

# **WASHINGTON STATE SUPREME COURT INTERPRETER AND LANGUAGE ACCESS COMMISSION**

## **BYLAWS**

*Approved 2-10-2023*

### **PREAMBLE**

On September 1, 2005, the Washington Supreme Court established the Washington State Interpreter Commission by General Rule 11.1, and further amended the Rule on September 1, 2022 under Supreme Court Order No. 25700-A-1448. The Supreme Court charged the Commission to develop policies for the Interpreter Program and to provide courts with guidance on the translation of legal forms and documents in order to support the courts in providing equal access to justice and access to court services and programs for all individuals regardless of their ability to communicate in the English language. These bylaws have been promulgated by the Commission to provide an orderly framework for carrying out its mission.

### **ARTICLE I. Name of Commission**

**1.1** This Commission shall be known as the Washington State Court Interpreter and Language Access Commission (Commission).

### **ARTICLE II. Purpose**

**2.1** The mission of the Commission is to support the courts in providing equal access to justice and access to court services and programs for all individuals who are Deaf, Deaf-Blind or Hard of Hearing or have limited English proficiency.

**2.2** The Commission shall share information about its activities and projects with all levels of Washington State government, local governments, the court community, interpreter communities, and the public at large.

**2.3** The Commission shall serve 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 shall set policy for the AOC Court Interpreter Program, and carry out its functions as set in General Rule 11.1. The Commission is also responsible for strategic planning and working with educational institutions and other interpreter program stakeholder groups to develop resources to support court interpreting in Washington.

**2.4** The Commission shall exercise leadership in partnering with other organizations in addressing language access issues in the law and justice community.

**2.5** The Commission shall cooperate and coordinate with municipal, county, state, national and regional language access programs, networks, committees, task forces and commissions. The purpose of this cooperation is to develop effective language access programs and to research projects, to share ideas, and to develop policies that will ensure equal access to justice.

**2.6.** The Commission shall provide support for the AOC Court Interpreter Program and the language access needs of the courts, as well as advocate for sufficient funding to implement key components of language planning, programs and recommendations to ensure provision of language access services. The

Commission shall also have authority to promulgate provisions of the AOC Court Interpreter Program Policy Manual.

**2.7** The Commission shall engage in periodic strategic planning to evaluate its efforts and plan for implementation of its prioritized goals.

**2.8.** The Commission may also be tasked with other works by the Washington State Supreme Court and state legislature. Such tasks may include but are not limited to carrying out the work assigned by legal statute, resolving challenges to language access as they arise, and looking for ways to promote and enhance language access across the state.

### **ARTICLE III. Officers**

**3.1** The Supreme Court shall appoint a person with knowledge of court interpreting and language access best practices to serve as Commission Chair, who shall serve at the pleasure of the Supreme Court, subject to three-year terms without limit. The person shall count as one of the 20 Commission members.

**3.2** The Supreme Court shall appoint one of the remaining Commission Members as Co-Chair, who shall serve at the pleasure of the Court for the length of their representative term.

### **ARTICLE IV. Membership**

**4.1.** The Commission shall consist of no more than 20 members to be appointed by the Washington State Supreme Court. Members terms, transitions and procedures are as set out in Appendix A of these bylaws.

**4.2.** When vacancies occur on the Commission, the Commission Chair shall request the Supreme Court to appoint replacements. As described in Appendix A, selection of certain replacements will require a majority vote approval of the Commission.

**4.3** The Commission shall consider subject matter expert nominees for new members. The Commission will keep an eye to the continued racial, ethnic, gender, geographical, and professional diversity and balance of the Commission with particular emphasis on recruitment of individuals with knowledge and experience in providing and receiving interpreter services in Washington courts. The Commission may task a short-term recruitment subcommittee consisting of members of the Commission with the task of membership recruitment.

**4.4** The Commission is encouraged to involve students from Washington State law schools to participate in the work of the Commission, but who shall not have voting rights. In the event the Commission desires the involvement of such persons, the Commission Chair, upon majority approval, may appoint one law school student liaison per standing committee as recommended by the student's law school Dean.

**4.5** Attendance at meetings is expected. The Commission Chair, in consultation with standing committee chairs, may dismiss a member of the Commission due to the member's lack of attendance or inactivity on Commission business for a period of more than 90 days.

**4.6** Terms of membership on the Commission shall be maximum of two terms of three years. Terms should be staggered so that approximately one-third of the terms expire in any given calendar year. Members appointed to a full term may be reappointed only once to another full term without a break in service. Members appointed initially to a partial term may be reappointed only twice to full terms without a break in service. The Chair appointed by the Supreme Court may exceed the two-term limit.

**4.7** The break in service period shall be at least one year after the date of completion of two full terms by a member.

#### **ARTICLE V. Standing Committees**

**5.1** The Commission shall have four standing committees: Issues, Education, Disciplinary, and Translation.

**5.2.** The Commission Chair shall appoint a Chair for each standing committee, who shall serve at the pleasure of the Commission Chair.

**5.3** The Commission Chair shall appoint each member to at least one standing committee or, as the work of the Commission shall require, two standing committees. Chairs of each standing committee need not serve on more than one committee.

#### **ARTICLE VI. Ad Hoc Committees**

**6.1** The Commission and its committees may appoint an ad hoc committee, subcommittee, and/or taskforce to work on specific time-limited projects or assignments.

**6.2** The Commission may, as needed, establish a Priorities Committee which shall work to establish the priorities of the Commission for the forthcoming years.

**6.3** Commission and non-Commission members may serve on these committees, as directed by the Commission Chair.

#### **ARTICLE VII. Quorum and Majority Vote**

**7.1** A quorum shall consist of 50 percent or more members present at the commencement of the meeting. Vacancies shall not be considered. A member participating in a meeting by a remote means approved by the Commission shall be counted in the determination of the quorum.

**7.2** A majority vote of the Commission is required on all action items.

**7.3** On time-sensitive decisions, and in the absence of a quorum, absent Commission members will be contacted via email requesting their vote on the issue before the Commission. An agreement by a majority of the Commission membership shall entitle the Commission Chair to go forward with the approved decision.

**7.4** No proxy voting shall be allowed.

#### **ARTICLE VIII. Commission Meeting Procedure and Scheduling**

**8.1** Meetings may be conducted informally and Commission decisions may be made by consensus. In instances where consensus cannot be reached, Roberts Rules of Order shall apply.

**8.2** AOC shall assign professional staff support to the Commission. Meeting minutes and materials shall be sent to the Commission members 3 days prior to the next meeting. A limited number of materials may be added later in exceptional circumstances. The Chair shall call for any corrections of the minutes, which shall be approved as written or corrected. After approval, the minutes shall be deemed to reflect the action of the Commission and made available for public access.

**8.3** Commission meetings shall be held at least quarterly. Additional meetings may be regularly scheduled or specially called at the discretion of the Chair. Regular and specially called meetings of the Commission may be held by remote means as approved by the Commission.

**8.4** Meetings shall be scheduled in advance with notice being sent to Commission members in July for meetings taking place in the following calendar year.

#### **ARTICLE IX. Special Funding**

**9.1** The Commission is authorized to seek and accept funding from grants, pilot project funds, and scholarships. Any funds so obtained shall be administered under proper auditing controls by AOC.

**9.2** The Commission Chair shall appoint a committee to work with staff in identifying and recommending to the Commission which grants, pilot projects and/or scholarships would be appropriate for the Commission to seek.

#### **ARTICLE X. Amendments to Bylaws**

**10.1** These bylaws may be amended by the following process:

- (1) proposed amendments shall be submitted in writing to the Commission Chair at least one month in advance of any regularly scheduled Commission meeting;
- (2) at the discretion of the Commission Chair, such proposed amendments will be placed on the agenda for said upcoming meeting;
- (3) action may be taken at said meeting, or deferred for final action to the next succeeding meeting, by majority vote of the Commission;
- (4) if final action is not taken by adjournment of the second meeting, the proposed amendment shall be deemed rejected.

#### **ARTICLE XI. Continuing Nature of Bylaws**

**11.1** These bylaws, as now written or as hereafter amended, shall continue to govern until such time as the Commission may cease to exist.

**11.2** These bylaws will be reviewed at time of renewal of the order establishing the Commission.

## APPENDIX A

### WASHINGTON STATE COURT INTERPRETER COMMISSION MEMBERSHIP PROCEDURES

Per GR 11.1(c), the Interpreter Commission shall consist of no more than 20 members. The Commission shall include representatives from the following areas of expertise:

- 3 judicial officers, one each from the appellate and trial court levels
- 2 spoken language interpreters
- 1 sign language interpreter
- 1 deaf interpreter
- 1 court administrator
- 1 attorney
- 2 public members one of whom shall have received services from the court and the other shall have knowledge and understanding of the judicial system.
- 1 representative from an ethnic organization
- 1 AOC representative
- 1 deaf community representative
- 1 translator or translation services representative who shall hold a certified interpreting credential from the AOC and be a practicing professional translator

The five additional members may be appointed by the Supreme Court and will be considered members-at-large. Priority will be given to appointing a second court administrator that is court-level diverse from the existing member and one additional attorney who may come from criminal or civil practice areas. The Commission Chair may be appointed without being a designated stakeholder representative.

#### MEMBERSHIP TERMS

1. Commission member appointments are for a three-year term commencing on April 1 or October 1 of the year of appointment and ending March 31 or September 30 three years later, as applicable. In the event a Commission meeting is moved to a date beyond either of the three-year term ending dates, a member whose appointment would otherwise expire on one of those dates is to continue to serve until the next scheduled meeting.
2. Commission members are eligible for reappointment to the Commission for one additional term. The Chair and Appellate Court member may serve for an unlimited number of consecutive terms at the pleasure of the Supreme Court.
3. Mid-term vacancies shall be filled for the unexpired term in the same manner as original appointments, provided, however, the solicitation period for nominations may be abbreviated.
4. The appointee for a mid-term vacancy shall fill the remainder of the vacated term and shall be eligible for reappointment for up to two additional terms.
5. Commission terms should be staggered in an effort to avoid more than one-third of the total member positions being open in any given year.

#### MEMBERSHIP VACANCIES

For association representatives, the Commission shall request nominations from the association leadership. For other membership positions, the Commission shall make every effort to notify interpreter organizations, bar associations and other relevant professional and community organizations/groups of upcoming vacancies to solicit viable and interested candidates.

Where there is an unfilled or unexpected vacancy, review or consideration of the applicants and recommendation for appointment to the Commission may be done by email prior to the next scheduled Commission meeting

Seat Name as Specified in GR 11.1	Current Seat Title
<b><i>Chair Position</i></b>	Chair of Interpreter and Language Access Commission
Judicial Officer - Appellate	Appellate Court Representative
Judicial Officer - Superior	Superior Court Judges' Association Member Representative*
Judicial Officer - District/Municipal	District and Municipal Court Judges' Association Member Representative*
Court Administrator	Association of Washington Superior Court Administrators Representative*
Other	District and Municipal Court Management Association Representative*
Other	Public Defender Organization*
AOC Representative	Administrative Office of the Courts Representative*
Attorney	Attorney Representative
Public Member	Public Member Representative (1)
Public Member	Public Member Representative (2)
Spoken Language Interpreter (1)	Spoken Language Interpreter (1)
Spoken Language Interpreter (2)	Spoken Language Interpreter (2)
Sign Language Interpreter	ASL Interpreter
Ethnic Organization Representative	Ethnic Organization Representative
Other	Community Organization Representative
<b><i>CDI Interpreter Representative</i></b>	CDI Interpreter Representative
<b><i>Deaf Community Representative</i></b>	Deaf Community Representative
<b><i>Translator Representative</i></b>	Translator Representative
<b><i>Open Position</i></b>	Vacant

\* Member is nominated by an association or group.