

**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.