

Agenda

Court Interpreter Committee

January 25, 2013
12:00 to 1:30 p.m.

Administrative Office of the Courts
Scott M. Matheson Courthouse
450 South State Street
Conference Room B, Suite W19

Welcome and approval of minutes	Tab 1	Judge Vernice Trease
Implementation of staff interpreter pilot program	Tab 2	Rosa Oakes Tim Shea
Strategic Plan		Nini Rich

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

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

March 22, 2013

May 17, 2013

July 19, 2013

September 27, 2013

November 15, 2013

Tab 1

Meeting Date	Court Interpreter Committee	
November 16, 2012	Education Room	
Members Present	Member Excused	
Judge Vernice Trease - Chair	Jennifer Andrus	
Judge Rick Romney	Craig Johnson	
Evangelina Burrows	Judge Mary Noonan	
Robert Engar	Dinorah Padro	
Ghulam Hasnain	Wendell Roberts	
Greg Johnson		
Maureen Magagna		
Miguel Medina		
Jennifer Storrer		
Staff: Tim Shea, Rosa Oakes		
Guests: Luther Gaylord, Kristine Prince, Tom Langhorne, Polly Schnaper, Nini Rich		
Topic: Approve minutes of September, 2012		
Discussion:		
Motion: Judge Rick Romney moved to approve the minutes. Greg Johnson seconded the motion.		
Vote: Yes		Motion: Passed
Topic: Training for Court Staff		By Tom Langhorne
<p>Tom Langhorne updated the committee on the curriculum. Mr. Langhorne explained that he met with the Clerks of Court and he appreciates the input he received from them.</p> <p>Ghulam Hasnain commented on the language credentials conversation from the previous minutes. Mr. Hasnain continued to recap other situations he has encountered.</p> <p>Judge Trease addressed Mr. Langhorne's curriculum and commented that information on lengthy hearings such as a copy of jury instructions or exhibits list for the interpreter prior to the hearing or trial should be provided. This would help the interpreter be more familiar with the case prior to the trial. Greg Johnson discussed an employee receiving a stipend to speak another language. Mr. Johnson requested training for the clerks who receive a stipend so they know what is expected of them and they can be prepared to help.</p> <p>Jennifer Storrer discussed the need to have people be familiar with the equipment in the courtrooms. The committee discussed including training on interpreters who assist deaf or hard of hearing persons. Mr. Langhorne stated he would be more than happy to include the training once he receives more information and agreed to meet with her separately. The committee discussed the length of time the interpreters are needed in the court.</p> <p>Mr. Langhorne stated that the thoughts of the education department are that this curriculum will continually be built upon. He thanked the committee for its time.</p>		
Topic: National Summit		By Tim Shea

Mr. Shea discussed his experience at the National Summit held in Houston, Texas. All but one state was present, including Guam. Mr. Shea explained that most of the conference involved each state detailing various aspects of their program. In comparison, Utah has a very good program. The objective was to meet as a team. Mr. Shea, Judge Larry Steele, Dan Becker and Rosa Oakes attended. A meeting to prioritize state actions was held toward the end of the conference. Rosa Oakes stated that she enjoyed interacting with the other states. She also stated that she has been receiving emails from other states regarding her speech and how the program in Utah work.

Judge Trease questioned whether there was a list nationwide of available interpreters. Ms. Oakes stated that there was a listserv through the National Center for State Courts that could be used for finding interpreters nationwide.

Judge Trease wondered if there was a complaint process in place. Mr. Shea explained that there was something set up at this time.

Topic: Strategic Plan

By Tim Shea / Nini Rich

Mr. Shea stated that the Judicial Council counts on committees to conduct strategic planning exercises and to report plans to them. Mr. Shea stated the last time this committee has discussed a strategic plan was in 2006.

The first part is a list of goals, and the second is tasks. Mr. Shea provided the website for the committees to view the last strategic plan.

Nini Rich began discussing how the strategic plan is formed by asking questions. Ms. Rich stated Ms. Oakes will take notes. Ms. Rich stated that the committee needs to conceive of goals they would like to address. Judge Trease stated she would like to see more outreach efforts. The committee added training of court personnel in dealing with the public (use of interpretation resources.) Mr. Shea said he would like to improve the quality of interpreters (i.e. development of a glossary of court terms.) The committee discussed the best practices in utilizing technology. They further discussed educating the bar. Ms. Oakes discussed the option of recording the interpreter. She stated that recently an interpreter was recorded then the recording was submitted as evidence. Ms. Oakes noted that the majority of the states have a minimum pass rate of 80% on the written exam. Utah has a pass rate of 70% so continually improving the quality of the interpreters is a goal to set. Mr. Shea provided the committee with a publication for the Delaware program.

Topic: Meeting adjourned

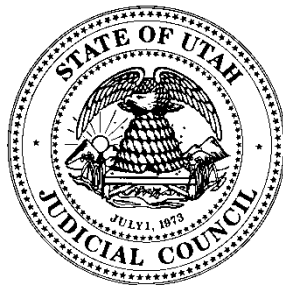
With no further business, the meeting adjourned at 1:30 p.m.

Tab 2



Utah State Courts

Language Access in the Trial Courts of Record 2010-2012



November 19, 2012

Language Access in the Trial Courts of Record 2010-2012

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 (b) Approved..... 5

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(4) Change in language spoken at home, 2000 - 2010 7

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 (b) Language interpreting 9

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(1) Interpreter Availability

Source: FINET

Language	Hours Interpreted 2012	Frequency of Language	Interpreters				Frequency of Interpreters
			Certified	Approved	Registered	Total	
Spanish	17,054	86.6%	47	4	19	70	46.1%
Arabic	402	2.0%		1	4	5	3.3%
Vietnamese	311	1.6%	1		3	4	2.6%
Somali	294	1.5%			2	2	1.3%
Burmese	214	1.1%		1	1	2	1.3%
French	134	0.7%			7	7	4.6%
Khmer	118	0.6%			1	1	0.7%
Bosnian	103	0.5%			2	2	1.3%
Farsi	90	0.5%		1	5	6	3.9%
Swahili	87	0.4%			1	1	0.7%
Samoan	76	0.4%			2	2	1.3%
Nuer	74	0.4%				0	0.0%
Mandarin	74	0.4%		1	4	5	3.3%
Tongan	68	0.3%			4	4	2.6%
Laotian	68	0.3%		2	1	3	2.0%
Tagalog	52	0.3%				0	0.0%
Navajo	52	0.3%	2		1	3	2.0%
Korean	48	0.2%			3	3	2.0%
Russian	47	0.2%	1		4	5	3.3%
Dutch	42	0.2%				0	0.0%
Dinka	38	0.2%				0	0.0%
Kirundi	38	0.2%			1	1	0.7%
Cantonese	24	0.1%			1	1	0.7%
Nepali	24	0.1%				0	0.0%
Tigrigna	21	0.1%			1	1	0.7%
Liberian	15	0.1%				0	0.0%
Chuukese	15	0.1%				0	0.0%
Mende	13	0.1%				0	0.0%
Urdu	13	0.1%			2	2	1.3%
Thai	11	0.1%			2	2	1.3%
German	11	0.1%			3	3	2.0%
Japanese	7	0.0%			4	4	2.6%
Hindi	7	0.0%			2	2	1.3%
Panjabi	7	0.0%			2	2	1.3%
Karen	7	0.0%				0	0.0%
Amharic	5	0.0%			1	1	0.7%

Language	Hours Interpreted 2012	Frequency of Language	Interpreters				Frequency of Interpreters
			Certified	Approved	Registered	Total	
Kurdish	5	0.0%				0	0.0%
Uduk	3	0.0%				0	0.0%
Albanian	3	0.0%			1	1	0.7%
Tibetan	3	0.0%				0	0.0%
Portuguese	3	0.0%			6	6	3.9%
Ewe	2	0.0%				0	0.0%
Mabaan	2	0.0%				0	0.0%
Igbo	2	0.0%				0	0.0%
Greek	1	0.0%				0	0.0%
Hmong	1	0.0%				0	0.0%
Indonesian	1	0.0%				0	0.0%
Marshallese	1	0.0%			1	1	0.7%
Total	19,689	100.0%	51	10	91	152	100.0%

(a) Certified

- Has completed an English diagnostic test, a test on the Interpreter Code of Professional Responsibility, a one-day orientation workshop, a background check and 10 hours of observation.
- Has completed a seven-day training course and passed a three-part examination offered through the National Center for State Courts.

(b) Approved

- Has completed an English diagnostic test, a test on the Interpreter Code of Professional Responsibility, a one-day orientation workshop, a background check and 10 hours of observation.
- Has passed an Oral Proficiency Interview offered by Language Testing International.

(c) Registered

- Has completed an English diagnostic test, a test on the Interpreter Code of Professional Responsibility, a one-day orientation workshop, a background check and 10 hours of observation.
- Designated as "Registered 1" if there is no examination available in the language for certified or approved credentials.
- Designated as "Registered 2" if s/he has not taken or has not passed the examination available for certified or approved credentials.

(d) Conditionally Approved

- Vetted by the appointing authority for suitability in the particular hearing.
- Any language listed for which there is no interpreter will necessarily have been interpreted by a conditionally approved interpreter.

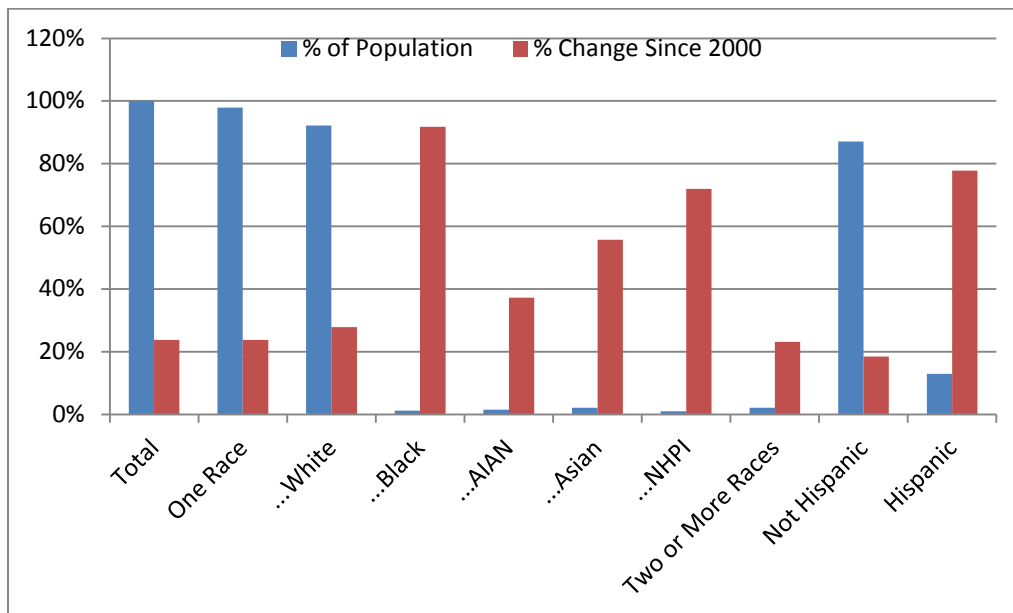
(2) Hispanic or Latino Population

Source: US Census

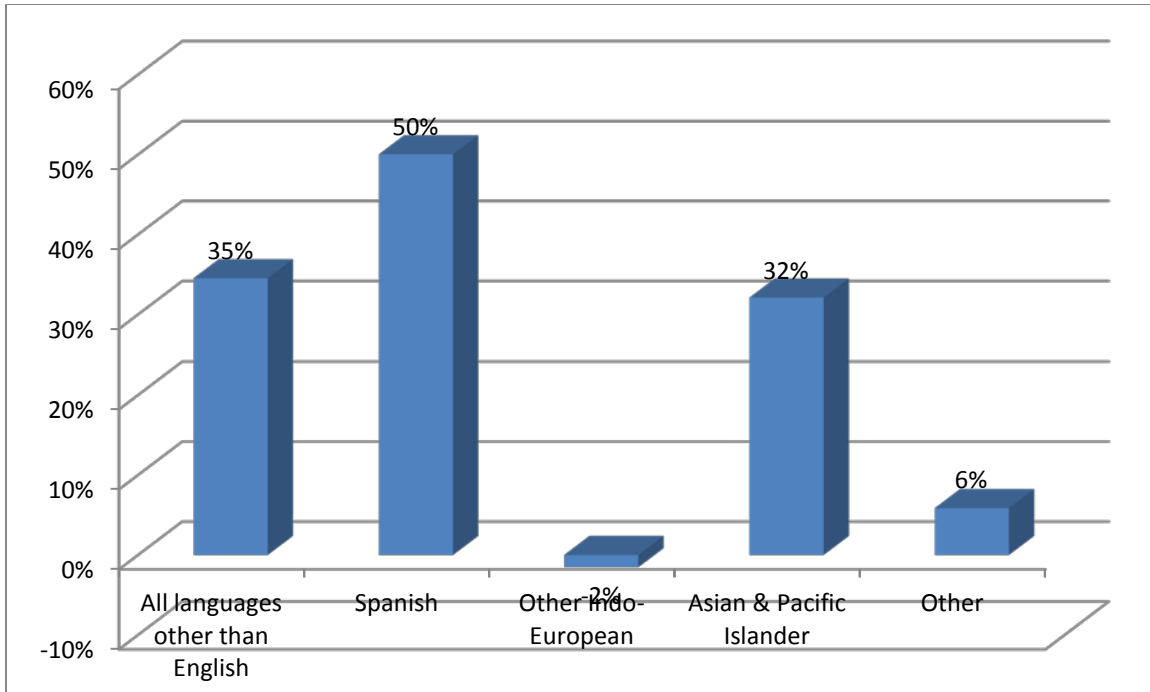
County	Percent Hispanic Population 2010
Salt Lake	17
Weber	17
Wasatch	14
Millard	13
Carbon	12
Summit	12
Tooele	11
Beaver	11
Utah	11
Cache	10
Washington	10
Grand	10
Sanpete	9
Davis	8
Box Elder	8

County	Percent Hispanic Population 2010
Iron	8
Uintah	7
Piute	7
Duchesne	6
Garfield	5
Emery	4
Sevier	4
San Juan	4
Rich	4
Wayne	4
Juab	4
Kane	4
Daggett	3
Morgan	2
State	13

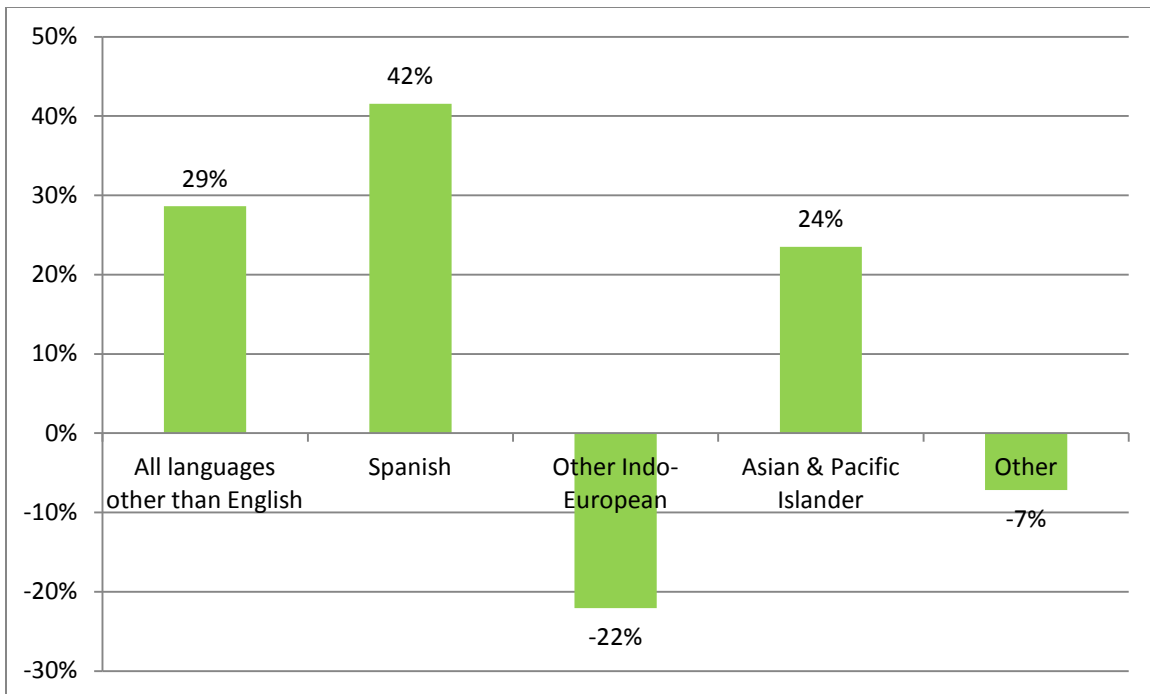
(3) Change in Utah population by race and ethnicity, 2000 - 2010



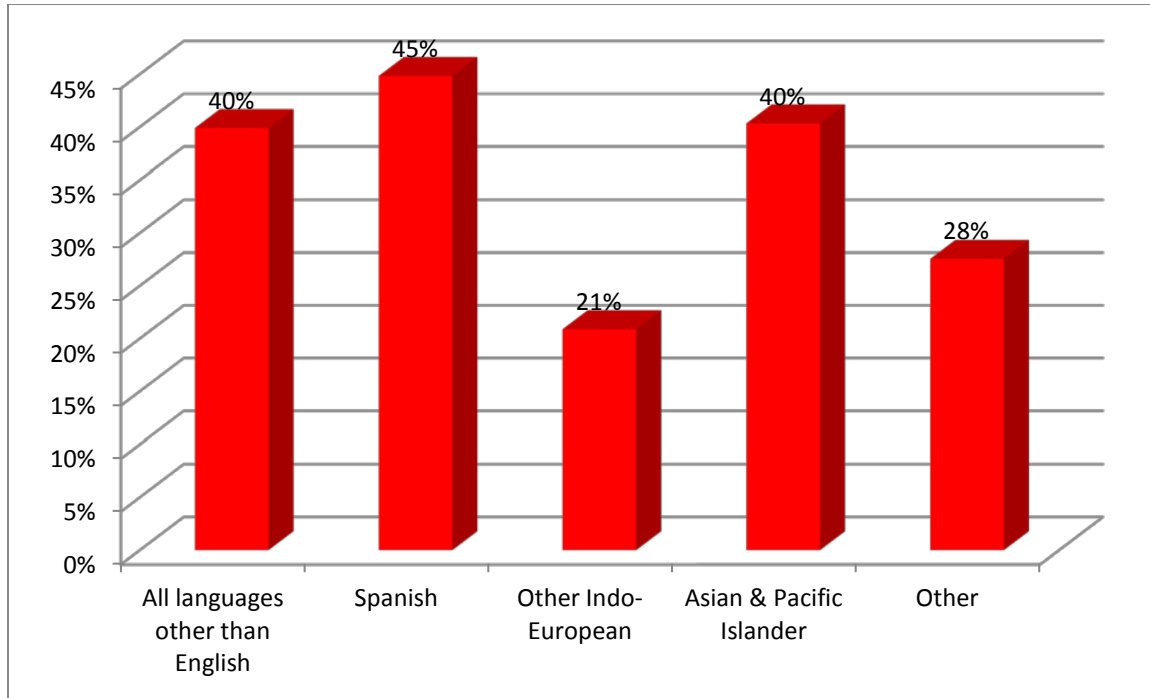
(4) Change in language spoken at home, 2000 - 2010



(5) Change in "Speaks English less than very well," 2000 - 2010



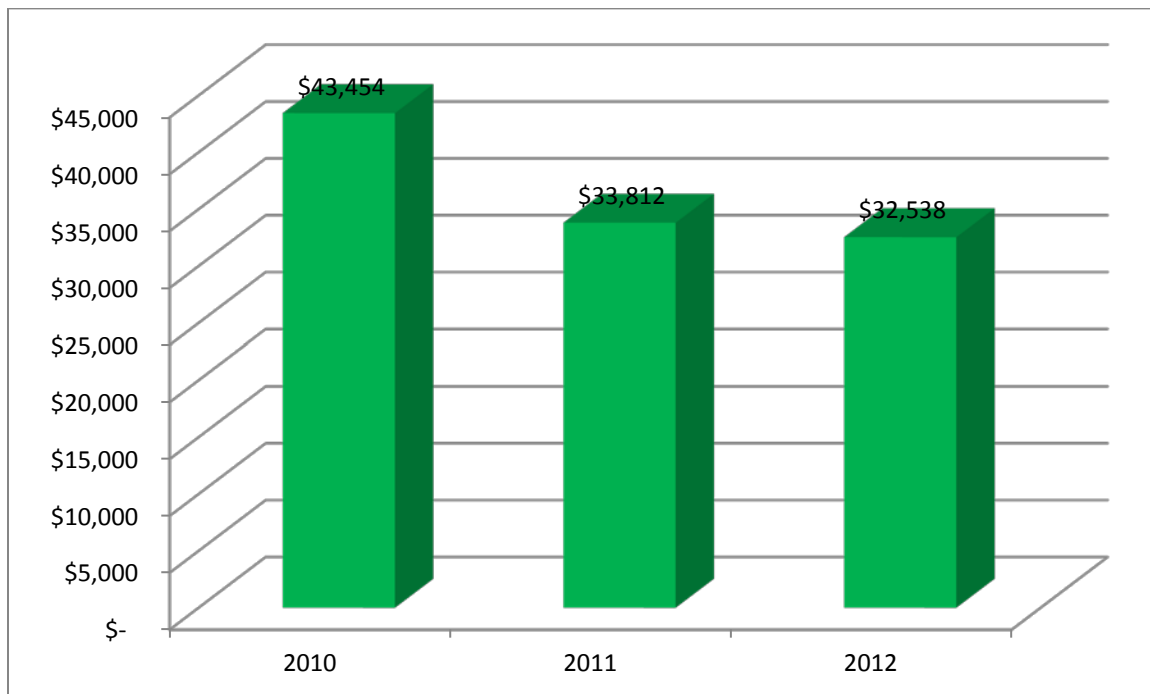
(6) "Speaks English less than very well" as a percent of language spoken at home, 2010



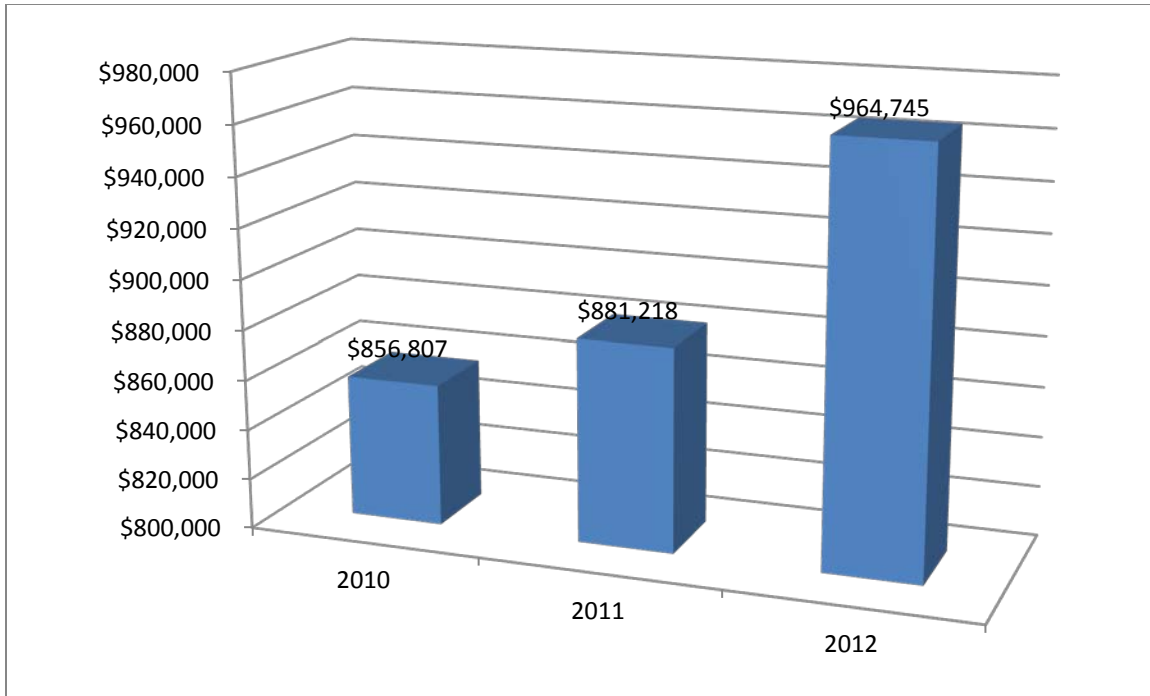
(7) Language Access Program Cost

Source: FINET

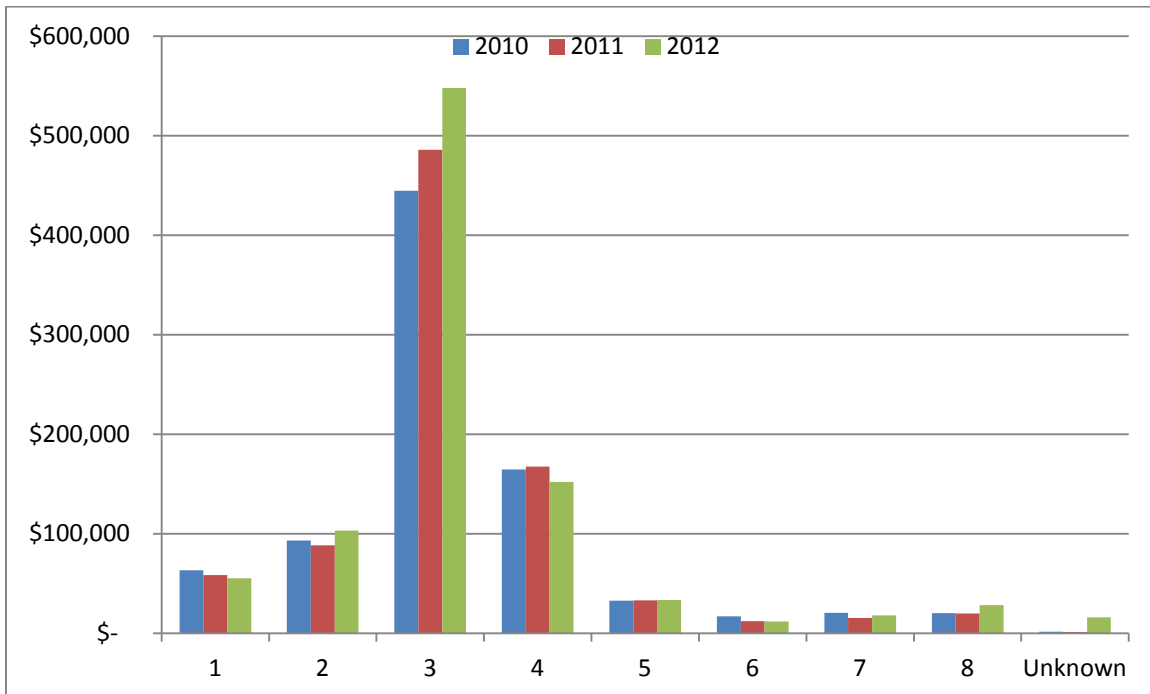
(a) American Sign Language interpreting



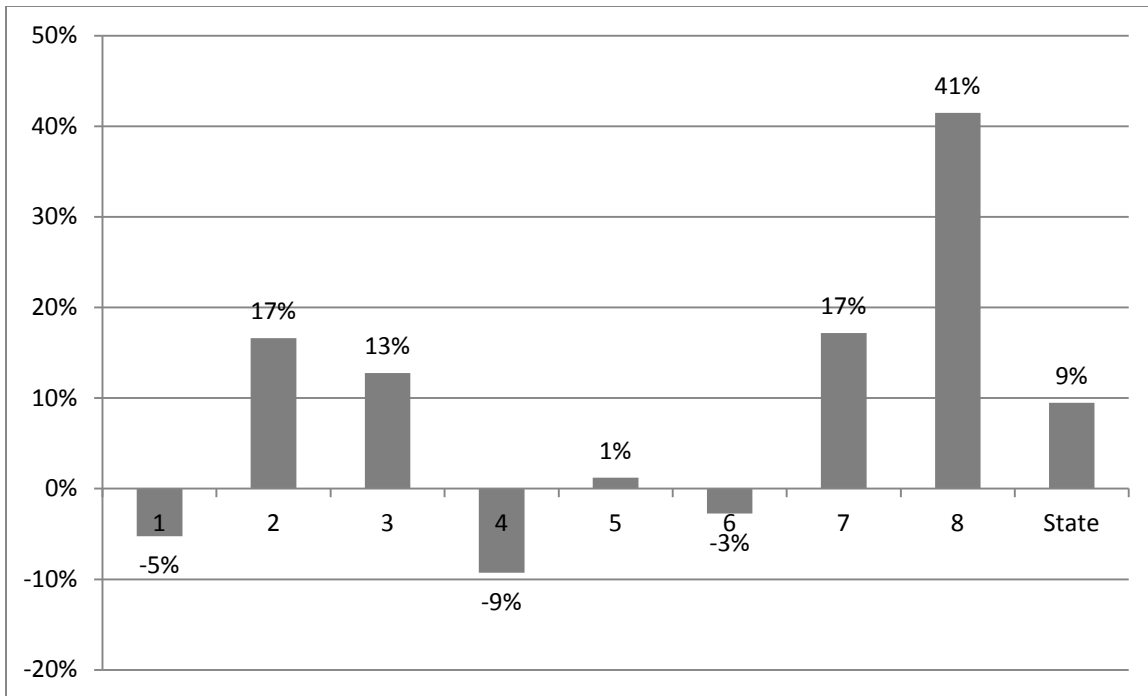
(b) Language interpreting



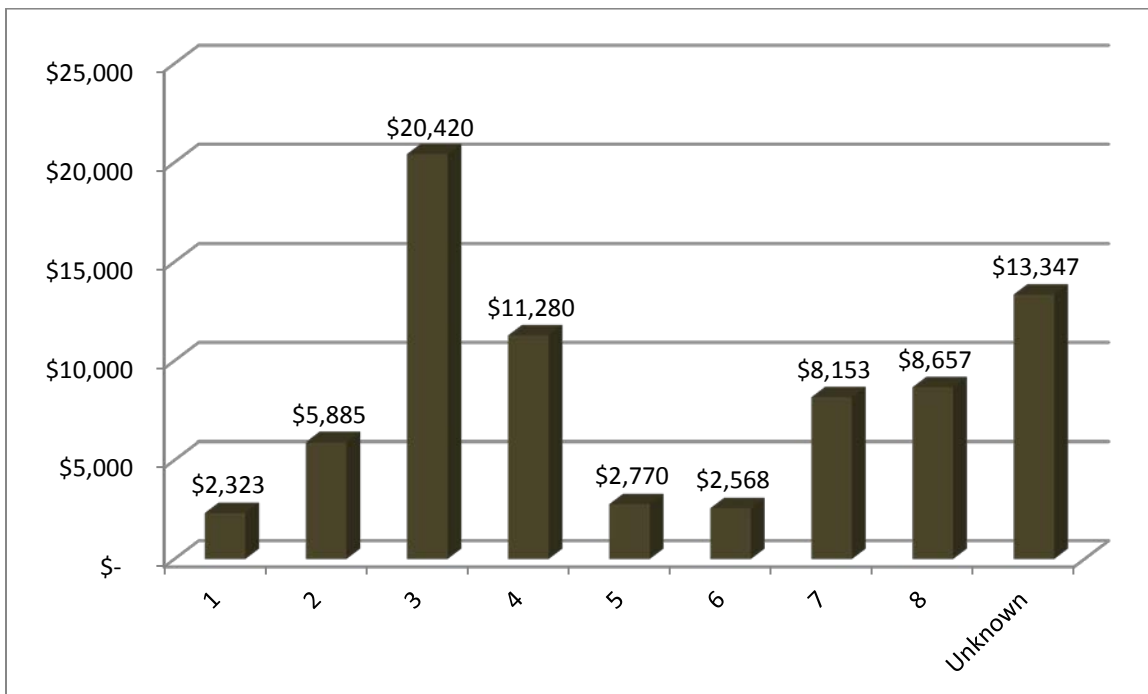
(c) Language interpreting cost by district



(d) Change in language interpreting cost, 2011 - 2012



(e) Travel cost, 2012



The total travel cost for FY 2012 was \$75,400, which is lower than was estimated last year. We began accounting for mileage reimbursement apart from professional services in mid-FY 2011. FY 2012 is the first year for which we have a complete year's worth of

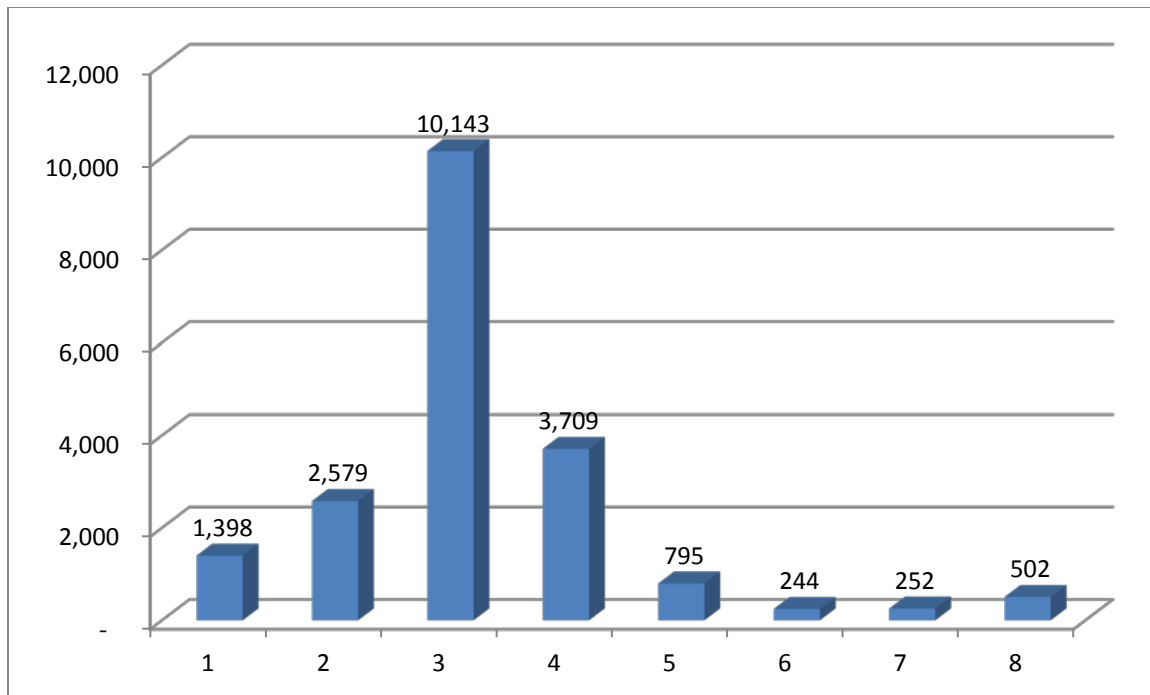
data. Unfortunately, coding errors mean we are unable to attribute a high percent of the travel cost to particular districts.

(8) Hours Interpreted, 2012

Source: FINET

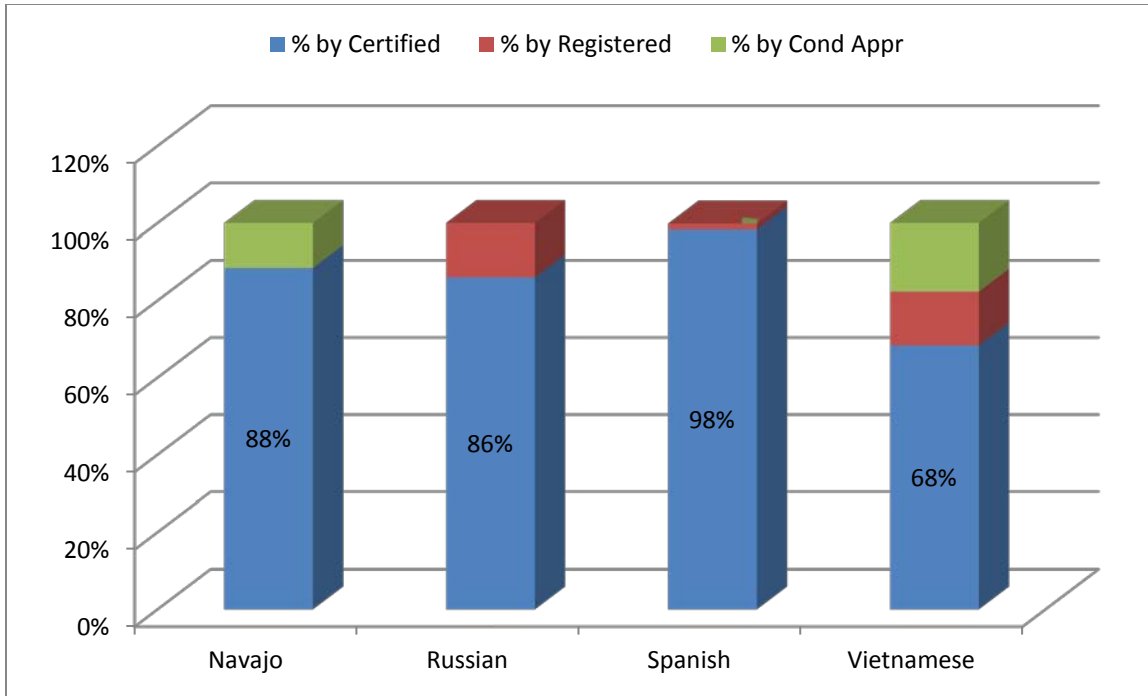
By isolating and subtracting mileage reimbursement, we are able for the first time to report the time spent interpreting. The reported time spent interpreting is the accumulation of the actual time or minimum time for which the interpreter was paid.¹ The result is a more accurate measure because the higher fee for higher credentials influences reporting by cost alone.

(a) By district

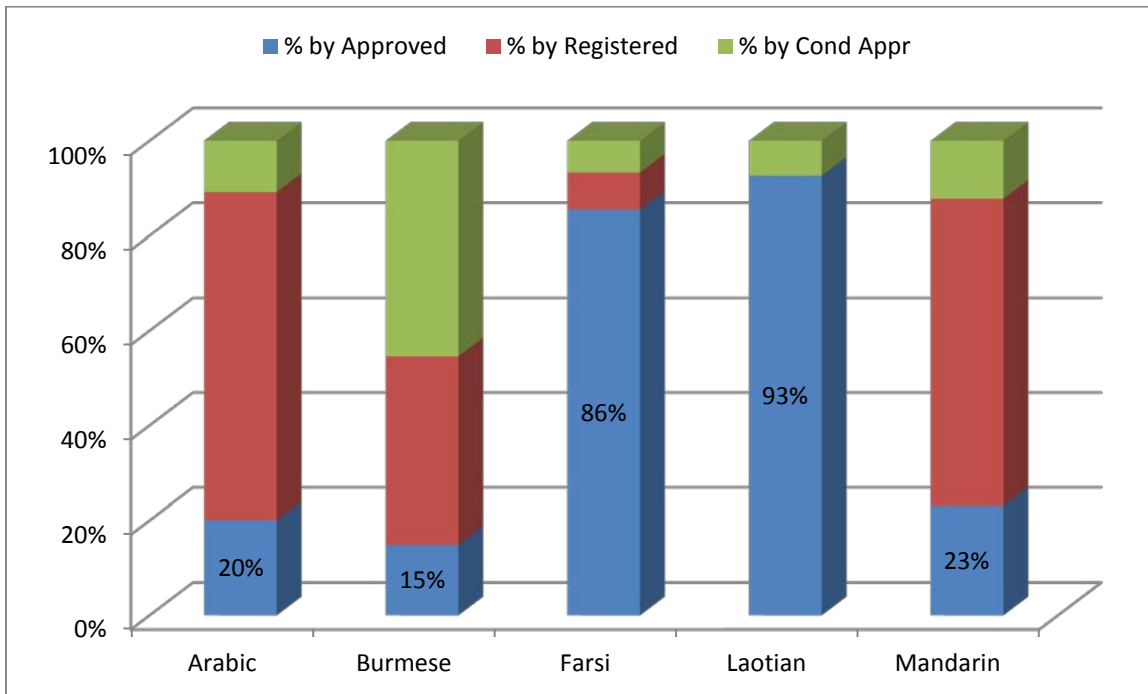


¹ Interpreters are paid in half-hour increments for the actual time interpreting or a minimum time based on the distance traveled to the hearing, whichever is greater.

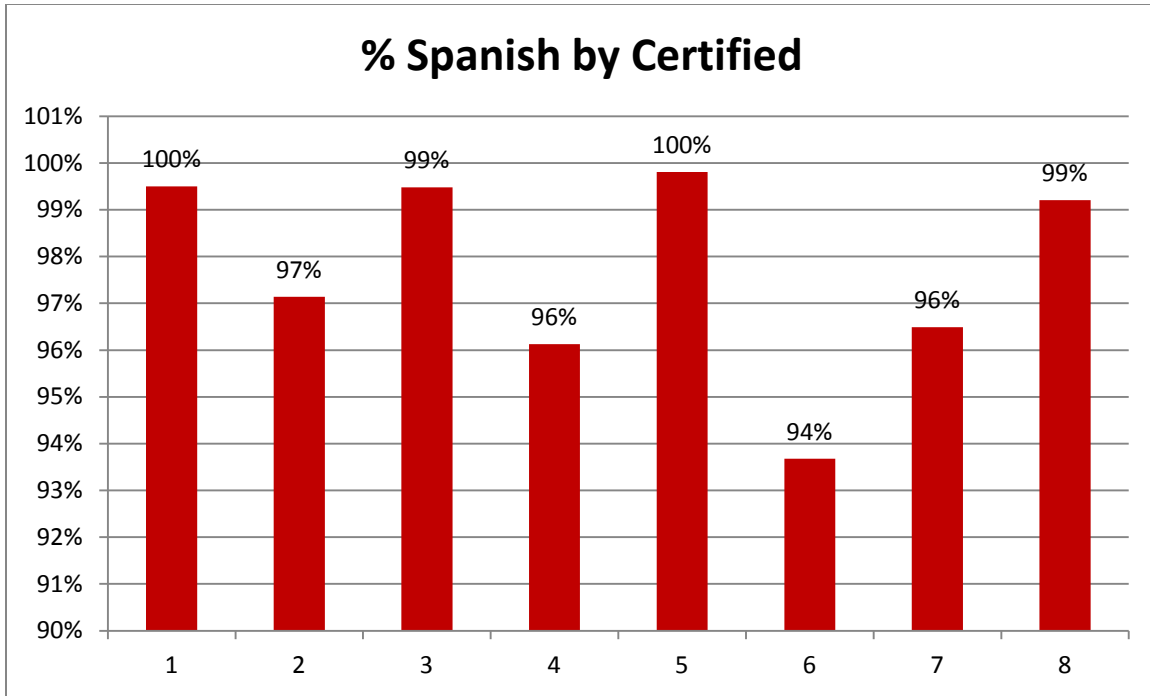
(b) By highest credentials available — Certified



(c) By highest credentials available — Approved



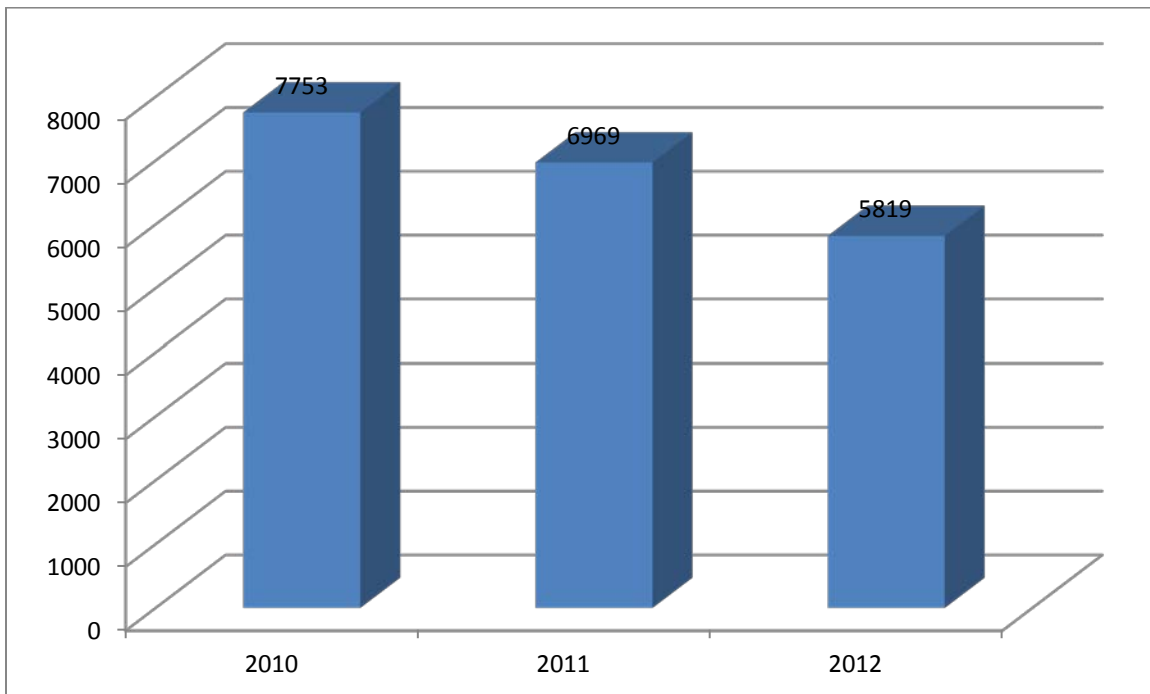
(d) Percent of Spanish language hours interpreted by a certified interpreter



(9) District Court

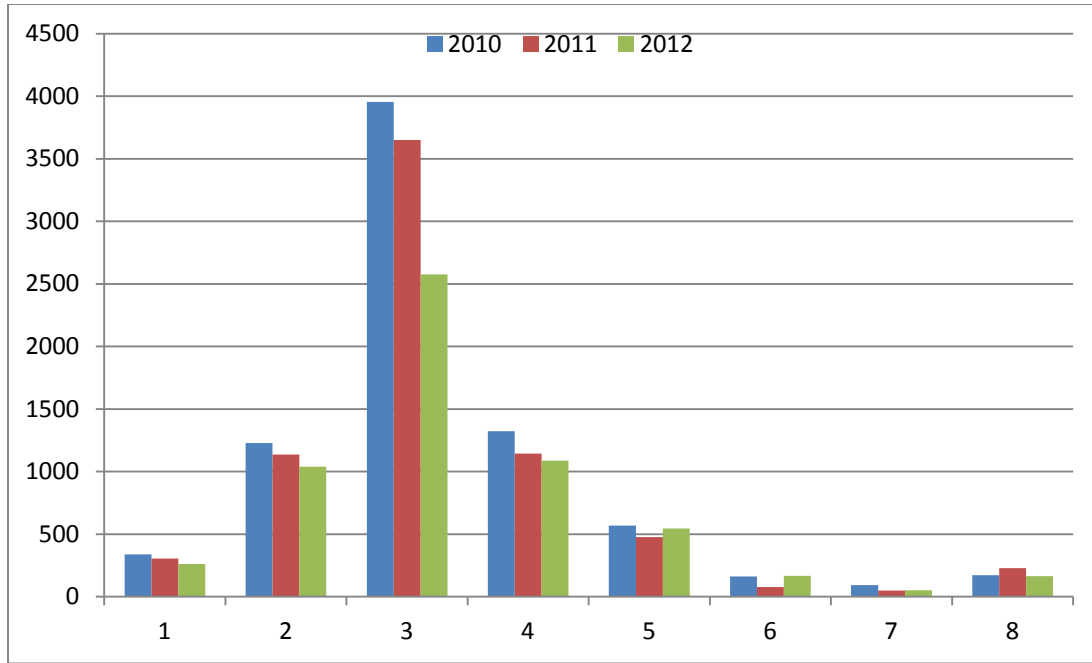
Source: CORIS

(a) Total interpreted hearings

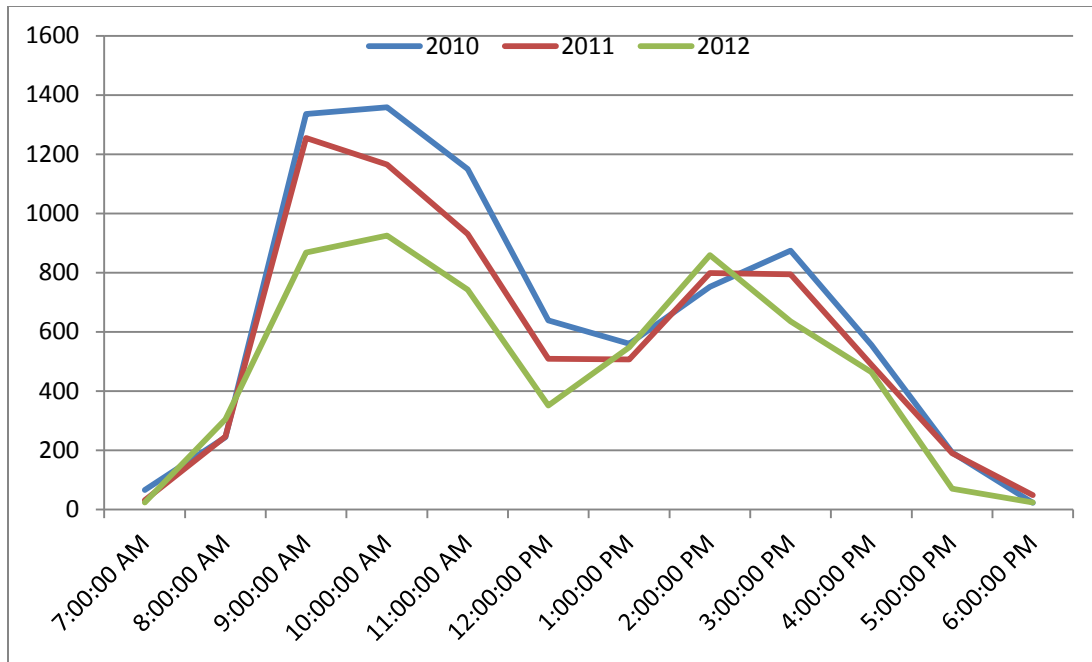


The amendment to Rule 3-306 providing interpreters for all district court hearings, not just criminal, went into effect April 1, 2011. Despite extending the language access program to all hearings, the total number of hearings interpreted has declined.

(b) Interpreted hearings by district



(c) Interpreted hearings by start time



Hearings reported as starting before 7:00 am are included with the 7:00 am hearings. Hearings reported as starting after 6:00 pm are included with the 6:00 pm hearings.

(d) Interpreted hearings by case type

Case Type	Number of Hearings			Case Type	Number of Hearings		
	Interpreted				Interpreted		
	2010	2011	2012		2010	2011	2012
Admin. Agency			1	Settlement			
Adoption			2	Miscellaneous	1		
Cohabitant Abuse	26	50	81	Misdemeanor	1086	962	810
Conservatorship			3	Name Change			7
Contracts			5	Not Applicable		4	10
Custody & Support	2	4	5	Paternity			9
Debt Collection		2	30	Personal Injury			4
Divorce	2	8	57	Post Conv Relief	1		1
DUI	237	148	108	Probate			1
Estate			2	Sm Claims			
Eviction		2	14	Appeal			6
Felony	6055	5497	4386	Small Claims	3	3	1
Guardianship			12	Stalking			7
Infraction	1		10	Traffic	339	289	241
Minor's			3	UIFSA			3
				Total	7753	6969	5819

(e) Interpreted hearings by hearing type

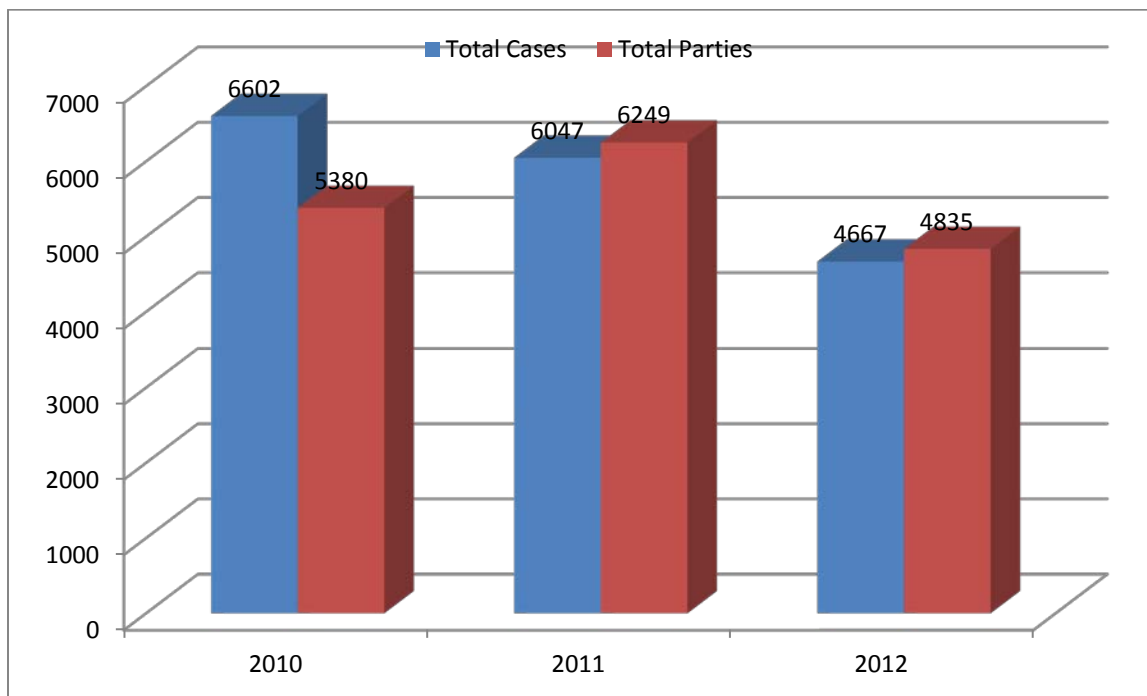
Hearing Type	Number of Hearings			Hearing Type	Number of Hearings		
	Interpreted				Interpreted		
	2010	2011	2012		2010	2011	2012
Appoint Counsel	889	710	514	Jury Trial	52	44	35
Arrestment	717	573	448	Law and Motion	773	870	911
Bail Forfeiture	27		8	Motion Hearing	25		8
Bail Hearing	41	36	52	OSC	72	81	70
Bench Trial	19	8	27	Plea Bargain	25		8
Bench Warrant	94	79	36	Preliminary Hng	314	354	301
Bond Hearing	3	2		Pretrial Conf	394	375	281
Change of Plea	655	586	386	Probable Cause	1		
Competency Hng	2	10	6	Probation Report	76	68	69
Disposition Hng			4	Probn Revocation	76	68	69
Drug Court	106	84	3	Protective Order	25	45	71
ECR Status Conf		2	31	Remand Hearing	6	1	3
Evidentiary Hng			6	Resolution			
Hearing	75		24	Hearing	5	12	1
Hearing Default	25		8	Restitution			
Imm Occupancy			5	Hearing	6	5	2
Initial Appearance	777	683	599	Review Hearing	179	135	155

Hearing Type	Number of Hearings			Hearing Type	Number of Hearings		
	Interpreted				Interpreted		
	2010	2011	2012		2010	2011	2012
Roll Call	518	556	158	Supp Order			6
Sanctions			1	TRO			1
Scheduling Conf	57	96	268	TBD		1	
Sentencing	1561	1284	978	Trial De Novo			2
Status Conf	2	17	2	Waive Prelim	153	182	261
Sufficiency Bond	3	2		Total	7753	6969	5819
Summary Jgmt			1				

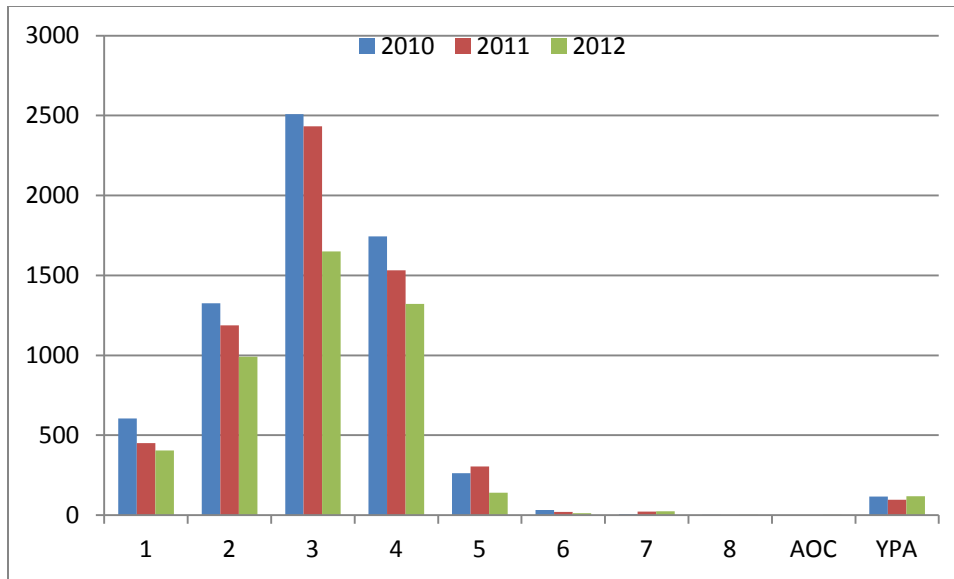
(10) Juvenile Court

Source: CARE

(a) Total



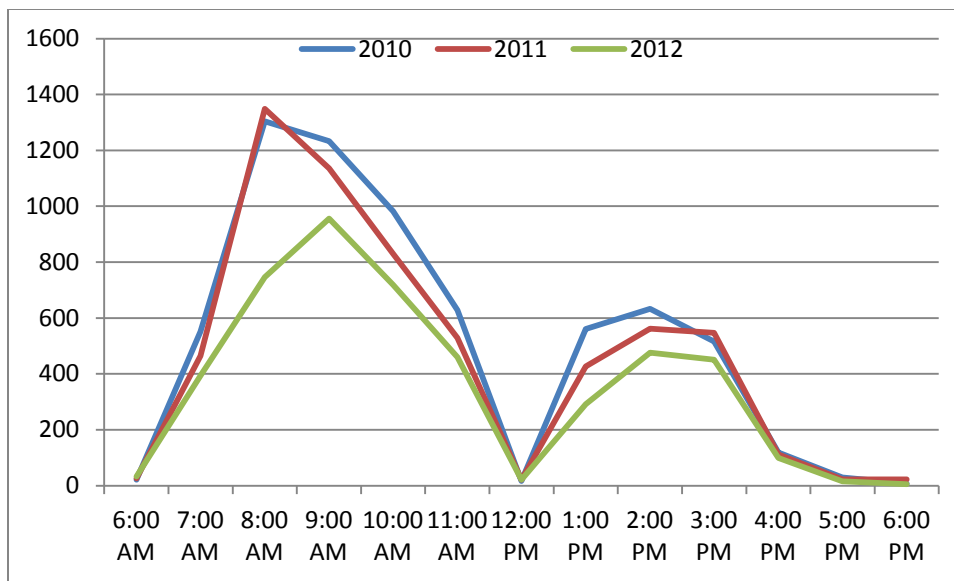
(b) Total cases by district



The juvenile court data are compiled on a calendar year basis, and the data for CY 2012 include hearings scheduled through the end of 2012.

There are only a few cases associated with the 8th Judicial District and the AOC, so the columns are too small to be seen on this scale. There should be no cases associated with the AOC. There are several cases associated with the Youth Parole Authority each year. It appears that these are interpreted hearings held at the YPA but recorded in CARE. It appears that the court is not paying the interpreter.

(c) Interpreted hearings by start time



Hearings reported as starting before 6:00 am are included with the 6:00 am hearings. Hearings reported as starting after 6:00 pm are included with the 6:00 pm hearings.

(11) Analysis

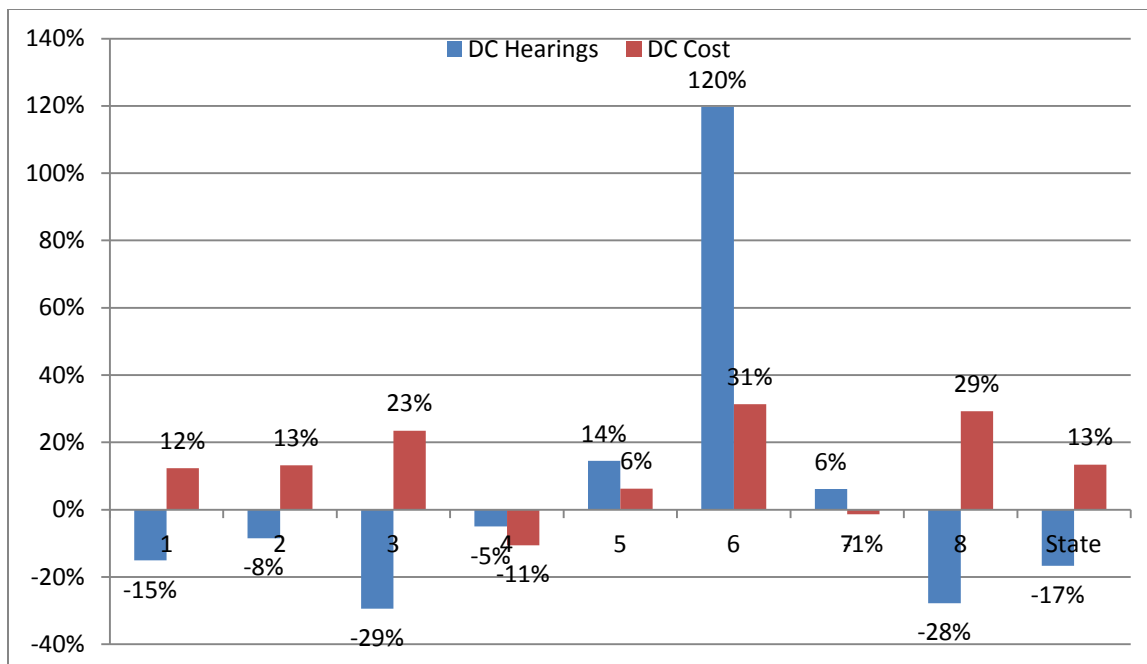
FINET provides the most reliable source of data because it is in the court's and the interpreters' self-interest to pay and to be paid the correct amount.

CORIS data are probably under-reported, although — again probably — not appreciably. Judicial assistants are good about recording the presence of the interpreter, but, from a case management perspective, there is no difference between doing so and failing to do so. Also, there are interpreting assignments for which an interpreter is paid that occur outside of a court hearing and are not captured in CORIS.

Now that we separate the cost of mileage reimbursement from the cost of professional services, we should have, for the future, a sound basis of measuring changes in the number of hours interpreted (based on the calculation of actual or minimum time paid).

By expanding the language access program to all hearings, civil and criminal, one would expect the number of interpreted hearings to have increased, but CORIS shows that they have decreased. New filings in district court have declined for the last three years; perhaps the overall decline in new cases more than off-sets the expansion to civil hearings. Without comparable hearing data from CARE, it is omitted from this analysis.

With the number of hearings declining, one would expect overall costs also to decline, but they have increased. One would expect a higher correlation between costs and hearings among the districts, but the variations are sometimes quite extreme. Only in Fourth District Court did hearings and costs both decline, and only in Fifth and Sixth District Courts did hearings and costs both increase. (Attributing half the salary of Third District staff interpreters to district court.) Removing the Third District from the data moderates the difference: Throughout the rest of the state from 2011 to 2012, the number of district court interpreted hearings declined 3% and the cost increased 3%.



In the Third District Court, the cost for contract interpreters declined substantially from 2011 to 2012, which one would expect with interpreters on staff. After including the salary of the staff interpreters, the total cost in the Third District increased while the number of district court hearings declined. However, the same is true in other districts, so the cause of the increase should not necessarily be attributed to staff interpreters.

We are unable to fully explain why costs have been increasing while the number of hearings has declined. There are several factors which contribute to the phenomenon, but they may not explain the divergence entirely.

One factor has already been mentioned: the number of interpreted hearings is probably under-reported. One can see some evidence of under-reporting in previous years in the 120% increase in hearings in the Sixth District Court. Whatever one is measuring, an increase of this magnitude, especially when out of proportion to the other districts, usually means improved reporting. The CORIS report of interpreters present at hearings is so thorough, however, that under-reporting hearings is probably minimal.

Some interpreting is not captured in CORIS, such as walk-in clients, mediation, divorce education and other court-annexed programs. From the experience of the interpreter coordinators, it appears that expanding the program to civil cases has increased this unscheduled need.

Part of the divergence in the Third Judicial District is due to the increased use of "miscellaneous" interpreters. This is a contract interpreter who is on-site but not scheduled for particular hearings. They are available in the probable event that there is an unscheduled need. The frequency of the actual need justifies the practice, but some of the interpreter's time will be idle. Formerly the Third Judicial District scheduled one miscellaneous interpreter for four hours per day. Currently there are two miscellaneous interpreters for six hours per day.

Three changes have had the effect of increasing costs even though work has not increased. The first is a newly established minimum fee for three hours based on the distance traveled. Formerly there were minimum fees for one, two and four hours; a minimum fee for three hours was added last year. Approximately 9% of all payments in FY 2012 were for three hours and would have been for two hours in previous years.

Although the hourly fee for interpreters with given credentials has remained stable from FY 2010 through FY 2012, some interpreters test into higher credentials and so are paid a higher fee. The interpreter ranks had the following increases during FY 2012:

	<u>Spanish</u>	<u>Languages other than Spanish</u>	<u>Fee Increase</u>
To Certified	6	1	16.7% over Approved
To Approved	3	7	14.9% over Registered

The number of hearings interpreted in Spanish is many times larger than in all other languages combined. So, even though approved Spanish interpreters are seldom used and additional certified Spanish interpreters means principally that the work is spread

among more people at the same cost, the multiplier on even modest increases is large. When an interpreter becomes certified (or approved) in a language in which there are no (or only a few) others with similar credentials, interpreters with the highest credentials corner a significant percent of the work in that language, also resulting in a higher cost.

Finally, beginning December 2010, mileage reimbursement was reinstated from \$0.36/mile to its former \$0.505/mile. This was a 71% increase, and, in a state as large as Utah, it is bound to have had an effect. The full effect would have been felt in FY 2012 and about one-half the effect in FY 2011.

The precise impact of these factors would be very difficult to measure. It is, however, a reasonable hypothesis that, when combined, they explain at least part of the divergence in hearings and costs.

(12) Interpreter information on the court's website

- [American Sign Language Interpreters](#)
- [List of interpreters by language and credentials](#)
- [How to become a court interpreter](#)
- [Request a court interpreter](#)
 - Forms and instructions in English, Spanish and Vietnamese.
- [English-Spanish Legal Terminology](#)

(13) Remote interpreting

At the end of the pilot program in FY 2011, we concluded that remote interpreting equipment integrated into an existing courtroom sound system, although less expensive than a stand-alone "cart" system, presented too many technical problems. As a result, integrated systems in Moab and Roosevelt have been replaced with cart systems. In addition the Sixth District has purchased a cart system for Manti. The cart system in Vernal, installed in October, 2010, continues to function, as does the integrated system in Richfield.

The Third Judicial District has established two small offices in the Matheson Courthouse dedicated to remote interpreting. From this location an interpreter has the equipment needed to communicate with the specialized equipment in the remote courtrooms. Although an interpreter can use any telephone for this purpose, we encourage interpreters to use the Matheson offices and equipment.

Remote interpreting equipment is not used frequently. As a result it remains somewhat foreign and mysterious; it does not take much of a problem with it to cause judges and judicial assistants to seek an in-person interpreter instead, or to use a speaker phone.

And there have been problems. Even in the offices in the Matheson Courthouse, which probably provide the most stable environment available, there are periodic noises on the line, delays in switching among the three interpretation modes, and difficulty hearing. We need to develop a regular testing pattern for all of the equipment to discover and fix problems before they occur during a hearing. And we need to improve our response to problems when they are reported. Regular tests should also help everyone to remain familiar with the equipment and more likely to use it.

The most serious problem, however, is not technical. Interpreters in the Matheson office must frequently wait — sometimes as long as two, three and four hours — for a hearing to begin. Sometimes the call to begin the hearing never comes. The courts pay for this idle time. A potential solution is to develop special calendars for interpreted hearings or to give priority on the calendar to interpreted hearings, but this will come at the expense of the judges' scheduling flexibility.

(14) Staff Interpreter Pilot Program

(a) Estimated savings

The Third Judicial District has hired four staff interpreters through written agreements that will expire June 30, 2013. The staff interpreters are paid \$30.00 per hour with no benefits compared to \$38.63 per hour with no benefits for a contract interpreter.² The staff interpreters work full-time. Two of the interpreters have been on staff since mid-April 2011, two since mid-April, 2012.

We have been keeping a record of each staff interpreter's time and tasks on her or his calendar, which we can download into a spreadsheet for analysis. We had hoped to have a full year's worth of data for two of the interpreters, but, in the transition from Groupwise to Google, much of the data of one interpreter was lost. Consequently we have based the following annualized estimate on the calendars of all four staff interpreters for four months, spanning the end of FY 2012 and the beginning of FY 2013.

Task	Annualized Time (Hours for one Interpreter)	Cost		Difference
		Staff Interpreter @ \$30.00/hr	Contract Interpreter @ \$38.63/hr	
Filling In	23	\$690	\$888	\$198
Front Counter/Law Library	21	\$630	\$811	\$181
Regular Interpretation	1745	\$52,350	\$67,409	\$15,059
Remote Interpretation	10	\$300	\$386	\$86

² When the Legislature approved a 1% cost of living adjustment for FY 2013, the staff interpreters' wages were increased, along with those of all other employees, to \$30.30/hour. The Judicial Council approved a 1% increase for contract interpreters to \$39.02/hour.

Task	Annualized Time (Hours for one Interpreter)	Cost		Difference
		Staff Interpreter @ \$30.00/hr	Contract Interpreter @ \$38.63/hr	
Translation	61	\$1,830	\$4,559 ³	\$2,729
Holiday	88	\$2,640		\$(2,640)
Vacation	120	\$3,600		\$(3,600)
Meetings	20	\$600		\$(600)
Total	2088	\$62,640	\$74,054	\$11,414

- Estimated annual savings are approximately \$11,000/interpreter.
- Actual savings are probably a little higher since this analysis does not include mileage reimbursement payable to contract interpreters. In FY 2012 certified Spanish contract interpreters were paid an average of \$762 each for mileage reimbursement. Staff interpreters are reimbursed for miles driven in a private vehicle, but they usually use a state vehicle.
- Estimated savings are due in part to the hypothetical payments to contract interpreters for webpage translations. This is a need that would go largely unmet but for the staff interpreters.

(b) Collaboration of the Third and Eighth Judicial Districts

Starting July 1, 2012, the Third and Eighth Districts entered into an agreement whereby the Third District interpreter coordinator schedules all interpreters for Eighth District hearings. Using the features of CORIS and CARE and supplemented by e-mail and telephone communication, the Eighth District judicial assistants identify and communicate the need for an interpreter and in which language. The Third District coordinator schedules the interpreters as needed.

Some general guidelines have been established about when the judges are willing to use remote interpreting, which is available in Vernal and Roosevelt, but not Duchesne or Manila.⁴ If an in-person interpreter is needed, the coordinator will schedule one of the staff interpreters in the Eighth District and then schedule a contract interpreter for any Third District hearings that would have been covered by the staff interpreter, that being the less expensive arrangement.

Based on early results, the agreement appears to be having the desired effect. For July and August, 2012, there has been only one Spanish contract interpreter with service in the Eighth District.⁵

³ Contract interpreters who translate webpages and forms are paid by the word rather than by the hour. This amount is the cost for a contract interpreter to translate the webpages and forms actually translated by the staff interpreters during 2012.

⁴ Most recently, the staff interpreters have also been doing most of the remote interpreting for Richfield, Manti and Moab.

⁵ This is based on the FINET record of payments. There is no deadline for interpreters to submit invoices, so there may be some payments pending.

(c) Survey about staff interpreters

We conducted a very brief survey of judges and judicial assistants in the Third and Eighth Judicial Districts in October, 2012, after two of the staff interpreters had been employed for about 18 months and two others for about six months. The staff interpreters and interpreter coordinators also were included as respondents. Of the 33 respondents, 75% were aware that we employ staff interpreters. All but 2 respondents recognized them as having interpreted at least one hearing or other encounter. Only one respondent thought them less qualified than contract interpreters. Fifty percent thought them better qualified, and the remainder thought that they have about the same qualifications as contract interpreters. Eighty percent of respondents thought we should continue to employ staff interpreters, 10% thought not, and 10% were unsure. The survey results, including comments, are [in Appendix A](#).

(d) Recommendations

We began the pilot program in mid-April 2011 to see whether staff interpreters would save money. They have, but only a modest amount, and that will be eliminated if the salary recommendations made below are approved. If the courts are to employ staff interpreters on a permanent basis, the decision should be made because of the added benefits from staff interpreters, not because of savings. The benefits to the court include:

- No minimum fees.
- No travel reimbursement if the staff interpreter uses a state vehicle. Reduced reimbursement for private vehicle.
- Walk-in and other short notice needs are better met.
- Increased translation of the court website and forms.
- Using Third Judicial District staff interpreters for remote and in-person interpreting in the Eighth Judicial District and for remote interpreting for Richfield, Manti and Moab.
- Time waiting for hearings can be more productive.

There were enough benefits after a year with two staff interpreters to hire two more. Four interpreters on the Third Judicial District staff have not exceeded the demand for their time.

We recommend that the courts retain as full-time-fully-benefited-employees four staff interpreters for the Third Judicial District. We recommend that we begin analyzing whether the circumstances in any of the other districts warrant hiring staff interpreters.

Wage options	Hourly Wage	Annual Wage	Benefits	Total
Current cost of the pilot program adjusted to include benefits ⁶	\$17.80	\$37,166	\$26,082	\$63,248
Median wage as shown by a national salary survey ⁷	\$21.68	\$45,268	\$28,915	\$74,183
Payments to contract interpreter performing comparable work adjusted to include benefits ⁸	\$21.90	\$45,727	\$29,075	\$74,803
Average wage as shown by a national salary survey	\$22.62	\$47,238	\$29,601	\$76,839

(15) Strategic planning

As required by Federal regulations passed under Title VI of the United States Code, the Court Interpreter Committee has developed and published a language access plan approved by the Judicial Council. In addition, the committee began at its September meeting the process for developing a strategic plan. The committee's initial efforts focused on improving education for interpreters and for the judges, court staff, lawyers and clients who work with them. Additional planning efforts will follow.

The National Center for State Courts and the State Justice Institute sponsored a National Summit on Language Access in the Court from October 1 - 3, and Utah sent a delegation of four people. The Summit provided an opportunity to compare our language access program with those of other states, and it provided several ideas that might be implemented in Utah.

⁶ Includes 1% COLA for FY 2013.

⁷ The results of the salary survey are in [Appendix B](#).

⁸ Includes 1% COLA for FY 2013; includes average mileage reimbursement from FY 2012.

(16) Appendix A: Survey about staff interpreters

Were you aware that the court employs four Spanish-language interpreters as part of a pilot program?	Response Percent	Response Count
Yes	75.0%	24
No	25.0%	8
Skipped question	1	
The staff interpreters are: Frank Chavez - Israel Gonzalez-Nieri - Juana Gutierrez - Miguel Medina They interpret in the Third and Eighth Judicial Districts. Have you had any of them interpret?	Response Percent	Response Count
Yes	93.9%	31
No	6.1%	2
Skipped question	0	
How was their performance compared to traditional contract interpreters?	Response Percent	Response Count
Better	50.0%	14
Worse	3.6%	1
About the same	46.4%	13
Skipped question	5	
Do you think the court should continue to employ interpreters?	Response Percent	Response Count
Yes	80.6%	25
No	9.7%	3
Not sure	9.7%	3
Skipped question	2	

Comments

- It is easier to just order interpreters than just work on these four. Sometimes we are waiting because there are so many cases that need interpreters.
- Excellent program
- I haven't been with the bench long enough to really form an opinion on this.
- They are the best. It is so nice to have them in the courthouse when an unexpected need arises.
- The commissioners hear a significant amount of protective orders. Often, a party appears that nobody knew needed an interpreter. We have had a significant reduction in the need for continuances just to arrange for an interpreter. I strongly support keeping them on.
- Having the interpreters on hand really helps in Protective Order hearings where we have no advance knowledge that one is necessary until the calendar is called.

- I know some of these interpreters, but I had no idea that they were "pilot program" interpreters as opposed to actual contract interpreters. Because I didn't know there was any difference in status and because I do not know all of the names of the interpreters offhand, I am afraid I cannot provide any helpful comparison between them.
- Service is comparable - let the economics be the determining factor.
- They are much better, consistent and fully conversant with what we need to have happen. Some of our contract interpreters are not so skilled.
- I am extremely grateful that the court employs interpreters full time. We do not have any interpreters on staff and regularly call the on-call interpreter to come assist to help with Spanish speaking customers, which we see on a daily basis. We help provide Spanish speakers with better service when we have fluent court interpreters who can properly convey information.
- The contract interpreter in WJ was and is superior to others that have appeared.
- The service I have received from the employee interpreters and the contract interpreters has been essentially the same. I would think that the decision would be an economic one. I have no opinion on that point.
- The court should definitely continue to staff interpreters and consider hiring more interpreters as court staff. They are a much needed asset of the court system. Without them, the court system suffers and becomes inaccessible to a large part of the community and overall disservice to the general public. The court should consider hiring interpreters that speak Arabic and Russian as well.
- I'm in juvenile court. They are invaluable. Having them in the building all of the time is very helpful, often we don't know if a family needs an interpreter until they are in the hallway and we're getting ready to call the case. Being able to call and have an interpreter come down saves a lot of time because we avoid resetting the case. I've found the interpreters to be very professional and I never find myself doubting that I'm communicating well with the juveniles and parents.
- It is wonderful to have interpreters available so readily.
- No opinion
- Sometimes the need arises with very little notice. Having them available has been a real help at those times. Mr. Chavez and Ms. Gutierrez are the ones I'm familiar with, and I think they're fantastic.

(17) Appendix B. Salary Survey

(a) Other States

State	Hourly Wage	Annual Wage	Wages and Benefits
Florida	\$10.73	\$22,400.00	
Minnesota	\$14.87	\$31,048.56	
Kentucky	\$15.69	\$32,754.00	
University of Utah Health Interpreters	\$17.27	\$36,059.76	
Arkansas	\$17.88	\$37,332.00	
Idaho	\$19.55	\$40,816.50	
New Mexico	\$20.88	\$43,605.00	
Nevada	\$21.68	\$45,268.00	
Median	\$21.68	\$45,268.00	\$74,183
Connecticut	\$21.75	\$45,420.00	
Average	\$22.62	\$47,237.73	\$76,839
Colorado	\$25.66	\$53,568.00	
North Carolina	\$26.17	\$54,649.00	
Oregon	\$26.97	\$56,304.00	
Massachusetts	\$27.69	\$57,815.00	
California	\$32.57	\$68,006.16	
Washington	\$40.00	\$83,520.00	

Source: National Center for State Courts.

(b) Other court positions with comparable starting salary

Position	Starting Hourly Wage	Position	Starting Hourly Wage
Guardian ad Litem	\$17.17	Management Analyst III	\$22.46
Clerk Training Coordinator	\$17.58	Managing Purchasing Agent	\$22.46
Court Services Specialist	\$17.58	Probation/Intake Supervisor	\$22.46
GAL Program Assistant	\$17.58	Supervising Purchasing Agent	\$22.46
Budget & Accounting Officer II	\$18.07	Application Developer II	\$23.08
Management Analyst I	\$18.07	Business Application Tech II	\$23.08
Auditor III	\$21.27	Infrastructure Support Spec II	\$23.08
Clerk of Court II	\$21.27	Law Clerk II	\$23.08
Physical Resources Coord	\$21.27	Appellate Clerk of Court	\$23.71
Information Analyst II	\$21.86	Attorney/Law Clerk	\$23.71
Law Clerk I	\$21.86	Budget & Acc Officer IV	\$23.71
Court Program Administrator	\$21.86	Chief Probation Officer I	\$23.71
Court Program Coord II	\$22.46	Clerk Of Court III	\$23.71
Human Resources Rep IV	\$22.46	Guardian ad Litem Attorney I	\$23.71
Information Spec III	\$22.46	Program Coordinator III	\$23.71
Lead Child Welfare Mediator	\$22.46	Staff Attorney	\$23.71

