

Agenda

Court Interpreter Committee

May 22, 2009
12:00 to 1:30 p.m.

Administrative Office of the Courts
Scott M. Matheson Courthouse
450 South State Street
Judicial Council Room, Suite N31

Video Conference: <https://www.via3.com/via3/login/login.aspx>

Approval of minutes	Tab 1	Judge Vernice Trease
Appeal of Background Check Denial		Materials will be distributed at the meeting
Rule 3-306. Consideration of comments	Tab 2	Tim Shea
Mentor Program	Tab 3	Rosa Oakes
Fee Structure	Tab 4	Tim Shea
Certification Training: Non-language specific training		Rosa Oakes

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

Meeting Schedule: Matheson Courthouse, 12:00 to 1:30, Judicial Council Room

September 25, 2009

January 22, 2010

May 28, 2010

September 24, 2010

Tab 1

**COURT INTERPRETER COMMITTEE
MEETING MINUTES**

January 23, 2009
Matheson Courthouse
Salt Lake City, Utah

Members Present: Hon. Vernice Trease; Evangelina Burrows; Luther Gaylord; Peggy Gentles; Daryl Hague; Haloti Moala; Craig Johnson; Deborah Kreeck Mendez; Hon. Karlin Myers; Dinorah Padró; Branden Putnam; Carolyn Smitherman; Jennifer Storrer.

Guests Present: Frank Chavez; Dina Hall; Travis Hyer; Adam Monteith; Sharon Sanchez; Katherine Watson; Rachel Webb.

Staff Present: Tim Shea; Rosa Oakes; Marianne O'Brien; Carolyn Carpenter.

Welcome and Approval of Minutes

Judge Trease welcomed all present and introduced committee member, Haloti Moala. A motion by Mr. Gaylord to approve the November 21, 2008 minutes as amended was seconded and carried unanimously.

2009 Meeting Schedule

Tim Shea reported that because of budget cuts, the Judicial Council has directed that committees reduce the number of meetings. Mr. Shea proposed meeting dates on May 22, September 25, and January 22, 2010. Mr. Shea indicated Viack video conferencing is now available. Judge Myers and Carolyn Smitherman are attending this meeting through Viack.

Judge Trease indicated that for most, a meeting beginning at noon works better than a meeting beginning at 2:00 p.m. Since the number of meetings is being reduced, she will rearrange her calendar on those dates so she can attend noon meetings. She suggested future meetings be held from noon to 1:30 p.m. Following discussion, there was consensus on the new meeting dates with a time of noon to 1:30.

Rule 3-306

Mr. Shea indicated he has met with all three Boards of Judges. He proposed several amendments to the draft of Rule 3-306 based on discussions with them. Mr. Shea reviewed the proposed amendments and the committee agreed with the proposed changes.

Luther Gaylord suggested a language change in (9)(A): "the local government that funds the court not of record, shall set the fees and expenses to be paid by that court." Mr. Shea will make that change.

Following discussion, Deborah Kreeck-Mendez made a motion to approve the proposed amendments to Rule 3-3-06. The motion was seconded and carried unanimously.

Certification Training: Non-language-specific training

Rosa Oakes indicated an important part of the committee's strategic plan is to extend certification opportunities to interpreters in languages other than Spanish. She distributed a list of the number of cases with an interpreter by language. Ms. Oakes reviewed the findings with the committee.

Mr. Shea noted that languages other than Spanish are not requested enough to warrant the money it would cost to have language-specific training for any language other than Spanish. To offer certification training to interpreters in other languages, the approach would seem to be to offer non-language-specific training followed by a test that is language-specific. The Consortium offers testing for many other languages.

Ms. Oakes indicated that if certification is available and an interpreter is not certified, then the interpreter is an approved interpreter in a language that has a certification program and their fee decreases.

Ms. Oakes stated there is a one-day class required for interpreters to become approved. They are told about the court process, the code of ethics, and what is expected of them in court. Very basic information in a full-day training. Perhaps the training should be enhanced.

Mr. Shea indicated that the Judicial Council will be revisiting whether they will continue to subsidize interpreter certification training.

Following discussion, Craig Johnson made a motion to table a decision until more funding information is known. The motion was seconded and carried unanimously.

Interpreter Fee Schedule

In its strategic plan, this committee decided to examine the possibility of restructuring interpreter fees. A subcommittee was formed to address this. Tim Shea thanked those who worked on the interpreter fee subcommittee: Dinorah Padró, Juanita Patino, Luther Gaylord, Ngoc-Nu Dang, Rachel Webb, Rosa Oakes and Marianne O'Brien. The proposed fee structure is based on time plus mileage. The main feature of the proposal is travel time would be included, instead of minimum fees based on distance.

Discussion followed with the following points made:

- The proposal is great for long-distance assignments.
- Moving from 30 minute to 6 minute increments of time for payment may be more difficult to calculate, resulting in more mistakes. Consider using 15 minute increments instead of 30 or 6.
- Even though clocks in the courthouse differ, all computers have the same time, which should be used for recording interpreter assignments.
- People who live close to courthouses do not have the same benefit of being paid for travel time.
- This proposal will ultimately cost the courts more money, not less.
- The average stay in a courthouse for an interpreter is 2 hours and should be used as a base for the minimum fee, rather than 1 hour.
- A one hour minimum fee for a day is enough to get interpreters to a courthouse unless interpreters are traveling a greater distance.
- There should be a guarantee of one hour in the morning and one hour in the afternoon.
- There should be a guarantee of one hour in the afternoon if an interpreter is dismissed after his/her morning interpreting and then unexpectedly called back in the afternoon to interpret.
- Interpreters do not work on retainer.
- The committee may not understand the current fee structure.

Following discussion, Judge Oddone, acting for Judge Trease who had to leave the meeting, asked that further comments be directed to Mr. Shea. The fee proposal will be discussed at the next meeting.

The meeting was adjourned.

Tab 2

1 Rule 3-306. Court Interpreters.

2 Intent:

3 To state the policy of the Utah courts to secure the rights of people in legal
4 proceedings who are unable to understand or communicate adequately in the English
5 language.

6 To outline the procedure for certification, appointment, and payment of court
7 interpreters.

8 To provide certified interpreters in legal proceedings in those languages for which a
9 certification program has been established.

10 Applicability:

11 This rule shall apply to legal proceedings in the courts of record and not of record.
12 This rule shall apply to interpretation for non-English speaking people and not to
13 interpretation for the hearing impaired, which is governed by Utah statutes.

14 Statement of the Rule:

15 (1) Definitions.

16 (1)(A) "Appointing authority" means a judge, commissioner, referee or juvenile
17 probation officer, or delegate thereof.

18 (1)(B) "Approved interpreter" means a person who has fulfilled the requirements
19 established in paragraph (3).

20 (1)(C) "Certified interpreter" means a person who has fulfilled the requirements
21 established in paragraph (3).

22 (1)(D) "Committee" means the Court Interpreter Committee established by Rule 1-
23 205.

24 (1)(E) "Conditionally-approved interpreter" means a person who, in the opinion of the
25 appointing authority after evaluating the totality of the circumstances, has language
26 skills, knowledge of interpreting techniques, and familiarity with interpreting sufficient to
27 interpret the legal proceeding. A conditionally approved interpreter shall read and is
28 bound by the Code of Professional Responsibility and shall subscribe the oath or
29 affirmation of a certified interpreter.

30 (1)(F) "Code of Professional Responsibility" means the Code of Professional
31 Responsibility for Court Interpreters set forth in Code of Judicial Administration

32 Appendix H. An interpreter may not be required to act contrary to law or the Code of
33 Professional Responsibility.

34 (1)(G) “Legal proceeding” means a proceeding before the appointing authority. Legal
35 proceeding does not include communication outside the court unless permitted by the
36 appointing authority.

37 (2) Court Interpreter Committee. The Court Interpreter Committee shall:

38 (2)(A) research, develop and recommend to the Judicial Council policies and
39 procedures for interpretation in legal proceedings and translation of printed materials;

40 (2)(B) issue informal opinions to questions regarding the Code of Professional
41 Responsibility, which is evidence of good-faith compliance with the Code; and

42 (2)(C) discipline court interpreters.

43 (3) Application, training, testing, roster.

44 (3)(A) Subject to the availability of funding, and in consultation with the committee,
45 the administrative office of the courts shall establish programs to certify and approve
46 court interpreters in the non-English languages most frequently needed in the courts.
47 The administrative office shall publish a roster of certified interpreters and a roster of
48 approved interpreters. To be certified or approved, an applicant shall:

49 (3)(A)(i) file an application form approved by the administrative office;

50 (3)(A)(ii) pay a fee established by the Judicial Council;

51 (3)(A)(iii) pass a background check;

52 (3)(A)(iv) complete training as required by the administrative office;

53 (3)(A)(v) obtain a passing score on the court interpreter’s test(s) as required by the
54 administrative office;

55 (3)(A)(vi) complete 10 hours observing a certified interpreter in a legal proceeding;

56 (3)(A)(vii) complete 10 hours of mentoring in the target language showing
57 increasingly independent responsibility for interpretation; and

58 (3)(A)(viii) take and subscribe the following oath or affirmation: “I will make a true
59 and impartial interpretation using my best skills and judgment in accordance with the
60 Code of Professional Responsibility.”

61 (3)(B) A person who is certified in good standing by the federal courts or by a state
62 having a certification program that is equivalent to the program established under this

63 rule may be certified without complying with paragraphs (3)(A)(iv) through (3)(A)(vii) but
64 shall pass an ethics examination and otherwise meet the requirements of this rule.

65 (3)(C) No later than December 31 of each even-numbered calendar year, certified
66 and approved interpreters shall pass the background check for applicants, and certified
67 interpreters shall complete at least 16 hours of continuing education approved by the
68 administrative office of the courts.

69 (4) Appointment.

70 (4)(A) Except as provided in paragraphs (4)(B), (4)(C) and (4)(D), if the appointing
71 authority determines that a party, witness, victim or person who will be bound by the
72 action has a limited ability to understand and communicate in English, the appointing
73 authority shall appoint a certified interpreter in legal proceedings in the following cases:

74 (4)(A)(i) criminal cases;

75 (4)(A)(ii) preliminary inquiries and cases filed on behalf of the state under Title 78A,
76 Chapter 6, Juvenile Court Act of 1996;

77 (4)(A)(iii) cases filed against the state pursuant to Utah Rule of Civil Procedure
78 65B(b) or 65C;

79 (4)(A)(iv) cases filed under Title 62A, Chapter 5, Part 3 Admission to Mental
80 Retardation Facility;

81 (4)(A)(v) cases filed under Title 62A, Chapter 15, Part 6, Utah State Hospital and
82 Other Mental Facilities;

83 (4)(A)(vi) cases filed under Title 75, Chapter 5, Parts 2, 3, and 4;

84 (4)(A)(vii) cases filed under Title 77, Chapter 3a, Stalking Injunctions;

85 (4)(A)(viii) cases filed under Title 78B, Chapter 7, Protective Orders; or

86 (4)(A)(ix) other cases in which the appointing authority determines that the court is
87 obligated to appoint an interpreter.

88 (4)(B) An approved interpreter may be appointed if no certified interpreter is
89 reasonably available.

90 (4)(C) A conditionally-approved interpreter may be appointed if the appointing
91 authority, after evaluating the totality of the circumstances, finds that:

92 (4)(C)(i) the prospective interpreter has language skills, knowledge of interpreting
93 techniques and familiarity with interpreting sufficient to interpret the legal proceeding;
94 and

95 (4)(C)(ii) appointment of the prospective interpreter does not present a real or
96 perceived conflict of interest or appearance of bias; and

97 (4)(C)(iii) neither a certified nor an approved interpreter is reasonably available or
98 the gravity of the legal proceeding and the potential consequence to the person are so
99 minor that delays in obtaining a certified or approved interpreter are not justified.

100 (4)(D) No interpreter is needed for a direct verbal exchange between the person and
101 a probation officer if the probation officer can fluently speak the language understood by
102 the person. An approved or conditionally approved interpreter may be appointed for a
103 juvenile probation conference if the probation officer does not speak the language
104 understood by the juvenile.

105 (5) Payment.

106 (5)(A) In cases described in paragraph (4), the interpreter fees and expenses shall
107 be paid by the administrative office of the courts in courts of record and by the
108 government that funds the court in courts not of record. The court may assess the
109 interpreter fees and expenses as costs to a party as provided by law. (Utah
110 Constitution, Article I, Section 12, Utah Code Sections 77-1-6(2)(b), 77-18-7, 77-32a-1,
111 77-32a-2, 77-32a-3, 78B-1-146(3) and URCP 54(d)(2).)

112 (5)(B) The courts will pay for:

113 (5)(B)(i) one interpreter for non-English speaking defendants and non-English
114 speaking witnesses;

115 (5)(B)(ii) a separate interpreter for each non-English speaking defendant and/or
116 witness if the judge determines that one non-English speaking person has an interest
117 adverse to the others, or the judge determines that due process, confidentiality, or other
118 circumstances require that there be separate interpreters; or

119 (5)(B)(iii) two interpreters for person(s) requiring an interpreter if the judge
120 determines that the legal proceeding is so long that two interpreters are required to
121 alternate duties.

122 (6) Waiver. A person may waive an interpreter if the appointing authority approves
123 the waiver after determining that the waiver has been made knowingly and voluntarily. A
124 person may retract a waiver and request an interpreter at any time. An interpreter is for
125 the benefit of the court as well as for the non-English speaking person, so the
126 appointing authority may reject a waiver.

127 (7) Removal from legal proceeding. The appointing authority may remove an
128 interpreter from the legal proceeding for failing to appear as scheduled, for inability to
129 interpret adequately, including a self-reported inability, and for other just cause.

130 (8) Discipline.

131 (8)(A) An interpreter may be disciplined for:

132 (8)(A)(i) knowingly making a false interpretation in a legal proceeding;

133 (8)(A)(ii) knowingly disclosing confidential or privileged information obtained in a
134 legal proceeding;

135 (8)(A)(iii) knowingly failing to follow standards prescribed by law, the Code of
136 Professional Responsibility and this rule;

137 (8)(A)(iv) failing to pass a background check;

138 (8)(A)(v) failing to meet continuing education requirements;

139 (8)(A)(vi) conduct or omissions resulting in discipline by another jurisdiction; and

140 (8)(A)(vii) failing to appear as scheduled without good cause.

141 (8)(B) Discipline may include:

142 (8)(B)(i) permanent loss of certified or approved credentials;

143 (8)(B)(ii) temporary loss of certified or approved credentials with conditions for
144 reinstatement;

145 (8)(B)(iii) suspension from the roster of certified or approved interpreters with
146 conditions for reinstatement;

147 (8)(B)(vi) prohibition from serving as a conditionally approved interpreter;

148 (8)(B)(v) suspension from serving as a conditionally approved interpreter with
149 conditions for reinstatement; and

150 (8)(B)(vi) reprimand.

151 (8)(C) Any person may file a complaint in writing on a form provided by the program
152 manager. The complaint may be in the native language of the complainant, which the

153 AOC shall translate in accordance with this rule. The complaint shall describe in detail
154 the incident and the alleged conduct or omission. The program manager may dismiss
155 the complaint if it is plainly frivolous, insufficiently clear, or alleges conduct that does not
156 violate this rule. If the complaint is not dismissed, the program manager shall mail the
157 complaint to the interpreter at the address on file with the administrative office.

158 (8)(D) The interpreter shall answer the complaint within 30 days after the date the
159 complaint is mailed or the allegations in the complaint are considered true and correct.
160 The answer shall admit, deny or further explain each allegation in the complaint.

161 (8)(E) The program manager may review records and interview the complainant, the
162 interpreter and witnesses. After considering all factors, the program manager may
163 propose a resolution, which the interpreter may stipulate to. The program manager may
164 consider aggravating and mitigating circumstances such as the severity of the violation,
165 the repeated nature of violations, the potential of the violation to harm a person's rights,
166 the interpreter's work record, prior discipline, and the effect on court operations.

167 (8)(F) If the complaint is not resolved by stipulation, the program manager will notify
168 the committee, which shall hold a hearing. The committee chair and at least one
169 interpreter member must attend. If a committee member is the complainant or the
170 interpreter, the committee member is recused. The program manager shall mail notice
171 of the date, time and place of the hearing to the interpreter. The hearing is closed to the
172 public. Committee members and staff may not disclose or discuss information or
173 materials outside of the meeting except with others who participated in the meeting or
174 with a member of the Committee. The committee may review records and interview the
175 interpreter, the complainant and witnesses. A record of the proceedings shall be
176 maintained but is not public.

177 (8)(G) The committee shall decide whether there is sufficient evidence of the alleged
178 conduct or omission, whether the conduct or omission violates this rule, and the
179 discipline, if any. The chair shall issue a written decision on behalf of the committee
180 within 30 days after the hearing. The program manager shall mail a copy of the decision
181 to the interpreter.

182 (8)(H) The interpreter may review and, upon payment of the required fee, obtain a
183 copy of any records to be used by the committee. The interpreter may attend all of the

184 hearing except the committee's deliberations. The interpreter may be represented by
185 counsel and shall be permitted to make a statement, call and interview the complainant
186 and witnesses, and comment on the claims and evidence. The interpreter may obtain a
187 copy of the record of the hearing upon payment of the required fee.

188 (8)(I) If the interpreter is certified in Utah under Paragraph (3)(B), the committee
189 shall report the findings and sanction to the certification authority in the other
190 jurisdiction.

191 (9) Fees.

192 (A) In April of each year the Judicial Council shall set the fees and expenses to be
193 paid during the following fiscal year by the courts of record for the cases identified in
194 Paragraph (4). Payment of fees and expenses shall be made in accordance with the
195 Courts Accounting Manual.

196 (B) The local government that funds a court not of record shall set the fees and
197 expenses to be paid by that court for the cases identified in Paragraph (4).

198 (10) Translation of court forms. Forms must be translated by a team of at least two
199 people who are interpreters certified under this rule or translators accredited by the
200 American Translators Association.

201 (11) Court employees as interpreters. A court employee may not interpret legal
202 proceedings except as follows.

203 (11)(A) A court may hire an employee to be an interpreter. The employee will be
204 paid the wages and benefits of the employee's grade and not the fee established by this
205 rule. If the language is a language for which certification in Utah is available, the
206 employee must be a certified interpreter. If the language is a language for which
207 certification in Utah is not available, the employee must be an approved interpreter. The
208 employee must meet the continuing education requirements of an employee, but at
209 least half of the minimum requirement must be in improving interpreting skills. The
210 employee is subject to the discipline process for court personnel, but the grounds for
211 discipline include those listed in this rule. To avoid any appearance of impropriety, the
212 employee should not be assigned duties that might require contact with non-English
213 speaking people other than for interpretation.

214 (11)(B) A state court employee employed as an interpreter has the rights and
215 responsibilities provided in the Utah state court human resource policies, including the
216 Code of Personal Conduct, and the Court Interpreters' Code of Professional
217 Responsibility also applies. A justice court employee employed as an interpreter has the
218 rights and responsibilities provided in the county or municipal human resource policies,
219 including any code of conduct, and the Court Interpreters' Code of Professional
220 Responsibility also applies.

221 (11)(C) A court may use an employee as a conditionally-approved interpreter under
222 paragraph (4)(C). The employee will be paid the wage and benefits of the employee's
223 grade and not the fee established by this rule.

224

Tab 3

Mentoring Program

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1) Statement of Purpose and a Long Range Plan

- Who, what, where, when, why and how activities will be performed.
- Input from originators, staff and participants.
- Assessment of need.
- Goals, objectives and timelines for all aspects of the program.
- Funding and resources development plan.

Statement of Purpose and Long Range Plan is the guide that steers your program. This plan begins with “mission statement” and “goals and objectives” and includes who will be mentored, where, how often, by whom. Many aspects of this plan will be integrated into the mentor training manual, as well as other program materials.

2) Recruitment Plan

- Strategies that portray accurate expectations and benefits.
- A basis in your program’s statement of purpose and long-range plan.
- Year round marketing and public relations.
- Targeted outreach based on participant’s needs.
- Volunteer opportunities beyond mentoring (i.e., event organization, office support, etc.)

A year-round Recruitment Plan is necessary to tap into resources such as potential mentors and the development of key phrases, brochures and flyers that accurately depict your program.

3) Orientation

- Program overview.
- Description of eligibility, screening process, and suitability requirements.
- Level of commitment expected (time, energy, and flexibility).
- Expectations and restrictions (accountability).
- Benefits and rewards they can expect.
- A separate focus for potential mentors and participants.
- A summary of program policies, including written reports, interviews, evaluation, and reimbursement.

Orientation clarifies roles, responsibilities and expectations of mentors, the mentoring program, and the mentee. The orientation is a way of describing the program in detail, including the commitments and the terms of participation in the program.

4) Eligibility Screening

- An application process and review.
- Suitability criteria that relate to the program statement of purpose. Could include some or all of the following: personality profile; skills identification; gender; age; language and racial requirements; level of education; career interests; and motivation for volunteering.
- Successful completion of pre-match training and orientation.
- Face-to-face interview.
- Reference checks for mentors which must include criminal history record checks, (finger printing), and may include character references, child abuse registry check, and driving record checks.

Screening sets the standards of eligibility for the mentoring program. Mentees are screened by making sure they have met the eligibility criterion set by the program.

5) Training Curriculum

- Orientation to program, resource network, and other supportive services.
- Skills development as appropriate.
- Cultural/heritage sensitivity and appreciation training (if necessary).
- Guidelines for participants on how to get the most out of the mentoring relationship.
- Do's and don'ts of relationship management.
- Job and role descriptions.
- Confidentiality and liability information.
- Problem solving resources.
- Communication skills development.
- Ongoing sessions as necessary.

During the initial basic training, mentors learn more fully the requirements, policies and procedures of the program. In addition, mentors are trained on how

to build a positive relationship with their mentee. Subject matter can include “proper mentor attitude and expectations, communication skills, diversity issues, confidentiality, goal setting, etc.” These and other subjects will be covered during “on-going” trainings also. Ongoing trainings can take a number of forms such as round table discussions (or even guest presentations).

The mentees’ training is typically shorter than the mentors’, as it mainly focuses on program procedures, the process of building good rapport with the mentor, as well as how to get the most out of the mentoring relationship.

6) Matching Strategy

- A link with the program's statement of purpose.
- A commitment to consistency and accountability
- Appropriate criteria for matches, may include some or all of the following: skills identification; interest in the profession; gender; age; motivation for the mentor program; experience; and temperament.
- A signed statement of understanding that both parties agree to the conditions of the match and the mentoring relationship.

Each program needs a plan for matching mentors and mentees. Programs should consider not only chemistry, but also interests and other elements, such as race and ethnicity, language, interests, etc. Expertise of mentors as well as time availability of mentor and mentee.

7) Monitoring

- Consistent, scheduled meetings with staff, mentors, and mentees.
- Written records and filing system.
- A tracking system for ongoing assessment.
- A process for managing grievances, praise, re-matching, interpersonal problem solving, and premature mentoring partnership closure.

Monitoring the process of making sure the match is going okay. It is important to find out if the match is still meeting, program rules are being followed, and that everyone is relatively happy. Monitoring will also track the progress of the mentees’ performance in such areas as demeanor in court, legal terminology, expression, interaction with court personnel and court patrons.

Having mentors and mentees fill out program logs after each meeting is a central part of the monitoring process. The monitoring process includes defining the rules for problem solving, early termination, as well as the re-matching of participants should a mentoring partnership end early.

8) Support, Recognition and Retention Component:

- Ongoing peer support groups for participants.
- Ongoing training and development.
- Networking with appropriate organizations.
- Recognition and appreciation events.

Support means that participants have a support system that they can rely on during the program. Support can mean assistance from the program manager and from peers. Periodic “ongoing trainings” are essential in support of program participants.

Recognition is a way of rewarding mentors and mentees for their involvement. Enlist celebrations and awards as a way of saying thanks.

A Retention plan is important so that there will be continuing participation of mentors and mentees. A retention plan focuses on awards and positive communication with program participants.

9) Closure

Steps that include:

- Private and confidential exit interviews to de-brief the mentoring partnership between:
 - Mentee and program coordinator.
 - Mentor and program coordinator.
 - Mentor and mentee with program coordinator.
- Clearly stated policy for future contacts between mentor and mentee.
- Assistance for participating in defining next steps for achieving professional goals (for the mentee).

This is an element that is usually very brief in its development and implementation, but is very important. "Closure" means that the program has a strategy for letting participants evaluate the mentoring experience. Closure also gives program participants the opportunity to discuss how they felt about the support (or nonsupport) they received from the program in general. There is clarification that any future contact between mentors and mentees should be on a peer or colleague level.

10) Evaluation

- Outcome analysis of program and mentoring partnership.
- Program criteria and statement of purpose.

Evaluation is the report card for the program. What was the experience of the mentor and mentee? What significant changes (if any) did the mentee make? Did they receive higher testing scores? How did mentoring affect their interpreting skills? Mentors and mentees should evaluate the program as well as any trainings sessions. Evaluations are used to determine if the program is working and also to assess the need for changes, or improvements.

Administrative Office of the Courts Utah Interpreter Program 11) Mentee Evaluation	
Mentee name	Mentoring start date
Mentor name	Mentoring end date: (completed 10 hours)
Verification	
<p>Mentee has completed 10 hours of mentoring and has adequate knowledge and skills to work as an approved or certified interpreter in the Utah courts. The following topics have been reviewed:</p> <ul style="list-style-type: none"> • Utah court system (District, Juvenile, and Justice courts) • Differences between civil and criminal legal matters. • Familiarity with roles of others and where interpreters should locate themselves in court proceedings. • Preparation and problem solving skills. • Obtaining essential information about court proceedings and protocol. • Understanding the professional and ethical standards that guide interpreters. • How to research words and expand vocabulary and legal terminology. • Appropriate dress and decorum when interpreting in court. 	
Authorization	
Mentor signature: X	Date:
Mentee signature: X	Date:
Send to:	
<p>Submit this form with a copy of mentee's training logs to: Rosa P. Oakes Administrative Office of the Courts P.O. Box 140241 Salt Lake City, UT 84114-0241</p>	

Administrative Office of the Courts Utah Interpreter Program 12)Mentor Training Plan	
Date:	
Mentor Information	
How long have you held Utah court interpreter certification:	
How often do you interpret in the state courts?	
Name:	
Telephone number:	Email address:
Training Needs Assessment	
Explain your process for determining the mentee's training needs:	
Training Plan	
Explain your plan or process for each of the following learning components:	
Setting goals for accomplishing the learning components:	
Introduction to the Utah court system:	

Recognize civil matters versus criminal matters (in which cases the courts pay for interpreters):

Familiarity with roles of others and where the interpreter should locate themselves in court proceedings:

Preparation and problem-solving skills:

Obtaining essential information about court proceedings and protocol:

Understanding the professional and ethical standards that guide interpreters:

How to research words and methods to expand vocabulary and legal terminology:

Appropriate dress and decorum when interpreting in court:

Other components:

Training Hours Log

Explain your system for documenting and tracking mentoring hours and topics covered with the mentee. Provide copies of forms or notes that show the completion of an activity (forms or notes should include mentee/mentor names, activity date and duration):

Comments

Send completed form to:
Rosa P. Oakes
Administrative Office of the Courts
P.O. Box 140241
Salt Lake City, UT 84114-0241

Tab 4

1 Court Interpreters

2 Purpose:

3 To outline the policies and procedures regarding payment of interpreters in courts of
4 record and courts not of record for non-English speaking persons and for hearing-
5 impaired persons.

6 Policy:

7 INTERPRETERS FOR NON-ENGLISH SPEAKING PERSONS

8 A. The courts will pay interpreter fees and expenses as authorized by Rule 3-306.

9 B. Hourly Rates

10 The courts will pay the following rates for a certified, approved, or conditionally
11 approved interpreter. The courts will not pay interpreters who are not certified,
12 approved, or conditionally approved. These rates do not apply to a court employee.

Credentials	Hourly Rate
Certified	\$38.63
Approved in languages for which there is no certification program	\$33.10
Approved in languages for which there is a certification program	\$24.82
Conditionally Approved in languages for which there is no certification program	\$24.82
Conditionally Approved in languages for which there is a certification program	\$18.03

13 C. Time

14 1. The courts will pay for time interpreting in legal proceedings from the scheduled
15 start or actual start of the proceeding, whichever is earlier, until the end of the
16 proceeding. If the scheduled start is delayed because of the interpreter’s absence, the
17 interpreter will be paid for time interpreting from the actual start of the legal proceeding
18 until the end of the proceeding.

19 2. The courts will pay for time traveling in one circuit from and to the interpreter’s
20 home base and between courthouses.

21 3. The courts will pay for time waiting between legal proceedings, up to 2-hours-1
22 hour per day, but not including the lunch hour. Travel time is not included in waiting
23 time.

24 D. Mileage

25 The courts will pay reimbursement, at the same rate as state employees, for each
26 mile traveled in one circuit from and to the interpreter's home base and between
27 courthouses.

28 E. Calculations

29 1. If the sum of all time calculations is one hour or less in the morning, the interpreter
30 will be paid for one hour. If the sum of all time calculations is one hour or less in the
31 afternoon, the interpreter will be paid for one hour. If the sum of all time calculations is
32 more than one hour, the interpreter will be paid in 6-minute increments.

33 2. Travel time and distance shall be calculated in accordance with charts prepared
34 by the Administrative Office of the Courts, unless the appointing authority finds good
35 cause for an exception.

36 3. Travel time is paid at the rate determined by the interpreter's language credentials
37 that will be used at the legal proceeding the interpreter is going to. Travel time to the
38 interpreter's home base is paid at the rate determined by the interpreter's language
39 credentials used at the final legal proceeding of the day. Interpreting time and waiting
40 time are paid at the rate determined by the interpreter's language credentials that will be
41 used at the legal proceeding.

42 4. The court that the interpreter travels to will pay the waiting or travel time and
43 mileage reimbursement to that courthouse. The court with the last assignment of the
44 day will pay the travel time and mileage reimbursement to the interpreter's home base.

45 5. An interpreter may waive travel time and/or mileage reimbursement to qualify for
46 participation in a rotation schedule.

47 F. Cancellation and early termination of legal proceedings

48 The courts will pay for canceled legal proceedings under the following conditions:

49 1. the interpreter is notified of the legal proceeding more than two business days
50 before the scheduled start of the legal proceeding; and

51 2. the interpreter is notified of the cancellation less than two business days before the
52 scheduled start of the legal proceeding; and

53 3. the cancellation is not due to the interpreter's absence.

54 If these conditions are met and the legal proceeding is canceled before the
55 scheduled start, the court will pay for one hour, unless the proceeding is scheduled for 6

56 hours or more. If the proceeding is canceled after the scheduled start, the court will pay
57 for time under paragraph C.1. If the proceeding is scheduled for 6 hours or more, the
58 court will pay for 50% of the fee for the balance of the scheduled time up to a maximum
59 of 6 hours. The courts will pay for travel time and mileage reimbursement for each mile
60 actually and necessarily traveled if the interpreter is notified while in route to the legal
61 proceeding.

62 G. On-call

63 1. Subject to the Code of Professional Responsibility, the interpreter must take
64 assignments offered during any time the interpreter is being paid or forfeit the fee for
65 that period of time. The interpreter will be paid one fee for that time. The appointing
66 authority may release an interpreter if there are no assignments to offer.

67 2. If there is an extended delay in the interpreter's duties in a legal proceeding, (such
68 as waiting for a jury to complete deliberations) the appointing authority may:

69 a. (usually for long periods) release the interpreter, in which case the interpreter has
70 no obligation to the court and is not paid during the interim. A legal proceeding after the
71 release is treated as a regular assignment.

72 b. (usually for intermediate periods) direct the interpreter to remain on-call, in which
73 case the interpreter may leave the courthouse, but must be able to return within the time
74 after notice specified by the appointing authority. The court will pay at the ratio of 1 hour
75 for every 2 hours on-call or fractions thereof up to a maximum of 6 hours (12 hours on-
76 call). A fraction of an hour is rounded up to the next hour. A legal proceeding after the
77 on-call notice is treated as a regular assignment.

78 c. (usually for short periods) direct the interpreter to wait at the courthouse, in which
79 case the court will pay for the actual waiting time.

80 H. Common carrier; lodging and per diem

81 Payment for travel by common carrier and for lodging and per diem expenses must
82 be approved in advance by the appointing authority for a court not of record or by the
83 deputy state court administrator for a court of record.

84 I. Request for payment

85 Interpreters in courts of record shall submit requests for payment on a form provided
86 by the Administrative Office of the Courts. Interpreters in courts not of record shall

87 submit requests for payment on a form provided by the court. All interpreters must
88 provide the Administrative Office of the Courts or the court not of record with a Utah
89 taxpayer identification number or social security number prior to receiving payment.

90 INTERPRETERS FOR HEARING-IMPAIRED PERSONS

91 Interpreters for the hearing-impaired are governed by Utah Code Title 78B, Title 1,
92 Part 2, and the Americans with Disabilities Act. The courts will pay for one interpreter for
93 each hearing-impaired party, juror, witness or courtroom visitor in all criminal, civil, and
94 juvenile proceedings. If a legal proceeding takes more than two hours, the courts will
95 pay for two interpreters.

96 A. Scheduling

97 Courts should schedule an interpreter who has at least one of the following
98 certifications in good standing:

99 State of Utah, Master Certificate;

100 Registry of Interpreters for the Deaf, Specialist Certificate: Legal;

101 Registry of Interpreters for the Deaf, Certified Deaf Interpreter; or

102 National Interpreter Certification, Master or Advanced Certificate,

103 and preferably has completed the AOC's workshop for approved interpreters.

104 If an interpreter with such credentials is not available, the courts should schedule an
105 interpreter who has at least one of the following certifications in good standing:

106 State of Utah, Intermediate Certificate;

107 Registry of Interpreters for the Deaf, Certificate of Interpretation;

108 Registry of Interpreters for the Deaf, Certificate of Transliteration; or

109 National Interpreter Certification, Certified Level,

110 and preferably has completed the AOC's workshop for approved interpreters.

111 Courts should try to schedule appointments 24 hours or more in advance, because
112 last-minute appointments, scheduled on the same day that service is provided, may
113 incur surcharges. Courts should first attempt to schedule appointments through the
114 Utah Interpreter Program. If interpreters cannot be scheduled through the Utah
115 Interpreter Program, their services may be secured in accordance with procurement
116 policies through individual interpreters or through private agencies.

117 B. Cancellation

118 To avoid being billed for all of a scheduled appointment, notice of cancelation should
119 be given at least 24 hours before the start of an assignment.

120 Cancelation payment policies for language interpreters are not applicable to
121 interpreters for the hearing-impaired. Applicable cancelation payment policies are
122 determined by the Utah Interpreter Program or by private agencies or interpreters from
123 whom the service is secured.

124 C. Payment

125 Pursuant to Utah Code Section 78B-1-208, an interpreter appointed under this part
126 is entitled to a reasonable fee for his or her services, including waiting time and
127 reimbursement for necessary travel and subsistence expenses. The fee shall be based
128 on a fee schedule for interpreters recommended by the Division of Rehabilitation
129 Services or on prevailing market rates. Reimbursement for necessary travel and
130 subsistence expenses shall be at rates provided by law for state employees.

131 Any invoice for interpreter fees submitted directly to AOC Purchasing that has not
132 been signed by the district interpreter coordinator must be verified. An AOC Purchasing
133 Agent will contact the district interpreter coordinator, who will check court records to
134 ensure that the invoice or request is accurate and that the amount claimed is correct.
135 The appointing authority will pay the agency that provides the interpreting service.

136