

## AGENDA

### LANGUAGE ACCESS COMMITTEE

Administrative Office of the Courts  
450 South State Street  
Salt Lake City, Utah 84114

Judicial Council Room  
Friday, May 30, 2014  
12:00 p.m. to 1:30 p.m.

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12:00 p.m. Welcome and Introduction of New Chair	Alison Adams-Perlac
12:05 p.m. Introduction of New Members (Tab 1) and Approval of Minutes	Judge Rick Romney
12:10 p.m. Judicial Council Update	Alison Adams-Perlac
12:20 p.m. Conference Update	Rosa Oakes
12:35 p.m. Subcommittee on Language and Culture Update	Jenny Andrus
12:45 p.m. Interpreter Scheduling Best Practices (Tab 2)	Alison Adams-Perlac Rosa Oakes
1:00 p.m. Interpreter Competency and Mentoring	Committee Discussion
1:25 p.m. Other Business	

**Committee Web Page:** <http://www.utcourts.gov/committees/CourtInterpreter/>

**Meeting Schedule:** Matheson Courthouse, Judicial Council Room, 12:00 to 1:30 unless otherwise stated.

June 20, 2014

September 19, 2014

November 21, 2014

# Tab 1

<b>Meeting Date</b>	<b>Language Access Committee</b>	
March 21, 2014	Council Room	
<b>Members Present</b>	<b>Member Excused</b>	
Judge Rick Smith	Nidia Pendley	
Judge Vernice Trease		
Judge Rick Romney		
Jennifer Andrus		
Maureen Magagna		
Mary Kaye Dixon		
Ghulam Hasnain		
Randall McUne		
Shantalle Argyle		
Megan Haney		
Wendell Roberts		
Miguel Medina		
<b>Staff:</b> Alison Adams-Perlac, Rosa P. Oakes		
<b>Guests:</b> Israel Gonzalez, Luther Gaylord, Gabriela Grostic		
Topic: Approve minutes of January 24, 2014		
Discussion: Judge Romney moved to approve the minutes; Ghulam Hasnain seconded the motion.		
<b>Motion:</b> Passed		
Topic: Subcommittee on Language & Culture		By Jenny Andrus
<p>Ms. Andrus reviewed a document she provided that summarizes the results of a survey the subcommittee conducted with various focus groups. The survey produced some issues, which are outlined in the document, that are important to address through education.</p> <p>Ms. Andrus further presented a draft curriculum on language and culture in the courtroom, which was developed in response to the various issues raised by the focus groups. Essentially, the curriculum focuses on the social dimensions of language and how culture affects language. Ms. Andrus, in consultation with Tom Langhorne (Judicial Education Director), foresees this curriculum developed into a two-hour, interactive seminar. In addition, Ms. Andrus stated that Mr. Langford suggested that perhaps a full day training for clerks would be beneficial.</p> <p>Ms. Andrus stated that the next step is to revise the curriculum based on the committee's feedback and further consultation with her colleagues. She will present a fuller curriculum at the next committee meeting and hopes to run a pilot with the Fourth District Justice Court Judges in the fall.</p>		
Topic: Interpreter Payment Guidelines		By Alison Adams-Perlac
<p>Ms. Adams-Perlac presented an outline that was created to guide interpreter coordinators and others in determining what types of legal proceedings the court will provide interpreters for. She noted that judges continue to have discretion in deciding when a court interpreter is necessary. The outline also includes legal proceedings for which the court will <b>not</b> provide interpreters and some information on handling translations.</p>		

Jennifer Storrer commented that often deaf court patrons are referred to programs that do not provide interpreters. She would like to see that private providers are ADA compliant if they are to receive referrals from the courts. Ms. Adams-Perlac noted that it is a valid point and is something that merits further research beyond the guidelines presented here.

Topic: Interpreter Credentialing Requirements

By Rosa P. Oakes

Ms. Oakes gave a brief background on how and why the credentialing process was established at the beginning of the Interpreter Program. She explained that not much had changed over the years and given the evolution of the program, some changes were now needed to deal more effectively with getting people credentialed. The first item was the Basic Orientation, which was no longer serving its purpose. Ms. Oakes recommended that this orientation be eliminated as part of the approval process and that all candidates be required to participate in the 2-day Orientation. The 2-day Orientation is presented annually by expert trainers who bid on the contract every 2 – 4 years. If the recommendation is approved, the contract would be amended to provide training bi-annually. Also, Ms. Oakes will work with Ms. Storrer to develop an orientation specifically for court-approved ASL interpreters.

Ms. Oakes explained the process of administering the English Diagnostic Pre-test as it was modified for our state many years ago. The test is provided by the National Center for State Courts, which sets a national standard in interpreter credentials. Ms. Oakes recommended that the test be renamed as the English Written Test (as it was originally) and that the passing score be increased to 80% as is the requirement by the NCSC. Furthermore, she recommended that the full English test be reinstated, which is 135 questions rather than the abbreviated 111 question exam that was the norm to date. Ms. Oakes described how the Registered 2 credential came about. It was intended to be a temporary qualification when the Oral Proficiency Interview (OPI) was introduced as part of the approval process. Registered 2 interpreters may qualify to become approved or certified by completing additional requirements. Therefore, Ms. Oakes recommended that the Registered 2 credential be eliminated after those currently on this roster receive a 6 month time frame to complete the OPI or complete the certification process.

**Motion:** Judge Romney moved to rename the English Diagnostic Test to “English Written Exam;” to reinstate the full 135- question exam; and to raise the minimum passing score to 80%. Jennifer Storrer seconded the motion. Motion passed.

**Motion:** Miguel Medina moved to eliminate the Basic Orientation from the approval process and require candidates to complete the 2-day Orientation. Judge Smith seconded the motion. Motion passed.

**Motion:** Judge Smith moved to eliminate the Registered 2 credential after the interpreters on that roster have received 6 months from the date of notice to complete the approval or certification requirements. Megan Haney seconded the motion. Motion passed.

Topic: Interpreter Scheduling

By Rosa P. Oakes

Ms. Oakes read a letter that was submitted by an interpreter who was displeased with the manner in which interpreting assignments were being made. The interpreter’s main points were 1) the coordinator was arbitrarily choosing to work with one specific interpreter exclusively; 2) the scheduling practices could be perceived as favoritism and

lead to uncertainty and rivalries between interpreters making it a hostile environment. The coordinator in question responded by email wherein she states that the period of time when the schedule was “lopsided” was due to a loss of court personnel. This caused the coordinator to find the easiest way to cover interpreting assignments while maintaining her workload as a Judicial Assistant. The coordinator further resolved that she would return to an interpreter rotation schedule soon.

Ms. Oakes provided committee members with an outline of current scheduling practices for every district. She noted that apart from Evangelina Burrows (3<sup>rd</sup>/8<sup>th</sup> Districts) coordinators occupy court staff positions such as Judicial Service Representatives, Judicial Case Managers, etc. Therefore, coordinators are limited in the time they allot to interpreter scheduling duties. Inasmuch as they have been given tools (e.g. Google calendar proxies and rotation ideas) to aid in interpreter scheduling, these are time consuming; thus, not often put into use.

Judge Smith acknowledged the challenges presented and suggested the TCEs as a forum to address some of the issues. Ms. Argyle stated that she has heard of situations where attorneys make requests for specific interpreters due to differences in quality of interpreting. Interpreter evaluation was raised and though none currently exists, Ms. Adams-Perlac mentioned that there is a formal complaint process. Some discussion ensued about giving interpreters feedback on their performance without having to file a formal complaint. Judge Trease suggested developing a “best practices” document for interpreter coordinators. This should be accomplished with the TCEs input.

Topic: Other Business

By Alison Adams-Perlac

Ms. Adams-Perlac reported that the Judicial Council approved the rule change regarding a residency requirement for interpreter to be listed on our official interpreter rosters. The rule change is currently out for public comment. Ms. Adams-Perlac noted that two individuals expressed interest in filling the vacancy left by Jennifer Storrer on the committee. The names will be considered by the Management Committee and the Judicial Council next month. Judge Trease is also leaving the committee. Ms. Adams-Perlac stated that court employees have been approved for a 1% increase in pay and in keeping with past recommendations, she asked the committee to consider the same increase for credentialed interpreters. Any recommendation must be approved by the Judicial Council.

**Motion:** Judge Romney moved to recommend a 1% increase for credentialed interpreter to the Judicial Council. Jennifer Storrer seconded. Motion Passed.

Ms. Adams-Perlac noted that this is the last meeting for Judge Vernice Trease, and Jennifer Storrer, whose terms have expired. She thanked them for their service.

Meeting Adjourned

Next meeting is May 30, 2014 at 12:00 PM

# Tab 2

## **BEST PRACTICES FOR INTERPRETER SCHEDULING**

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### **DO**

Use a scheduling rotation that enables you to fairly assign interpreters.

Use certified interpreters first, then approved, then registered. Use conditionally approved only if know other interpreters are available.

Incorporate new interpreters into your scheduling system (even if you want to start them out with less-complicated hearings).

Consider travel costs, etc. when assigning an interpreter (e.g., have the same interpreter cover back to back hearings at one location instead of paying for another to travel to cover the second one).

Talk to interpreters about being on-time and present for hearings when scheduled.

Talk to the Language Access Program Coordinator about what to do about an interpreter you have given more than one late warning.

Talk to the Language Access Program Coordinator about what to do about an interpreter who fails to appear.

Document any problems with interpreters in writing and report them to the Language Access Program Coordinator.

Decline to assign a specific interpreter if a judge asks not to work with them.

### **DON'T**

Decline to assign an interpreter because you have a personality conflict with them.

Leave new interpreters out of your rotation just because they are new.

Don't allow interpreters to trade assignments with each other. All assignments should go through you.

Don't remove an interpreter from your list without discussing it with the Language Access Coordinator.