in service could be anything: one year, one month, one week, one hour.

Below are explanations of terms and examples of what constitutes a "break in service."

Types of term limits

Term limits may be divided into two broad categories: consecutive and lifetime. With consecutive term limits, an officeholder is limited to serving a particular number of terms in that particular office. Upon hitting the limit in one office, an officeholder may not run for the same office again (though he/she may run for any other elective office). After a set period of time (usually one term), the clock resets on the limit, and the officeholder may run for election to his/her original office and serve up to the limit again. With lifetime limits, once an officeholder has served up to the limit, he/she may never again run for election to that office.

Examples:

1. "[The Governor] shall, after having served two terms in a state office, be ineligible to hold that state office **until one full term has intervened.**" "No person elected to the office of Governor ... shall be eligible for election to more than **two** consecutive terms of the same office."
2. Vladimir Putin: President of Russia (1999–2008, 2012–present). Had to have a break in service equal to one term or 4 years.
3. Since 1954, the mayor of New Orleans has been limited to two consecutive **four**-year elected terms, but he or she may be elected again after sitting out one four-year term.

All examples found defined a break in service as being, at a minimum, equal to the duration of one term. No examples were found which define a break in service as less than the duration of one term. The generally accepted principle is that the break of service is at least one term of office.

We urge the Interpreter Commission to create a bylaw specifying that "*Members who have served two full consecutive terms may be appointed again only after a break in service equal to the duration of one full term*", and we ask the Issues Committee to recommend the postponement of Ms. Cruz's appointment until she has had a break of service equal to the term of office, i.e. at least until October 2019.

Respectfully submitted by

Susana Sawrey
former Supreme Court Interpreter Commission member
former President of Washington State Court Interpreters and Translators
Society (WITS)

Emma Garkavi,
former Supreme Court Interpreter Commission member
former President of Washington State Court Interpreters and Translators
Society (WITS)

Sam Mattix,
former Supreme Court Interpreter Commission member
former President of Washington State Court Interpreters and Translators
Society (WITS)

Nancy Leveson,
former President of Washington State Court Interpreters and Translators

APPENDIX A

WASHINGTON STATE COURT INTERPRETER COMMISSION

BY-LAWS

Membership Terms: The Washington State Court Interpreter Commission is comprised of eleven (11) members who are appointed by the Washington Supreme Court for three (3) year terms. Membership, as set forth in General Rule 11.1, shall consist of one (1) judicial officer from the appellate and each trial court level; two (2) interpreters; one (1) court administrator; one (1) attorney; two (2) public members; one (1) representative from an ethnic organization; and one (1) AOC representative. Terms shall be sufficiently staggered, as set forth below, to ensure that no more than one-third of the membership transitions each year.

The following four membership classifications shall be appointed by the Supreme Court for terms beginning January 1, 2009 through September 30, 2011, and every three (3) years thereafter:

- Ethnic Organization Representative
- AOC Representative
- Superior Court Representative
- Appellate Court Member

The following four membership classifications shall be appointed by the Supreme Court for terms beginning October 1, 2009 through September 30, 2012, and every three (3) years thereafter:

- Interpreter Member I
- Public Member I
- Court Administrator Member
- Attorney Member

The following four membership classifications shall be appointed by the Supreme Court for terms beginning October 1, 2010 through September 30, 2013, and every three (3) years thereafter:

- Interpreter Member II
- Public Member II
- District or Municipal Court Representative

Term Limits: Individual members, with the exception of the Appellate Court member and AOC representative, are permitted to serve no more than two (2) consecutive three year terms. The Appellate Court member, who is appointed to serve as ex officio Chair, may serve for an unlimited number of consecutive terms at the pleasure of the Supreme Court.

Absences/Membership Resignation: If any member of the Interpreter Commission misses three successive meetings without explanation and a reasonable excuse, he/she will be deemed to have resigned from the Commission and his/her position shall be deemed vacant, whether or not his/her term has expired. Such resignation shall not preclude subsequent reappointment should the individual member be available to serve at a later date. The Commission Chair, and his/her designee, shall have the sole discretion to determine excused and unexcused absences.

Membership Vacancies: Vacancies on the Interpreter Commission shall be filled by appointment of the Supreme Court upon majority recommendation of the Commission. The Commission shall make every effort to solicit the names of viable and interested nominees to fill vacancies from associations and/or community groups having representation on the Commission.



WASHINGTON COURTS

ADMINISTRATIVE OFFICE OF THE COURTS

Callie T. Dietz
State Court Administrator

To: Justice Steve González
Chair, Court Interpreter Commission
Washington State Supreme Court

From: Callie T. Dietz
State Court Administrator
Washington Administrative Office of the Courts

Date: July 11, 2018

RE: Nomination of AOC Representative to Interpreter Commission

Dear Justice González,

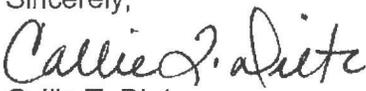
When I accepted the position of state court administrator nearly six years ago, I was presented with a keen opportunity to observe and support the efforts of each of the three Supreme Court-led Commissions. I am honored to be able to assist with removing barriers to justice experienced by people of color, by women, and by people for whom English is not their first language. I have obtained a high level of respect for the work of the Commissions in their efforts to provide leadership and policy guidance to all levels of our state courts. Each contributes significantly as individual commissions, but also in partnership with each other. I consider all the work of our commissions as a valuable part of the Administrative Services Division at AOC.

It is my continuing desire to ensure that the work of the Interpreter Commission is ably supported by the AOC. My desire to that end has been well served by Dirk Marler, Chief Legal Counsel and Director of the Court Services Division as the AOC Member Representative to the Interpreter Commission. As his term is expiring on September 30, 2018, I have discussed whether he would like to continue to serve in that capacity. He has suggested that a new person be appointed to replace him at the end of his term in order to expand knowledge of the commissions' mission and projects to other staff members.

Therefore, I am pleased to offer, for your consideration, the nomination of Ms. Sharon Harvey, Court Association Manager to the DMCJA, to serve as AOC Representative on the Interpreter Commission. Ms. Harvey has an ongoing role in working with district and municipal court judges as well as administrators and other court associations groups. She has been involved in several high-level projects involving internal AOC operations and resources and can make an immediate contribution to the work of the Commission. She also has a personal interest in foreign languages. She will be in position to continue to bring the attention of AOC management to those matters in which the agency can support the achievement of the Commission's goals.

Please find enclosed a letter of interest and resume for Ms. Harvey. Please do not hesitate to contact me if you have any questions regarding this matter.

Sincerely,


Callie T. Dietz

Honorable Steven Gonzalez
415 12th Ave SW
Olympia, WA 98501-2314

RE: WA State Interpreter Commission (AOC Representative)

Dear Justice Gonzalez:

I would be honored to serve on the Washington State Supreme Court Interpreter Commission as an Administrative Office of the Courts (AOC) representative. I have worked for Administrative Offices of the Courts for 6.5 years, which include four years in Washington State and two and one half years in Maryland. Additionally, I regularly utilized court interpreters during my four years as an associate attorney in a small law office. For this reason, I think I may be an asset to the Interpreter Commission, which serves as a policy making and advisory body to the Washington Courts.

At present, I am the AOC Court Association Coordinator and Policy Analyst for the District and Municipal Court Judges' Association (DMCJA), which has ranked access to justice relating to court interpreters as a main priority. District and municipal court judges rely on AOC and the Interpreter Commission to keep them informed of court interpreter resources. As a representative on the Commission, I can provide the Commission with the practical needs of trial court judges and offer solutions to court interpreter related issues.

Further, my former role as an associate attorney provides perspective for the Commission. Prior to joining the AOC, I was an associate attorney in a small law office in Takoma Park, Maryland where all of my clients were Spanish-speaking. Thus, I utilized court interpreters for all of my cases, which were held in District Court, Circuit Court, and the Workers' Compensation Commission. I regularly worked with the courts to obtain court appointed interpreters, who were often overworked and underpaid. Additionally, I learned that there were different forms of the Spanish language. For instance, Spanish spoken in Europe was a bit different from Spanish spoken in Central America where the majority of my clients previously lived. Further, culture also plays a role in court interpreter services. I lived in Japan, which has the opposite culture of the U.S., thus, I understand the need for court interpreters to express in English the actual sentiment of the party requiring interpretation in court. This perspective and my professional experience lead me to be an ideal candidate to serve on the Interpreter Commission.

I would like an opportunity to further discuss how my professional background and experiences would be an asset to the Interpreter Commission. Please contact me at sharon.harvey@courts.wa.gov or 360-705-5282. Thank you for your consideration.

Sincerely,

Sharon R. Harvey

SHARON R. HARVEY

722 13th St., SE #207

Olympia, WA 98501

Telephone: (301) 633-0103

E-mail: sharonrharvey@yahoo.com

BAR ADMISSIONS

Washington State Supreme Court (January 2016)

U.S. District Court for the District of Maryland (November 2007)

Maryland Court of Appeals (June 2005)

EXPERIENCE

Court Association Coordinator, Manager

03/2014 to Present

Washington State Judiciary, Administrative Office of the Courts (AOC), Olympia, WA

- Provide primary staff support to the District and Municipal Court Judges' Association (DMCJA) Board of Governors, standing committees, and ad hoc workgroups by surveying and studying the operation of the courts served by its membership, the volume and condition of business of the courts, the work accomplished, and the character of the results, as required by statute.
- Serve as the Policy Analyst for issues impacting District and Municipal Courts in Washington State.
- Provide legal analysis to assist the AOC with legislative fiscal notes and judicial legislative summaries.
- Manage, direct, and review the work of other professional and administrative staff.
- Function as an intermediary between judicial officers, court managers and staff, and the AOC for the exchange of information and the needs of judicial programs.
- Responsible for identifying potential problems and recommendations for solutions related to judicial programs.

Staff Attorney

03/2011 to 08/2013

Maryland Judiciary, Administrative Office of the Courts, Legal Affairs Department, Annapolis, MD

- Provided legal advice to the State Court Administrator, Maryland Judges, and Maryland Judiciary employees on various issues relating to employment law, business law, Maryland Public Information Act, immigration law, family law, state constitutional law, and federal constitutional law, under the supervision of the Executive Director of the Legal Affairs Department.
- Researched and wrote legal memoranda on legal issues affecting the Maryland Judiciary.
- Provided legal analysis in order to assist the Maryland Department of Legislative Services in its preparation of legislative fiscal notes.
- Assisted the Deputy Director of the Legal Affairs Department in the drafting of legally sufficient Maryland electronic forms.

Associate Attorney

05/2007 to 03/2011

Law Offices of Milton Kaplan, Takoma Park, MD

Litigated cases relating to contract law, tort law, workers' compensation law, criminal law, immigration law, and family law.

- Interviewed clients to determine whether the client had a viable case.
- Drafted legal briefs, motions, memoranda of law, and other legal pleadings that stated the client's legal position and provided trial and appellate courts with a clear and concise representation of the issues.
- Orally argued clients' legal position before Maryland State courts and administrative agencies.
- Researched statutory law and case law relating to immigrant visas and non-immigrant visas and advised clients of their legal immigration options.
- Represented clients before the Executive Office for Immigration Review (EOIR) Immigration Court by orally arguing my client's legal position.
- Drafted legal pleadings that presented my client's legal position in EOIR Removal Proceedings.

Contract Attorney

2/2006 to 5/2007

Legal Source, Washington, DC

Placed at Arnold & Porter in Washington, DC to assist with complex civil litigation cases.

Judicial Law Clerk

8/2004 to 8/2005

Honorable Althea M. Handy, Circuit Court for Baltimore City, MD

- Briefed the Judge on court docket to ensure the Judge was prepared for each court case.
- Researched case law and statutory law regarding cases relating to civil law, criminal law, and family law in order to provide the Judge with legal authority for verdicts.
- Assisted the Judge in writing legal opinions relating to post conviction relief.
- Supervised five Judicial Interns.

EDUCATION

University of Baltimore School of Law

May 2004, Juris Doctor; Concentration Certificates: (1) Business Law (2) International & Comparative Law.

University of Maryland at College Park (UMCP)

December 1997, Bachelor of Arts; Major: Government & Politics; Minor: Japanese Studies; UMCP Student Judicial Board Member; White House Intern.

CONTINUING LEGAL EDUCATION

- District and Municipal Court Judges' Association (DMCJA) Spring Program – *Attorney Misconduct and Ineffective Assistance of Counsel Training; Treating the Addicted Brain: What Works; Evidence* (2016)
- November 2010, "T-Visa Workshop" Training. Handled Pro Bono Case (2010)
- Hot Tips in Workers' Compensation Law (2009)
- March 2008, "Pro Bono Asylum" Training. Handled Pro Bono Case (2008-2009)
- The Nuts & Bolts of Foreclosure Defense (2008)
- Will Drafting in Maryland (2005)

OTHER QUALIFICATIONS AND SKILLS

PUBLICATION

Maryland Workers' Compensation Laws and Undocumented Aliens, Bar Bulletin, Maryland State Bar Association Newsletter, August 15, 2009.

LANGUAGES

- Intermediate Spanish
- Intermediate Japanese

PROFESSIONAL MEMBERSHIPS

- Washington Women Lawyers, Capitol Chapter Member (2017-Present)
- Washington State Bar Association (WSBA) Member (2016-Present)
- Maryland State Bar Association (MSBA) Member (2005-Present)
- Maryland Integrated Case Management System Advisory Committee (2011-2013)
- First Amendment Moot Court Team (2003-2004); Quarter finalist (2004)
- Former Japan Exchange and Teaching (JET) Program Participant (1998-1999)
- Japan America Student Conference (JASC) Participant (1997)

COMPUTER

- Microsoft Office Suite (Excel, Outlook, PowerPoint, Word)
- WordPerfect
- Legal Search Engines (WestlawNext, Westlaw, LexisNexis, Fastcase)

The Supreme Court
State of Washington

MARY E. FAIRHURST
CHIEF JUSTICE
TEMPLE OF JUSTICE
POST OFFICE BOX 40929
OLYMPIA, WASHINGTON
98504-0929



(360) 357-2053
E-MAIL MARY.FAIRHURST@COURTS.WA.GOV

September 12, 2018

Ms. Sharon Harvey
722 13th St. SE, #207
Olympia, WA 98501

Re: Appointment to Interpreter Commission

Dear Ms. Harvey:

Justice Steven González, chair of the Interpreter Commission, advised that based on the recommendation of Callie Dietz, the Commission nominated you for appointment as a member representative from the Administrative Office of the Courts to fill a vacancy on the Commission when Dirk Marler's term ends. The Supreme Court's Administrative Committee has confirmed your appointment. Your term starts October 1, 2018 and expires September 30, 2021.

On behalf of the justices of the Supreme Court, I wish to thank you for your willingness to serve on the Interpreter Commission. I am confident that this important Commission will benefit from the expertise and experience you have to offer.

Very truly yours,

A handwritten signature in cursive script that reads "Mary E. Fairhurst".

MARY E. FAIRHURST
Chief Justice

cc: Hon. Justice Steven González, Chair
Callie Dietz, Director, AOC
Robert Lichtenberg, AOC
Sondra Hahn, AOC



Association of Washington Superior Court Administrators

President

PAMELA M. HARTMAN BEYER
Thurston County Superior Court
2000 Lakeridge Dr SW, Bldg 2
Olympia WA 98502
(360) 786-5560
hartmap@co.thurston.wa.us

Vice President

CHRIS GADDIS
Pierce County Superior Court
930 Tacoma Ave S, Rm 334
Tacoma WA 98402-2108
(253) 798-3654
cgaddis@co.pierce.wa.us

Secretary/Treasurer

PAUL SHERFEY
King County Superior Court
516 3rd Ave, Rm C-203
Seattle WA 98104-2361
(206) 477-2472
paul.sherfey@kingcounty.gov

Past President

FRANK MAIOCCO
Kitsap County Superior Court
614 Division St MS 24
Port Orchard WA 98366-4683
(360) 337-7140
fmaiocco@co.kitsap.wa.us

August 6, 2018

Honorable Mary E. Fairhurst
Washington State Supreme Court
Temple of Justice
PO Box 40929
Olympia, WA 98504-0929

Dear Chief Justice Fairhurst:

RE: AWSCA REPRESENTATIVE TO THE INTERPRETER
COMMISSION

On behalf of the Association of Washington Superior Court Administrators (AWSCA), I am pleased to nominate Ms. Fona Sugg, Chelan County Superior Court Administrator, to an additional three-year term on the Interpreter Commission. If appointed, Ms. Sugg's new term will end September 30, 2021.

Ms. Sugg's continued commitment to the Interpreter Commission is a testament to her dedication to improving the services we provide to the court community, and I appreciate her willingness to serve an additional term.

Thank you for your consideration of this nomination.

Sincerely,

A handwritten signature in black ink that reads "Pam Hartman-Beyer".

Pam Hartman-Beyer
AWSCA President

cc: Ms. Fona Sugg
Robert Lichtenberg, AOC

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The Supreme Court
State of Washington

MARY E. FAIRHURST
CHIEF JUSTICE
TEMPLE OF JUSTICE
POST OFFICE BOX 40929
OLYMPIA, WASHINGTON
98504-0929



(360) 357-2053
E-MAIL MARY.FAIRHURST@COURTS.WA.GOV

September 12, 2018

Ms. Fona Sugg, Administrator
Chelan County Superior Court
401 Washington St., Fl. 5
Wenatchee, WA 98801-4197

Re: Reappointment to Interpreter Commission

Dear Ms. Sugg:

Justice Steven González, chair of the Interpreter Commission, advised that based on the recommendation of the Association of Washington Superior Court Administrators (AWSCA) the Commission nominated you for reappointment to an additional term. The Supreme Court's Administrative Committee has confirmed your reappointment. Your new term starts October 1, 2018 and expires September 30, 2021.

On behalf of the justices of the Supreme Court, I wish to thank you for your continued willingness to serve on the Interpreter Commission. I am confident that this important Commission will continue to benefit from the expertise and experience you have to offer.

Very truly yours,

A handwritten signature in cursive script that reads "Mary E. Fairhurst".

MARY E. FAIRHURST
Chief Justice

cc: Hon. Justice Steven González, Chair
Callie Dietz, Director, AOC
Pamela Hartman-Beyer, President AWSCA
Robert Lichtenberg, AOC
Sondra Hahn, AOC

The Supreme Court
State of Washington

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



(360) 357-2029
FAX (360) 357-2103
E-MAIL J_S.GONZALEZ@COURTS.WA.GOV

Thea Jennings
1115 NE 168th Street
Shoreline, WA 98155

Dear Ms. Jennings,

In official correspondence to you dated September 17, 2015 related to your reappointment to the Interpreter Commission for your second three-year term, the ending date of your term was indicated to be September 30, 2018. This letter is to inform you that an error in the date of your initial appointment in 2014 has been identified. You were appointed in February 2014 to fill a Public Member Representative Vacancy that began on October 1, 2013. Your initial appointment letter erroneously indicated your first term would end on September 30, 2015, one full year short of a three-year term. The second reappointment letter of September 17, 2015 contained the ending date of your second term in error.

I have reviewed the information provided by the Interpreter Commission and agree that an error was made in the initial and subsequent appointment term dates. I am hereby clarifying the matter by indicating to you that your second and final reappointment term will end on September 30, 2019.

Thank you so much for your continued attention to the substantive and deliberative matters that come before the Interpreter Commission and thank you for your commitment to achieving fairness and justice for Washington State court customers.

Sincerely,

Justice Steve González

A handwritten signature in black ink, appearing to read "Steve González", written over a faint, illegible typed name.

The Supreme Court
State of Washington

MARY E. FAIRHURST
CHIEF JUSTICE
TEMPLE OF JUSTICE
POST OFFICE BOX 40929
OLYMPIA, WASHINGTON
98504-0929



(360) 357-2053
E-MAIL MARY.FAIRHURST@COURTS.WA.GOV

September 12, 2018

Ms. Thea Jennings
1115 NE 168th Street
Shoreline, WA 98155

Re: Correction of appointment term to Interpreter Commission

Dear Ms. Jennings:

Justice Steven González, chair of the Interpreter Commission, recently informed me that when you were appointed to the Commission, there was an error in the ending date of your term. Please see the enclosed letter of explanation from Justice González.

I recently requested the Supreme Court's Administrative Committee to correct the error and they now confirm that your term is set to expire on September 30, 2019 instead of September 30, 2018.

On behalf of the justices of the Supreme Court, I wish to thank you for your continued willingness to serve on the Interpreter Commission. I am confident that this important Commission will continue to benefit from the expertise and experience you have to offer.

Very truly yours,

A handwritten signature in cursive script that reads "Mary E. Fairhurst".

MARY E. FAIRHURST
Chief Justice

cc: Hon. Justice Steven González, Chair
Callie Dietz, Director, AOC
Robert Lichtenberg, AOC
Sondra Hahn, AOC

Kristi A. Cruz
7027 26th Ave. NE
Seattle, WA 98115
kristic@nwjustice.org

July 10, 2018

Attn: Robert Lichtenberg
Washington State Administrative Office of the Courts
PO Box 41170
Olympia, WA 98504

Dear Mr. Lichtenberg:

I am writing to express my interest in serving on the Interpreter Commission in the Attorney Representative position for the 2018 - 2021 term. With my background as a certified American Sign Language Interpreter and now as an attorney working on language access issues in Washington State and nationally, I am very interested in assisting in whatever capacity possible to promote improved access to courts for limited English Proficient and deaf individuals. In addition, as a co-chair of the Board of Directors for the Washington State Coalition for Language Access (WASCLA), I would bring the perspective of this multi-disciplinary group to my work on the commission.

The work of the Interpreter Commission is an important aspect of promoting access to justice and it would be an honor to be a part of that work. Particularly now, with the release of the 2017 Deskbook on Language Access in Courts, I look forward to working with the Commission and Washington Courts on implementing strong language access plans.

Please find my attached résumé and feel free to contact me should you have any questions.

Thank you for your consideration,

Sincerely,

A handwritten signature in black ink, appearing to be 'Kristi Cruz', with a long horizontal flourish extending to the right.

Kristi Cruz

Attachment: Cruz Resume

Kristi A. Cruz

7027 26th Ave. NE, Seattle, Washington 98115
206.396.2789 or cruzkristi01@gmail.com

My work focuses on language access rights, civil rights, and access issues for deaf, hard-of-hearing, deaf-blind and limited English proficient individuals. I have been able to combine my prior experience as a sign language interpreter with my skills as an attorney to address language barriers within critical programs such as courts, education, healthcare, and governmental services.

Education

Seattle University School of Law, Seattle, WA
Juris Doctor, Magna Cum Laude, December 2008

University of Washington, Bothell, WA
Bachelor of Arts; Interdisciplinary Arts and Science, minor in Human Rights, June 2005

Seattle Central Community College, Seattle, WA
Associates of Applied Science, American Sign Language Interpreter Program, June 1992

Experience

Northwest Justice Project, Seattle, Washington 2011 - Present

Staff Attorney. Created and continue to staff Washington State's first statewide intake, advice, and referral program specifically providing civil legal aid services in American Sign Language by videophone for the Deaf community. Represent clients in the areas of family law, housing, consumer, special education, public benefits, and civil right discrimination cases. Create online video content for the Northwest Justice Project YouTube Language Access and ASL channels to provide legal informational videos to deaf consumers in Washington State. As the NJP LEP Task Force Chair, I coordinate civil legal aid initiatives around language access, draft memorandum on emerging language access issues, and provide technical assistance and training to governmental agencies in their efforts to implement language access services for limited English proficient and deaf individual, including Washington Courts, Department of Labor and Industries, Health and Human Services, and Health Care Authority.

Seattle University School of Law, Seattle, Washington 2010 – 2011

Language Access Project Specialist. Co-reporter for the American Bar Association's Standards for Language Access in Courts. Together with a co-reporter, drafted national standards for language access services in courts with input from 35 national advisors including judges, court administrators, prosecutors, public defenders, and organizational representatives from the Department of Justice. The standards were adopted by the American Bar Association House of Delegates as national ABA policy in 2012.

Northwest Justice Project, Seattle, Washington 2009 – 2010

Attorney, Seattle University School of Law 2009 Leadership for Justice Fellow. Created and staffed a fellowship project designed to address systemic language access barriers for deaf and LEP individuals in the State of Washington. Researched Civil Rights Laws and drafted a handbook on civil rights laws and litigation tips for use by civil legal aid attorneys. Coordinated the efforts of the Washington State Coalition for Language Access. Provided trainings on the law of language access and working with interpreters. Developed policies on

language access and communication services for LEP and deaf individuals in a variety of settings, including a model statewide policy for language access services in schools.

Legal Intern, NJP King County Office, 2008 – 2009

Researched civil rights laws regarding language access under Title VI of the Civil Rights Act of 1964 and the Americans with Disabilities Act, and developed language access policies for education sector. Authored articles for publication on language access rights and collaborative solutions to addressing language barriers. Assisted in coordinating WASCLA Annual Language Access Summit and inter-agency regional meetings. Drafted the first internal policy for the Northwest Justice Project on serving deaf, hard of hearing, and deaf-blind clients within legal services program.

Legal Intern, Coordinated Legal Education Advice and Referral Hotline- Domestic Violence Unit, 2008

Conducted comprehensive intakes for domestic violence survivors regarding family law matters. Drafted family law pleadings including Petition for Dissolution, Declarations, Parenting Plans, Temporary Orders, and Child Support. Worked collaboratively with legal aid attorneys to assist in case management and providing clients with brief services in family law cases.

Interpreting Experience

SignOn; A Sign Language Interpreting Resource, Seattle, WA 1999 – 2007

American Sign Language Interpreter, Staff interpreter in community and VRS settings. Provided community interpreting services in a variety of settings, including business, conference, medical, and legal. Certificate of Interpretation, Certificate of Transliteration (CI/CT) since 1996. Legal interpreting experience included jury duty, administrative hearings, pre-trial hearings and trials. Experienced Video Relay (VRS) interpreter.

Freelance Interpreter, Anchorage, AK 1992 – 1999

Self-Employed Freelance ASL Interpreter. Community Freelance Interpreter provided ASL interpreter services in a variety of settings including education, business, and social services.

Volunteer Work:

Washington State Coalition for Language Access, Member, 2009 – present. Board of Directors, Member 2009 – 2016, Chair, 2013 – 2016. As immediate past Chair, guided organizational efforts to remove barriers to public services for LEP and deaf individuals in legal, medical, educational, and social service sectors. Created training materials and provided technical assistance to member organizations on language access topics. Co-chaired the WASCLA annual Language Access Summit, a two-day language access conference now in its eleventh year. Worked with legislators on language access policy development and provided input when requested

Medical Interpreter Task Force, Member 2012- present. This is a grassroots effort within the Deaf Community to address the language barriers faced by members of the community in accessing healthcare services. I continue to work with community members to identify solutions to existing barriers.

Publications

American Bar Association, Standards for Language Access in Courts, co-reporter.

February 2012

A Brief History of the Washington State Coalition on Language Access, Minority and Justice Commission Newsletter.

June 2008

The Supreme Court
State of Washington

MARY E. FAIRHURST
CHIEF JUSTICE
TEMPLE OF JUSTICE
POST OFFICE BOX 40929
OLYMPIA, WASHINGTON
98504-0929



(360) 357-2053
E-MAIL MARY.FAIRHURST@COURTS.WA.GOV

September 12, 2018

Ms. Kristi A. Cruz
7027 26th Ave. NE
Seattle, WA 98115

Re: Reappointment to Interpreter Commission

Dear Ms. Cruz:

Justice Steven González, chair of the Interpreter Commission, advises that the Commission has nominated you for reappointment as an attorney representative. The Supreme Court's Administrative Committee has confirmed your reappointment. Your term starts October 1, 2018 and expires September 30, 2021.

On behalf of the justices of the Supreme Court, I wish to thank you for your continued willingness to serve on the Interpreter Commission. I am confident that this important Commission will continue to benefit from the expertise and experience you have to offer.

Very truly yours,

A handwritten signature in black ink that reads "Mary E. Fairhurst".

MARY E. FAIRHURST
Chief Justice

cc: Hon. Justice Steven González, Chair
Callie Dietz, Director, AOC
Robert Lichtenberg, AOC
Sondra Hahn, AOC

From: Diana Noman
P. O. Box 30595
Seattle, WA 98113

To: Supreme Court Interpreter Commission
c/o Robert Lichtenberg
1206 Quince St. SE
Olympia, WA 98504

August 15, 2018

Dear Mr. Lichtenberg,

I am writing this letter to express my interest in serving on the Interpreter Commission as one of the Interpreter Representatives. I have considered submitting my candidacy previously, but at the time various circumstances did not make that possible. I am pleased to let to you that this time I am able to submit my candidacy for consideration to serve on the Interpreter Commission.

I am a court certified interpreter in both Arabic and Russian in the state of Washington and have been working as an interpreter for many years now. Because of that I have seen the many facets and intricacies of how the profession of interpreter works in the courtroom as well as in other venues outside of court. For this reason, I believe I can be of service to the Interpreter Commission, as I can add a multidimensional and multicultural perspective to the issues which arise in connection with Language Access Programs and matters involving interpretation in the courts' legal proceedings and are posed to the Interpreter Commission.

Please consider my candidacy.

With utmost sincerity,

Diana Noman

Diana Noman
Seattle, WA USA

interpreterdiana@yahoo.com

206.992.2113

Objective:

I am seeking to apply my skills and experience in interpretation and translation of languages as well as work with people and to make a significant contribution to my clients, the community, as well as continue my professional development.

Skills and Competencies:

- Fluent and literate in **Arabic, English, and Russian**
(listed in alphabetical order)
- Experienced interpreter for foreign delegations
- Well-developed communication and assessment skills
- Knowledge of conflict management strategies
- Detail oriented and able to work independently and as part of an interactive team
- Computer skills
- Well-traveled; culturally educated

Experience:

- Independent Interpreter/Translator and instructor of Russian and Arabic [1998-present]

COURT certified in WA and CA and DSHS certified social and medical interpreter for both foreign languages. Responsibilities include providing two parties that do not speak the same language with consecutive, simultaneous, summary interpretation or sight translation as well as occasional classroom instruction

Clients include DOD (on-site in Iraq), various government agencies, WA and CA State Court Systems, Social Services, multiple Medical facilities, Women's Shelters and SafeHouses, numerous Law Firms and private companies

Improved interpersonal communication and language skills, as well as speed and quick-thinking abilities

- Supervisor and Team Leader [2008-present]

Supervision of a team of linguists on various language projects. Responsibilities include gathering a team of linguists and oversight of completion of language-related projects, task-delegation, creation of work schedule for linguists, review and approval of linguist time sheets, proofreading of translations, communication with client representatives and company representatives and serving as a liaison, informing linguists of impending project changes

- Intensive English Language Institute and NSCC [1997-1998]

Electives Instructor and Tutor

Taught English language/communication skills and basic computer skills to international students, edited essays and articles, provided guidance in grammar, as well as in written and spoken language

Learned how to communicate effectively with a multicultural population of students with different levels of English proficiency

- ACE Translation Center [1996-1997] Translation Coordinator

Responsibilities included overseeing translation projects from inception to completion, on-the-spot decision making, acting as a liaison between client and translator

Applied effective management abilities, customer service techniques and creative conflict resolution skills

- Intensive English Language Institute [1995-1996] Language Mentor

Helped over twenty international students improve their English language skills

Learned to communicate information simply and effectively

Education:

- Seattle Pacific University, Seattle WA Bachelor of Arts in Communication

Former President of the Multicultural Club

Recipient of Master-Tutor Certification

Certified in Court, Social and Medical Interpreting

Continuously enrolled in qualification improvement training



**Northwest Translators
& Interpreters Society**

October 12, 2018

To: Washington State Supreme Court Interpreters Commission

Dear colleagues,

The Northwest Translators and Interpreters Society is proud to issue this letter of support for Diana Noman, Russian and Arabic certified Court Interpreter.

Ms. Noman is a member in good standing of NOTIS and she has been an active member of the Society for a number of years.

We believe she will be a valuable addition to the Court Interpreter Commission and serve well as an Interpreter Representative.

Best regards,

Elise Kruidenier
NOTIS President

Shelley Fairweather-Vega
NOTIS Vice President

September 21, 2018

From: Florence O. Adeyemi, MSW,

12345 Lake City Way NE, #265,

Seattle, Washington 98125

To: The Supreme Court Of Washington State,

Attn: Steven C. Gonzalez, Justice

Temple of Justice

Post Office Box 40929

Olympia, Washington 98504-0929

RE: Letter of Interest for Interpreter Representative on The Interpreter Commission

Dear Sir,

It is with dedicated desire that I wish to share my talents and professional abilities by serving on one of the best platforms of public service through adding value to the Interpreter Commission activities which will be of benefit to the Interpreters, the Courts as well as the Public in the State of Washington. I write this letter therefore, to express my interest in serving on the State of Washington Interpreter Commission.

I am currently a Washington State Registered Court Language Interpreter of English and Yoruba languages, also Hausa and Creole/Krio/West African Pidgin languages pending Oral Examination for registration.

My work and volunteer experience spanning over thirty years, having served on several civic leadership positions in King County and the State of Washington, would come handy for me to add a valuable voice to the Commission on behalf of the many Interpreters who are currently taking duties within the court system as an important part of the courts and viable liaison between the courts and the public. One of such is the Seattle Women's Commission where I served as a member for three years and in the position of Chair for a term of one year. Since completing and graduating from the LEAD Program of King County, I have served and continue to serve on several volunteer boards where I work in teams with other comrades and gain enhanced knowledge to do more.

Please find my Resume attached with this letter for your convenience and to assist you in evaluating my qualification to serve on this Commission. Do not hesitate to contact me by telephone, email or postal mail if you have any questions that I may answer in this regard. I thank you for your time and I look forward to receiving your response at your earliest convenience.

Sincerely,

Florence Adeyemi, MSW,

Registered Court Language Interpreter

(206) 235-0782

RESUME OF FLORENCE O. ADEYEMI

12345 Lake City Way NE, #265, Seattle, WA 98125
Telephone: 206-235-0782
Email: afnconnect@aol.com

Organizational and Administrative Qualifications

Strong written and verbal communication skills
Fluent and proficient linguistic skills in English Yoruba, Pidgin, Hausa minor
Effective strategic planning skills
Over 25 years of editing and editorial experience
Over 20 years of diversified grant writing and fund raising experience
Excellent team work and human relations skills
Creative negotiation and problem-solving skills
Solid multicultural relations and training dynamics experience
Experienced Counselor and group/workshop facilitator
Dynamic community and event organizing skills
Over 25 years of public and media relations experience
Outstanding leadership and management skills
Extensive and effective networking skills with diverse corporate institutions,
Non-profit/non-governmental organizations

Work Experience:

Multicultural Behavioral Health Counseling, Consultant Clinical Practitioner - Seattle, WA: 2006 - Current – As a Counselor, I work to provide guidance for my clients in sessions to assist them in the gradual process of reaching set goals: I work with individuals, couples, families, veterans and groups - focus on treatment and/or management of specific clinical syndromes; conduct relevant professional trainings; facilitate group and organizational workshop

Chief/Managing Editor, American Multicultural Communications, Publishers of African Forum Newspaper (AFN), Seattle, WA: 1995-2002: Responsible for overall supervision and evaluation of staff, news collection, collation and editing; final review, reporting and publishing of local and international news that inform, educate and promote self-empowerment and cross-cultural understanding among our pluralistic populations; organized, facilitated and promoted community events locally and internationally; supervisory responsibilities included leading organizational development programs in-house and at-large, hiring, supporting and mentoring staff as needed

Commissioner/Chair, Seattle Women's Commission (SWC), Seattle, WA: 1998-2001- Primary performance included leading the Commission in identifying issues that affect Seattle women, their families and community, calling such issues with policy recommendation to the attention of the Mayor, City Councilmembers and other policy makers in Seattle, to strategize on appropriate legislative logistics and resolution; worked directly with other local and international sister organizations to foster human rights institutions at home and abroad; represented the commission on various official duties in

and out of town; edited the SWC monthly newsletter; led the SWC in intervention programs toward resolving issues of harassment in several city departments and the school districts, working as a team with city departments to drastically reduce the spread of homelessness in the city, facilitating community partnerships with other organizations with similar interests to accomplish our goals

International and Community Relations Director, King County World Conservation Corps (formerly Cascadia Quest), Seattle, WA: Jan. 1996 – Dec. 1996: Performed recruitment of youth (ages 18-24) from countries around the world, including the United States - for intensive seasonal environmental conservation training and work in the Puget Sound area; interpreted and translated several languages among the World Corps members, officials and volunteers; directly facilitated local host family and accommodation for participants; designed and led interactive cross-cultural workshops for effective teamwork; taught linguistic and non-verbal communications; conferred with King County Council Members on annual program budget and other support for the program; developed grant proposals and coordinated fundraising; organized inclusive community events to acknowledge, encourage and celebrate team members, sponsors and leaders; completed annual reports on program development and overall accomplishments

Independent Linguistics Instructor/Consultant: Seattle, WA: 1989-present

University of Washington Extension Program Affiliate: Teach linguistics to local and international students, professionals and international business sectors - using my specifically designed interactive techniques to impart reading, writing, grammar and idioms; teach English as-a-second/foreign language; also perform language translation, and interpretation services in English, Yoruba, Pidgin English, Hausa (minor); I was nationally selected in the United States to translate and I completed the translation/transcription of Mohammed Ali's historic Monument in Louisville, Kentucky from English to Yoruba language in 2005; currently perform language interpretation/translation for Court systems and agencies in the States of Washington, Oregon, California, Utah, Nevada, among others and a Consultant Linguist with several locally-based international Language Banks and Academy

Consultant, Supervisor: Community Development and Diversity Programs, Seattle, WA: 1987-1994: Performance included working with local and international agencies in assigning staff projects, matching appropriate skills with project requirements, coordinating/facilitating training and evaluating staff performance; developing budget for various projects, producing monthly reports, designing strategic programs for multicultural education and workshops reflecting diversity integration in the workplace, training public agencies, institutions, governmental and non-governmental organizations (NGOs) on higher productivity techniques; led grant proposal and fundraising efforts; hone specialty in people-oriented organizations with a need to assure broad cooperative effort through use of effective planning and administrative skills to achieve organizational and community goals

Arbitration Assistant, King County Superior Court Arbitration Department, Seattle, WA: 1988-1989: Scheduled arbitration calendar to mediate selected court cases

which in turn prevented and reduced prevalent case back-log in the court system; performed as a liaison between the public and the Courts, facilitated speedy and fair court and arbitration hearings with record satisfactory overall outcomes

Advanced Writing Associate, Teaching and Research Assistant, Seattle Pacific University, Seattle, WA: 1988-1988: Assisted professors in coaching college students needing to attain advanced writing skills with emphasis on technical writing and grammar usage, helped with editing and grant proposals; also provided effective assistance with students' research projects until completed

Family Healthcare Associate, Community Home Health Care, Seattle, WA: 1983-1986 - Designed and developed comprehensive quality care plan for socially and/or economically disadvantaged persons in their homes or institutions, assisted in administering clinical health care to homebound persons, coordinated referrals to other relevant community resources, served as liaison and advocate for families and individual clients as needed, developed clear and concise reports of all duties performed, maintained on-going client monitoring until cases terminated

EDUCATION:

MA, MSW, Social Work - Clinical and Contextual Practice, University of Washington, Seattle, WA, 2006

BA – Sociology, Anthropology, English-Communications, Seattle Pacific University, Seattle, WA, 1989

Advanced Sociology: University of Washington, Seattle, Summer 1983; Summer 1984

Sociology-Psychology: North Seattle Community College, 1982

RN/RM: University of Ilorin Teaching Hospital, Ilorin, Nigeria, 1978

Professional Seminars/Workshops:

Family Crisis Management; Health & Behavioral Counseling; Cross-cultural/Multicultural Counseling; Understanding and Working with Pluralistic Population; Children and Discipline; Family Support Networking; National Family Advocacy

Graduate Fellowship: University of Washington International Advanced Practicum at the University of Ilorin College of Medicine, Nigeria - Community Based Experience and Services program (COBES): June-September 2005; March-August 2006;

Participation in seminars and trainings, community healthcare delivery and intensive international workshops in the rural and urban areas of Nigeria -

Conducting and leading educational trainings and workshops on HIV-AIDS, reproductive health management, malaria-prevention and treatment, pre-natal and neo-natal healthcare, maternal and infant healthcare, tropical disease management;

Working with local and international NGOs on community organizing and development

Research Assistant: WA State Snohomish County Human Services Department "Project 2020", Everett, WA - March-June, 2005 - Research contribution/analysis; social-work/case-management with Snohomish County "Project 2020" - designing concise

recommendation for improved, relevant and inclusive geriatric and diversity care services beyond year 2020.

Awards/Honors: * University of Washington, Seattle, Graduate School of Social Work - Graduate Student Outstanding Leadership, 2006;

- Mount Zion, Seattle - Academic Scholarship, 2006;
- The Ludwig and Edith Lobe - Distinguished Graduate Scholarship, 2005;
- University of Washington, GOMAP - Scholarship Excellence, 2005;
- City of Seattle - Outstanding Community Leadership Recognition, 2001;
- FLORENCE O. ADEYEMI - Wall of Tolerance Placement Award: Presented by the National Campaign for Tolerance - Co-Chairs: Rosa Parks and Morris Dees, 2001;
- Seattle Pacific University - Student Excellence Achievement Scholarship, 1984;

Professional and Community Affiliation:

Certified National Family Advocate

Member, National Association of Judicial Interpreters and Translators (NAJIT)

Member, Northwest Translators and Interpreters Society (NOTIS), Washington State

Graduate and Member of -- Leadership Excellence and Diversity (LEAD) Program, United Way of King County, Washington State

Commissioner, 1998 – 2001 (Co-Chair) Seattle Women's Commission

Affiliation, National Association for Professional Women

Member, International Women's Day Organization (IWD)

Member, National Diversity Council

Former President, ODU'A Community Development Organization of Washington State

Diverse Community and School Volunteer

Personal and Professional References are available upon request

PETITION

We, the undersigned Washington State court interpreters, respectfully request that the Court Interpreter Commission:

1. add a third spoken language interpreter representative to the Interpreter Commission.
2. ensure that each committee — Education, Issues, and Disciplinary — has a member who is a spoken language interpreter.
3. require the Education Committee to be in charge of approving continuing education credits for interpreters.
4. give priority to spoken language interpreter applicants who have a letter of recommendation from our court interpreters' professional association, Northwest Translators and Interpreters Society (NOTIS), a chapter of the American Translators Association (ATA).
5. allocate funds for a Professional Standards and Ethics Manual for Washington State's court interpreters such as the one for California Courts. Currently, there is no manual for Washington State's court interpreters, which makes it especially difficult for novice and non-credentialed interpreters to understand and fulfill their professional responsibilities.

Respectfully submitted on 10/1/2018

Committee Reports



Interpreter Commission- Education Committee
August 13, 2018 (4:00 p.m. – 5:00 p.m.)
Teleconference

MEETING MINUTES

Members Present:

Katrin Johnson
Eileen Farley
Fona Sugg
Donna Walker

AOC Staff:

Robert Lichtenberg
Nichole Kloepfer

Members Absent:

Francis Adewale

Meeting Called to Order

- Brief Introductions. Katrin noted that Linda has resigned from the committee as she is on other committees and will be stepping down from the Commission in September.
- Last meeting minutes were approved by email.

Review Katrin's draft of Tips in Dependency Cases – Use of Interpreters

- Draft was distributed to the committee for review.
- AOC asked the Interpreter Commission to do a "Tips sheet" for Dependency practice tips for interpreters.
- Katrin asked if the committee wanted to keep it generic or do a deep dive.
- The committee agreed to keep it generic.
- Mandatory mediations and dependency settlement courts provide interpreters.
- Big challenge – King County doesn't schedule interpreters for dependency cases. If it is different for each county, how do you capture that?
- Topics should steer clear of who can provide services.
- Add a question about DSHS interpreter certificate and who it is provided by.

Noted from the draft:

- Fona said #4 should say "no".
- Formatting, bullets to support answers?
- Eileen, wanted to add questions around the difference between certified and registered interpreters and where to find them.
- #8 link to their languages access policies

Panelist Questions for Faculty for the 2018 Fall Judicial Conference

- This will be discussed online due timing of this call.

Selecting Conference for 2019 Court Education Presentations and Possible Topics

- ADA and Communication Access, Assistive Listening.
- Reuse 2017 DMCJA materials with skits.
- Revamping LAP training for Administrators.
- Court education required faculty and curriculum packaged before proposal is submitted.
- It was suggest that John Evans be a faculty speaker for ADA and Communication Access issues.
- Donna mentioned he is a great speaker and is willing to work with Bob on the ADA materials and securing John Evans.

Action Items
Bob – will track down and request John Evans as a faculty speaker. Donna also volunteered to assist with securing speaker and work on proposal content.
Bob -- will start working on next DMCJA proposal, he will use materials from 2017 Fall Judicial Conference. He will circulate it to the committee.
Katrin – will resend tip sheet for further feedback.
Katrin – will circulate panelist question for 2018 Fall Conference faculty.



Interpreter Commission- Education Committee
September 18, 2018 (4:00 p.m. – 5:00 p.m.)
Teleconference

MEETING MINUTES

Members Present:

Katrin Johnson
Eileen Farley
Fona Sugg

AOC Staff:

Robert Lichtenberg
James Wells

Members Absent:

Francis Adewale
Donna Walker

CALL TO ORDER

- Previous meeting minutes approved with modification.

DMCJA CONFERENCE PROPOSAL

The Committee reviewed the proposal for an education session at the 2019 District and Municipal Court Judges' Association (DMCJA) conference:

- The proposal is on another session given at the 2017 Fall Judicial Conference. Many district court judges are unable to attend the fall conference.
- The proposal should include:
 - Reference that this presentation had been done before was successful.
 - Use the term skit in the proposal since role-play might imply audience participation.

DMCMA/AWSCA CONFERENCE PROPOSAL

The Committee discussed a possible session about providing accommodations related to the American with Disabilities' Act (ADA) and other communication issues.

- Speakers for this session should both have a good understanding of interpreter issues and be good speakers.

- Potential faculty: John Evans has been confirmed and Donna Walker has expressed interest. Should also include someone who can speak to the current legal requirements.
- The presentation should address people who cannot speak or whose speech cannot be understood, and should look at the technology which can assist with speech challenges.
- The presentation could walk through the process of identifying accommodations and working with available resources to providing the correct accommodations. This could include a hands-on demonstration of the available technology.
- Suggestions for the proposal:
 - Adding reference to hand-on experience with technology, references to a walk-thru and other innovation.

UPDATE ON FALL JUDICIAL CONFERENCE

Updates to the faculty since the initial proposal:

- Monica Rodriguez who works with family court in New Mexico.
- Fernando Giraldo, who will talk about the steps their juvenile probation unit has taken to become more bilingual and bicultural.
- Judge Rugoff and Judge Riquelme who will present some common challenges in the court room with juvenile and family cases.

The session will include practice tips and the types of barriers to language access.

Action Items
<i>Katrin</i> – Send out Fernando’s PowerPoint that includes the talking points.
<i>AOC Staff</i> – Reach out to Francis Adewale and Donna Walker for suggestions for speakers from the Spokane area. Reach out to Dora, Ella, or Alma Zuniga for suggestions for speakers from the Yakima area.
<i>AOC Staff</i> – Find out if the conference room for the DCMCA session will be large enough to have a hands on demonstration.
<i>AOC Staff</i> – Talk to Justice Gonzalez about doing a basic introduction for the session at the fall conference.
<i>AOC Staff</i> – Send out bios of the fall conference presenters.
<i>AOC Staff</i> – Ask Ms. Kinlow, who is active in the DCMCA, to review the proposal and provide input.



**60th Annual Judicial Conference
Session Evaluation
A Fair System for LEP Children and Connected Adults:
The Importance of Linguistic and Cultural Competency
Tuesday, September 25, 2018**

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

	YES	NO	N/A
1. I gained important information.	12	0	1
2. The session was well organized/coordinated.	12	0	1
3. Made clear connection to the workplace.	12	0	0
4. The presentation kept my interest throughout.	12	0	1

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

- Great slides.
- Seeing how Santa Cruz has reduced disproportionality.
- Exercises that illustrated complexity of interpreter’s job-slow down!
- Mr. Giraldo’s specific examples.

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

	Overall Teaching Effectiveness	Engaged Audience	Well prepared and organized	Average Score
Mr. Fernando Giraldo	4.54	4.09	4.75	4.46
Judge Laura M. Riquelme	4.57	4.29	4.64	4.50
Ms. Monica Rodriguez	3.93	3.92	4.86	4.24
Judge Roger Rogoff	4.21	3.93	4.57	4.24

Comments about the faculty:

- Always a good idea to encourage presenters not to read their presentation from PowerPoint. Engage me more in the topic/material.
- Great variety, worked well together. Super informative.
- This presentation had no meat. Hearing about programs elsewhere, with no concrete suggestions was boring.
- Good speakers.
- Reading slides not helpful.

Where appropriate, were diversity issues (e.g. gender, race, culture, sexual orientation, religion, disability) incorporated within the presentation?

Yes	No
12	0

If you feel diversity issues were not included, let us know where issues come up in your court in this particular area and addressed in future programming:

- I would like to know greater specifics of how interpreters are used and how they serve members of the jury who require an interpreter. Also I would like a presentation on the advisability of amending the statutory requirement for juror to speak/communicate in English.

DMCMA Education Committee Session Proposal Form

DMCMA Annual Conference

May 19-22, 2019

PROPOSAL DEADLINE: September 28, 2018 to pam.dittman@courts.wa.gov

Complete as best as possible.

PROPOSED SESSION TITLE "You need WHAT?": Providing Effective Communication Accommodations		
PROPOSED BY WA Supreme Court Interpreter Commission	TARGET AUDIENCE:	
CONTACT NAME Robert Lichtenberg	<input checked="" type="checkbox"/> Experienced Managers	
CONTACT PHONE 360-350-5373	<input checked="" type="checkbox"/> New Managers	
CONTACT EMAIL Robert.Lichtenberg@courts.wa.gov		
SPONSORED BY Supreme Court Interpreter Commission		
PROPOSED DURATION: (Includes breaks)		
<input type="checkbox"/> 90 Minutes	<input checked="" type="checkbox"/> 120 minutes	<input type="checkbox"/> 180 minutes
<input type="checkbox"/> Other: _____		
CORE COMPETENCIES <i>(check those that apply)</i>	2019 FOCUS AREAS <i>(check those that apply or indicate another topic)</i>	
<input checked="" type="checkbox"/> Caseload Management <input type="checkbox"/> Information Technology Management <input type="checkbox"/> Emergent/Contemporary Court Issues <input type="checkbox"/> Legislation <input checked="" type="checkbox"/> Innovative Projects or Programs <input type="checkbox"/> Succession Planning <input checked="" type="checkbox"/> Operations Management <input checked="" type="checkbox"/> Public Trust & Confidence	<input checked="" type="checkbox"/> Education <input type="checkbox"/> Leadership <input type="checkbox"/> Strategic Planning <input checked="" type="checkbox"/> Budgets & Fiscal Management <input type="checkbox"/> Public Relations <input checked="" type="checkbox"/> Purposes and Responsibilities of Courts <input checked="" type="checkbox"/> Other Compliance with Federal/State Laws <input type="checkbox"/> Other	
REQUIRED COMPONENTS		
<i>The session should address the following essential areas of information. Please describe how the session will focus, in whole or in part, on these components.</i>		
Substantive Knowledge	Administrative/Procedural	Skills, Attitudes & Beliefs
<ul style="list-style-type: none"> • ADA and WA Law Against Discrimination standards • ADA "Interactive Discussion" procedures to identify reasonable/effectiveness of accommodation • Satisfy "effective communication" threshold standards 	<ul style="list-style-type: none"> • Identify and provide appropriate accommodation • Ensure effectiveness of accommodation(s) • Different types of technologies available that provide communication access • Resources available 	<ul style="list-style-type: none"> • Recognize communication challenges deaf, deaf-blind, and hard of hearing people have • Apply "Disability Etiquette" when discussing communication needs with people with unique challenges • Reduce technology "anxiety"

Proposals due by September 28, 2018 to pam.dittman@courts.wa.gov

DMCMA Education Committee Session Proposal Form

DMCMA Annual Conference

May 19-22, 2019

PROPOSAL DEADLINE: September 28, 2018 to pam.dittman@courts.wa.gov

RECOMMENDED FACULTY (add lines as necessary)

Name

- Stacy Johnson (AOC ADA Manager)
- Kristi Cruz (Attorney)
- Emma Garkavi (Interpreter Services, Seattle Municipal Court)
- John Evans (Deaf Consumer Accommodations Specialist)
- Donna Walker, ASL Interpreter
- Steve Hilson, Hearing Speech Deafness Center, Technology Specialist
- TBD, Speech augmentation devices specialist from Provail

Contact Info (email, phone number, etc.)

Stacy.Johnson@courts.wa.gov

kristic@nwjp.org

emma.garkavi@seattle.gov

deafwest@msn.com

Donnainterpreter@gmail.com

S.Hilson@HSDC.org

SESSION DESCRIPTION: Describe the purpose of the session and key issues to be presented. Explain what Court Administrators/Managers will learn in the session and how the information will apply to their work in the courts. (This information may be modified for use in the registration and program flyer as your session description.)

Providing language assistance to people who are deaf or hard-of-hearing can be a complicated process, and the legal stakes are high. Federal and state laws impose different obligations than with foreign language interpreting. In addition, the communication needs of people who are deaf or hard-of-hearing are often unique to a person's particular disability and experience. This session is designed to provide court administrators with the information and tools to smoothly fulfill these requests, and improve access to justice for people with communication disabilities.

Participants will learn (1) the legal requirements for providing communication disability accommodations, and (2) practical steps for properly handling accommodation requests. Legal experts will cover the fundamental requirements of applicable federal and state disability law. Presenters will cover the best practices involved in conducting the required "interactive discussion" with the requestor and responding to GR 33 requests. Experts from the field will share resources available for "effective" accommodations, including: ASL interpreters, assistive-listening devices, speech-augmentation technologies, real-time captioning services, and certified deaf interpreters. There will be various assistive listening devices provided for attendees to have a "hands-on" technology-use learning experience and how available products and services work best in courtroom settings.

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

Proposals due by September 28, 2018 to pam.dittman@courts.wa.gov

DMCMA Education Committee Session Proposal Form

DMCMA Annual Conference

May 19-22, 2019

PROPOSAL DEADLINE: September 28, 2018 to pam.dittman@courts.wa.gov

- Appraise and acquire the type of accommodation based on the expressed needs of a person with hearing loss or speech disability
- Implement best practices for conducting a “reasonableness” inquiry while seeking a best fit to achieve “effective accommodation”
- Identify, procure, and deploy the proper assistive-listening technology for a person with hearing loss who does not use ASL
- Identify resource providers and how to set up and effectively use various technology and service resources

FUNDAMENTALS COVERED: Describe the best practices or “nuts and bolts” that will be addressed during the session.

- Best Practices: Conducting a GR 33 review or otherwise reviewing an accommodations request
- Properly conduct an “interactive” inquiry with a requestor pursuant to laws and regulations in place
- Identify what is the proper accommodation based on the expressed communication limitation
- Become familiar with how to select and use various sample assistive-listening devices provided by presenters
- Strategies for providing effective accommodation when the primary choice is not readily available
- Market economics affecting the procurement of interpreters and how to provide “back-up” accommodations

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

Reasonable Accommodations/“interactive Discussion” checklists
 Website references to best practices and assistive accommodations providers
 Local organizations and businesses that provide services

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, responder units, games, etc.*).

Individual panelist presentations pertaining to the selection and use of accommodations, including slides, pictures, and interactive discussion.
 Role playing to spot problematic situations and provide remedies
 Hands-on use of equipment

ANTICIPATED COST: *e.g., speaking fee, transportation (airfare, vehicle rental, mileage, meals); lodging; special materials (e.g., books/workbooks)*

\$2000

FUNDING RESOURCES: *Is the session sponsored/paid for by another entity? If so, provide the entity and contact information.*

Court Interpreter Commission
 Robert Lichtenberg (Robert.lichtenberg@courts.wa.gov)

Proposals due by September 28, 2018 to pam.dittman@courts.wa.gov

DMCJA Education Committee Session Proposal Form
District & Municipal Court Judges' Spring Program
 June 2-5, 2019

PROPOSAL DEADLINE: September 28th to Maria.Joyner@courts.wa.gov

PROPOSED SESSION TITLE: Interpreters 2.0: Language Access in the Courts		
PROPOSED BY: WA Supreme Court Interpreter Commission 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 checked="" type="checkbox"/> District Courts <input checked="" type="checkbox"/> Municipal Courts	
PROPOSED DURATION: <input checked="" type="checkbox"/> 90 Minutes <input type="checkbox"/> 3 Hours <input type="checkbox"/> Other:	SESSION TYPE: <input checked="" type="checkbox"/> Plenary <input type="checkbox"/> Choice <input type="checkbox"/> Colloquium <input type="checkbox"/> Webinar	IS THERE A LIMIT TO THE NUMBER OF PARTICIPANTS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
TOPIC AREA: Access to Courts, Court Services and Judicial Proceedings		
REQUIRED COMPONENTS		
<i>The session must address the following essential areas of information:</i>		
Substantive Knowledge <ul style="list-style-type: none"> Statutory procedures for the appointment of interpreters on the record Language access threshold requirements to protect due process rights Language access obligations for court services and programs 	Administrative/Procedural <ul style="list-style-type: none"> Administer voir dire inquiries with court interpreters prior to appointment Employ interpreter-client communication matching strategies for language services Assess and monitor proceedings involving pro se parties and/or inexperienced interpreters 	Skills, Attitudes & Beliefs <ul style="list-style-type: none"> Recognize which legal proceedings can be difficult even if interpreters are involved Understanding of how interpreters interact with parties to ensure effective or meaningful communication
RECOMMENDED FACULTY: Justice Steven González, Washington State Supreme Court Judge Andrea Beall, Puyallup Municipal Court Judge Damon Shadid, Seattle Municipal Court (awaiting confirmation) Robert Lichtenberg, Administrative Office of the Courts Court Interpreter Program Staff or Donna Walker, Supreme Court Interpreter Commission, ASL Interpreter Representative		

Proposals due by September 28, 2018 to Maria.Joyner@courts.wa.gov

DMCJA Education Committee Session Proposal Form

District & Municipal Court Judges' Spring Program

June 2-5, 2019

PROPOSAL DEADLINE: September 28th to Maria.Joyner@courts.wa.gov

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*).

Cases requiring court interpreting are often the most challenging to judges. Similarly, for many non-English speakers and persons who are deaf and hard of hearing, courts are perceived as complicated and inaccessible. This educational session will help bridge the gap by giving judges the information, resources and tools to effectively manage interpreted proceedings, and reduce language barriers in their courthouses. All new judges receive introductory training on interpreter issues at the Judicial College. This session, however, will build on that foundation to focus on the daily challenges facing the bench, court staff, and non-English speaking and deaf or hard of hearing court users, and identify strategies for reducing the obstacles and enhancing communication between all parties.

The session will begin with interactive activities designed to convey the unique perspective of non-English speakers and deaf persons coming into a courthouse for services. Attendees will experience a foreign language court proceeding through an English interpreter, and participate in other court services where language is a barrier. They will also experience the difficulties faced by persons who are deaf and/or hard of hearing.

The session will continue with the discussion of advanced issues such as managing cases with pro se non-English speakers, inexperienced interpreters for rare languages, multiple parties or co-defendants requiring interpreters, use of certified deaf interpreters (CDIs), translation of court forms and signage, proper use of bilingual court staff, and jury trial issues.

The session will conclude with guidance to judges on updating their own court's language assistance plans, which are local policies required of all courts by RCW 2.43.090, and by the U.S. Department of Justice for courts that receive federal funding.

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

- Describe the confusion and frustration of participating in court proceedings conducted in another language.
- Identify and remedy language obstacles in their court proceedings and other court business.
- Apply strategies to effectively manage court proceedings with pro-se non-English speaking litigants, inexperienced interpreters, multiple non-English speaking parties, and other challenging situations.
- Update and improve their courts' Language Assistance Plans where needed to reflect best practices in the appointment and use of court interpreters

Proposals due by September 28, 2018 to Maria.Joyner@courts.wa.gov

DMCJA Education Committee Session Proposal Form

District & Municipal Court Judges' Spring Program

June 2-5, 2019

PROPOSAL DEADLINE: September 28th to Maria.Joyner@courts.wa.gov

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

1. Review of Washington statutes pertaining to appointment and use of court interpreters (RCW 2.42 and RCW 2.43, court rules, and case-law summaries (*State v. Al-Jaffar*);
2. Conduct a qualifications inquiry when appointing non-credentialed interpreters as "qualified interpreters"
3. Work with interpreters in rare languages and with parties with unique communications needs
4. Model Language Assistance Plan template and supporting resources

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.*).

1. Review of Statutory Requirements
2. WA Court Interpreter Benchcard
3. Voir Dire Inquiry checklist
4. Resources for finding interpreters with unique interpreting roles or skills

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.*).

1. Role Skit involving foreign language speaker entering court house for access to court services
2. Role Skit involving judge as defendant and sign language users as judge and attorneys to demonstrate difficulty Limited English speakers and deaf person have in following even simple proceedings communications.
3. Lecture from judges on how to properly screen and appoint an interpreter *on the record* that does not have a court interpreter credential from the AOC.
4. Lecture on the use of specialized interpreters such as certified deaf interpreters and rare language relay interpreters (e.g., English to Spanish to Mixteco Alto Bajo and back)
5. Slides will portray statutory language and best practices

ANTICIPATED COST:
\$1000-\$1200

FUNDING RESOURCES:
Supreme Court Interpreter Commission

Proposals due by September 28, 2018 to Maria.Joyner@courts.wa.gov

AWSCA Education Committee Session Proposal Form

Superior Court Administrators' Spring Program

April 28-30, 2019

PROPOSAL DEADLINE: October 1st to Maria.Joyner@courts.wa.gov

PROPOSED SESSION TITLE: "You need WHAT?": Providing Effective Communication Accommodations	
PROPOSED BY: Supreme Court Interpreter Commission/AOC ADA Program CONTACT NAME: Robert Lichtenberg CONTACT PHONE: 360-350-5373 CONTACT EMAIL: Robert.Lichtenberg@courts.wa.gov	PROPOSED DURATION: <input type="checkbox"/> 90 Minutes <input type="checkbox"/> 3 Hours <input checked="" type="checkbox"/> Other: <u>2 hours</u>
TOPIC AREA:	
RECOMMENDED FACULTY: <ul style="list-style-type: none">• Stacy Johnson (AOC ADA Manager)• Kristi Cruz (Attorney)• Fona Sugg (Court Administrator, Chelan County Superior Court)• John Evans (Deaf Consumer Accommodations Specialist)• Donna Walker, ASL Interpreter• Steve Hilson, Hearing Speech Deafness Center, Technology Specialist• TBD, Speech augmentation devices specialist from Provail	
SESSION DESCRIPTION: Describe the purpose of the session and key issues to be presented. Explain what administrators 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>). Providing language assistance to people who are deaf or hard-of-hearing can be a complicated process, and the legal stakes are high. Federal and state laws impose different obligations than with foreign language interpreting. In addition, the communication needs of people who are deaf or hard-of-hearing are often unique to a person's particular disability and experience. This session is designed to provide court administrators with the information and tools to smoothly fulfill these requests, and improve access to justice for people with communication disabilities. Participants will learn (1) the legal requirements for providing communication disability accommodations, and (2) practical steps for properly handling accommodation requests. Legal experts will cover the fundamental requirements of applicable federal and state disability law. Presenters will cover the best practices involved in conducting the required "interactive discussion" with the requestor and responding to GR 33 requests. Experts from the field will share resources available for "effective" accommodations, including: ASL interpreters, assistive-listening devices, speech-augmentation technologies, real-time captioning services, and certified deaf interpreters. There will be various assistive listening devices provided for attendees to have a "hands-on" technology-use learning experience and how available products and services work best in courtroom settings.	

Proposals due by October 1st, 2018 to Maria.Joyner@courts.wa.gov

AWSCA Education Committee Session Proposal Form

Superior Court Administrators' Spring Program

April 28-30, 2019

PROPOSAL DEADLINE: October 1st to Maria.Joyner@courts.wa.gov

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

- Appraise and acquire the type of accommodation based on the expressed needs of a person with hearing loss or speech disability
- Implement best practices for conducting a "reasonableness" inquiry while seeking a best fit to achieve "effective accommodation"
- Identify, procure, and deploy the proper assistive-listening technology for a person with hearing loss who does not use ASL
- Identify resource providers and how to set up and effectively use various technology and service resources

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

- Best Practices: Conducting a GR 33 review or otherwise reviewing an accommodations request
- Properly conduct an "interactive" inquiry with a requestor pursuant to laws and regulations in place
- Identify what is the proper accommodation based on the expressed communication limitation
- Become familiar with how to select and use various sample assistive-listening devices provided by presenters
- Strategies for providing effective accommodation when the primary choice is not readily available
- Market economics affecting the procurement of interpreters and how to provide "back-up" accommodations

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

Reasonable Accommodations/"Interactive Discussion" checklists

Website references to best practices and assistive accommodations providers

Local organizations and businesses that provide services

Proposals due by October 1st, 2018 to Maria.Joyner@courts.wa.gov

AWSCA Education Committee Session Proposal Form

Superior Court Administrators' Spring Program

April 28-30, 2019

PROPOSAL DEADLINE: October 1st to Maria.Joyner@courts.wa.gov

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.*).

Individual panelist presentations pertaining to the selection and use of accommodations, including slides, pictures, and interactive discussion.

Role playing to spot problematic situations and provide remedies

Hands-on use of equipment

ANTICIPATED COST:

\$2000 to be funded by Interpreter Commission

Proposals due by October 1st, 2018 to Maria.Joyner@courts.wa.gov

Lichtenberg, Robert

From: Association of Washington Superior Court Administrators
<AWSCA@LISTSERV.COURTS.WA.GOV> on behalf of Paquin, Genie
Sent: Thursday, August 30, 2018 11:53 AM
To: AWSCA@LISTSERV.COURTS.WA.GOV
Subject: [AWSCA] August Dependency Practice Tip - Interpreters
Attachments: Dependency Practice Tip Sheet - Using Spoken Language Interpreters.docx; Dependency Practice Q A - Using Sign Language Interpreters-8-27 Final.docx; Interp Bench Card 2018 v.1.pdf

Importance: High

Greetings Superior Court Judges, Commissioners, Administrators; Juvenile Court Administrators; and FJCIP Coordinators,

Have any of the following scenarios happened in your dependency court?

- At emergency shelter care hearing there was a need for a Spanish-speaking interpreter. There was no interpreter working in court that day, so the court went forward with the hearing anyway.
- A social worker tells the court, "I've never had to use an interpreter with this parent in my office," so the judicial officer decides to proceed in court without an interpreter, even though terminology and communication is very different in the context of a court hearing.
- A judicial officer asks the parent, "You speak English, right?"

The attached Q&A sheets provide information on court requirements for interpreters and answers some of the following questions:

- What should I do if I'm not sure what a person's primary language is?
- Is it okay for family or friends to serve as interpreters?
- What steps should I take when working with an inexperienced interpreter?
- What policy does the Department of Children, Youth, and Families follow for providing language access services?

It is important for judicial officers and dependency court partners to practice cultural sensitivity with the families we assist. Under the current political climate, immigrant clients are much more fearful to come to court and may be afraid to make extra requests of the court, such as asking for interpreters. Another example includes assuming a deaf parent is unable to care for an infant child because they can't hear the baby cry, when there are technological advances available for deaf people to increase their capacity to successfully parent.

The attached Courtroom Interpreting Bench Card is also a good tool to assist with language issues in the courtroom.

AOC's Court Interpreter Program has staff available to answer your questions and provide additional resources:

Robert Lichtenberg, Interpreter Program Analyst/Interpreter Commission Staff
Robert.Lichtenberg@courts.wa.gov
360-350-5373

James Wells, Interpreter Program Assistant
James.Wells@courts.wa.gov
360-705-5279

Regards,

Cindy

Cindy Bricker
Sr. Court Program Analyst
Court Improvement Program Director
Administrative Office of the Courts
PO Box 41170
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cindy.bricker@courts.wa.gov

This e-mail has been sent to everyone in the AWSCA@LISTSERV.COURTS.WA.GOV mailing list. To reply to the sender, click Reply. To reply to the sender and the mailing list, click Reply All.

You can remove yourself from this mailing list at any time by sending a "SIGNOFF AWSCA" command to LISTSERV@LISTSERV.COURTS.WA.GOV.

Dependency Practice Q & A from the Court Interpreter Program

Using Spoken Language Interpreters

1. When is the court required to use interpreters who are certified or registered by the Administrative Office of the Courts (AOC) Court Interpreter Program?

According to [RCW 2.43.030](#), when a limited-English proficient (LEP) person is a party to a legal proceeding, or is subpoenaed, summoned or otherwise compelled to appear, the court “shall use the services of only those language interpreters who have been certified by the administrative office of the courts, unless good cause is found and noted on the record.”

2. What does it mean to be certified or registered by the AOC?

The Administrative Office of the Courts (AOC) administers a certification program for foreign language interpreters to become credentialed to interpret in court proceedings. Court Certified-language interpreters must have passed a national oral exam testing their interpretation and document reading accuracy. Court Registered-language interpreters must have passed an oral test showing their spoken fluency in the non-English language. Both certified and registered interpreters must swear to adhere to the Code of Conduct for Court Interpreters in [General Rule 11.2](#), pass a criminal background check, and periodically comply with continuing education requirements.

3. Are all organizational certification requirements the same?

No. Different organizations have their own certification programs, and the testing and training requirements are different. For example, the certification exams administered by the Department of Social and Health Services (DSHS) does not test simultaneous interpreting skills, which is the mode most commonly used in court hearings. Private telephonic interpreting companies create and use their own internal certification exams which do not sufficiently screen for the knowledge or skills needed by court interpreters. The certification exams used by the AOC are developed and maintained by the National Center for State Courts for most major languages. The AOC uses oral language proficiency interviews created by Language Testing International for languages that are not tested with a NCSC-developed test instrument.

4. Where can I find court interpreters?

All AOC certified and registered interpreters are included on a [directory](#) maintained by the AOC’s Court Interpreter Program.

Additional interpreter directories include the following resources, *but are not exclusive for court certified and registered interpreters*:

- [DSHS Interpreter and Translator Directory](#)
- [Northwest Translators and Interpreters Society \(NOTIS\)](#)
- [Washington State Coalition for Language Access \(WASCLA\)](#)

The AOC also manages an email listserv for court interpreter coordinators/schedulers for sharing interpreting resources and policy decisions from the Supreme Court Interpreter Commission.

5. What should I do if I'm not sure what a person's primary language is?

In some situations it may be difficult to identify what language or language dialect a limited English proficient (LEP) person speaks, and assumptions shouldn't be made based on the country of origin or even the major language spoken in a country. For example, Guatemala has 27 languages actively spoken, Pakistan has 74, and China has 299. The AOC can provide your court with sets of "I Speak Cards," small flip-booklets that identify a wide variety of languages, allowing the LEP person to pick the appropriate choice. In addition, it may be helpful to find out where the LEP person was born and raised to make the appropriate language-interpreter request and match.

6. What professional standards are court interpreters required to follow?

All interpreters working in court, regardless of credential status, must abide by General Rule 11.2, Code of Conduct for Court Interpreters. The rule requires that interpreters:

- Accurately interpret all material;
- Remain neutral and refrain from interjecting their own personal attitudes;
- Serving only in cases in which they have no personal interest;
- Keep confidential any matter in which they have served as interpreters;
- Refrain from the unauthorized practice of law; and
- Notify the parties and the court if they are unable to fulfill these duties.

7. Is it OK for family or friends to serve as interpreters?

Family and friends should not serve as interpreters. The people providing interpretation should be professionals who have undergone the necessary testing and training to accurately and neutrally interpret legal matters. While family members and friends may want to be helpful, they have a personal interest in the matter. This can create a risk that they may alter the communication, and/or the LEP person may be less forthcoming.

8. Is it OK to use telephonic interpreters for court hearings?

Only in limited circumstances. General Rule 11.3 restricts the use of telephonic interpretation to "brief non-evidentiary proceedings" and should be done only when interpreters are not readily available to the court. Telephone interpretation is not authorized for any evidentiary hearing. In telephonically interpreted hearings the court must still comply with RCW 2.43.030 and use only AOC certified interpreters unless good cause is found on the record. In addition, the telephonic interpreter is still required to abide by the Code of Conduct for Court Interpreters in General Rule 11.2.

9. What steps should you take when working with an inexperienced interpreter?

Washington is a linguistically diverse state, and in some situations you may need to bring in a person to interpret who lacks training, testing and court experience. These situations require time, patience, and individual attention to safeguard linguistic access for the LEP person.

1. Verify that the interpreter and the LEP person have compatible dialects. Allow them to speak briefly to make sure that they are linguistically compatible.
2. Prior to the hearing or event, provide the interpreter with background information about the matter including copies of forms or documents that will be referenced. The better a person understands what's transpiring, the better he/she can interpret.

3. Provide the interpreter with a copy of General Rule 11.2. The principles within the Code of Conduct for Court Interpreters may not be intuitive to people who are new to this work.
4. Instruct the interpreter to interpret consecutively instead of simultaneously (interpreting at the same time as people are speaking with voices overlapping). Simultaneous interpreting is a complex skill that can take years to master. Consecutive interpretation will take more time, but the slower pace and pauses will allow the interpreter to better understand and convey everything that is stated.

For more ideas, check out this article from the National Association of Judiciary Interpreters and Translators: <https://najit.org/wp-content/uploads/2016/09/Preparing-Interpreters-in-RareLanguages200609.pdf>

10. Do LEP parties receive translated court orders? If not, how do they know what they say?

No, written court orders are only provided in English. The court can instruct the court interpreter to sight translate the document – read it aloud into the non-English language. The LEP person must then remember what information is contained in the document, or find someone else in the future to sight translate it for him/her anew.

11. What policy does the Washington State Department of Children, Youth, and Families follow for providing language access services?

The Washington State Department of Children, Youth, and Families has adopted the following policy for providing linguistic access to LEP clients: <https://www.dcyf.wa.gov/node/734>

12. Who can I go to if I have questions about court interpreter issues?

The AOC's Court Interpreter Program has staff available to answer your questions and provide additional resources:

Robert Lichtenberg, Interpreter Program Analyst/Interpreter Commission Staff
Robert.Lichtenberg@courts.wa.gov
360-350-5373

James Wells, Interpreter Program Assistant
James.Wells@courts.wa.gov
360-705-5279

Concerns can also be addressed to the Interpreter Commission. The Interpreter Commission meets quarterly and strives to ensure equal access to justice and to support the courts in providing access to court services and programs for all individuals, regardless of their ability to communicate in the spoken English language. To connect with the Interpreter Commission, contact Robert.Lichtenberg@courts.wa.gov.

Dependency Practice Q & A from the Court Interpreter Program

Using Sign Language (ASL) Interpreters

1. When is the court required to use sign language interpreters who are certified by the Office of the Deaf and Hard of Hearing (ODHH)?

According to RCW 2.42.120, when a person, or a parent, guardian, or custodian of a juvenile that is hearing impaired is a party or witness at any stage of judicial or quasi-judicial proceeding, or is a participant in a program or activity ordered by the court, the court "shall appoint and pay for a qualified interpreter to interpret the proceedings". RCW 2.42.130 directs courts to request a "qualified or intermediary interpreter [approved] through DSHS Office of Deaf Services" (now called Office of the Deaf and Hard of Hearing) "or any community center for hearing impaired persons which operates an interpreter referral service." Instructions on how to find an ASL Interpreter is addressed in Question 5 below.

2. What is "relay" interpreting, and when is it appropriate?

Often it may be necessary to hire a team of two interpreters in relay mode. This may be necessary when the party needing the interpreter service is a child (or a parent) with limited English or ASL skills. Many deaf, deaf-blind, and hard of hearing children come from families that do not use sign language and generally those children have basic sign language comprehension and expressive skills and may not be able to understand interpreters that use ASL.

In relay mode one sign language interpreter renders spoken English to ASL and another to relay the ASL-based statements into manual gestures and rudimentary signs for people who have minimal sign language skills and no current ability to effectively participate using their own level of verbal or written communication skills. The relay interpreter is called "Intermediary Interpreter." Intermediary interpreters tend to be deaf persons with sign language as their first language and often are very capable of rendering complex statements into concepts that children or adults with limited ASL skills can understand.

3. What credential should be sought when requesting an interpreter for legal matters?

RCW 2.42.110(2) defines a "Qualified Interpreter" to mean "a visual language interpreter who is certified by the state or is certified by the registry of interpreters for the deaf to hold the comprehensive skills certificate or both certificates of interpretation and transliteration, or an interpreter who can readily translate statements of speech of speech-impaired persons into spoken language".

Section 3 of that statute defines an "Intermediary interpreter" to mean "a hearing impaired interpreter who holds a reverse skills certificate, who meets the requirements of RCW 2.42.130, and who is able to assist in providing an accurate interpretation between spoken and sign language or between variants of sign language by acting as an intermediary between a hearing impaired person and a qualified hearing interpreter."

All sign language interpreters, regardless of credential status whatsoever, must swear to adhere to the Code of Conduct for Court Interpreters in General Rule 11.2, pass a criminal background check and periodically comply with continuing education requirements that may be required by the Registry of Interpreters for the Deaf, Inc. (RID) to keep their RID credential.

4. Who provides performance-based skill and fluency tests for ASL interpreters working in legal settings?

The only two organizations that certify people to provide ASL interpretation in legal settings are the RID and the Board of Evaluation of Interpreters (BEI). The RID no longer offers the court interpreter credential known as Specialist Certification: Legal (SC:L), the highest specialist credential it had created. ODHH recognizes that credential as well as a lower skill threshold criteria for their state "certification" and both are related to the RID SC:L test, whether performance-based or written. ODHH requires that interpreters on its court interpreter roster have suitable certification(s) it has determined are necessary in order to be able to competently interpret in court settings.

Intermediary interpreters are credentialed by the RID with the Certified Deaf Interpreter (CDI) credential and they are tested in their ability to use ASL in varying registers, from rudimentary communicative gestures all the way to the use of pure ASL in a unique way that the deaf person can understand. The RID no longer offers the CDI credential, but ODHH has a number of SC:L and CDI-credentialed interpreters on its roster of approved court interpreters.

5. Where can I find court interpreters?

All ODHH-certified interpreters can be located on the ASL Interpreter directory section maintained online by the ODHH. Inquiries about ASL court interpreters should be directed to either the AOC staff named below or to ODHH's Sign Language Interpreter Program Manager at Signlanguageinterpreters@dshs.wa.gov

Additional ASL interpreter directories include the following resources, *but are not exclusive for court interpreters*:

- [ODHH ASL Interpreter Directory](#)

The AOC also manages an email listserv for court interpreter coordinators/schedulers for sharing interpreting resources, program processes, and policy decisions from the Supreme Court Interpreter Commission or from ODHH.

6. All Deaf people communicate with the same sign language, right?

Not all deaf people communicate in the same form of sign language, and in some situations it may be difficult to identify the proper language match between the deaf person and sign language interpreter because not all sign language-dependent users communicate in American Sign Language (ASL) equally well. Deaf immigrants may communicate in foreign sign languages and for a variety of reasons a person may communicate in a sign language outside the scope of an ASL interpreters' training and experience.

When a sign language interpreter is requested, courts should ask for the deaf person's preference for certain interpreters. Children will not be able to identify their preference so either the parent or an advocate or interpreter must be consulted to assess the best fit for a deaf child. In requesting interpreters for deaf parents or guardians, courts should inquire whether the person would need an intermediary interpreter to team with an ASL interpreter and should do so at the outset of every ASL interpreter request. Many ASL interpreters will often recommend getting an intermediary because they may have difficulty conveying a comprehensible signed version due to the deaf person's lack of familiarity with signs that occur more towards the English language-based end of the ASL/English continuum.

7. What professional standards are court interpreters required to follow?

All interpreters working in court, regardless of credential status, must abide by General Rule 11.2, Code of Conduct for Court Interpreters. The rule requires that interpreters:

- Accurately interpret all material;
- Remain neutral and refrain from interjecting their own personal attitudes;
- Serving only in cases in which they have no personal interest;
- Keep confidential any matter in which they have served as interpreters;
- Refrain from the unauthorized practice of law; and
- Notify the parties and the court if they are unable to fulfill these duties.

8. Is it OK for family or friends to serve as interpreters?

Family and friends should not serve as interpreters. The people providing interpretation should be professionals who have undergone the necessary testing and training to accurately and neutrally interpret legal matters. While family members and friends may want to be helpful, they have a personal interest in the matter. This can create a risk that they may alter the communication, and/or the deaf child or person may be less forthcoming.

9. Is it OK to use video remote interpreters for court hearings?

Only in limited circumstances. General Rule 11.3 restricts the use of telephonic (also known as "remote") interpretation to "brief non-evidentiary proceedings". In the case of ASL, video-based communications should be done only when in-person ASL interpreters are not readily available to the court and in emergent or for limited situations. At present only a few courts use video-based communications for ASL court settings and when they do, it tends to be between the jail and the court for arraignment or pre-trial, non-evidentiary motions hearings. In addition, the telephonic interpreter is still required to abide by the Code of Conduct for Court Interpreters in General Rule 11.2.

10. What steps should you take when working with an inexperienced interpreter?

In some situations when an ODHH-credentialed interpreter is not available, you may need to bring in an RID-certified interpreter who lacks sufficient legal training and court experience (See Section 5 above). These situations require time, patience, and individual attention to safeguard linguistic access for the deaf child or adult person.

1. Verify that the interpreter and the deaf child or adult person have compatible communication skills. Allow them to speak briefly to make sure that they are linguistically compatible.
2. Prior to the hearing or event, provide the interpreter with background information about the matter including copies of forms or documents that will be referenced. The better a person understands what's transpiring, the better he/she can interpret.
3. Provide the interpreter with a copy of General Rule 11.2. The principles within the Code of Conduct for Court Interpreters may not be intuitive to people who are new to this work.
4. All RID-certified ASL interpreters are trained and certified to do simultaneous interpretation. Simultaneous interpreting is a complex skill that can take years to master. If an intermediary interpreter is involved, consecutive interpretation be required and will take more time, but the slower pace and pauses will allow the ASL-CDI interpreter team to better understand and convey everything that is stated. Simultaneous interpretation is very rare in intermediary interpreter use settings.

For more guidance on hiring and using an interpreter, see <https://www.rid.org/about-rid/about-interpreting/hiring-an-interpreter/>

11. How can deaf parties best understand written court documents or orders? If not, how do they know what they say?

ASL and English are completely different languages. They have different grammar, vocabulary, and word order. Many deaf people have difficulty reading English – particularly complex legal language, making any kind of written court documents and orders problematic to read and understand. The court personnel and dependency advocates should read the document back to the deaf person and instruct the court interpreter to interpret what is read it aloud. It often helps to ask the person to convey their understanding by paraphrasing back what they were informed about. That way staff can best convey written court orders. The deaf person must then remember what information is contained in the document, or find someone else in the future to assist them.

12. What policy does the Washington State Department of Children, Youth, and Families follow for providing language access services?

DCYF has adopted the following policy for providing communication access to deaf and hard of hearing clients:

13. Who can I go to if I have questions about court interpreter issues?

The AOC's Court Interpreter Program has staff available to answer your questions and provide additional resources:

Robert Lichtenberg, Interpreter Program Analyst/Interpreter Commission Staff
Robert.Lichtenberg@courts.wa.gov
360-350-5373

James Wells, Interpreter Program Assistant
James.Wells@courts.wa.gov
360-705-5279

ODHH Staff Contact: **Berle Ross**, Sign Language Interpreter Manager: rossbee@dshs.wa.gov or videophone relay at 360-339-4559.

Concerns regarding sign language interpreters in dependency court settings can also be addressed to the Interpreter Commission. The Interpreter Commission meets quarterly and strives to ensure equal access to justice and to support the courts in providing access to court services and programs for all individuals, regardless of their ability to communicate in the spoken English language. To connect with the Interpreter Commission, contact Robert.Lichtenberg@courts.wa.gov.



Bench Card Courtroom Interpreting

How do I determine whether a person needs an interpreter?

Presume a need for an interpreter when an attorney or litigant indicates a party or a witness requests one. If an interpreter is not requested, but it appears a party/witness has limited English proficiency, a judge should ask questions **on the record** to assess the need for an interpreter.

Sample questions for determining the English proficiency of a person and the need for an interpreter:

(Avoid questions easily answered with yes or no replies.)

1. How did you come to court today?
2. How did you learn English, and what is most difficult about communicating in English?
3. Describe what you see in this courtroom.
4. What is the purpose of your court hearing today?
5. **You have the right to a court-appointed interpreter. Tell the court the best way to communicate with you and to let you know what is being said.**

If the person has difficulty answering these simple questions, an interpreter is recommended. Presumably, a person unable to answer these questions is unable to communicate well in high-stress matters involving legal terminology.

Also, if the court cannot understand the person's **spoken English**, consider using an interpreter. Request that the person speak in their native language, so that the interpreter can interpret into English.

For trials and other long proceedings, court administration should hire a team of two interpreters, who will alternate interpreting approximately every 20 minutes.

When is the court required by law to provide and pay for an interpreter?

Limited English Proficient (LEP) Persons: If the court is a direct or indirect recipient of federal funding, interpreters must be provided to LEP parties and witnesses at court-expense in all case types, including parents/guardians of minor crime victims and juvenile defendants. 42 U.S.C.A. §2000d; 28 C.F.R. §§42.104, 42.203(e); 67 Fed. Reg. §41455; Lau v. Nichols, 414 U.S. 563 (1974)

If the court is not a direct or indirect recipient of federal funding, interpreters must be provided to LEP persons at court-expense in all proceedings other than civil proceedings with non-indigent parties. RCW §2.43.040

Persons who are Deaf: Courts shall furnish interpreter services, assistive listening devices, or other communication methods where necessary, to afford an individual with a disability an equal opportunity to participate in court services, programs or activities, 28 C.F.R. §35.160, unless the court can demonstrate that provision of such services "would result in a fundamental alteration in the nature of the service, program or activity, or in undue financial and administrative burdens." 28 C.F.R. §35.164

Preference for Certified and Registered Language Interpreters

Foreign Language

(1) Courts must appoint an AOC court certified interpreter unless "good cause" is found and noted **on the record**: "good cause" = (a) certified interpreter is not reasonably available or (b) the list of certified interpreters does not include an interpreter in the needed language.

(2) Otherwise, the court must appoint an interpreter who is qualified on the record by the court to (a) interpret accurately; (b) is capable of communicating effectively for the court and the person; and (c) has read, understands and will abide by the code of ethics for language interpreters established by court rules (RCW §2.43.030(2)).

Sign Language

Courts must request a qualified interpreter through DSHS-ODHH or through a community center for hearing impaired persons. (2) Courts must make a preliminary determination that the interpreter can interpret accurately. (RCW §2.42.130)

Oath

The **Rules of Evidence** require an interpreter to be **qualified as an expert** and administered an **oath**. WA R. Evid. 604; see also RCW §2.42.050; §2.43.050. Court interpreters who are certified or registered by the AOC or DSHS-ODHH are required to submit a permanent signed, sworn oath to the AOC or DSHS-ODHH. Judges do not need to swear-in these interpreters if their names and credentials are stated on the record. RCW §2.43.050(3). However, non-credentialed "Qualified" interpreters must be administered an oath.

Sample qualification questions for interpreters NOT AOC certified or registered:

1. What credentials do you have as an interpreter?
2. What is your native language? How did you learn _____?
3. Is your dialect compatible with Mr./Ms. _____?
4. Are there any cultural or community concerns between you and Mr./Ms. _____ that the court should be aware of?
5. What is your experience interpreting in court?
6. Have you ever interpreted for any of the people involved in this case?
7. Are you able to remain fair and impartial?
8. Are you familiar with the Code of Ethics for court interpreters? Please identify three of the primary tenets under GR 11-2.
9. To the parties: Does either party have any questions for the interpreter?

Interpreter oath for interpreters NOT AOC or DSHS-ODHH certified or registered:

Spoken Language: Do you swear (affirm) that you will make a true interpretation to the person being examined of all the proceedings in the _____ language, and that you will repeat the statements of the person being examined to this court in the English language, to the best of your skill and judgment?

Sign Language: Do you swear (affirm) that you will make a true interpretation to the person being examined of all the proceedings in a manner which the person understands, and that you will repeat the statements of the person being examined to this court, to the best of your skill and judgment?

Clarifying the Interpreter's Role

So that all participants understand the interpreter's role, consider reading the following language at the start of a court proceeding:

To the speakers: The interpreter can only interpret for one person at a time, so please do not speak or interrupt while someone is testifying or speaking. The interpreter can only interpret testimony that is spoken, so all responses must be verbal. You are reminded to speak at a slower but steady pace, and make eye contact occasionally with the interpreter to gauge whether your pace is appropriate. A slower pace is especially important when stating dates, numbers, figures or highly technical vocabulary.

To the interpreter(s): You are bound by the Code of Conduct for Court Interpreters, and you are expected to follow its provisions. You must interpret everything that is said in this courtroom, including this information. You are not allowed to engage in any conversation with the person(s) you are interpreting for. You are not allowed to give any legal advice, or express personal opinions about this matter. You are expected to maintain confidentiality, and not publicly discuss this case. If for some reason you need to pause the proceedings so that you can refer to a dictionary or clarify a word, please raise your hand and speak up. Are there any questions?

Tips for communicating through interpreters:

1. Instruct all participants to speak (or sign) one at a time, loudly and/or clearly.
2. Allow the interpreter to converse briefly with the non-English speaker for the limited purpose of ensuring the understanding of accents, dialect or pronunciation, or sign language differences.
3. Speak directly to the non-English speaking person. Do not ask the interpreter to independently explain/restate anything said by the party.
4. The interpreter must convey all questions, answers, and courtroom dialogue, and therefore, is constantly working. Advise the interpreter to notify the court when breaks are needed.
5. Allow the interpreter to review the court file prior to the hearing, to become familiar with names, dates, and technical vocabulary.
6. Monitor the interpreter so that side conversations are not held with the non-English speaking person.
7. Pause (give time for the interpreter to catch up).

For additional assistance, please contact:
AOC Court Interpreter Program at:
360-705-5279 or review information at
www.courts.wa.gov/interpreters



Interpreter Commission - Issues Committee
Tuesday, August 7, 2018 (12:00 p.m. – 1:00 p.m)
Teleconference

MEETING MINUTES

Members Present:

Judge Beall
LaTricia Kinlow
Linda Noble
Elisa Young
Alma Zuniga

AOC Staff:

Robert Lichtenberg
James Wells

Members Absent:

Thea Jennings

Call to Order

- Minutes approved from July meeting approved.

Exam Score Letter

The Committee reviewed a letter received from a test candidate who recently took the court interpreter written exam. The candidate was one percentage point from passing the exam and was requesting the chance to take the oral exam this fall, which requires the test takers to have passed the written exam.

Making an exception in this test candidate's case would be difficult as there are other interpreters who are in the same situation with near-passing scores. Looking at the overall policy would be better than trying to create exceptions on an individual basis. There can be problems when treating all of the language groups the same when there could be meaningful differences, including when some languages are in high-demand with few interpreters.

The Committee discussed the purpose of the written exam and the reasoning for the passing rate. The written exam is a screening tool. The passing percentage was based on the likelihood that someone passing the written exam would also pass the oral exam. There has been some research on the federal court interpreter exam that indicated the 80% threshold maybe too high for that written exam. However, there is no information about how that might apply to the state exams.

The Committee did not feel that they had the authority to overturn the policy about the required test results. They will bring up topic at the next Interpreter Commission meeting in October. Prior to the discussion at the Commission meeting, AOC staff will look into the research and history about how the passing rate of the written exam and how it was set.

Bench Card Review

The Committee discussed the process for the revision of the judicial bench card about working with interpreters. There is an ad hoc committee made up of individuals from Seattle Municipal Court and members of the Interpreter Commission. The Committee suggested that the Issues Committee and Education Committee have a chance to review the bench card revisions before the December Commission meeting so that the draft seen at that meeting would be as close as possible to the final version.

Action Items
<i>AOC Staff</i> – Inform the test candidate about the Committee’s discussion.
<i>AOC Staff</i> – Look research and or other information about the passing rate of the written exam to inform the Committee’s discussion.



WASHINGTON
COURTS

Interpreter Commission - Issues Committee
Tuesday, September 4, 2018 (12:00 p.m. – 1:00 p.m)
Teleconference

MEETING MINUTES

Members Present:

Judge Beall
Thea Jennings

AOC Staff:

Robert Lichtenberg
James Wells

Members Absent:

LaTricia Kinlow
Linda Noble
Elisa Young
Alma Zuniga

Guest:

Martha Cohen

Call to Order

- A quorum of members was not present to hold a formal meeting or approve motions. The members that were present discussed the agenda items and how to proceed with more information at the next meeting.
- Minutes for the previous meeting will be sent out by email for approval.

Registered Interpreter Compliance

The AOC received a letter from a registered interpreter who was recently suspended because of not meeting her compliance requirements for this cycle. She is concerned that her language is not in high-demand in the courts and she may not receive enough work to be worth the cost of keeping her credential. This is an issue that some other interpreters also face.

In 2015 the Interpreter Commission raised the number of education credits registered interpreters need to 16 to equal the number that are required for certified interpreters. This is the first cycle that the registered interpreters have had to maintain that increase so it maybe too soon to evaluate the impact that the increased number of credits have had on registered interpreters.

Courts may lose valuable resources when these registered interpreters lose their certification because they often already have a lot experience even if they do not have a credential.

There are many sources for education credits, both in-person and online so the availability of courses is probably not a burden. The AOC can look into holding or

sponsoring classes that are free to registered interpreters to help alleviate the issue of cost.

There was a concern that when courts receive notification from the AOC about interpreters who are suspended, the courts may not understand that the suspension is because of not complying with their reporting requirements and not because of personal misconduct or ethical violations. Although the notification does include the reason for the suspension, future notification can make the reason more explicit.

Courts Hiring Interpreter with Suspended Credentials

When an interpreter's credential is suspended or revoked, courts are still able to hire the interpreter provided they follow the other requirements in state law. Neither the Interpreter Commission nor the AOC have the authority to prevent this. Some options could be creating a Court Rule or establish a licensing system.

The interpreter's reason for losing their credential could be relevant to their fitness to working in the court. Some interpreters will lose their credential because of personal misconduct or ethical violations and some lost their credential because they did not maintain their compliance requirements. Courts may prefer to use an interpreter decertified for not maintaining their compliance requirements when there are not that many experienced interpreters in that language.

Before making a recommendation to the Interpreter Commission, the Committee will continue the discussion when more members available to provide input.

Action Items
<i>AOC Staff</i> – Look at other states to see how they prevent interpreter who have had their certification revoked from working in courts.
<i>AOC Staff</i> – Send out minutes from last meeting for online vote.
<i>AOC Staff</i> – Send out calendar update for October Commission meeting.



Interpreter Commission - Issues Committee
Tuesday, October 2, 2018 (12:00 p.m. – 1:00 p.m)
Teleconference

MEETING MINUTES

Members Present:

Judge Beall
Thea Jennings
Linda Noble

AOC Staff:

Cynthia Delostrinos
Robert Lichtenberg
James Wells

Members Absent:

LaTricia Kinlow
Elisa Young

Call to Order

- Minutes from August and September meetings approved.

Reappointment of Former Commission Member

The Committee discussed the policy about the re-appointment of former Interpreter Commission members back to the Commission:

- A petition from three former Commission members/interpreters had been received objecting the re-appointment of a former Commission member who had served two consecutive terms.
- The rules do not address the re-appointment other than forbidding more than two consecutive terms.
- The former member has already been re-appointed and has received their appointment letter from the Chief Justice.
- Some concerns about the re-appointment included:
 - The application letter of the former member may not have referenced her previous time on the Commission and so the Chief Justice may have been unaware of the individual's previous role.
 - The solicitation for applications for this seat on the Commission was not handled in the same way as the solicitation for the spoken language interpreter seat. This could give the appearance of rules being applied inconsistently.
 - The next Commission meeting was postponed to a date after the membership of some Commission members expired.

Committee members agreed that the process and rules in appointing members should be reviewed. The Committee did not agree on a specific recommendation regarding the petition and whether or not the former Commission member should be re-appointed.

Judge Beall will consult with Justice Gonzalez about the situation to see what action may be taken before the October 19 Commission meeting.

Registered Interpreter Compliance

At the last meeting, the Committee began a discussion about courts using interpreters whose credentials were suspended. Some interpreters may give up their credential because they see it as too burdensome to maintain their compliance requirements while still getting assignments from courts if their language is in demand.

Currently there was no policy or court rule that prevents courts from hiring suspended interpreters beyond the general requirements laid out in RCW 2.43. Looking at other states, those states that have a centralized scheduling office are able to avoid hiring suspended interpreters. States that are non-centralized dissuade courts from hiring suspended interpreters but cannot prevent it.

When the AOC notifies courts about an interpreter losing their credential, the notification will indicate whether the revocation is administrative and a result of not fulfilling compliance requirements or if the revocation is due to disciplinary action. If a court later notices that an interpreter's name has been removed from the list, they can ask the AOC for the reason.

The Committee did not have a recommendation to make to the Commission. Judge Beall would brief the Commission on the Committee's discussion and seek their input.

Action Items
<i>Judge Beall</i> – Consult with Justice Gonzalez regarding the re-appointment of the former Commission member.

GR 9 COVER SHEET

Suggested Technical Change

**General Rule (GR) 11.1
Court Interpreter Commission**

- (A) Name of Proponent: Interpreter Commission
- (B) Spokesperson: Justice Steven González
- (C) Purpose: (1) To state that under GR 11.1(b) the jurisdiction of the Commission and its policies shall cover all interpreters serving in a legal proceeding, whether or not certified by the State of Washington Administrative Office of the Courts (AOC); and
- (2) To clarify under Section (b) (3) that all interpreters are subject to General Rule 11.2, the Code of Conduct for Court Interpreters (to be called "The Code of Professional Responsibility for Judiciary Interpreters" if adopted under a separate GR 9 Rulemaking proceeding), as well as the rules and regulations specified in the Interpreter Program Policy Manual; and
- (3) To clarify that the Disciplinary Committee has the authority to sanction, decertify, and/or deny credentials to any interpreter found to be in violation of GR 11.2 and/or the rules and regulations specified in the Interpreter Program Policy Manual.

Chapter 2.43.080 RCW, Code of Ethics, provides:

"All language interpreters serving in a legal proceeding, whether or not certified or qualified shall abide by a code of ethics established by supreme court rule".

Pursuant to GR 11.1, the Commission is charged with developing policies, including a process of discipline with regards to Administrative Office of the Courts-credentialed interpreters. However, with the statutory obligation by ALL interpreters to abide by the code of ethics, the proposed language changes to GR 11.1(a) and GR 11.1(b)(3) will enable the Commission and its Disciplinary Committee to address ethical misconduct by any interpreter regardless of their credential status or lack thereof, including failure to comply with Commission rules and policies that the GR 11.1(a) language authorizes the Commission to create. This will also enable the Commission to address ethical misconduct by interpreters who are in a registered language category as well as interpreters who are not credentialed by the AOC but whom have been appointed under Chapter 2.43.030 RCW as "qualified" interpreters.

Under GR 11.2, the Commission has created a code of conduct applicable to all court interpreters. With this rule clarification, the Commission seeks to establish that court interpreters must be held to similar standards of

accountability regardless of their credential status as either a "certified," "registered," or otherwise qualified language interpreter.

(D) Hearing: Not recommended.

(E) Expedited Consideration: Expedited consideration is requested by the Commission. The Commission considers this to be a clarifying/technical change to the rule, rather than a change in the law.

1 **Suggested Revision to GR 11.1:**

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 or duplicate the
5 statutory process directing the Court Interpreter Program as it is administered by the Administrative Office
6 of the Courts (AOC) (chapter 2.43 RCW). The Interpreter Commission will develop policies for the
7 Interpreter Program and the Program Policy Manual, published on the Washington Court's website at
8 www.courts.wa.gov, which shall constitute the official version of policies governing the Court Certified
9 Interpreter Program.

10
11 (b) Jurisdiction and Powers.

12 ~~All court interpreters who are credentialed by the State of Washington AOC in either a certified or~~
13 ~~registered language category are subject to the rules and regulations specified in the Interpreter Program~~
14 ~~Policy Manual~~

15 Every interpreter serving in a legal proceeding must comply with GR 11.2, the Code of Professional
16 Responsibility for Judiciary Interpreters, and are subject to the rules and regulations specified in the Court
17 Interpreter Disciplinary Policy Manual.

18
19 The Commission shall establish three committees to fulfill ongoing functions related to issues, discipline,
20 and judicial/court administration education. Each committee shall consist of at least three Commission
21 members and one member shall be identified as the chair.

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

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

30
31 (3) The Disciplinary Committee may sanction any interpreter serving in a legal proceeding for a
32 violation of GR 11.2, the Code of Professional Responsibility for Judiciary Interpreters, and has authority to
33 decertify or deny ~~certification of credentials to~~ interpreters based on the disciplinary procedures for:
34 (a) violations of continuing education/court hour requirements, (b) failure to comply with the ~~Interpreter~~
35 Code of ~~Conduct~~ Professional Responsibility for Judiciary Interpreters (GR 11.2) or professional standards,
36 or (c) violations of law that may interfere with their duties as an interpreter in a legal proceeding. The
37 Disciplinary Committee will decide on appeal any issues submitted by the Issues Committee.

38
39 (c) Establishment. The Supreme Court shall appoint no more than 15 members to the Interpreter
40 Commission, and shall designate the chair of the Commission. The Commission shall include
41 representatives from the following areas of expertise: judicial officers from the appellate and each trial
42 court level (3), spoken language interpreter (2), sign language interpreter (1), court administrator (1),
43 attorney (1), public member (2), representative from ethnic organization (1), an AOC representative (1),
44 and other representatives as needed. The term for a member of the Commission shall be three years.
45 Members are eligible to serve a subsequent 3-year term. Members shall serve on at least one committee
46 and committees may be supplemented by ad hoc professionals as designated by the chair. Ad hoc
47 members may not serve as the chair of a committee.

48
49 (d) Regulations. Policies outlining rules and regulations directing the interpreter program are specified in
50 the Interpreter Program Manual. The Commission, through the Issues Committee and Disciplinary

1 Committee, shall enforce the policies of the interpreter program. Interpreter program policies may be
2 modified at any time by the Commission and AOC.

3
4 (e) Existing Law Unchanged. This rule shall not expand, narrow, or affect existing law, including but not
5 limited to chapter 2.43 RCW.

6
7 (f) Meetings. The Commission shall hold meetings as determined necessary by the chair. Meetings of the
8 Commission are open to the public except for executive sessions and disciplinary meetings related to
9 action against a ~~certified~~ an interpreter.

10
11 (f) Immunity from Liability. No cause of action against the Commission, its standing members or ad hoc
12 members appointed by the Commission, shall accrue in favor of a ~~certified~~ court interpreter or any other
13 person arising from any act taken pursuant to this rule, provided that the Commission members or ad hoc
14 members acted in good faith. The burden of proving that the acts were not taken in good faith shall be on
15 the party asserting it.

16

GR 9 COVER SHEET

Suggested Change

**Washington Supreme Court
General Rule (GR) 11 Court Interpreters
Rule 11.2 Code of Conduct for Court Interpreters**

- (A) Name of Proponent: Washington State Supreme Court Interpreter Commission
- (B) Spokespersons: Justice Steven González, Commission Chairperson, and Linda A. Noble, Interpreter Representative
- (C) Purpose: To provide a current, accurate and more comprehensive Code of Conduct for Court Interpreters (suggested change of title to “Code of Professional Responsibility for Judiciary Interpreters”) for interpreters, as well as for those who rely upon interpreters in all judicial settings. The suggested changes achieve the following:
1. It removes and/or rewords ambiguous and/or incorrect statements.
 2. It expands the provisions of this code to pertain to sign-language as well as spoken-language interpreters.
 3. It clarifies that the code applies to all interpreters serving in the judiciary regardless of certification or lack thereof and in doing so, aligns with the suggested language changes to GR 11.1.
 4. It is written in a format that is more accessible to all users, providing specific guiding ethical canons.
 5. It uses the plural form “interpreters” along with the pronoun “they” to obviate the need for a gendered pronoun, the awkward he/she format or repetition of the subject noun.
 6. It includes extensive commentary which provides users with explicit guidance to aid in appropriately handling issues of interpretation in the complex and multifaceted aspects of legal proceedings.
 7. It supports interpreters in their efforts to fully and properly execute their professional responsibilities.
- (D) Hearing: Not recommended
- (E) Expedited Consideration: Expedited consideration is not requested by the Commission

Supporting documents and information included with this submission following the text of the suggested change:

- 1) Full text of suggested changes to GR 11.2 without underlines or strikethroughs for ease of reading;
- 2) Introduction and background information;
- 3) Relevant excerpt from Minutes of Interpreter Commission meeting held March 30, 2018; and
- 4) Complete Minutes of Interpreter Commission meeting held March 30, 2018 as a separate pdf document.

CODE OF CONDUCT FOR COURT INTERPRETERS-PROFESSIONAL RESPONSIBILITY FOR JUDICIARY INTERPRETERS

TABLE OF CONTENTS

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

PREAMBLE

As officers of the court, interpreters must 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.

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

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

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

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

DEFINITIONS

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

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

1 Register – the degree of formality of language.
2 Sight translation – the rendering of a written document directly into a spoken or signed language, not
3 for purposes of producing a written document.
4

5 **CANONS**

6 ~~– (b) A language interpreter shall interpret or translate the material thoroughly and~~
7 ~~precisely, adding or omitting nothing, and stating as nearly as possible what has been~~
8 ~~stated in the language of the speaker, giving consideration to variations in grammar and~~
9 ~~syntax for both languages involved. A language interpreter shall use the level of~~
10 ~~communication that best conveys the meaning of the source, and shall not interject the~~
11 ~~interpreter's personal moods or attitudes.~~
12

13 **(a) ACCURACY**

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

16 **Comment**

17 [1] Interpreters are obligated to conserve every element of information contained in the source and
18 target languages. In doing so, they fulfill a twofold duty: 1. to ensure that legal proceedings reflect in
19 English precisely what is said or signed by Limited English Proficient individuals; and 2. to place Limited
20 English Proficient individuals on an equal linguistic footing with those who are fully English proficient.

21 [2] Interpreters are required to apply their best skills and judgment to render, as faithfully as reasonably
22 possible, the meaning of what is said or signed, preserving the style and register of speech, and the
23 ambiguities and nuances of the source statement.

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

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

31 [3] Interpreters have the duty to immediately address any situation or condition which impedes their
32 ability to accurately interpret. Examples include, but are not limited to, linguistic ambiguities, unfamiliar
33 terms, inaudible speech, inability to see a speaker, background noise or distraction, and pace of speech.

34 [4] The obligation to preserve accuracy includes the interpreter's duty to correct any substantive errors
35 of interpretation as soon as possible. Interpreters should be prepared to accept feedback, including
36 challenges to their interpretation, in a professional and impersonal manner.

1 [5] Due to the difficulty of extemporaneously interpreting recordings (such as 911 calls), the practice of
2 doing so in court should be discouraged at all times. Rather, proper transcripts and corresponding
3 written translations should be prepared in advance. If ordered by the presiding officer to interpret a
4 recording in court, interpreters should comply but state, on the record, that they cannot guarantee the
5 accuracy of the interpretation.

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

10 [7] The ethical responsibility to interpret accurately includes being prepared for assignments.
11 Interpreters are encouraged to obtain documents and other information necessary to familiarize
12 themselves with the nature and purpose of an assignment. Prior preparation is described below; it is
13 especially important when testimony or documents include highly specialized terminology and subject
14 matter.

15 Preparation may include but is not limited to:

- 16 a. reviewing relevant documents, such as criminal complaints, police reports, briefs, witness lists,
17 jury instructions, prior depositions, etc.;
18 b. asking interpreters previously involved in the case for information on language use or style;
19 c. asking attorneys involved in the case for additional relevant information.
20

21 **(b) COMPETENCE**

22
23 Interpreters must not knowingly accept any assignment beyond their skill level. If at any point, before or
24 during an assignment, they have ~~(c) When a language interpreter has any reservations about their ability~~
25 to satisfy an assignment competently, ~~they must~~the interpreter shall immediately disclose this convey
26 that reservation to all
27 the parties and, if applicable, to the court. If the communication mode or language of the non-English
28 speaking person cannot be readily interpreted, the interpreter shall notify the appointing authority or
29 the court.

30
31 In their professional capacity, interpreters must not give legal or other advice or engage in any activity
32 that may be construed as a service other than interpreting or translating.

33 **Comment**

34 [1] Interpreters are duty-bound to inquire about the assignment in advance and assess their
35 competence to render services.

36 [2] Interpreters are not qualified to give written or oral counsel about a legal matter that could affect
37 the rights and responsibilities of the person receiving the advice. General Rule 24 sets forth what
38 constitutes the practice of law.

1 [3] Interpreters should maintain and expand competence in their field through professional
2 development. Professional development includes steady practice; professional training; ongoing
3 education; terminology research; regular and frequent interaction with colleagues and specialists in
4 related fields; and staying abreast of new technologies, current issues, laws, policies, rules, and
5 regulations, that affect their profession.

6 [4] Interpreters should know and follow established protocols for delivering interpreting services. When
7 speaking in English, interpreters should speak at a volume that enables them to be heard throughout
8 the courtroom. They should interpret in the first person and refer to themselves in the third person.

9 **(c) HONESTY AND INTEGRITY**

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

14
15 **Comment**

16 [1] It is essential that interpreters present a complete, and truthful account of their credentials, training,
17 and relevant experience prior to an assignment so that their ability to satisfy it competently can be fairly
18 evaluated.

19 **(d) IMPARTIALITY AND NEUTRALITY**

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

24
25 **Comment**

26 [1] Interpreters should strive for professional detachment. They should uphold impartiality by avoiding
27 verbal and non-verbal displays of personal attitudes, prejudices, emotions, or opinions. Interpreters
28 must faithfully render all statements, even those they find personally objectionable, without allowing
29 their own views or opinions to interfere.

30 [2] As officers of the court, interpreters serve the court and the public, regardless of whether publicly or
31 privately retained. Interpreters must uphold neutrality by avoiding any behavior that creates the
32 appearance of favoritism toward anyone. Interpreters should maintain professional relationships with
33 persons using their services, discourage personal dependence on the interpreter, and avoid participation
34 in the proceedings in any capacity other than providing interpreter services. During the course of the
35 proceedings, interpreters should not converse with parties, witnesses, jurors, attorneys, or with friends
36 or relatives of any party, except in the discharge of their official functions.

1 [3] Interpreters must not serve in any matter in which they have an interest, financial or otherwise, in
2 the outcome, unless a specific exception is allowed by the judicial officer for good cause and noted on
3 the record. Interpreters must not solicit or accept gifts or gratuities from any of the parties, even as a
4 social courtesy, in order to maintain the appearance of neutrality. Interpreters must disclose to the
5 parties and/or the court any circumstance that creates a potential conflict of interest, including but not
6 limited to the following:

- 7
- 8 a. the interpreter is a friend, associate, or relative of a party, witness, victim, or counsel;
- 9 b. the interpreter or the interpreter's friend, associate, or relative has a financial interest in the
10 case at issue, a shared financial interest with a party to the proceeding, or any other interest
11 that might be affected by the outcome of the case;
- 12 c. the interpreter has served in an investigative capacity for any party involved in the case;
- 13 d. the interpreter has previously been retained by a law enforcement agency to assist in the
14 preparation of the criminal case at issue;
- 15 e. the interpreter is an attorney in the case at issue;
- 16 f. the interpreter has previously been retained for employment by one of the parties.
- 17

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

22 ~~—(d) No language interpreter shall render services in any matter in which the~~
23 ~~interpreter is a potential witness, associate, friend, or relative of a contending party,~~
24 ~~unless a specific exception is allowed by the appointing authority for good cause noted~~
25 ~~on the record. Neither shall the interpreter serve in any matter in which the interpreter~~
26 ~~has an interest, financial or otherwise, in the outcome. Nor shall any language~~
27 ~~interpreter serve in a matter where the interpreter has participated in the choice of~~
28 ~~counsel.~~

29

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

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

37 ***Comment***

38 [1] Privileged communications take place within the context of a protected relationship, such as that
39 between an attorney and client, a husband and wife, a priest and penitent, and a doctor and patient.
40 The law often protects against forced disclosure of such conversations. Interpreters are bound to

1 maintain the confidentiality of all privileged communications.

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

6
7 ~~—(f) A language interpreter shall report immediately to the appointing authority in~~
8 ~~the proceeding any solicitation or effort by another to induce or encourage the interpreter~~
9 ~~to violate any law, any provision of the rules which may be approved by the courts for~~
10 ~~the practice of language interpreting, or any provisions of this Code of Conduct.~~

11
12 ~~—(g) Language interpreters shall not give legal advice and shall refrain from the~~
13 ~~unauthorized practice of law.~~

14
15

16 [Adopted effective November 17, 1989. Original Rule 11.1 was renumbered as Rule 11.2
17 effective September 1, 2005; amended effective April 26, 2016.]

CODE OF PROFESSIONAL RESPONSIBILITY FOR JUDICIARY INTERPRETERS

TABLE OF CONTENTS

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

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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 must 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 must 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.

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Supporting Documentation; Page 2 of 10

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:

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

(b) COMPETENCE

Interpreters must 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 must immediately disclose this to all parties and, if applicable, to the court.

In their professional capacity, interpreters must 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.

Supporting Documentation; Page 3 of 10

(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 must accurately represent their credentials, training, and relevant experience. Interpreters must 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 must faithfully render the source message without allowing their own views to interfere. They must refrain from conduct that may give an appearance of bias and must 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. They should uphold impartiality by avoiding verbal and non-verbal displays of personal attitudes, prejudices, emotions, or opinions. Interpreters must 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 must 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 must 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 must 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 must disclose to the parties and/or the court any circumstance that creates a potential conflict of interest, including but not limited to the following:

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

- h. 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;
- i. the interpreter has served in an investigative capacity for any party involved in the case;
- j. the interpreter has previously been retained by a law enforcement agency to assist in the preparation of the criminal case at issue;
- k. the interpreter is an attorney in the case at issue;
- l. 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 must not divulge privileged or other confidential information obtained in their professional capacity. They must 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.

Proposed Revisions to the Code of Ethics for Court Interpreters (GR 11.2)

Introduction and background. The current version of GR 11.2 was adopted in 1989, at the same time as Chapter 2.43 of RCW “INTERPRETERS FOR NON-ENGLISH-SPEAKING PERSONS,” when the profession of court interpreting was in its infancy. There were only a handful of certified languages at that time, compared to 14 currently. An additional category of Registered Interpreters was added in 2006, and there are now 84 languages in that category. The existing GR 11:2 was adopted without the benefit of experience in complicated ethical situations while doing actual courtroom and court-related interpreting work. In the nearly three decades since the code was written, the profession has naturally evolved, as has the understanding of issues interpreters face in legal settings.

Timeline

- 1973 WA State passes law regarding appointment and payment of interpreters.
- 1978 Federal *Court Interpreters Act of 1978* establishes the right for *any* individual involved in a court proceeding to have a certified or otherwise qualified court interpreter.
- 1985 WA Supreme Court creates Court Interpreter Task Force comprised of judges, attorneys, court administrators, and one federally certified interpreter.
- 1986 Court Interpreter Task Force proposes a code of conduct modeled after the Registry of Interpreters for the Deaf (RID)’s.
- 1988 Court Interpreter Task Force, Superior Court Judges’ Association, and Board for Judicial Administration draft legislation which includes a code of conduct.
- 1989 Court Interpreter Act amends the 1973 law, creates certification program, establishes the court interpreter advisory committee, and requires the Supreme Court to adopt a code of conduct for court interpreters.
- 1989 (November) Supreme Court adopts a code, but it is a skeleton version of the one originally proposed.

A number of fairly minor revisions to GR 11.2 have been proposed by the Interpreter Commission over the past few years. However, through rigorous discussion of proposed revisions, it became clear to Commission members and other meeting attendees that the existing code was in need of a major overhaul.

The current GR 11.2 contains erroneous statements, such as “Except in the interpreters [sic] official capacity, no language interpreter shall discuss, report, or comment upon a matter in which the person serves as interpreter.” The implication is that the interpreter may engage in these activities if they are in their official capacity, which is in fact in direct contradiction to their obligation.

In order for a code to be effective, it should be easily understood, teachable and enforceable. The current GR 11.2 contains numerous phrases that are poorly crafted, vague, and difficult to decipher. It does not rely upon specific moral or ethical values that resonate with people across professions and cultures. This group has taken great pains to write a code with a moral value at the beginning of each ethical principle.

Further, the current GR 11.2 was written to pertain to spoken language interpreters only; sign language interpreters were not assumed to fall within its scope. However, GR 11 states: The use of qualified interpreters is authorized in judicial proceedings involving hearing impaired or non-English speaking individuals. By extending the requirement to observe the Code of Conduct to sign language interpreters, the new language will enhance the ability of the Commission to apply professional standards of conduct for all court proceedings involving an interpreter.

Work on drafting the new code began in May of 2016. After numerous revisions, it was presented to the Interpreter Commission in December of 2017. In January of 2018 it was submitted for comment to Washington-state ASL and spoken-language interpreters. All comments and suggestions properly submitted were reviewed and incorporated by the authors. In March of 2018 a final draft was presented to the full Interpreter Commission, where it was approved and a motion to submit the final draft to the Supreme Court was adopted.

The work group and primary authors of the new code:

Emma Garkavi, WA and CA AOC Certified interpreter (Russian), ATA Certified translator, member of the ASTM Work group which wrote ASTM Standard Practice for Language Interpreting F2089-15; former WITS president, former representative to the Interpreter Commission; Strategic Adviser II, Seattle Municipal Court Interpreter Services.

Milena Calderari-Waldron, Spanish interpreter, WA AOC and DSHS Social and Medical certified. Adjunct Faculty at Bellevue College TRANS 106 Ethics and Business Practices for Interpreters. Secretary of Interpreters United Local 1671/AFSCME Council 28. ASTM F43 Technical Committee on Language Services and Products. ATA Interpreters Division Leadership Council member.

Sofia Garcia-Beyaert, Ph.D., DSHS Social and Medical certified/authorized in Spanish and French. NOTIS board member. Adjunct Faculty at Bellevue College. Consulting expert in interpreting services for AENOR (Spanish counterpart for the development of ISO norms). Founder of Arcos Institute. Co-Author of *Ethics and Standards for The Community Interpreter® An International Training Tool*.

Lynne Lumsden, CI, CT, SC:L, QMHI-S, was a legal and mental health interpreter and was the ASL representative on the Washington State Supreme Court's Interpreter

Commission as well as WSRID's legal standards committee chair until her sudden death in December, 2017.

Linda Noble – Active Russian interpreter and translator of 32 years; WA AOC Certified in Russian (1996), ATA Certified Russian -> English (2000); Interpreter Commission spoken language interpreter representative since 2012; past Vice President of WITS; past NOTIS Board Member.



Interpreter Commission Meeting
Friday, March 30, 2018
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
Katrin Johnson
LaTricia Kinlow
Dirk Marler
Linda Noble
Fona Sugg
Elisa Young
Alma Zuniga

AOC Staff:

Cynthia Delostrinos
Robert Lichtenberg
James Wells
Jeanne Englert

Guests:

Donna Walker

Members By Phone:

Judge Teresa Doyle

Members Absent:

Judge Laura Bradley

[Excerpted portion; appears on page 4 of the full meeting minutes posted on the Interpreter Commission website]

Issues Committee

Recommendations on GR 11.2

The Commission discussed the most recent draft of the update Code of Conduct

Supporting Documentation; Page 9 of 10

Suggested Change to
Washington Supreme Court
General Rule (GR) 11 Court Interpreters
Rule 11.2 Code of Conduct for Court Interpreters

Proposal to modify GR 11.1 to add an additional spoken language interpreter.

Dear Issues Committee Colleagues,

In advance of the submission of changes to GR 11.1 to the Supreme Court, I would like to propose that a third spoken-language interpreter be added to the Interpreter Commission, for a total of three.

The bases for this proposal are as follows:

1. The Commission needs to have the input of spoken-language interpreters in order to understand the profession and serve the needs both of interpreters and the courts.
2. There are three committees within the Commission. While it is possible to serve on more than one committee, I can speak from experience that it is very difficult, and I have had to step down from the education committee. This leaves no spoken-language interpreter on that committee right now.
Currently there is a situation in which one of the interpreter representatives needed to recuse herself from a matter under review in the disciplinary committee, leaving only one alternate. It is vital that matters involving interpreter conduct be considered by a committee that includes at least one SLI.
3. The spoken-language interpreters who are most representative of the profession are working as independent contractors, taking piece-meal jobs from various courts and private enterprises. Unlike the majority of Commission members, they are often placed in a position of having to give up income and/or future income in order to attend Commission meetings. Having an additional spoken-language interpreter on the Commission would mitigate this situation, ensuring interpreter representation at Commission meetings when, say, one or even two interpreters could not attend due to work priorities.
4. While we do have a position for a sign-language interpreter, the professions have historically been quite divergent. Only recently has the AOC had any involvement in sign-language interpreter certification and Code of Professional Responsibility. The expectations, working environment, challenges faced, rate of pay, etc., have been very different in the two fields. So, while it is important to hear from both, having a sign-language interpreter on a committee or at a meeting does not eliminate the need for a spoken-language interpreter.

Respectfully submitted,

Linda Noble



Interpreter Commission- Discipline Committee
August 3, 2018 (12:00 p.m. – 1:00 p.m)
Teleconference

MEETING MINUTES

Members Present:

Judge Doyle
Maria Luisa Gracia Camón
Dirk Mahler
Alma Zuniga

AOC Staff:

Robert Lichtenberg
James Wells

Compliance Status Update

The Disciplinary Committee had a teleconference to discuss the remaining 22 interpreters who had not completed their compliance requirements for the 2016-2017 compliance cycle. AOC staff submitted recommendations for Committee action against each interpreter. For each interpreter the recommendation was either to give the interpreter an extension of time to complete their requirements while maintaining their certification, or to suspend the interpreter's credentials until they completed their requirements.

The Committee discussed the recommendations and the staff reasoning behind them. Factors that were considered for each interpreter included: the interpreter's history of compliance with biannual reporting requirements in recent years; how many requirements the interpreter had completed for the 2016-2017 cycle; how recently the interpreter had received their credentials; and whether or not the interpreter had responded to the AOC's notices.

Eleven interpreters had not completed any compliance requirements and had not communicated with the AOC. These interpreters would be given a 90-day suspension. One interpreter was given 2 month suspension. The interpreters would be given three weeks to communicate with the AOC and with a plan on how they could complete their compliance requirements and an explanation of why they are late with their requirements. If the AOC received no response after three weeks, then their credentials would be automatically revoked at the end of their suspension.

Other interpreters were given 90 day extensions to come into compliance and given three weeks to communicate with the AOC with a plan on how they could complete their compliance requirements explanation of why they are late with their requirements. If not

response was given, the interpreter would be automatically suspended at the end of extension period.

Complaint against Interpreter

Before the discussion of this complaint began, Ms. Garcia Camón left the meeting before the discussion of this item due to a potential conflict of interest. Before action is taken against the interpreter, another interpreter from the Commission would be appointed to the Committee. The Committee discussed how to continue investigating the matter.

The Committee discussed a complaint submitted by a court regarding an interpreter who did not disclose a potential conflict of interest with the party that the interpreter was called to interpret for. The complaint also alleged that the interpreter was dishonest about when asked about the conflict.

AOC staff will send a letter to the interpreter and inform him about the allegation that has been made with the evidence that the AOC has. The interpreter will have 20 days to respond after receiving the letter. If the interpreter does respond, AOC staff and the Committee chair will discuss the next step. If no response is received, a follow up Committee meeting will be scheduled as soon as possible after the 20 day period has lapsed.

Action Items
AOC Staff – Send a letter to the interpreter who was the subject of the complaint with the evidence from the complaint and a 20 day response time.
AOC Staff – Look at amending disciplinary policy to have a more regular sanction for interpreters who are repeatedly late with their compliance requirements.

Washington State Supreme Court Interpreter Commission

Disciplinary Committee

To: Dirk Marler, AOC Representative
Linda Noble, Court Interpreter Representative
Alma Zuniga, Attorney Representative

From: Judge Theresa Doyle, Chair, Disciplinary Committee

RE: Temporary Appointment to Serve on Disciplinary Committee

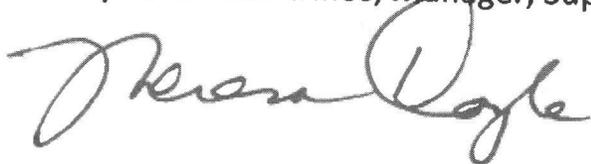
Date: October 3rd 2018

This is to notify you that you are hereby appointed to continue to serve as a member of the Supreme Court Interpreter Commission Disciplinary Committee after the expiration on September 30, 2018 of your individual terms as voting members of the Commission. The scope of your involvement as members of the Disciplinary Committee is limited to hearing the matters related to a pending disciplinary proceeding initiated by Seattle Municipal Court against one registered language interpreter as outlined in the Court Interpreter Disciplinary Process Manual. At the conclusion of all matters pertaining to this specific disciplinary matter, your term of appointment will end.

I am making this reappointment order under the authority granted to me pursuant to Sections 2.2(b) and 2.2(c) of the Washington Court Interpreter Commission's Court Interpreter Disciplinary Process Manual dated May, 2012.

Thank you.

CC: Justice Steve González, Chair, Court Interpreter Commission
Callie Dietz, State Court Administrator
Justin Abbasi, Supreme Court Judicial Assistant
Cynthia Delostrinos, Manager, Supreme Court Commissions



Court Interpreter Program Reports

Calculations for Reimbursement for FY 17

	A	B	C	D	E	F	G	H	I
	Court Name	Reimbursable Costs FY17	Reimbursable Costs FY18	Average of Reimb Costs 17 and FY18	Percent of each of Court's AVG from Total of AVG Amounts	Contract Amount FY18	Contract Amount FY19	Change in Contract from FY 17 to 18	
1									
2	Benton County District	\$24,812	\$29,436	\$27,123.98	2.54%	\$14,347	\$15,499.99	\$1,153.25	
3	Benton County Superior	\$38,301	\$40,232	\$39,266.40	3.68%	\$22,146	\$22,438.77	\$292.40	
4	Benton/Franklin Counties Juvenile	\$17,690	\$18,524	\$18,107.17	1.69%	\$10,229	\$10,347.33	\$118.40	
5	Bremerton Municipal	\$4,026	\$5,971	\$4,998.90	0.47%	\$2,328	\$2,856.62	\$528.49	
6	Chelan County Superior	\$16,621	\$14,951	\$15,785.82	1.48%	\$9,610	\$9,020.80	-\$589.62	
7	Clark County District	\$119,152	\$113,365	\$116,258.20	10.88%	\$68,896	\$66,435.70	-\$2,460.67	
8	Des Moines Municipal	\$7,973	\$11,092	\$9,532.38	0.89%	\$4,610	\$5,447.27	\$837.38	
9	Douglas County District	\$10,255	\$6,575	\$8,415.19	0.79%	\$5,930	\$4,808.86	-\$1,121.12	
10	Douglas County Superior	\$4,235	\$3,438	\$3,836.90	0.36%	\$2,449	\$2,192.59	-\$256.40	
11	Everett Municipal	\$10,937	\$10,255	\$10,596.07	0.99%	\$6,324	\$6,055.12	-\$268.77	
12	Federal Way Municipal	\$26,702	\$26,127	\$26,414.47	2.47%	\$15,440	\$15,094.53	-\$345.00	
13	Franklin County District	\$22,875	\$33,450	\$28,162.50	2.64%	\$13,227	\$16,093.45	\$2,866.57	
14	Franklin County Superior	\$43,106	\$63,848	\$53,476.72	5.01%	\$24,925	\$30,559.25	\$5,634.45	
15	Kent Municipal	\$25,019	\$47,040	\$36,029.14	3.37%	\$14,466	\$20,588.84	\$6,122.39	
16	Kitsap County District	\$9,093	\$13,710	\$11,401.50	1.07%	\$5,258	\$6,515.38	\$1,257.59	
17	Kitsap County Superior	\$23,692	\$16,628	\$20,160.43	1.89%	\$13,700	\$11,520.67	-\$2,178.87	
18	Lynnwood Municipal	\$6,564	\$9,718	\$8,140.75	0.76%	\$3,795	\$4,652.03	\$856.78	
19	Mount Vernon Municipal	\$8,337	\$8,494	\$8,415.38	0.79%	\$4,821	\$4,808.96	-\$11.69	
20	Okanogan County Superior	\$6,597	\$4,760	\$5,678.25	0.53%	\$3,815	\$3,244.83	-\$569.68	
21	Pacific Municipal	\$5,116	\$5,084	\$5,100.01	0.48%	\$2,958	\$2,914.40	-\$43.55	
22	Pasco Municipal	\$23,244	\$23,012	\$23,127.75	2.16%	\$13,440	\$13,216.34	-\$223.61	
23	Pierce County Sup/Dist	\$153,884	\$127,920	\$140,901.80	13.19%	\$88,979	\$80,518.27	-\$8,461.02	
24	Port Orchard Municipal	\$981	\$1,097	\$1,039.08	0.10%	\$567	\$593.78	\$26.45	
25	Poulsbo Municipal	\$576	\$391	\$483.57	0.05%	\$333	\$276.34	-\$56.72	
26	Renton Municipal	\$18,518	\$27,758	\$23,137.78	2.17%	\$10,707	\$13,222.07	\$2,514.77	
27	Seacac Municipal	\$6,991	\$6,708	\$6,849.38	0.64%	\$4,042	\$3,914.08	-\$128.12	
28	Seattle Municipal	\$179,058	\$143,421	\$161,239.34	15.09%	\$103,536	\$92,140.15	-\$11,395.62	
29	Skagit County District	\$11,069	\$17,838	\$14,453.13	1.35%	\$6,400	\$8,259.23	\$1,859.01	
30	Skagit County Superior	\$14,025	\$18,436	\$16,230.29	1.52%	\$8,110	\$9,274.79	\$1,165.17	
31	Snohomish County District	\$85,404	\$110,367	\$97,885.56	9.16%	\$49,383	\$55,936.66	\$6,553.82	
32	Snohomish County Superior	\$75,073	\$73,758	\$74,415.23	6.97%	\$43,409	\$42,524.55	-\$884.19	

Calculations for Reimbursement for FY 17

	A	B	C	D	E	F	G	H	I
	Court Name	Reimbursable Costs FY17	Reimbursable Costs FY18	Average of Reimb Costs 17 and FY18	Percent of each of Court's Avg from Total of Avg Amounts	Contract Amount FY18	Contract Amount FY19	Change in Contract from 17 to 18	
1									
33	Tukwila Municipal	\$12,572	\$10,420	\$11,495.88	1.08%	\$7,269	\$6,569.31	-\$699.98	
34	Yakima County Superior	\$43,328	\$37,033	\$40,180.36	3.76%	\$25,053	\$22,961.05	-\$2,092.31	
35									
36	Totals	\$1,055,822	\$1,080,856	\$1,068,339.24		\$610,502.00	\$610,502.00		
37	Court Interpreter Reimbursement Allocation Formula								
38	The FY reimbursable amount is the amount that the courts are eligible to be reimbursed because the court has used an AOC credentialled interpreter for the provision of telephonic or in-person language services and for any associated mileage charges as allowed by the interagency agreement language.								
39	Once the eligible reimbursable amount is identified through a confirmation review of annually reported cost data submitted by the contracting court/jurisdiction for the previous two years and for all the other courts in the program, the following approach is taken:								
40	Step 1 (using Yakima Superior as an example):								
41	FY 17 Reimbursable Costs = \$43,328 (Column C)								
42	FY 18 Reimbursable Costs = \$31,980 (Column B)								
43	Average FY17 & FY18 Reimbursable Costs = \$37,653.80 (Column D: (FY17 + FY18)/2)								
44	Total Averaged Reimbursable Reported by all participants = \$1,065,812.68 (total of Column D)								
45	Step 2								
46	Percentage = \$37,653.80 / \$1,065,812.68 = 3.53% (Column E)								
47	FY 17 Total Interpreter Reimbursement Funding = \$610,502								
48	Step 3								
49	Yakima Superior Reimbursement Allocation for FY 2019 = \$610,502 * .035 = \$21,568.25 (Column G)								
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Key
 Gray Column shows contract amounts for previous years.
 Blue Column shows the contract amounts for the upcoming year.
 Green Cells show an increase from the previous year.
 Red Cells show a decrease from the

