WASHINGTON COURTS	**Interpreter Commission** **Friday, October 28, 2011 (9:00 a.m. – 11:00 a.m.)** **AOC SeaTac Facility** SeaTac, WA

MEETING MINUTES

Members Present:
Justice Susan Owens
Leticia Camacho
Dirk Marler
Sam Mattix
Mike McElroy
Steve Muzik
Judge James Riehl

Phone:
Kristi Cruz
Frank Maiocco

Guests Present:
Kenneth Barger
Jeffrey Camp
Jonathan Camp
Nate Mattix
Eduardo Zaldibar

AOC Staff:
Katrin Johnson

The meeting was called to order by Justice Owens.

July 29, 2011 Meeting Minutes

> **It was moved and seconded to approve the July 29, 2011 meeting minutes. The motion carried.**

BJA Discussion on Pursuing Legislative Changes

The Board for Judicial Administration (BJA) discussed whether to pursue legislation requiring all courts to pay interpreter costs in all civil matters. Due to the current budget situation, the request was not approved. The BJA agreed that in principal, it's the right thing to do, but the timing isn't right because of the current economic situation. The BJA suggested that the Interpreter Commission propose a BJA resolution supporting the payment of interpreter costs in all civil cases.

> **It was moved and seconded that the Interpreter Commission draft a resolution for the BJA supporting the payment of interpreter costs in all civil cases. The motion passed 8 to 1.**

An ad-hoc committee of Leticia Camacho, Kristi Cruz, and Judge Riehl will work on drafting the resolution. Katrin will provide the ad-hoc committee with the information detailing the BJA resolution process. If it becomes too difficult to pursue the BJA resolution, the Commission may consider adopting its own resolution.

Follow Up on Walla Walla Letter

The Commission received a response from the Walla Walla Superior Court regarding the complaint over interpreter services. The Commission discussed their appreciation for the public contacting them about the concern, and appreciation for the Court in responding effectively. The Commission hopes that others continue to bring forward their concerns in the future.

Vendor Demonstration of Online Interpreter Scheduling

Eduardo Zaldibar, a court certified Spanish interpreter and President of 1Lingua, gave the Commission a demonstration of his company's interpreter scheduling system. The web-based interpreter scheduling/management system is designed to reduce the amount of staff time involved in procuring interpreter services, reduce costs by finding the most closely located independent-contracting interpreters, while still ensuring that the most highly qualified interpreters receive job announcements. The system also provides pre-recorded courtesy phone calls to parties in their language, reminding them of the upcoming court date. The product is currently being piloted at Tukwila Municipal Court.

Draft Interpreter Disciplinary Rules

Kenneth Barger, representing the Washington State Court Interpreters and Translators Society (WITS) discussed some concerns he and fellow interpreters share regarding the drafted disciplinary rules being considered by the Commission. Concerns were discussed regarding several items, such as the definition of "Gross Incompetence," jurisdiction over non-credentialed interpreters, setting a statute of limitations, frivolous grievances, and the fees interpreters may be charged when being the subject of a disciplinary grievance.

Action Item: The Disciplinary Committee was asked to meet with Mr. Barger and the interpreter representatives of the Commission to discuss these concerns, and bring their recommendations to the February Commission meeting.

Issues Committee Report

Code of Conduct: At the recent WASCLA conference, there was concern brought up about the limiting scope of the Code of Conduct for Court Interpreters. Court interpreters are applying it in ways that don't reflect the actual language of the Code. Since it has been in effect for 24 years, it may be timely to look at it closely again, compare with codes from other states, and determine whether a new code should be proposed. No action today, the Issues Committee will work on the issue over upcoming months.

California Oral Exams: A report was published that compares the content and structure of the Consortium oral exam with the California court interpreter oral exam. The report concluded that the two exams measure the same linguistic and skill aspects, and require comparable levels for passing purposes. The Issues Committee recommends that the Commission allow passing of the California court interpreter oral exam to be approved for exam reciprocity purposes.

> **It was moved and seconded to amend the program policies to permit oral exam reciprocity to the California oral exams.**

Exploration of New Qualification Tier: The Issues Committee has recently explored the possibility of developing a new qualification tier for interpreters of certifiable languages, particularly for languages other than Spanish. In languages for which there is an insufficient number of certified interpreters, courts often rely on the services of non-certified interpreters because certified interpreters are unavailable. However, courts have no awareness of these individuals' skill level. The Committee is looking at the possibility of establishing a new qualification tier below certification, where candidates meet all certification requirements, with the exception that they score slightly lower on the oral exam. This new tier would not be held to the same level as certification, and these interpreters would not receive preference over certified interpreters, but rather would be identified as the "next best" alternative when certified interpreters are unavailable. No formal recommendation was made but the Committee wanted feedback from the Commission as to whether they should continue pursuing this.

Members stated that they are not in support of establishing such a new qualification tier. There is already a procedure for qualifying non-certified interpreters, and there is a risk that courts may value certification less if the Commission provides an endorsement to a lower qualification level. The Issues Committee will not pursue this matter further.

AOC Court Interpreter Program Update

Video Remote Interpreting (VRI) Pilot Project: In the cost analysis of the Grant County pilot project, it was found that if the court requires active interpreting for fewer than 20 minutes, it is cost effective to utilize VRI. Alternatively, if interpreting is needed for more time, it is cost effective to pay $50/hour and a 2-hour minimum. Since Grant County has a high volume of Spanish cases, and interpreter usage almost invariably exceeds 20 minutes per calendar, it was found to be cost prohibitive to continue with VRI at this time. The AOC is looking to test out the system in Thurston County, for purposes of trying different hardware models.

Testing/Training Updates: Certification testing occurred in September, and results for different languages are trickling in at different speeds. Among results collected so far is Arabic, and Washington has its first state certified Arabic interpreter. Full testing results will be available at the next meeting.

Reimbursement: Funding was continued in state fiscal year 2012 for interpreter reimbursement, at the same level as fiscal year 2011. Funding allocations were determined based on actual need as demonstrated by data submitted to the AOC. A quick demonstration was given of the online system used by courts to submit data to the AOC.

Other Business:
The 2012 meeting dates were distributed. All meetings will occur 9:00 a.m. – noon, and will be held at the AOC facility in SeaTac. Next meeting is February 10, 2012.

Recap of Motions:

Motion Summary	**Status**
Approval of July Meeting Minutes	Passed
Draft a resolution for proposal to the BJA regarding payment of interpreter costs in civil cases.	Passed
Include passage of the California court interpreter oral exam in Washington's reciprocity policy.	Passed