

**COURT INTERPRETER COMMITTEE
MEETING MINUTES**

July 25, 2008
Matheson Courthouse
Salt Lake City, Utah

Members Present: Hon. Vernice Trease, Chair; Evangelina Burrows; Luther Gaylord; Peggy Gentles; Craig Johnson; Deborah Kreeck Mendez; Hon. Karlin Myers; Hon. Frederic M. Oddone; Branden Putnam; Jennifer Storrer.

Members Excused: Daryl Hague; Dinorah Padro; Carolyn Smitherman; Brikena Ribaj.

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

Approval of minutes

Judge Trease welcomed all present. A motion by Peggy Gentles to approve the meeting minutes of 5/30/08 as prepared was seconded, and carried unanimously.

Rule 3-306 amendments

Tim Shea reviewed the amendments to Rule 3-306 with the committee. He noted that many of the changes were to clarify and simplify the rule, but some amendments do change the policy. The committee discussed each section and made suggestions, which were noted by Mr. Shea.

(1) Definitions

The group thought that the definitions of the credentials of interpreters should remain in the rule. Mr. Shea will include the process for a conditionally approved interpreter in the definition.

(2) Court Interpreter Committee

The committee discussed its role in the certification and discipline process. The committee concluded that it would delay issuing credentials to require approval by the committee. The application process is mostly ministerial and can be handled by staff. The committee can review denials if the applicant requests it. Even though the committee is not involved in certifying or approving interpreters, it can still play a role in discipline.

(3) Application, training, testing, roster.

The group agreed to the policy of requiring observation and mentoring as part of the application process. The details will have to be worked out.

(4) Appointment

The committee discussed what "reasonably available" means in requiring a certified interpreter. It was decided the gravity of the matter, not the distance, should be the deciding factor. Conditionally approved interpreters should be used in very limited circumstances. The committee discussed the factors to consider for appointing a conditionally approved interpreter. Again the primary focus should be on the gravity of the proceeding, although in some

circumstances, a conditionally approved interpreter may be as good as it's going to get because there are no qualified interpreters in that language. The committee wanted to have some kind of record of the need and the conditionally approved interpreter's ability.

(5) Waiver

The committee felt that withdrawing a waiver should be a simple process liberally granted. And that the court should be able to reject a waiver.

(6) Removal

The committee felt that removal from the case should not be tied to discipline. The interpreter should be encouraged to report his or her limitations.

(7) Discipline

The committee thought the discipline section should be revised to more accurately reflect the objectives and process. Mr. Shea will look at bar standards and at HR language dealing with employees. Jennifer Storrer will send him ASL's procedures.

The meeting was adjourned.