



Court Sign Language Interpreting Standards



Introductions

- Emily Hill, Sign Language Interpreter Management (SLIM) Program Manager, Office of the Deaf and Hard of Hearing
- Katrin Johnson, Court Interpreter Program Coordinator, Administrative Office of the Courts



The Dilemma

- Washington courts are not unified administratively or financially.
- In most courts, general staff select interpreters. They have little/no expertise in the nuances of language access, and rely on qualifications/lists to identify appropriate interpreters.



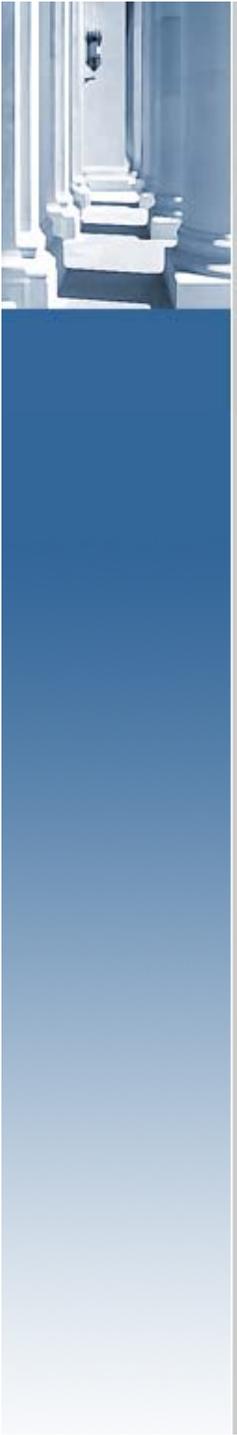
The Dilemma

- The AOC Court Interpreter Program = spoken language interpreters
- RCW 2.42.130(1): ODHH shall maintain a list of sign language interpreters for use in the courts
- The court sign language interpreter list was never created



The Dilemma – Actual Email:

“It’s me again with more problems. I need a sign interpreter for January 26, 2008. The two sign interpreters that we use in Kitsap County are not available. I went to the website suggested by AOC to find some sign interpreters but the list does not include phone numbers so I cannot contact any of the interpreters on their list. How do I find their phone numbers or e-mails?”



The Consequences

- Wide disparity in quality:

Last year, at least 95 different interpreters in court

Range: SC:L, to non-RID members & RID members who are not certified

- Wide disparity in payment:

SC:Ls earning \$40/hr, non-RID member earning \$100/hr



The Consequences

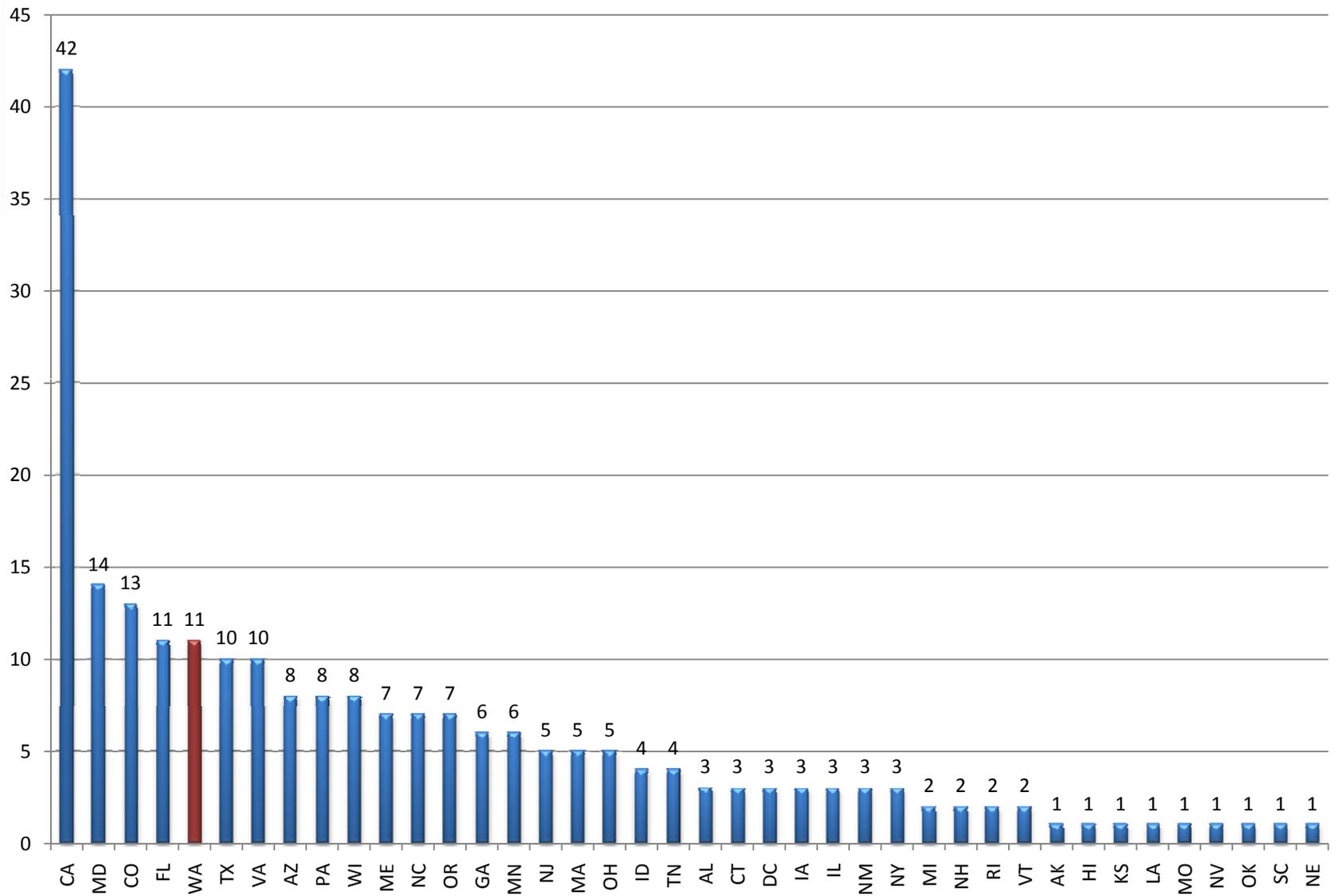
- Diminished quality
- Impediment to access to justice
- Delays and continuances
- Imbalance in payment based on expertise level
- SC:Ls and other highly certified interpreters uninterested in court work



The Opportunities!

- The AOC state-funded reimbursement program
- ODHH (Executive Branch) and AOC (Judicial Branch) form a partnership
- Washington's high number of SC:L interpreters

Number of SC:L's Per State



*As of August 2009



The Interpreters' Perspective

- Are you interested in obtaining an SC:L?
 - **YES: 71.7% (43 Certified Interpreters)**
- Obstacles to getting an SC:L:
 - **Training**
 - Lack of Mentors
 - Cost
 - Lack of Experience



The Interpreters' Perspective

- Why do you interpret in legal/court settings less often than you want to?
 - Rarely contacted: 35.3%
 - Often unavailable: 35.3%
 - **Need more training and/or experience with interpreting in legal/court settings: 47.1%**



The Workgroup

- Shirley Bondon, AOC
- Martha Cohen, King County Superior Court
- John Evans, WSAD
- Emily Hill, ODHH
- Jan Humphrey, SC:L, WSRID
- Katrin Johnson, AOC
- Bob Lichtenberg, ODHH
- Frank Maiocco, Kitsap County Superior Court
- Patricia Moed, ODHH
- Judge James Riehl, Kitsap County District Court
- Theresa Smith, SC:L, WSRID Legal Interpreting Liaison



The Workgroup's Four Goals

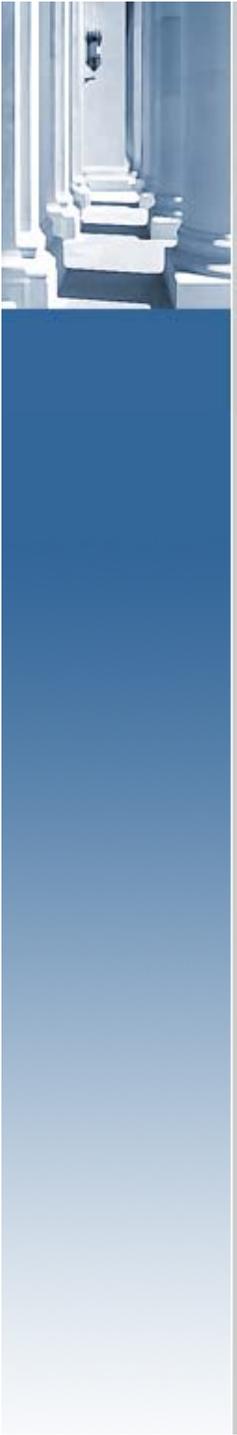
1. Criteria for a list of court interpreters
2. Change definition of “Qualified Interpreter”
3. Standards for fees for court interpreting
4. Research from other states



The Disclaimer

The workgroup had its final meeting in October 2009. However, the documents we will share with you are *not* the final versions.





“The List”

- Not enough SC:Ls for all requests
- Identified the competencies needed for court interpreting
- Created a tier system – one for ASL interpreters, one for intermediary interpreters



“The List”

Sign Language Interpreters

SIGN LANGUAGE INTERPRETERS

Level I

- SC:L certification
- Criminal Background Check
- Pre-training: *Washington Court System Training*
- Experience working with deaf interpreters or attend pre-training on working with deaf interpreters
- Execute the Oath of interpreter
- Ongoing requirement: Maintenance of RID certification



“The List”

Sign Language Interpreters

SIGN LANGUAGE INTERPRETERS

Level II

- CI/CT, NAD IV-V, CSC, NIC, NIC Advanced, or NIC Master
- At least five years interpreting experience post-certification
- Criminal Background Check
- Pre-training: *Washington Court System Training and Washington Court Sign Language Interpreter Training*
- Execute the Oath of interpreter
- Ongoing requirement: Maintain RID certification and twenty hours of legal continuing education every four years



“The List”

Intermediary Interpreters

INTERMEDIARY INTERPRETERS – **DRAFT**

Level I

- CDI
- At least five years legal interpreting experience post-certification
- Criminal Background Check
- Pre-training: *Washington Court System Training and Washington Court Sign Language Interpreter Training*
- Execute the Oath of interpreter
- Ongoing requirement: Maintain RID certification and twenty hours of legal continuing education every four years



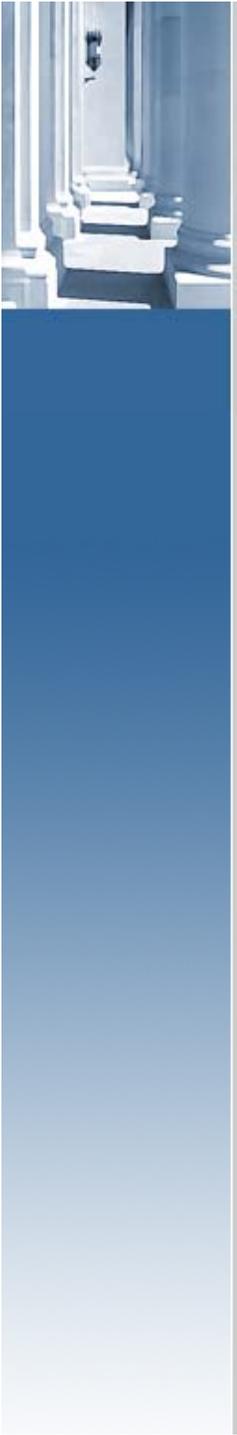
“The List”

Intermediary Interpreters

INTERMEDIARY INTERPRETERS – DRAFT

Level II

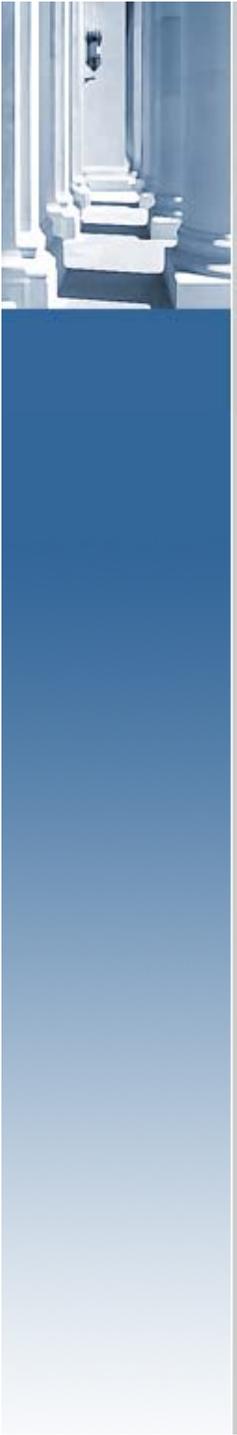
- At least five years interpreting experience
- Criminal Background Check
- Pre-training: *Washington Court System Training and Washington Court Sign Language Interpreter Training*
- Execute the Oath of interpreter
- Ongoing requirement: Report twenty hours of legal continuing education every four years.



The Training to be Developed by AOC

Washington Court System Training may include:

- WA court system
- Legal terminology and procedure
- Courtroom protocol
- Court interpreting ethics
- Interpreter's responsibility to obtain needed materials for assignment



The Training to be Developed by ODHH

Washington Court Sign Language Interpreter Training may include:

- Interpreting in an adversarial setting (where all parties do *not* have the same objective)
- Advanced interpreting skills
- Various interpreter roles in the legal setting (e.g. proceedings interpreter, witness interpreter, etc.)
- Navigating issues unique to court interpreting
- Deaf culture in the legal setting
- Team interpreting
- Working with a deaf interpreter



The Development of Future SC:L's

Remember what the interpreters said?

Obstacles to getting an SC:L:

- *Training*
- *Lack of Mentors*
- *Cost*
- *Lack of Experience*



The *Comments*

- Standards don't answer common questions judges or court staff would have
- Judges commonly refer to Comments on statutes and rules for additional information
- A practical tool for quick education



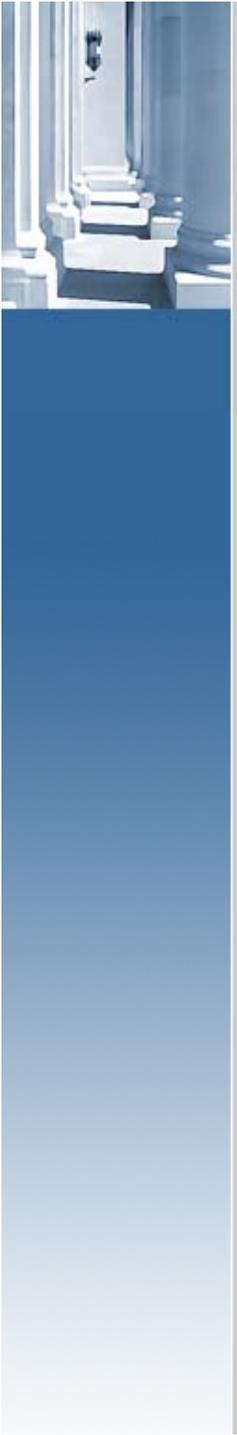
The *Comments*

- When should a court appoint a Level I or Level II Sign Language Interpreter?
- What is embedded in the SC:L (Specialist Certificate: Legal) Certification?
- What is the difference between “Sign Language Interpreter” and “Intermediary Interpreter?”



The *Comments*

- Can a deaf individual request an Intermediary Interpreter?
- How does a judge make a record to verify that an interpreter is qualified?
- Are interpreters bound by an ethical standard?



The Definition of Qualified Interpreter

Current RCW 2.42.110 (2) language:

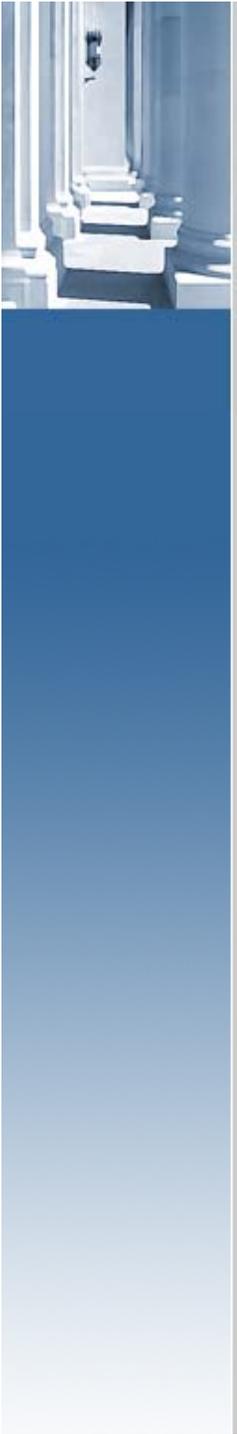
“Qualified interpreter” means a visual language interpreter who is certified by the state or is certified by the registry of interpreters for the deaf to hold the comprehensive skills certificate or both certificates of interpretation and transliteration, or an interpreter who can readily translate statements of speech impaired persons into spoken language.



The Definition of Qualified Interpreter

Current RCW 2.42.110 (2) language:

- Does not reflect current certifications
- Provides no clear guidance to the courts
- Puts sole discretion on the judge in determining whether an interpreter is qualified



The Definition of Qualified Interpreter

Proposed change to definition:

“Qualified interpreter” means a visual language interpreter listed by the Department of Social and Health Services, Office of the Deaf and Hard of Hearing, as identified in RCW 2.42.130.



The Definition of Qualified Interpreter

Proposed change to definition:

- Will be interpreters from the “List”
- Creates a framework for court staff and judges to follow
- Allows the experts to help identify who is qualified and who isn’t



The Standards for Pay

- Guidance for courts to understand how professional interpreters charge and why
- Helps to understand and identify the value of the expense of interpreters
- Helps to identify when interpreters are charging within market norms



The Standards for Pay

Areas Addressed:

- Pay rates
- Hourly minimums
- Travel Costs
- Multiple interpreters
- Cancellations / No Shows
- Interpreters' Responsibilities



The “Parking Lot”

- Addresses issues that were not in the scope of this group’s objectives, but need further review, for example:
 - Judicial education
 - Cohesiveness of the RCW
 - Future additions to interpreter trainings
 - Supply of interpreters
 - Geographic diversity of interpreters
 - Interpreters for court-related programs/services



The Next Steps / Timeline

- Report to Eric Raff, ODHH Director
 - By December 15, 2009
- Development of Legal Interpreting Training
 - Early 2010
- RCW Language Change
 - 2011 Legislative Session
- Interpreters Take Training / Create the List for Courts
 - Late 2010



Questions and Answers



Thank You!