# Agenda
## Court Interpreter Committee

April 27, 2012
12:00 to 1:30 p.m.

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

| | | |
|---|---|---|
| Welcome and approval of minutes | Tab 1 | Judge Vernice Trease |
| Administrators' report | | Rosa Oakes<br>Tim Shea |
| Strategic planning | | Judge Vernice Trease |
| Meeting schedule | Tab 2 | Tim Shea |

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

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

July 27, 2012
October 26, 2012

# Tab 1

| **Meeting Date** | **Court Interpreter Committee** |
|---|---|
| January 27, 2012 | Conference Room B/C |
| **Members Present** | **Member Excused** |
| Judge Noonan - by phone | Professor Daryl Hague |
| Deborah Kreek-Mendez | Judge Trease |
| Luther Gaylord | Judge Romney |
| Evangelina Burrows | Dinorah Padro |
| Ghulam Hashain | Wendell Roberts |
| Craig Johnson | |
| Greg Johnson | |
| Maureen Magagna | |
| Jennifer Storrer | |
| | |
| | |
| | |

**Staff:** Tim Shea, Rosa Oakes

**Guests:**

Topic: Approve minutes of October 28, 2011

Discussion: Luther asked that the minutes be amended by correcting a part of the statement in his report on Approved Interpreter Qualifications that reads "The federal and state consortium tests include testing for *courtroom experiences*" to "...the three modes of interpretation." He also suggested that his statement on his lack of interest in pursuing federal certification be omitted.

Motion: Jennifer Storrer moved to approve the minutes as amended. Evangelina Burrows seconded. **Motion passed.**

| Topic: Approved Interpreter Qualifications | Luther Gaylord |
|---|---|

Luther stated that Professor Hague had suggested at the previous meeting that giving certified interpreters a raise to $43 or $45 an hour would solve the problem, but Luther understands that it's not feasible.

The committee addressed the pay reduction of current approved interpreters. Luther again stated that the Utah courts should use the most qualified interpreters. He does not believe there should be a "junior level." The justice courts typically pay competitive rates. Rule 3-306 states certified interpreters are to be used unless they are not available. Luther believes many justice courts are not following Rule 3-306, although Luther recently interpreted in Clearfield Justice Court in which two certified interpreters were used (one of which was him.)

The committee clarified with Luther what his proposed changes to Rule 3-306 are. Luther referred to Tim's memorandum dated January 19. Luther proposed that the approved category only exist if no certification is available in a language. He restated the current credentials as Certified interpreters have passed the consortium exam; Approved interpreters have received a superior rating on the OPI (available to Spanish, Russian, and Vietnamese); Registered 1 is paid the same as Approved but there are no OPI or certification tests available in a language; and Registered 2 has been through the administrative process but has not taken or passed the OPI or certification exam. Luther clarified that in his proposal someone can pass the OPI and still get paid $33.10

per hour if there is no certification test available (as an Approved interpreter). If there is a test, they will not get paid the higher hourly rate until they have passed the test. Luther suggested the following options; option one would be to raise his salary; option two is the above proposal presented by him; option three (presented by Rosa) would be where in the past when a person became an Approved interpreter if there was a certified person on the roster would be paid less (such as Vietnamese.) However, if there wasn't a certified person on the roster, the approved person would be paid at a higher rate.

Rosa explains that if there is a language that is rarely used, would it be beneficial to the interpreter to pay for and take the time for additional certification. The committee agreed with Rosa. It is acceptable to pay at the higher rate because they are rarely called for service, but when they are, it is important to make it worth their time. Luther stated that he understands, especially if they have taken the OPI. Luther explained that his concern is not knowing which registered 2 interpreter is more qualified than the next.

Craig suggested the committee grandfather in the current approved interpreters. Luther agreed to grand fathering in the interpreters. Tim explained the fee structure for the testing. A suggestion was made to give the interpreters a set time to complete the certification so that the system is fair to all. The committee questions if the slight raise is worth it to interpreters. Tim explained his motivation for this was to have some type of measure of language ability. Prior to the OPI, we essentially didn't have anything to gauge ones ability to interpret. The other objective was to design something where people are not moving backwards due to something that is out of their control. Tim encouraged the committee to not include a feature that draws interpreters backwards.

Craig seconded Luther's motion. The motion is essentially that the Approved category and it's accompanying pay level would be available only to interpreters when there is no consortium certification exam available. A member stated he would like to see CJA Rule 3-306 amended to accept OPI results as a qualification for Approved status only in those languages where a consortium is not available. Tim explained that the Judicial Council would be the entity to amend the rule. The clarification was made that this rule would add further definition that this applies if "at the time that they are taking the test" so it would apply immediately as opposed to the future candidates. Luther would like to present this amendment to the Judicial Council. Tim explained that Judge Trease would do that, however, it is a public meeting so Luther can attend if he wishes. This would take care of the grand fathering condition as well.

| Vote: Yes | Motion: **Passed** with 1 dissenting |
|---|---|

| New Interpreter Web Pages | Rosa Oakes |
|---|---|

How to request an interpreter and how to become an interpreter are new areas of information on the public website. Since the policy was changed to providing interpreters for civil cases, this was an important step. Rosa displayed and explained the sites for the committee. The request is available in Vietnamese as well. Richard Gorza who specializes in pro se litigants has recognized this site. The forms are bilingual. Ethnologue is a website which is linked through the courts site. It is an incredibly detailed site of all languages, where they stem from and usage etc. The new roster is also listed to now include separating them by language. The roster includes information for the American Sign Language and the three agencies that are contracted. The committee discussed various languages and their availability and need in the Utah

state courts. The committee questioned seeing the website if it limits the appearance to only Spanish and Vietnamese due to those translations being provided. Tim explained that the forms provided are not mandatory, they are only meant as a tool available to ease the process. Rosa suggested adding a statement "request an interpreter in any language." The committee agreed to that suggestion. Rosa sent the website to all of the interpreter coordinators so they could become familiar with it. The courts intranet (internal site) has a link as well for court personnel such as clerks or probation officers. The committee noted that there was a lot more information than previously seen on the site.

| Topic: Two Pilot Programs Report to Judicial Council | By Tim Shea |
|---|---|

The two pilot programs that the Judicial Council approved are the remote interpretation and the two Third District staff interpreters. The remote interpretation has been in place for more than a year. The staff interpreters for just under a year. Both programs have shown to be a success. The savings in the remote interpretation shows highest in the area of travel, especially to Vernal and Richfield. The staff interpreters are paid on an hourly rate regardless of the length of any individual hearing. The overall savings was approximately $30,000 with a full-time staff interpreter. Regarding the remote interpreting equipment, the system purchased from the Florida vendor is a true plug-and-play. The system purchased from a Draper vendor requires the court to be wired into the court recording system. There have been difficulties with the Draper system linking up successfully and unless it is resolved, Tim's recommendation would be not to purchase any more of those. The courthouse does not need to be remote to accommodate the system. The Florida system costs $15,000 and the Draper system costs $7,500. Further conversations with Dan Becker and members of this committee as well as the Trial Court Executives lead to expanding the staff interpreter plan. Making them available to Matheson, West Jordan, Summit, and Tooele. The discussions are still in the works but we are considering the Eighth District as well. The systems require an analog line so there would need to be accommodations made.

The committee asked if the wages would increase if staff interpreters became permanent. Tim stated they would not. They would most likely decrease to include a full benefit package. Rob Parkes is conducting a salary survey to find the national medium. The committee is concerned if the pay decreases the current staff interpreter contractors would not stay.

| Topic: Meeting adjourned | By Tim Shea |
|---|---|

Meeting adjourned at 1:15 p.m.

# Tab 2

# 2012

## April

| Su | Mo | Tu | We | Th | Fr | Sa |
|---|---|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| 8 | 9 | 10 | 11 | 12 | 13 | 14 |
| 15 | 16 | 17 | 18 | 19 | 20 | 21 |
| 22 | 23 | 24 | 25 | 26 | 27 | 28 |
| 29 | 30 | | | | | |

## May

| Su | Mo | Tu | We | Th | Fr | Sa |
|---|---|---|---|---|---|---|
| | | 1 | 2 | 3 | 4 | 5 |
| 6 | 7 | 8 | 9 | 10 | 11 | 12 |
| 13 | 14 | 15 | 16 | 17 | 18 | 19 |
| 20 | 21 | 22 | 23 | 24 | 25 | 26 |
| 27 | 28 | 29 | 30 | 31 | | |

## June

| Su | Mo | Tu | We | Th | Fr | Sa |
|---|---|---|---|---|---|---|
| | | | | | 1 | 2 |
| 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| 10 | 11 | 12 | 13 | 14 | 15 | 16 |
| 17 | 18 | 19 | 20 | 21 | 22 | 23 |
| 24 | 25 | 26 | 27 | 28 | 29 | 30 |

## July

| Su | Mo | Tu | We | Th | Fr | Sa |
|---|---|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| 8 | 9 | 10 | 11 | 12 | 13 | 14 |
| 15 | 16 | 17 | 18 | 19 | 20 | 21 |
| 22 | 23 | 24 | 25 | 26 | 27 | 28 |
| 29 | 30 | 31 | | | | |

## August

| Su | Mo | Tu | We | Th | Fr | Sa |
|---|---|---|---|---|---|---|
| | | | 1 | 2 | 3 | 4 |
| 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| 12 | 13 | 14 | 15 | 16 | 17 | 18 |
| 19 | 20 | 21 | 22 | 23 | 24 | 25 |
| 26 | 27 | 28 | 29 | 30 | 31 | |

## September

| Su | Mo | Tu | We | Th | Fr | Sa |
|---|---|---|---|---|---|---|
| | | | | | | 1 |
| 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| 9 | 10 | 11 | 12 | 13 | 14 | 15 |
| 16 | 17 | 18 | 19 | 20 | 21 | 22 |
| 23 | 24 | 25 | 26 | 27 | 28 | 29 |
| 30 | | | | | | |

| October | | | | | | |
|---|---|---|---|---|---|---|
| Su | Mo | Tu | We | Th | Fr | Sa |
| | 1 | 2 | 3 | 4 | 5 | 6 |
| 7 | 8 | 9 | 10 | 11 | 12 | 13 |
| 14 | 15 | 16 | 17 | 18 | 19 | 20 |
| 21 | 22 | 23 | 24 | 25 | 26 | 27 |
| 28 | 29 | 30 | 31 | | | |

| November | | | | | | |
|---|---|---|---|---|---|---|
| Su | Mo | Tu | We | Th | Fr | Sa |
| | | | | 1 | 2 | 3 |
| 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| 11 | 12 | 13 | 14 | 15 | 16 | 17 |
| 18 | 19 | 20 | 21 | 22 | 23 | 24 |
| 25 | 26 | 27 | 28 | 29 | 30 | |

| December | | | | | | |
|---|---|---|---|---|---|---|
| Su | Mo | Tu | We | Th | Fr | Sa |
| | | | | | | 1 |
| 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| 9 | 10 | 11 | 12 | 13 | 14 | 15 |
| 16 | 17 | 18 | 19 | 20 | 21 | 22 |
| 23 | 24 | 25 | 26 | 27 | 28 | 29 |
| 30 | 31 | | | | | |