

COURT INTERPRETER COMMITTEE MEETING MINUTES

January 25, 2008
Matheson Courthouse
Salt Lake City, Utah

Members Present: Hon. Lynn Davis, Chair; Evangelina Burrows; Luther Gaylord; Peggy Gentles; Daryl Hague; Craig Johnson; Deborah Kreeck Mendez; Hon. Karlin Myers; Hon. Frederic M. Oddone; Dinorah Padro; Branden Putnam; Carolyn Smitherman.

Members Excused: Brikena Ribaj; Jennifer Storrer.

Guests: Chief Justice Christine Durham; Grant Anderson; Noelia Erickson; Rachel Webb.

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

Welcome

Judge Davis welcomed all present.

Recognition of Judge Lynn Davis

Chief Justice Christine Durham paid tribute to Judge Davis for his 13 years of service as chair of the Court Interpreter Committee. She presented Judge Davis with a citation from the Judicial Council in recognition of his work, written both in English and in Spanish. Chief Justice Durham read the Spanish version to the group. Judge Davis responded there has been good support from the AOC over the years, which has allowed the committee to become more professional. Judge Davis was additionally praised by various committee members for the extraordinary work he has given to the committee.

Approval of Minutes

A motion by Judge Oddone to approve the minutes of November 16, 2007 as amended was seconded, and carried unanimously.

Interpreter Brochures

Rosa Oakes distributed copies of the new English and Spanish court interpreter brochures to the group. Ms. Oakes reported that the clerks of court were given the brochures to make available in their court sites. Brochures have also been sent to the court interpreters. A Vietnamese brochure is being proofread and will soon be available. The brochures can be distributed as people see fit. Justice courts are copying the brochures on their own for distribution.

New Judge Orientation

Ms. Oakes and Mr. Shea gave a Power Point presentation about the role of interpreters in the courts at New Judge Orientation. They answered questions and reviewed the bench card with the new judges.

Long Distance Interpreting

Ms. Oakes reported the software to allow long-distance interpreting equipment was demonstrated to her, Kim Allard and others in the AOC. The Technology Committee approved the specs this past week, and the Purchasing Department has put out an RFP. The system will be demonstrated to the committee.

Court Interpreter Scheduling

The new method for scheduling court interpreters is moving forward. Ms. Oakes has met with Todd Eaton in IT, who is working on creating the calendars for the districts. Each interpreter coordinator, and the back-up interpreter coordinator, will have access to the calendars. The TCEs in each district have provided names of interpreter coordinators and back-ups. A full day of training for them will be provided on February 8th. CORIS and CARE will both be programmed to send an email request for an interpreter from the judge's clerk to the interpreter coordinator, who will schedule the interpreter using Groupwise.

A concern was expressed that oftentimes in juvenile court, a notice of cancellation does not reach the interpreter coordinator. Ms. Oakes said this will be addressed when CARE is programmed.

It was asked what drove the decision to change the method of scheduling interpreters. Ms. Oakes and Judge Davis responded that the new scheduling method has been working well in Third District Court and will help the scheduling system to be more efficient and save costs. During their training, the interpreter coordinators will be able to raise issues and work them out at that time.

Ethics Question

Luther Gaylord indicated he was contacted a few weeks ago by a colleague who had an uncomfortable situation come up in court. The interpreter's concern was written up and distributed to the committee as part of their materials. Mr. Gaylord reviewed it with the group. The issue involved the interpreter feeling that s/he was being taken out of the proper role as an interpreter and made into a witness.

The group discussed the issue and decided that though the judge in this particular instance put the interpreter in a difficult situation, the interpreter was bound to answer the judge's questions.

Following discussion, it was determined that this issue should be raised at new judge orientation and put on the agenda of judicial bench meetings.

Rule 3-306 Amendments

Judge Davis indicated the amendments to Rule 3-306 are being made because the rule has not been studied for some time. Based on past discussions in this committee, Tim Shea feels there should be some amendments made to the rule in Sections 6 and 7 (discipline of interpreters), Section 8 (interpreter fees and expenses) and Sections 10, and 11 (how court employees can be used as interpreters).

It was suggested that because Tim Shea was unable to attend today's meeting, committee members should email their concerns to Mr. Shea so he can review them before the next committee meeting. The group agreed to this and to defer further discussion on the amendments until the meeting on March 28th so that Mr. Shea can be in attendance.

Other Business

Judge Davis reminded the committee that at the last meeting this group discussed recoupment of court interpreter fees and a position paper written by Judge Davis on the issue was distributed to the group. The committee determined that before it was emailed to judges statewide, it should be reviewed by the Justice Court Board of Judges. Judge Davis and Tim Shea met with that Board and the Board decided the

position paper should be given to Brent Johnson for review and any directive on the issue be sent to the judges through Mr. Johnson.

Judge Davis asked Professor Hague if he has received any suggestions from the committee about tasks that should be modeled for approved interpreters in the less common languages. Prof. Hague responded he has received a few suggestions: arraignment, example of witness testimony, Rule 11, and a statement in advance of plea. The committee suggested some other tasks, which were noted by Prof. Hague. This topic will be put on the agenda for the next committee meeting on March 28th.

Case Law Update

Judge Davis distributed copies of case law involving interpreters and reviewed some of the cases with the group.

Fond Farewell

Judge Davis was presented with a card and a cake to thank him for his service to this committee. The committee bade him a fond farewell.

The meeting was adjourned.