

Language Access Committee
Matheson Courthouse
Council Room
450 South State St.
Salt Lake City, Utah 84111

March 15, 2019

Members Present

Michelle Draper - Chair
Judge Su Chon
Megan Haney
Judge Michael Leavitt - by phone
Randall McUne
Russ Pearson
Judge Kelly Schaeffer-Bullock
Lynn Wiseman

Members Excused

Yadira Call
Mary Kaye Dixon
Amine El Fajri
Monica Greene
Chris Kunej

Staff

Kara Mann
Jeni Wood - recording secretary

Guests

(1) Welcome.

Michelle Draper welcomed everyone to the meeting.

Ms. Draper addressed the January 18, 2019 minutes. Judge Su Chon recommended amending section (2) to generalize comments and not be committee member specific. Ms. Mann will edit the minutes and send them by email to committee members for approval.

(2) Committee Report to the Judicial Council

Ms. Draper stated she and Ms. Mann attended the February Judicial Council meeting. They reported on the committee memberships and projects they have completed, including a new English written exam policy, an interpreter survey, proposed revisions to CJA Rule 3-306.01-05 and HR Policy 570 - Second Language Stipend. Ms. Draper and Ms. Mann reviewed the committee's on-going projects, including training projects.

Interpreter usage data from fiscal year 2018 was also included in the report.

Total spoken language usage:

District Courts - 5,512
Juvenile Courts - 3,939
Justice courts - 6,743

Total sign language usage:

District courts - 56
Juvenile courts - 118
Justice courts - 93

Spoken language usage by district:

- 1st - 731
- 2nd- 2,161
- 3rd - 7,985

Sign language usage by district:

- 1st- 13
- 2nd- 50
- 3rd- 103

- 4th- 3,884
 - 5th- 846
 - 6th- 190
 - 7th- 104
 - 8th- 83
- 4th - 80
 - 5th - 20
 - 6th - 0
 - 7th - 0
 - 8th - 1

There was brief discussion on monitoring interpreters. Ms. Mann will research possible quality control methods used in other states to monitor interpreters during proceedings. Currently, interpreters are required to attend continuing education courses. Attorneys can hire “table interpreters” who interpret between attorneys and clients during proceedings, whereas, court-appointed interpreters interpret a proceeding.

(3) Language Access Plan

Ms. Mann presented for discussion the August 9, 2011 Language Access Plan (Plan). Ms. Mann reviewed the outdated sections.

Plan sections to be updated or added:

- Structure of the Plan
- Outdated figures
- Outdated rules- Rule 3-306 was revised in April 2016 where it was separated into multiple rules: Rule 3-306.01. Language access definitions; Rules 3-306.02. Language Access Committee; Rule 3-306.03. Interpreter credentialing; Rule 3-306.04. Interpreter appointment, payment, and fees; and Rule 3-306.05. Interpreter removal, discipline, and formal complaints.
- Outdated credentials
- Outdated pay rates- The number of interpreters and hourly rates needs to be amended to reflect the current number of interpreters.
- Outdated disciplinary process
- Outdated committee name- the Plan uses the term “Court Interpreter Committee” rather than “Language Access Committee”
- Outdated forms
- Outdated information on appealing the right to an interpreter
- Outdated 2000 U.S. Census Bureau
- Add - Bilingual interpreters
- Add - Staff interpreters
- Add - Interpreters provided for court operations
- Add - Court-ordered mandatory programs
- Add - Credentialing for out-of-state interpreters
- Add - Frequency with which the general population of limited English proficiency use the court
- Add- Telephonic Interpretation
- Add- Assignments for interpreters is conducted in the Second and Fourth Districts

Ms. Mann discussed the Language Access Planning and Technical Assistance Tool for Courts, prepared by the Department of Justice (February 2014).

A committee member suggested Ms. Mann identify gaps in the plan. Ms. Mann agreed and will readdress it with the committee.

The committee was presented with Language Access Plans from Maine and Rhode Island.

(4) Outreach and Recruitment

Ms. Mann presented a pamphlet created for recruitment of interpreters. The pamphlet includes a brief explanation on the role of a court interpreter, the ethics for court interpreters, interpreter requirements, interpreter pay structure, and ASL interpreter information. Last year the brochure was distributed at the Court's booth at the Multicultural Festival, Partners in the Parks, and FanX.

Ms. Mann will present to Utah Translators and Interpreter Association (medical interpreters) and is seeking to work with the Outreach Committee for additional outreach and recruitment resources. There was a recommendation to contact the LDS Mission Center, Multicultural Center in West Valley, Utah school districts, and State Office of Ethnic Affairs. A suggestion was made to amend the flyer to this: "Courts are in need of more interpreters in numerous languages, including Somali, Vietnamese, Nepali and Arabic." Ms. Mann will review the ASL website for accuracy.

(5) 2019 Language Access Report to Judicial Council

Ms. Mann provided the committee with the December 25, 2016 Language Access in the Trial Court FY2016 report. Every three years this report is completed and provided to the Judicial Council. The next cycle to report is the end of 2019. Ms. Mann will update the report this year and include the ASL interpreting information.

(6) Other Business.

A request was made to hyperlink tabs in the meeting materials.

(7) Adjourn

There being no further business, the meeting adjourned at 1:11 p.m.