



Utah State Courts

Court Interpreter Committee
Strategic Plan



April 1, 2013

The mission of the Utah judiciary is to provide the people an open, fair, efficient, and independent system for the advancement of justice under the law.

Court Interpreter Committee Strategic Plan

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(1) Cultural Awareness

(a) Goals

- Provide interpreting services in a manner that promotes trust between interpreter and client.

(b) Issue

George Bernard Shaw is credited with the observation that England and America are two countries separated by a common language. It is an observation that is true of many cultures. Economic, ethnic, religious and political divisions in a person's native country continue to affect relationships in this country. Many immigrants are from countries torn by civil war or ethnic repression. Being aware of and trying to accommodate those divisions will help an interpreter build a relationship of trust with his or her client. If a person of limited English proficiency perceives an interpreter as representing a group from the other side of a civil war, there is no opportunity for trust.

In some countries women don't speak the "official" language because of their limited opportunities for education and interaction in government and commerce. In all countries economic and social structure, cultural values and gender roles create differences in dialect and barriers between groups.

Becoming aware of the circumstances that separate groups is difficult. Trying to accommodate those differences with a limited pool of interpreters is even more difficult, but the effort should be made when the opportunity arises.

(c) Tasks

- Expand interpreter coordinators' awareness of historical and current world events, native divisions and how they affect interpreting services.
- Develop resources with which to research a country's history and complexities.
- Find potential interpreters within immigrant communities.
- Develop methods for identifying language distinctions at first contact.
- Include in the introduction of the interpreter to the client the message that the client should inform the court of any problems with the interpreter (for example, the interpreter speaks a different language than the client, or there is a cultural barrier that should be addressed privately).

(2) Community Outreach

(a) Goals

- Educate the public of the right to an interpreter in all court proceedings and how to request one.

- Recruit new interpreters, especially in languages other than Spanish.

(b) Issue

Once a person of limited English proficiency begins to participate in court proceedings — by suing or being sued, by being subpoenaed as a witness, by trying to dispute a traffic ticket, or in any number of other ways — court personnel should know in short order that an interpreter is needed and in what language. But, if the public does not know that an interpreter is available until they first participate in court proceedings, the knowledge comes too late. The individual and the court both pay a price.

In some circumstances the court will have lost an opportunity to resolve the matter in the first instance: the person of limited English proficiency will have to return; perhaps a hearing will have to be rescheduled; whatever might have been concluded with one proceeding will require two. More important, public common knowledge that an interpreter is available for all court proceedings will help build trust in the courts among people of foreign language communities.

In many circumstances interpreters will come from those foreign language communities. The courts' need for Spanish interpretation is being met with certified interpreters by their willingness to travel to remote courthouses and, increasingly, by remote interpretation. The need for interpretation in many languages other than Spanish also is being met through travel by the few interpreters certified in those languages and several approved interpreters.

There remains, however, a modest and consistent need for interpretation in several languages not represented on the court's roster of interpreters. To fill this need the courts must necessarily rely on conditionally approved interpreters for simple proceedings and recruiting a well qualified out-of-state interpreter for complex proceedings. Given the limited economic opportunity of interpretation in some languages, the latter may always be the case, but having approved or registered interpreters available will improve the quality and efficiency of even routine proceedings.

(c) Tasks

- Develop public service announcements designed to inform persons of limited English proficiency of the right to an interpreter in all court proceedings and how to request one.
- Include that message in public speaking engagements.
- Encourage lawyers to notify the court of their clients' language needs at the earliest opportunity.
- Participate in job fairs and other recruitment opportunities.
- Develop a process by which a person of limited English proficiency can file a complaint about the failure to comply with the requirements of the court's language access program.

- Work with Judicial Outreach Committee to include policies and procedures for language access in their message to minority and immigrant communities.
- Request that the electronic filing transmission include the opportunity to request an interpreter and identify the needed language, including any cultural preferences.

(3) Quality Interpretation

(a) Goals

- Improve the quality of proceedings through improved interpretation.

(b) Issue

Everyone benefits from improved interpretation. Proceedings are more efficient; the statements from persons of one language are more accurate and understood more clearly by others of another language; the quality of decisions based on those statements is improved. Justice is served.

(c) Tasks

- Identify language needs at first contact.
- Provide “I speak” or Language Line placards to all front-counter stations, probation officers and courtrooms to help identify language needs.
- Include in interpreter education and mentoring:
 - what to know about a case before the proceeding;
 - how to get case information and documents before a proceeding;
 - how to control the proceeding for complete and accurate interpretation; and
 - how to obtain and use the “tools of the trade.”
- Develop glossaries in languages other than Spanish.
- Expand the Spanish glossary to include words and phrases common in civil proceedings.
- Translate frozen language documents (e.g., webpages, forms, jury instructions).
- Encourage registered and approved interpreters to seek higher credentials.
- Encourage all interpreters to improve their skills.
- Develop guidelines for when using bilingual or stipend-receiving staff is appropriate, when Language Line is appropriate and when to use an interpreter.
- Explore the use of current and developing technology:
 - Equipment for remote interpretation
 - Methods of capturing the interpretation on the record
 - Software for interpreter scheduling and reporting

- Evaluate interpreter performance
- Improve training in professional responsibility and professional practices for registered and conditionally approved interpreters.

(4) Role of the Committee

(a) Goals

- Develop participation by committee members in completing the committee's tasks and achieving the committee's goals.

(b) Issue

In 2008 the legal department of the administrative office of the courts, which supports this committee, was cut by 20%. Working more efficiently will not make up for that loss, so relying on committee members can help the committee be more productive. More important, staff perspectives are limited. Participation of committee members brings a variety of experience to the discussion and solution of issues.

(c) Tasks

- Form small sub-committees to further develop policies, procedures and tasks.
- Engage committee members to complete those tasks.

(5) Education

(a) Goals

- Educate participants in proceedings in how to work effectively with interpreters.

(b) Issue

The skills of a well qualified interpreter benefit not only the client for whom the interpreter is interpreting but also the judge, jury, attorneys and other participants. The client benefits from a better understanding of the proceedings. The others benefit from a more efficient proceeding. To the extent that the interpretation is a rendering of the foreign language into English, the others benefit from a better understanding of testimony and statements by the client, the witnesses and others with limited English proficiency.

Working well with an interpreter is a skill in itself, and educating participants in those techniques will improve the quality of the interpretation and thus the proceeding itself. The skills range from the courteous (engage the client, not the interpreter) to the technical (speak simply and without parentheticals) to the ethical (don't ask the interpreter to explain something).

Education for interpreters is an important opportunity which, other than training for the certification examination, has been limited in Utah. If the skills of a well-qualified interpreter benefit everyone involved in the proceedings, then improving those skills should be a high priority.

(c) Tasks

- Work with the education department of the administrative office of the courts to develop curriculum and materials for:
 - new judge orientation and continuing judicial education;
 - clerk and probation officer education; and
 - attorney MCLE.
- Work with the education department to develop curriculum and materials for interpreter skill-building.
- Work with the education department to develop curriculum and materials for interpreter advanced skill-building that earns education credit.
- Review credentialing processes to improve the alignment of interpreter training and testing requirements.