COURT INTERPRETER COMMISSION
FRIDAY, OCTOBER 3, 2008

PASCO SCHOOL DISTRICT OFFICE

Members Present: Justice Susan Owens, Jeff Hall, Steve Muzik, Judge Dennis Yule, Emma Garkavi, Leticia Camacho, Mike McElroy, and Virginia Rockwood.

Members Absent: Judge Ron Mamiya and Frank Maiocco.

AOC Staff: Katrin Johnson

Guests: Ana Armijo, Altagracia Leticia Mendoza, Dot French, Teresa Garcia, and Pat Austin.

I. General Business

The Commission reviewed and approved the minutes from the June 2008 meeting.

II. Committee Reports

Issues Committee

The Issues Committee has not met since the last Commission meeting and had nothing to report.

Disciplinary Committee

The Disciplinary Committee met on September 9 regarding the interpreters who have failed to meet continuing education / court hour requirements for the reporting period January 2006 – December 2007. When the committee previously met in June, 22 interpreters were out of compliance. By September, that number had reduced to 17. The Disciplinary Committee revoked certification of 9 certified interpreters, suspended certification of 3, and delayed suspension of certification for 5 interpreters.

The interpreters who were revoked had demonstrated no efforts to come into compliance with continuing education / court hours. The interpreters who were suspended had made some efforts. Their suspension shall last until November 15, 2008 or until they come into compliance – whichever occurs first. Failure to come into compliance by then will result in automatic decertification. The last group of interpreters had made strong efforts and was close to fulfilling the requirements. Their certification will not be suspended unless they fail to meet all requirements by November 15, 2008. At that time, they will be suspended until December 31, 2008

or until they come into compliance, whichever occurs first. If they are still out of compliance by December 31, 2008, their certifications will automatically be revoked.

The Disciplinary Committee is interested in automating intermediate sanctions for interpreters failing to meet their continuing education / court hour requirements. Under the current process, the AOC interpreter program staff spends many hours working with those interpreters who are out of compliance. This will become more burdensome in the future as the group of interpreters requiring continuing education is growing at a rapid rate. There will be future discussion of a process for automatic suspension by AOC staff.

The committee also encourages future discussion of allowing interpreters to select an Inactive Status. Further, there should be some investigation into developing a process for self or group study for continuing education credit. Such a process currently exists for court interpreters in Colorado.

Judicial and Court Manager Education Committee

Upcoming judge and court staff educational opportunities:

- 51st Washington Judicial Conference will occur next week in Spokane, and there will be a presentation on interpreters similar to what was presented in June at the District and Municipal Court Judges' Association Conference. Presenters on the topic of foreign language interpreting will be Judge Yule, Emma Garkavi, Katrin Johnson, Kenny Barger and Claudia A'Zar. There will also be a one-hour presentation on working with sign language interpreters, presented by Bob Lichtenberg of the Office for the Deaf and Hard of Hearing.
- The WASCLA (Washington State Coalition for Language Access) Summit will occur on October 24-25, and will include panels discussing a wide variety of language access issues. Leticia Camacho is one of the organizers for the event. Panelists will include Justice Owens, Judge Yule, and Katrin Johnson.
- The Institute for New Court Employees will occur in early November in Wenatchee, and Katrin will present for 30 minutes on interpreters and how to provide better customer service to non-English speakers.
- In December at the Presiding Judges Conference, Bruce Adelson, former attorney with the U.S. Department of Justice, will discuss compliance with Title VI and federal requirements for providing language access. AOC staff will also present information on efforts to assist courts with their language access plans and other language access efforts.
- In January, there will be a presentation on working with court interpreters at the Judicial College, which is attended by all newly appointed/elected judges.

In 2009, more efforts should be made to educate court staff and mangers on interpreter matters. There should be a better working knowledge of interpreter ethics, simultaneous interpreting equipment, hiring practices, etc.

b. Ad Hoc Bylaws Committee

At its previous meeting the Commission formed an ad hoc committee to create bylaws regarding the new staggered term structure. The members of this committee are Frank Maiocco, Judge Dennis Yule, and Theresa Smith. They prepared a draft, and the Commission discussed it at length. Through discussion, many edits were made to the document. With those edits, the Commission approved and passed the language. The final draft is labeled as Appendix A. The Commission addressed the following issues in their discussion:

- References to "Supreme Court Member" will be changed to read "Appellate Court Member" to be consistent with Rule 11.
- "Ethnic Commission" will be changed to "Ethnic Organization." Similarly, we should recruit an ethnic organization member by notifying more organizations beyond the three state ethnic commissions. (Note: to date the three state ethnic commissions have not yet nominated a new representative to the Interpreter Commission.)
- "SCJA Representative" and "DMCJA Representative" will be changed to "Superior Court Representative" and "District and Municipal Court Representative." Rule 11 does not proscribe that these members must be members of the judicial associations.
- The term dates were corrected.
- The ASL Liaison is not a voting member of the Commission, and therefore should not be subject to structured terms and term limits.
- Term limits shall apply to all voting members with the exception of the Appellate Court member and the AOC representative.
- Members who miss three successive meetings without a reasonable excuse will be deemed to have resigned from the Commission.
- The interpreter members, attorney members, superior court representative and district and municipal court representative shall be selected and appointed by the Supreme Court. While their respective associations may make recommendations, and those recommendations will be taken into consideration, the Supreme Court makes the ultimate decision on who will be selected for those positions.

III. Update on Translation of State Forms

State forms have been translated by the Northwest Justice Project, and the translators, editors, and reviewers met the requirements approved by the Commission. There were changes made to the English versions of those forms in July, and those changes have now been adapted to the translated versions. Those forms are currently posted on the AOC website.

King County Superior Court has translated state forms per the Commission's protocol, but is still in the process of translating/editing/reviewing the edits made to the forms in July. Once completed, they will be posted to the AOC website.

All translated state forms are written in a bilingual format – they include both the original English text, along with the translated text. The forms also instruct the users to complete them in English.

IV. Interpreter Testing and Training Update

a. Newly Registered Interpreters

On August 11, 2008, the AOC graduated 20 registered interpreters representing the following languages: Bulgarian, Bosnian/Croatian/Serbian, Dutch, Farsi, French, German, Hebrew, Hindi, Indonesian, Japanese, Portuguese, Punjabi, Samoan, Tagalog and Urdu.

A modification for this group's accreditation was increasing the time spent at the final training from three hours to one full day. This daylong class included ethics, courtroom protocol, and the three modes of interpretation.

b. Oral Certification Exam Workshop and Testing Update

In August, an oral exam preparation workshop was held at Bellevue Community College. While this class only had 14 participants last year, this year 50 candidates registered. This is a language-neutral, two-day training workshop.

The oral certification exam was administered September 6-7, 2008. There were 6 Arabic candidates, 2 Cantonese, 12 Korean, 7 Mandarin, 9 Russian, 49 Spanish, and 3 Vietnamese.

Next year the Court Interpreter Program will offer more exam preparation courses, and all Spanish workshops will take place in Central Washington.

There is a need for the Court Interpreter Program to do better advertisement of its testing and training, particularly for Spanish in Central/Eastern Washington.

c. Modifications to the Written Exam

At our June meeting, the Commission discussed concerns regarding some questions and answers in the legal portion of the written exam. The Technical Committee of the Consortium for State Court Interpreter Certification has discussed the concerns raised by Washington, and modified those questions/answers. The modifications have been reviewed by Judge Yule, Judge Mamiya, and Katrin, and the modified questions/answers are an improvement. Additional feedback and comments have been sent to the Technical Committee for further work.

d. Proposed Changes to the Policy Manual

The Commission discussed and adopted changes to the testing and training sections of the interpreter policy manual. Those changes are outlined below:

1. Testing Certified: Appendix B

Three modifications were made to this section, and are identified by underline and strikeout in Appendix B. First, in the section entitled "Testing" (page 11), an additional paragraph was made to "Written Examination." Currently, passing scores for the written examination are valid without an expiration date. The Commission approved to limit the ripeness period of a passing score to three years. Therefore, any candidate who does not pass the oral exam within three years of passing the written exam will not be eligible to re-take the oral exam unless he/she retakes and passes the written exam.

Second, in the section entitled "Retaking of Oral Exam…" (page 11) the words "in May" and "in September" were eliminated, so that the AOC has more flexibility with its testing dates.

Finally, the last part on reciprocity (page 12) was removed from this policy section.

2. Final Accreditation Certified: Appendix C

Four modifications were made to this section, and are identified by underline and strikeout in Appendix C. First, the section title (page 13) was changed from "Final Accreditation" to "Certified Accreditation" so that it can include all steps necessary for certification status.

Second, attendance at a mandatory one-day orientation program has been added (page 13) as a requirement for the certification process. This course will be offered to those candidates who have already passed the written exam. The purpose of this course is to provide candidates with clear information about the profession of court interpreting, the court's expectations of court interpreters, the oral certification exam, and ways to develop and improve interpreting skills in the three main modes – consecutive, simultaneous and sight translation.

Note: As previously mentioned, candidates who fail to pass the oral exam within three years of passing the written exam will be required to re-take the written exam. Similarly, candidates who must re-take the written exam for that purpose will also be required to attend this orientation course, even if they have attended it before.

Third, in the part entitled "ID Badge" (page 13) the language "For identification purposes…. vertical orientation" was removed, as this option was not available by the vendor that produces the badges.

Finally, the language regarding reciprocity (page 14) which formerly resided in the testing section has been added to this section.

3. Testing Registered: Appendix D

Two modifications were made to this section, and are identified by underline and strikeout in Appendix D. First, in the part entitled "National Center For… Certification," (page 16) the following sentence was removed: "The Consortium is responsible for tracking which version of the examinations are given to testing candidates, and when." Registered interpreters take the written exam from the Consortium, not the oral exam. And, the Consortium only tracks this information for oral exam candidates.

Secondly, the part entitled "Reciprocity with Other States" (page 16) was removed from this section.

4. Final Accreditation Registered: Appendix E

Four modifications were made to this section, and are identified by underline and strikeout in Appendix E. First, the section title (page 17) was changed from "Final Accreditation" to "Registered Accreditation" so that it can include all steps necessary for registered status.

Second, attendance at a mandatory one-day orientation program has been added as a requirement for the certification process (page 17). This course will be offered to those candidates who have already passed the written exam. The purpose of this course is to provide candidates with clear information about the profession of court interpreting, the court's expectations of court interpreters, and ways to develop and improve interpreting skills in the three main modes – consecutive, simultaneous and sight translation.

Third, in the part entitled "ID Badge" (page 17) the language "For identification purposes…. horizontal orientation" was removed as this option was not available by the vendor that produces the badges.

Finally, the language regarding reciprocity (page 18) which formerly resided in the section on testing has been added to this section. Also, that language was modified to allow for reciprocity of registered interpreters, to be determined on a case-by-case basis by the Issues Committee.

V. AOC Interpreter Program

a. Update: State Funding, LAPs, Legislation

The Supreme Court has decided to request $1.2 million in additional funding for reimbursement of trial court interpreter expenses. The Supreme Court will revisit this request in November, when more information is available about the budget forecast.

Karina Pugachenok is actively working with trial courts around the state to assist them in developing and implementing their Language Assistance Plans. Currently “I Speak” cards and multi-lingual posters are being distributed to court administrators statewide.

b. Efforts to Develop a Pool of Sign Language Court Interpreters
There is a need to identify a pool of sign language court interpreters who have the requisite skills and experience. Katrin has begun collaborating with Theresa Smith and the Office of Deaf and Hard of Hearing Services on some early steps, including the development of a survey, which will be distributed to certified sign language interpreters statewide.

c. Consortium for State Court Interpreter Certification Annual Meeting
Katrin will be attending the Consortium’s annual meeting in Philadelphia October 19-22, and will provide a report to the Commission at its next meeting.

VI. Discuss Future Meeting Dates

There will be no further Commission meetings in calendar year 2008. Members will communicate via email to select meeting dates in 2009.

Judge Dennis Yule was given a commemorative gift for his years of service and dedication on the Interpreter Commission. He is retiring this year, and Judge Sypolt of Spokane Superior Court will replace him as the Superior Court Representative.

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.

Appendix B

Testing Certified

TESTING AUTHORITY

The Administrative Office of the Courts (AOC) was mandated by the Legislature July 1, 1990, to administer a comprehensive testing and certification program for language-spoken interpreters (RCW 2.43.070). Specifically related to testing, the statute requires the AOC to:

> Establish and adopt standards of proficiency (written and oral) in English and the languages to be interpreted;
>
> Conduct periodic examinations to ensure the availability of certified interpreters. Periodic examinations shall be made readily available in both eastern and western Washington locations;
>
> Compile, maintain and disseminate a current list of interpreters certified by the AOC; and
>
> The AOC may charge reasonable fees for testing and certification.

NATIONAL CENTER FOR STATE COURTS; CONSORTIUM FOR STATE COURT INTERPRETER CERTIFICATION

The AOC joined forces with Minnesota, New Jersey, and Oregon to create the Consortium for State Court Interpreter Certification (The Consortium). The Consortium operates under the direction and is staffed by the National Center for State Courts (NCSC), located in Virginia.

The Consortium addresses resource shortages that impede efforts by state courts to define and implement standards for interpreting proficiency. The Consortium was created in July 1995 as a way to provide for and regulate exchange of existing court interpreter proficiency tests and to develop new tests. It is a mechanism through which funds from several sources can be combined to achieve economies of scale across jurisdictional and organizational boundaries that would otherwise be impossible. To date, there are 40 Consortium member states.

The functions of the Consortium are:

> to regulate court interpretation, test development and reliability for test construction,
>
> test administration standards,
>
> provide testing materials, and
>
> facilitate information sharing among member states, and act as a repository for test versions and candidate tracking.

The Washington State Court Interpreter Program exclusively uses Consortium approved written and oral examinations. The program also contracts with the Consortium to coordinate a language-specific rating for the oral examination. The Consortium is responsible for tracking what versions of the examinations are given to testing candidates, and when.

TESTING

(1) Written Examination. The written exam is a general English proficiency exam and consists of two sections. The first section contains 135 questions in multiple-choice format and includes questions related to legal terminology, English aptitude, and court interpreter ethics. Section one of the written exam is scored via SCANTRON. Section two requires translation of 10 passages from English into the target language. The translation section of the written exam is rated by linguistic professionals. A test candidate must pass both the multiple-choice section and the translation section with a score of 80% or better to be eligible to take the oral examination.

Passing the written examination is a prerequisite to sitting for the oral examination. However, a passing score of the written examination shall only be valid for three years. If a candidate passes the written examination, yet fails to pass the oral examination within three years of the written examination date, the candidate must re-take the written examination in order to be eligible for future oral examinations.

(2) Oral Examination. The oral exam consists of simultaneous, consecutive, and sight translation interpretation exercises. The entire oral exam is audio taped and sent to the Consortium to coordinate rating. Linguistic professionals, hired by the Consortium, conduct rating. The test candidate must pass each section with a score of at least 70% or better.

In no case shall a person be allowed to take the same oral test version more than once within a 12-month period.

RETAKING OF ORAL EXAM WITHIN THE SAME CALENDAR YEAR

Because testing is a primary goal stated via statute for the AOC, the complete cycle of exams will be offered at least one time per calendar year. The annual schedule includes the written exam ~~in May~~ and the oral exam ~~in September~~. Based on the results of the oral exam in September, the AOC may sponsor another oral exam in the spring. The additional oral exam offering is by invitation only. Invitations to retake the exam will be extended to test candidates who passed two of the three sections and failed the remaining section with a score of at least 65%. The AOC's ability to offer the spring exam may be impacted by the availability of test versions and the number of eligible candidates. The testing schedule may be limited by the interpreter budget and may be altered at the sole discretion of the AOC program manager.

Testing fees vary annually and are based on various factors. Testing fees are determined by the AOC (influenced by fees charged by the agency hosting the test).

Those who do not pass the oral exam who are not invited to retake the exam pursuant to this section may still be eligible to retake the exam in future years, subject to AOC standards on frequency of testing and exam versions available.

APPEAL PROCESS FOR RESCORING OF ORAL EXAM

Any candidate that takes the oral certification exam and passes two sections but fails the third, may submit a request for re-score.

A candidate must submit a request for re-scoring to the AOC in writing within 40 days after AOC sends the results of the exam via US mail. Any requests received after 40 days will be denied. In the event that a candidate's request for rescore is approved, he/she will be responsible for paying the cost associated with the rescore (to be determined).

The written appeal will be (1) forwarded to the Issues Committee for review and a decision on whether or not to allow rescoring (2) forwarded to the Consortium for their consideration in developing future examinations, and (3) shared with the Commission at the next quarterly meeting.

Any decision to re-score the exam is at the sole discretion of the Issues Committee based on specific allegations of fundamental errors in the methodology used in evaluating or scoring the exam by the requesting party (test candidate).

~~**RECIPROCITY**~~

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

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

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

Appendix C

~~Final Accreditation~~ Certified Accreditation

Candidates~~, who pass both the written exam and oral exam,~~ must complete the following before receiving accreditation as a certified court interpreter:

1. Pass the written examination administered by the Administrative Office of the Courts with a score of 80% or better.

2. Attend a one-day orientation program sponsored by the Administrative Office of the Courts.

3. Pass the oral examination administered by the Administrative Office of the Courts with a score of at least 70% in each section.

4. Submit a completed fingerprint card (available from law enforcement) and application fee to the AOC. (The AOC will submit the fingerprint card to the Washington State Patrol for processing.)

5. Attend a mandatory class ~~on the Introduction to Court Interpreting.~~ sponsored by the Administrative Office of the Courts on topics which include, but are not limited to: courtroom protocol, interpreter ethics, and legal terminology and procedure.

6. Execute the Oath of Interpreter.

7. Obtain interpreter ID badge for court proceedings.

Criminal Background Check

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

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

ID Badge

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

~~For identification purposes, certified interpreters will have a horizontal orientation to their badge; where as registered interpreters will have a vertical orientation.~~ Interpreters should wear their badge whenever serving as court interpreters and judicial officers are encouraged

to check for the interpreter's badge prior to any court proceeding. In the event of a lost badge, replacement badges can be ordered at the interpreter's expense.

RECIPROCITY

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

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

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

Appendix D

Testing Registered

TESTING AUTHORITY

The Administrative Office of the Courts (AOC) was mandated by the Legislature on July 1, 1990, to administer a comprehensive testing and certification program for spoken language interpreters utilized in court proceedings (RCW 2.43.070). Specifically related to testing, the stature requires the AOC to:

- Establish and adopt standards of proficiency (written and oral) in English and the languages to be interpreted;
- Conduct periodic examinations to ensure the availability of certified interpreters. Periodic examinations shall be made readily available in both eastern and western Washington locations;
- Compile, maintain, and disseminate a current list of interpreters certified by the AOC; and
- The AOC may charge reasonable fees for testing and certification.

Note: These same provisions will apply to the registered category.

In 2005, the legislature appropriated funding for creation of the category of registered interpreters. The AOC and Court Interpreter Commission have established a program for testing and registration of interpreters in languages for which certification is not available.

NATIONAL CENTER FOR STATE COURTS CONSORTIUM FOR STATE COURT INTERPRETER CERTIFICATION

The AOC joined forces with Minnesota, New Jersey, and Oregon to create the Consortium for State Court Interpreter Certification (The Consortium). The Consortium operates under the direction of, and is staffed by, the National Center for State Courts (NCSC), located in Virginia.

The Consortium addresses resource shortages that impede efforts by state courts to define and implement standards for interpreting proficiency. The Consortium was created in July 1995 as a way to provide for and regulate exchange of existing court interpreter proficiency tests and to develop new tests. It is a mechanism through which funds from several sources can be combined to achieve economies of scale across jurisdictional and organizational boundaries that would otherwise be impossible. To date, there are 35 Consortium member states.

The functions of the Consortium are to:

regulate court interpretation test development and reliability of test construction,

test administration standards,

provide testing materials, and

facilitate information sharing among member states, and act as a repository for test versions and candidate tracking.

The Washington State Court Interpreter Program exclusively uses Consortium approved written examinations. ~~The Consortium is responsible for tracking what versions of the examinations are given to testing candidates, and when.~~

TESTING

(1) Written Examination. The written exam is a general English proficiency exam and consists of 135 questions in multiple-choice format that includes questions related to legal terminology, English aptitude, and court interpreter ethics. The exam is scored via SCANTRON. A test candidate must pass the written exam with a score of 80% or better to be eligible to take the Oral Proficiency Interview. The written exam will be offered at a minimum of one time per calendar year.

(2) Oral Proficiency Interview (OPI): Individuals who pass the written exam are eligible to take the Oral Proficiency Interview (OPI), which is conducted by Language Testing International (LTI). This is a 20-30 minute telephonic interview between a tester who is certified by the American Council for the Teaching of Foreign Languages (ACTFL) and the interpreter. The interview measures how well the interpreter speaks the language in which he/she is attempting to become registered. The fee is $143, plus the cost of the telephone call. The Court Interpreter Program has set the minimum proficiency level at Superior. A superior rating reflects the ability to communicate in the target language with accuracy and fluency in order to participate fully and effectively in conversations on a variety of topics in formal and informal settings from both concrete and abstract perspectives. The interpreter must receive a Superior rating in order to become a Washington State Registered Court Interpreter.

~~**RECIPROCITY WITH OTHER STATES**~~

~~Washington State does not recognize certification or registration from other states, including other Consortium states or from federal courts.~~

Appendix E

~~Final Accreditation~~ Registered Accreditation

Candidates~~, who pass both the written exam and oral proficiency interview,~~ must complete the following before receiving accreditation as a registered court interpreter:

1. Pass the written examination administered by the Administrative Office of the Courts with a score of 80% or better.

2. Attend a one-day orientation program sponsored by the Administrative Office of the Courts.

3. Pass a language proficiency examination, administered by the Administrative Office of the Courts.

4. Submit a completed fingerprint card (available from law enforcement agencies) and application fee to the AOC. (The AOC will submit the fingerprint card to the Washington State Patrol for processing.)

5. Attend a mandatory class on the Introduction to Court Interpreting.

6. Execute the Oath of Interpreter.

7. Obtain interpreter ID badge for court proceedings.

Criminal Background Check

A criminal background check will be conducted for each person who complies with the foregoing final requirements. A misdemeanor, gross misdemeanor or felony conviction may be grounds for denial of registration of a candidate. A candidate's history of criminal convictions will be reviewed by the Issues Committee of the Commission, which will consider the relevance of the criminal history to the profession of court interpreting, the period of time since the conviction date(s) and any evidence of rehabilitation submitted by the candidate. Based upon its review, the Committee will decide whether to grant or deny the registration status. If the Committee denies registration based upon a candidate's criminal history, the candidate may appeal the Committee's decision to the entire Commission by filing a written appeal with the AOC within 40 calendar days of the date of the Committee's decision. The Commission shall hear the appeal solely on the written information in the candidate's application file, including information submitted by the candidate, unless, in the Commission's sole discretion, it permits the candidate to file additional written information. The Commission shall issue a written decision on the candidate's appeal.

ID Badge

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

~~For identification purposes, registered interpreters will have a vertical orientation to their badge; whereas certified interpreters will have a horizontal orientation.~~ Interpreters should wear their badge whenever serving as court interpreters and judicial officers are encouraged to check for the interpreter's badge prior to any court proceeding. In the event of a lost badge, replacement badges can be ordered at the interpreter's expense.

Reciprocity with Other States

Reciprocity with other states for interpreters as the registered designation will be determined on a case-by-case basis, by the Issues Committee of the Interpreter Commission.