

INTERPRETER COMMISSION

MEETING SUMMARY, JUNE 16, 2006

Present: Justice Susan Owens, Salah Dandan, Emma Garkavi, Jeff Hall, Ann Macfarlane, Frank Maiocco, Judge Ron Mamiya, Steven Muzik, Commissioner Virginia Rockwood, and Judge Dennis Yule

AOC staff: Regina McDougall, Tina Williamson and Beth Flynn

Welcome

Justice Susan Owens called the meeting to order at 1:15 p.m.

MOTION:

It was moved, seconded and passed to approve the March 10, 2006 Meeting Summary.

There is a vacancy on the Commission as a result of Rosa Cabrara's resignation. She was the ethnic organization representative.

ACTION ITEM:

AOC will review the letter requesting Rosa's appointment to determine if other potential representatives were listed in the letter. If necessary, AOC will contact the ethnic organizations for Commission appointment recommendations.

ACTION ITEM:

The September Commission meeting date is changed to the 15th.

Committee Updates

Issues Committee: AOC has received complaints from certified court interpreters regarding courts using non-certified court interpreters. The Issues Committee drafted a letter to send to courts when AOC receives complaints about non-certified court interpreter use (the draft letter is in the meeting materials). The letter will only be sent after the Issues Committee reviews the complaint.

Commissioner Rockwood suggested moving the last paragraph on Page 1 to the second paragraph of the letter and the other Commission members agreed.

Emma suggested including a copy of RCW 2.43 with the letter.

ACTION ITEM:

AOC will update the letter as suggested (moving the paragraph indicated to the second paragraph of the letter) and include a copy of RCW 2.43. The Commission agreed to send the letter under Justice Owens' signature.

The next meeting regarding LEP planning is scheduled for June 28.

Judge Mamiya heard about an Access to Justice Conference for Limited English Speakers and he is concerned that the Interpreter Commission was not asked to be involved. ATJ is working on best practices and the Commission is working on an LEP plan. He suggests that the Interpreter Commission do more outreach, both within the court system and to people who use the court system.

Judge Mamiya also noted that there is a proposed rule change for GR 11.2, Code of Conduct for Court Interpreters, which includes sensory interpreters. Judge Mamiya distributed copies of the proposed changes.

Discipline Committee: Minutes from the April 25 Discipline Committee meeting and copies of a Notice of Suspended Court Interpreters and a Notice of Decertified Court Interpreters were distributed with the meeting materials.

Emma feels suspended interpreters' names should be removed from the list of certified court interpreters. Once they comply with the program requirements, their names should be added back to the list of certified court interpreters.

MOTION:

It was moved, seconded and passed that the names of suspended interpreters be taken off the certified interpreter list until such time that they satisfy the compliance requirements.

ACTION ITEM:

AOC will delete the suspended interpreters' names from the certified interpreter list. Once the requirements are satisfied, AOC will add the interpreters' names to the list.

Judicial Education and Court Manager Education Committee: Commissioner Rockwood reported that the Judicial Education and Court Manager Education Committee has met regularly. The committee decided on five Domestic Violence and Ethics workshops dates and locations. The first session will be July 7 in Spokane. Judges Sara Derr and Vance Peterson will both help with the Spokane workshop. Tina received an application for a Spokane ethics trainer for the workshop and Susana Stettri Sawrey will be the statewide trainer. The costs associated with the workshops should be fairly low because the trainers will generally be local and the workshops will be held in courts and other free locations. It is possible some of the workshop dates might change depending on trainer and location availability.

Testing and Training - 2006

The certified court interpreter written exam is scheduled for June 24 in Bellevue and Yakima. The written exam orientation sessions were held on May 13 in Yakima and May 20 in Bellevue. Both sessions went well and Judges Mamiya and Yule attended the orientations near them.

AOC Interpreter Project Updates

Requests for "Inactive Status": Several interpreters have written letters and emails explaining why they would like to be placed on inactive status or retired status for their certification. At this time, the Interpreter Program does not allow for that status. They are either active, suspended or decertified. Most interpreters do not want to be labeled as decertified when their situation requires them to stop interpreting for a period of time, thus preventing them from fulfilling the certification requirements of continuing education units and court hours.

ACTION ITEM:

After much discussion by the Commission members, it was decided to send this issue to the Discipline Committee to review and it will be added to the next Commission meeting agenda.

Registered Category: After the last Commission meeting, the registered category of interpreters was put on hold so the Commission members could decide on a process for registering interpreters.

Regina proposed the four options listed in the handouts on pages 61 and 62. She stated they were just ideas and the Commission members could also come up with their own options or ideas.

The Decision Package used to secure the funding from the Legislature was distributed so the Commission members could see how the money was intended to be spent. Regina explained that the funds need to be spent according to the plan described in the Decision Package.

Jeff's suggestion for the registered category was included with the materials on pages 65 and 66. He also provided information regarding the ACTFL Oral Proficiency Interview which could be used to test registered interpreters. It is available in 56 languages and candidates are evaluated by phone.

Salah stated he is concerned about the telephone interview and someone other than the actual candidate taking the test. Jeff said that in Georgia (a state currently using the test) a proctor is on-site with the candidate and the proctor checks the candidate's ID.

The cost of the test was also discussed. The cost of the certified language oral exam is \$125 and the cost of the Oral Proficiency Interview is \$114. Regina pointed out that registered interpreters will be required to pay almost as much as certified interpreters for testing and the demand for their services is unknown at this time.

After much discussion about the cost of the testing, concerns regarding courts getting confused about the differences in registered and certified interpreters and possible additional interpreter funds from the federal government, Justice Owens stated that the money is here now for the registered program and the

Commission needs to move forward with the registered program or give the money back.

Jeff suggested that the registered candidate application needs to have an oath to sign stating the candidate can interpret in the specified language. Steve asked why he could not pass the registered test and then go interpret in the courts in a language he does not speak and Jeff explained that the judge would still have to qualify him as the interpreter.

MOTION:

It was moved, seconded and passed that registered candidates will be required to:

- A. Take and pass Section I of the certified court interpreter written exam.*
- B. Take an oral proficiency exam in one of the 51 non-certified languages administered by Language Testing International proctored by AOC staff or a contractor, and rated as _____ (actual rating required to pass TBD) speaker of the non-English target language and has 20 hours of relevant interpreting experience.*
- C. Upon passing the written and oral exams, candidates will be required to:*
 - Attend a one-day orientation. The hours spent at the orientation will count against the mandated continuing education requirement.*
 - Submit a criminal background check.*
 - Sign the Oath of Interpreter.*
 - Maintain continuing education.*
 - Comply with program expectations outlined in the policy manual.*
- D. Such other requirements that the subcommittee may decide.*

A subcommittee will be formed to establish all the requirements for becoming a registered interpreter.

ACTION ITEM:

Volunteers for the Registered Court Interpreter Subcommittee are: Steven Muzik, Jeff Hall and Frank Maiocco.

Written Exam Passing Score: A memorandum from the Technical Committee of the Consortium for State Court Interpreter Certification was distributed stating the Technical Committee has determined that the passing score for the Consortium's Written Examination is 80 percent. Regina stated that it was too late to change the passing score for the 2006 written exam but the 80% passing rate could become effective for the 2007 exam.

MOTION:

It was moved, seconded and passed to change the passing score of the written exam to 80%.

Board for Judicial Administration

Court Funding: Jeff reported that the BJA will request funding for staff to assist courts with LEP plans. The BJA is also asking for funds to translate forms on court websites along with funds to help courts pay for interpreters.

ACTION ITEM:

Jeff will send a copy of the final decision package to all Commission members when it is finalized.

Additional Items

ACTION ITEM:

Regina mentioned that AOC will begin posting Commission meeting summaries and agendas on the Court Interpreter Program website. AOC will redact any specific names of interpreters.

Adjourn

The meeting was adjourned at 3:45 p.m.

ramirez/interpreters/commission/6-16-06 meeting/meeting summary