



Washington State Supreme Court Interpreter Commission

2016
Annual Report

Contacts:

Robert Lichtenberg
Interpreter Commission
Robert.Lichtenberg@courts.wa.gov
(360) 750-5373

James Wells
Interpreter Program
James.Wells@courts.wa.gov
(360) 704-5279

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Statement from the Chair

Diversity in the State of Washington has grown steadily since the creation of the Court Interpreter Commission. We remain one of the top states in the number of refugee resettlements, and with this rich diversity comes many voices and cultures. It is crucial to the functioning of our justice system that we ensure meaningful language access to everyone. The Commission members and the Court Interpreter Program staff have worked hard to keep the promise that we are all equal before the law, by promoting the delivery of language access services statewide. We look forward to continuing our work recruiting, training and supporting interpreters, and implementing language access plans in local courts across the state.

Justice Steve González, Washington State Supreme Court

History and Mission

The Washington State Supreme Court Interpreter Commission was created in 1995 to establish guidelines for the use of spoken language interpreters in court proceedings and services.

The Mission of the Commission is 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. The Commission serves as a policy making and advisory body to the Washington Courts, including the Administrative Office of the Courts (AOC) concerning court interpreters and language assistance in general. The Commission sets policy for the courts' use of language assistance services such as interpreters and document translation efforts. It also sets policy for the AOC's Court Interpreter Program, which is responsible for interpreter certification, registration, testing, continuing education, training, and discipline.

The Commission is also responsible for strategic planning efforts to provide language access resources to the courts by assisting with program implementation and engaging policy makers on matters involving legislative funding and support. The Commission provides guidance on program development involving educational institutions and collaborative efforts with other language access stakeholder groups to provide resources supporting court interpreting in Washington.

Washington State Interpreter Commission 2016 Commission Members

The Washington State Supreme Court appoints the members of the Commission, including designating the chair of the Commission. There are currently 14 members on the Commission. To ensure that a wide range of viewpoints are available to the Commission, members come from a variety of representational groups that have key roles and stakes in the delivery of language access services: three judicial officers, two interpreters, two court administrators, one court interpreter organization or user group representative, two attorneys, three members of the public, one representative of an ethnic organization and one AOC representative.

Justice Steven C. González, Chair
Washington Supreme Court

Lynne Lumsden
Sign Language Interpreter Representative

Dirk Marler
Administrative Office of the Courts
AOC Representative

Alma Zuniga
Northwest Justice Project
Attorney Representative

Judge Andrea Beall
Puyallup Municipal Court
District and Municipal Court Representative

Eileen Farley
Northwest Defenders Association
Ethnic Organization Representative

Judge Theresa Doyle
King County Superior Court
Superior Court Representative

Fona Sugg
Chelan County Superior Court
Superior Court Administrator Representative

Katrin Johnson
Washington State Office of Public Defense
Public Member Representative

LaTricia Kinlow
Tukwila Municipal Court
District and Municipal Court Administrator Representative

Thea Jennings
Washington State Bar Association
Public Member Representative

Francis Adewale
Spokane City Office of the Public Defender
Public Defense Organization Representative

Linda Noble
Interpreter Representative

Maria Luisa Gracia Camón
Interpreter Representative

(Vacancy)
Language Community Member Representative

Our Work

Commission members serve on one or more of the three standing committees that carry out the work of the Commission. The standing committees are the **Issues Committee**, the **Education Committee**, and the **Disciplinary Committee**.

Issues Committee

Covers topics directly related to the Court Interpreter Program, including participating in collaborative groups to develop statewide practices. It is the first group to review new requests or projects that come to the Commission. The Issues Committee also looks at issues, complaints, and requests from interpreters. The Issues Committee can also refer matters to the Disciplinary or Education Committee.

The Issues Committee reviewed and provided guidance on the following matters:

- Approved new language to GR 11.1 regarding the composition of the Commission membership, which added three new positions to the Commission and approved GR 11.2 language clarifying that court interpreters are officers of the court.
- Created complaint forms to report rule violations of court interpreters.
- Moved the Portuguese language category from registered to certified.
- Recognized American Sign Language interpreters whom are credentialed by the Office of the Deaf and Hard of Hearing as being the credentialed equivalent of spoken language interpreters working in the certified language category.

Education Committee

Has as a primary assignment of the provision of educational opportunities, trainings, and resources for judicial officers and court staff working with interpreters.

The Education Committee was actively engaged in the following areas:

- Provided training to Pro-Tem Judges regarding working with spoken and sign language interpreters in judicial proceedings.
- Sponsored training to newly-appointed judicial officers at the annual Judicial College and to new local court staff at the Institute for New Court Employees regarding the work of the Commission, statutory obligations for interpreter services, best practices, and where to find interpreter resources.
- Provided sponsorship for the Washington State Coalition for Language Access (WASCLA) conference and organized a presentation related to forensic interviewing of child abuse victims when a LEP or ASL interpreter is involved. Provided guidance to interpreters on how to work properly in such kinds of structured interview settings.

- Supported workshops that were the result of a partnership between the Washington State Supreme Court Gender & Justice Commission, the Interpreter Commission, and the Asian Pacific Institute on Gender-Based Violence. The half day, multi-disciplinary workshop was led by a faculty team of experienced national experts who have pioneered work on interpreters and sexual violence issues in the courtroom and beyond. The interactive workshop provided attendees with the tools they needed to develop or enhance their knowledge and ability to work together on these complex and challenging cases.

Disciplinary Committee

Considers issues involving credentialed interpreters who fail to meet their continuing education credit requirements or their minimum court hours. It also acts on formal complaints made against any court interpreter for violations to the Code of Conduct. When necessary, the Disciplinary Committee can impose sanctions against interpreters who violate the code. The Disciplinary Committee conducted the following activities:

- Issued final decisions regarding interpreters who did not comply with biennial continuing education hour requirements. As a result, 10 interpreters were decertified.
- Authorized a settlement agreement requiring remedial training for an interpreter who admitted to interpreter misconduct under the Code.

Interpreter Commission Key Activities:

As the language needs of Washington citizens in the courts have grown over the ensuing years, the role of the Commission has broadened to address language matters conveyed by means other than speech. The Interpreter Commission initiated or completed the following key activities:

Public Forum — Mt. Vernon

On May 20, about 50 local community stakeholders, court staff, attorneys, and court services advocates attended the public forum. Comments involving access to court proceedings by non-signing persons who have hearing loss, languages of lesser diffusion, and the need for training resources for interpreters located in rural, less populated areas were received and discussed.

Legislation

Submitted a legislative bill request related to the statutory revision of RCW 2.43, language concerning civil case costs, and requested full funding of court interpreting costs. The Commission also submitted a legislative bill request to modify the oath-taking requirements for court interpreters.

Model Language Access Plan (LAP)

Developed an updated model language access plan. The updated language access plan was completed in August 2017 and is available on the Commission's website: [Language Access Plan](#).

Court Interpreter Reimbursement Program - Fiscal Year 2016

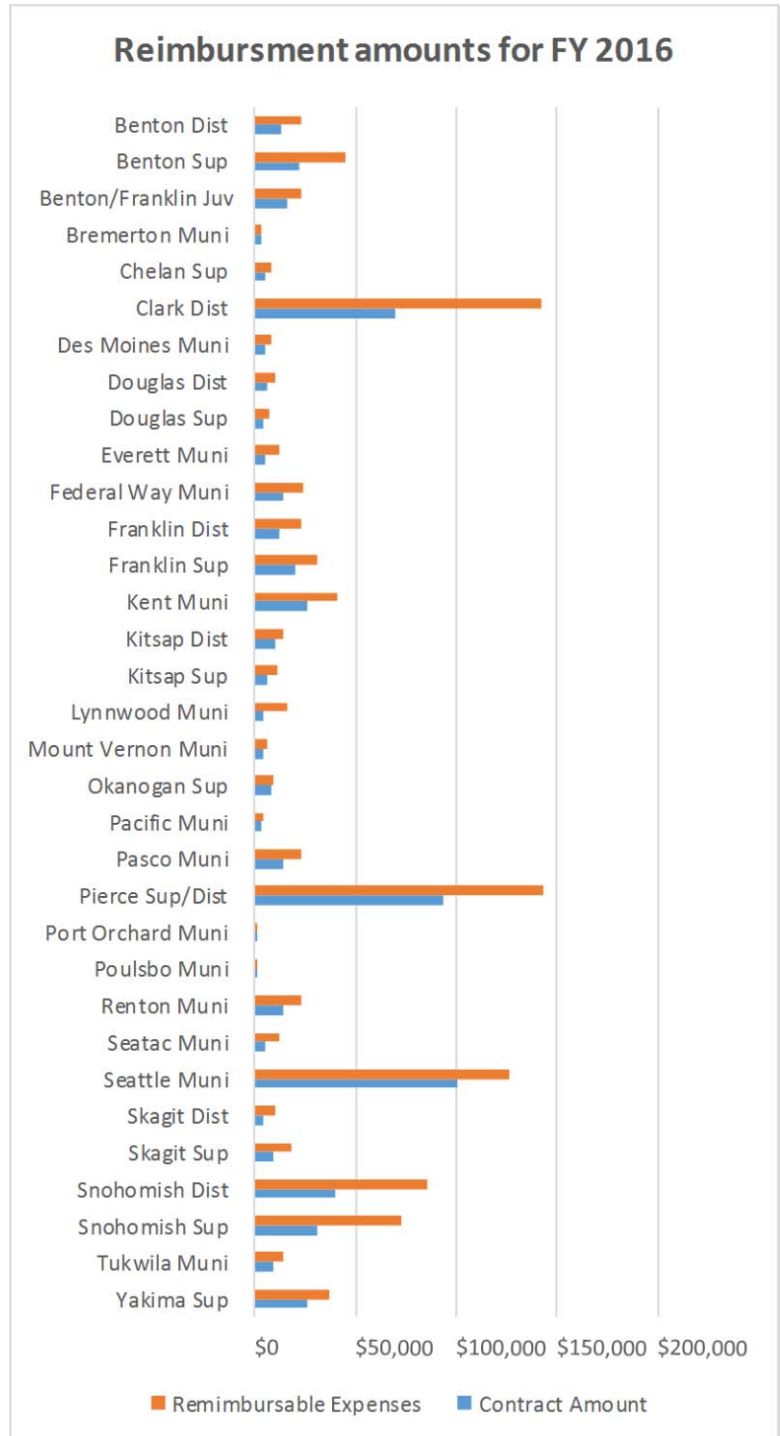
Program Overview

The Washington State Administrative Office of the Courts (AOC) contracts with 33 courts covering 41 jurisdictions across Washington to reimburse for some costs of hiring interpreters. Contracts are based on the fiscal year: July 1 to June 30. At the beginning of the fiscal year 2016, the AOC had \$610,501 available to partially reimburse courts for their interpreting expenses. The maximum amount available for each court varies and is based on their interpreter usage over the two previous years. For FY 2016 contracts ranged from \$374 to \$100,673.

In FY 2016, courts spent more money on interpreter expenses than the AOC had available for reimbursement, which is not unusual. The graph to the right compares the amount of money that courts were reimbursed (*Contract Amount*) to the amount of money the courts would have been reimbursed if their contracts were not limited (*Reimbursable Expenses*).

Two courts the AOC contracts with handle the reimbursement funds for other jurisdictions in that region. Clark County Superior Court covers six jurisdictions while Yakima County Superior Court covers three jurisdictions. Jurisdictions receiving funds from the reimbursement program, are found at several levels:

- 11 Superior
- 9 District
- 18 Municipal
- 3 Juvenile



Interpreting Data Summary

Data Reporting

Participating courts send an invoice, electronic data, and an annual report to the AOC. The electronic data provides detailed information about each interpreting event, each time an interpreter is used. The data falls into several categories, which are listed on the right.

Interpreter Credentials

The AOC generally only reimburses courts for the costs of ASL interpreters or spoken language interpreters that are credentialed by the AOC. However, the AOC also reimburses for interpreters in languages where there are no existing credentialed interpreters.

Electronic Data Categories
· Interpreter Credentials
· Language
· Type of Event
· Date of Service
· Case Type
· Hearing Type
· Billed Time and Hourly Rate
· Mileage (if applicable)

Hours per Language	
Language	Hours
Spanish	28831
Russian	2778
Vietnamese	2098
ASL	1431
Chuukese	1348

Language

Courts reported using interpreters for 96 different languages in FY 2016. Courts vary in the diversity of languages they needed interpreters for, ranging from 1 language (Spanish for some Eastern WA courts) to 56 languages (Seattle Municipal). Courts usually pay interpreters at an hourly rate for in-person interpreting. The table at the left shows the languages that courts recorded the most number of hours for.

Type of Event

Most interpreting is done in person by interpreters who work freelance. Thirteen courts have a Spanish interpreter on their staff and three courts contract with specific interpreters. Many courts also use interpreters on the phone when appropriate.

Interpreter Pay Rates

For qualified interpreters who are paid an hourly rate, the AOC reimburses courts for up to 50 percent of that rate up to a maximum of \$25 per hour. The AOC may also reimburse for mileage or travel time. Each court individually decides how much to compensate interpreters, although some courts take part in a joint compensation policy. Rates are sometimes negotiated between the courts and each interpreter. Rates can vary because of a number of factors, including the language needed, location of the courts, and credentials of the interpreter.

Languages Most Commonly Requested
Spanish
Russian
Vietnamese
ASL
Korean

Certified and Registered Languages

The AOC offers credentials in 14 certified languages and over 80 registered languages. However, there are not credentialed interpreters available in all languages. Certified or registered interpreters are available in the following languages:

Certified Languages	Registered Languages	
Arabic	Albanian	Korean
Bosnian/Croatian/Serbian	Amharic	Kurdish-Kurmanji
Cantonese	Burmese	Polish
French	Czech	Portuguese
Khmer (Cambodian)	Dutch	Punjabi
Laotian	Farsi	Romanian
Mandarin	German	Samoan
Russian	Hebrew	Somali
Spanish	Haitian Creole	Swahili
Tagalog	Hindi	Tagalog*
Vietnamese	Hungarian	Thai
	Indonesian	Tigrinya
	Ilocano	Turkish
	Italian	Ukrainian
	Japanese	Urdu
11 Languages	30 Languages	

**Tagalog is transitioning from a registered to a certified language, so there are currently interpreters in both categories.*

Court Interpreter Program Updates

The Court Interpreter Program is responsible for the credentialing of court interpreters in Washington State. Each year begins a new cycle of testing end education classes that includes written and oral exams.

Written Exam

In February we administered the court interpreter written exam. The exam is used by most states and created by the National Center for State Courts. The exam was offered in two locations, Bellevue and Moses Lake. This year a total of 173 people took the exam with a pass rate of 30% (52 passed).

Oral Exam

Oral exams for registered languages took place in the summer and fall. Six candidates took exams in the following languages: Czech, German, Lithuanian, Romanian, Samoan, and Ukrainian.

The oral exams for certified languages took place in October and November. There were 51 test candidates in 8 languages. This was the first year that we administered the certified Portuguese exam.

Newly Credentialed Interpreters

This year, 13 new interpreters received their credentials. This includes Washington's first registered Ilocano interpreter.

Overall nine 9 interpreters passed the oral exams in 2016, with a pass rate of 18%. These interpreters receive their credentials at the next Ethics and Protocol class in 2017. See list to the right.

Newly Credentialed Interpreters	
Language	Number
Bosnian/Serbian/Croatian	1
Ilocano	1
Mandarin	1
Romanian	1
Spanish	9

Training Classes

Increasing the pool of interpreters for the courts is a priority for the Program. The exams are very challenging and only interpreters with the right combination of skills and experience are successful. To help interpreters prepare for the exams, we offered the following training classes in 2016:

- **Written Exam Preparation Course:** The written exam requires a very high proficiency in English some knowledge of court terminology and ethics. In 2016 we had our first two-day class, expanding on a one-day class from 2015.
- **Language Neutral Oral Exam Preparation:** This two-day class covered the fundamentals of court interpreting and how to improve interpreting skills. Augustin de la Mora, a well-known and highly-regarded interpreter and trainer, was the instructor. This class was open to all interpreters eligible to take the oral exam.
- **Language Specific Oral Exam Preparation:** This course included 40 hours of preparation over 4 weeks. Students had an opportunity to practice their skills and receive feedback from experienced court certified interpreters in their own languages. Classes were available for interpreters in Korean, Mandarin, and Spanish.

Status of Portuguese

Whether a language falls into the certified or registered category is primarily based on the type of oral exam that is available for that language. The oral exam for certified languages is a comprehensive interpreting test that is only available for a limited number of languages. In 2016, the Interpreter Commission moved Portuguese from a registered language to a certified language. Recently a certified oral exam for Portuguese became available prompting the change in status.



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