



PO Box 2463, Mount Vernon, WA 98273 | (360) 230-8101 | www.SkagitLegalAid.org

April 30, 2024

Justices of the Washington Supreme Court
P.O. Box 40929
Olympia, Washington 98504-0929

VIA E-MAIL: supreme@courts.wa.gov

RE: Proposed Amendment to General Rule 11.3

Dear Justice Yu,

Skagit Legal Aid respectfully opposes the proposed changes to GR 11.3 that would permit interpreters to appear remotely, even in evidentiary hearings and trials in criminal matters. Skagit Legal Aid supports the Comment submitted by Civil Survival, the King County Department of Public Defense, the Snohomish County Office of Public Defense, the Snohomish County Public Defender Association, the Washington Defender Association, and the Washington State Office of Public Defense. We write to provide additional information concerning the unique circumstances of the farmworkers in northwest Washington and emphasize the critical importance of in-person interpreting services for civil legal proceedings.

Among the nearly 30,000 farmworkers in Skagit and Whatcom Counties, a significant majority hail from Mexico, with a substantial proportion (60-80%) belonging to indigenous communities from the rural southern states of Oaxaca and Guerrero, as well as Guatemala. Over the past three decades, a wave of Indigenous individuals has migrated from these regions to northwest Washington, driven by a quest for opportunities amidst the challenges of poverty and limited prospects in their hometowns.

In Skagit County, the predominant indigenous languages spoken are Mixteco and Triqui, while in Whatcom County, Mixteco is prevalent, alongside at least five distinct Guatemalan cultural communities (Aguacateco, Mam, Chalchiteco, Ixl, and Canjoval). Additionally, some workers are fluent in other indigenous Mexican languages, including Nahuatl, Zapotec, Purepecha, and Quiche. The linguistic diversity, often varying based on a person's municipality of origin, adds layers of complexity to communication and access to services.

The shortage of qualified indigenous language interpreters in northwest Washington poses significant constitutional, ethical, and moral challenges. Litigants, witnesses, and victims encounter communication barriers that hinder the pursuit of justice in both civil and criminal cases. To address this critical need, we are currently spearheading the development of an Indigenous Language Court Interpreter accreditation program in collaboration with Skagit Valley College. This initiative aims to train culturally competent interpreters from Indigenous communities, bridging the gap and ensuring effective communication in legal proceedings.

In light of the intricacies involved in accurately conveying a client's words and understanding the nuances of others, we firmly believe that in-person interpreting services are indispensable for facilitating meaningful communication in civil legal proceedings for people from Indigenous communities in northwest Washington. The importance of this cannot be overstated because it is essential for ensuring equitable access to justice for all members of our community.

Sincerely Yours,

Andrew Dugan

Andrew Dugan
Executive Director, Skagit Legal Aid

Gail Smith

[Gail Smith \(Apr 30, 2024 11:58 PDT\)](#)

Gail Smith
Chair, Skagit Legal Aid