

# COURT INTERPRETER PROGRAM ADVISORY COMMITTEE

**November 6, 2020**

12:00 p.m. to 3:00 p.m.

State Courts Building

1501 W. Washington, Phoenix, AZ 85007

Virtual Meeting

APPROVED

March 12, 2021

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**Present:** Judge Don Taylor; Ms. Margarita Bernal; Ms. Diane Culin; Mr. Juan Pablo Guzman; Judge Anna Huberman; Ms. Kathy Schaben; Judge Danielle Viola

**Telephonic:**

**Absent/Excused:** Mr. Juan Carlos Cordova; Mr. Alfred Gonzalez; Judge Catherine Woods.

**Presenters/Guests:** Ms. Laurie Allen; Ms. Veronica Muñoz

**Administrative Office of the Courts:** Ms. Kelly Gray; Mr. Craig Washburn; Ms. Catherine Clarich; Mr. David Svoboda.

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## I. CALL TO ORDER

### A. Welcome and Opening Remarks

The November 6, 2020 meeting of the Court Interpreter Program Advisory Committee was called to order by the Honorable Don Taylor, Chair, at 12:03 p.m. The Chair asked for Committee member roll call and introductions of staff and guests.

### B. Approval of the August 14, 2020 Minutes

The draft minutes from the August 14, 2020 meeting of the Court Interpreter Program Advisory Committee were presented for approval. The Chair called for any corrections to the minutes; there were none.

- Motion was made by Ms. Margarita Bernal to approve the August 14, 2020 minutes of the Court Interpreter Program Advisory Committee. Seconded by Judge Danielle Viola. Motion passed unanimously.

## **II. REGULAR BUSINESS**

### **A. ACICP Update**

Mr. David Svoboda in his role as AOC Language Access Coordinator presented program updates to the Committee. Written Exam and OPI administration was conducted at the end of August with measures in place for the public health emergency. All but one candidate passed the OPI. The Written Exam pass rate fell below the national average for this administration of the exam, however, the overall historical pass rate for this exam remains in line with the national average.

The program has created a Written Exam study guide with the assistance of the co-faculty of the English Written Exam prep seminar. This document has been shared with candidates. The English written prep seminar will be held again in December for the upcoming exams in January. This seminar will be held virtually again and has been adjusted to allow additional time for questions from participants.

The Oral Court Interpreter Exam will be held in November in both Tucson and Phoenix. Due to possible election concerns, a backup location for the Phoenix exams has been identified for use, if necessary. This is a large administration of the oral exam as the April exams were cancelled. The oral exam prep seminar was held in September virtually. The interest in this offering appears to be dropping, so the program may request a change to the curriculum going forward.

The FY 2020 personnel survey has not been completed and the full data is not available to present. It is projected that approximately 60% of staff interpreters will be in compliance with Administrative Order 2016-02. Compliance is projected to be higher in general jurisdiction courts than in the limited jurisdiction courts.

The Pima Community College class for the Fall 2020 semester has started. It is entirely online and will have the Tier 1 exams administered later in the semester. The Written Exam will be held on campus in person in Tucson. The program is working with faculty to set the administration method of the OPI.

The development of a mentorship program with ACIA continues. The Program will recruit the candidates and the Association will pair the mentor with the mentee. Both the ACICP and ACIA will work to generate practice materials. David Svoboda is working to present this program to both the limited jurisdiction and general jurisdiction court administrators to encourage participation.

An article will be published in the Pima County Bar Association newsletter for December about the interpreter and mentorship programs. Information on the interpreter program is also disseminated through new judge orientation and the trial judge academy.

Discussion was held regarding the low passing rate of court employees on the last administration of the Written Exam. No staff passed the exam causing some concern about these staff members working in the courts. It is hoped that the limited jurisdiction court survey conducted by the streamlining workgroup will allow the program to better address courts' issues individually. Also, the new recruitment guide is expected to aid courts in better identifying candidates for interpreter positions.

## **B. ASL Licenses**

Mr. David Svoboda, in his role as Language Access Coordinator, reported on the pending changes for ASL licenses. The Arizona Commission for the Deaf and Hard of Hearing (ACDHH), manages licenses for ASL interpreters in the state. In 2016, the standardized test used to credential Legal A interpreters was ended by the Registry of Interpreters for the Deaf (RID). The only other test available, offered by the state of Texas, was adopted by ACDHH in its updated rules.

Under the revised rules, Legal A equivalent status is being abolished, effective January 1, 2021. Approximately half of the Legal A interpreters on the ACDHH roster of credentialed interpreters will be downgraded to Legal C. Legal C interpreters cannot interpret in court without a Legal A interpreter working with them. There is likely not going to be an extension on this deadline. Texas is also not currently offering the exam due to the global health emergency.

AOC staff is continuing to discuss the matter with ACDHH, and is working to contact courts to ensure they are aware of the change in licenses and that some ASL interpreters will not be eligible for work under statute in January. Resources will be provided to courts as the deadline grows closer and more information from ACDHH comes available.

## **C. Summit Recap**

Mr. David Svoboda, in his role as Language Access Coordinator, reported on the annual Court Interpreter Coordinator Summit, which was held virtually over four days. Interaction was still maintained with all participants, which was a goal of the Summit Planning Workgroup.

A demonstration of the Zoom interpreter feature was conducted during the Summit with an interpreter from Maryland who works for the District of

Colombia courts. This emphasized the abilities of the platform and the ease with which courts can utilize remote interpreters.

There was also a discussion about the use of dual-role staff, headed by Judge Taylor. This conversation addressed reasons why the majority of dual-role staff are doing poorly on the credentialing exams and the need to transition away from this type of staffing model. Feedback from the courts on this topic was limited.

The breakout rooms were highly productive and allowed for great networking opportunities. The topics of each of the breakout rooms were discussed with the entire group at the conclusion of the meeting, allowing for participants who were unable to attend two rooms to hear what was discussed and ask questions or offer feedback.

Follow-up emails were sent out about the topics raised during the Summit, as well as the recordings of the sessions. AOC staff provided ample support to the courts to ensure they were prepared and knowledgeable about the platform prior to the event. This included a presentation at the start of each session to review the specific features that would be used.

Members of the Committee commended AOC staff for what was deemed a very well managed event and their responsiveness during it. The immediate availability of supplemental information based on questions being asked was a highlight of the event.

#### **D. Interpreter CEU Proposal**

Ms. Kathy Schaben, in her role as Chair of the Streamlining Workgroup, presented the initial recommendations of the workgroup for continuing education requirements for credentialed interpreters. In drafting its recommendations, the Workgroup considered similar requirements for other programs managed by the AOC, as well as a national survey of court interpreter programs.

The Workgroup recommends that any continuing education requirements should apply to all credentialed interpreters equally. This would mean no differentiation between staff and contractors or their working languages. This requirement should apply to interpreters at all Tier levels.

The Workgroup also recommends a compliance period of two years in which an interpreter must complete 20 hours of continuing education. These recommendations are within the national average of other programs. These hours would be subject to proration as well as asynchronous trainings.

The Workgroup did consider the costs involved with training, as well as the flexibility of the interpreters to obtain the required hours. Staff interpreters would be able to cross apply their trainings to COJET requirements. The Workgroup also recommends a minimum of two hours of interpreter-specific ethics training per compliance period.

The Workgroup determined that, as other states' programs are more experienced in this area, the program should grant accreditation to those training programs already accepted by other states, in order to quickly create a catalogue of approved courses.

Ms. Schaben asked for comments on the preliminary recommendations of the Workgroup. Discussion addressed the availability of training for lesser used languages as well as the costs incurred by the interpreter and their courts. The Workgroup accepted additional review of facilitator credits for teaching a training.

There was discussion as to the availability of trainings. ACIA was listed as a group that offers trainings year-round at an affordable price that offers trainings outside of working hours. There are also many providers of training for interpreters on the open market. Program staff routinely shares notices of some of these offerings with interpreters in the Registry. Additionally, it was noted that for any professional credential there is often a requirement for continuing education to which the holder must commit, and which will require some time and cost on their part to complete. This is necessary in order to maintain the requisite level of professionalism in the field.

The Workgroup will continue to meet to finalize recommendations and present them to the Committee at its next meeting.

## **E. Interpreter Tiers and Duties Guidance**

Mr. David Svoboda asked for the Committee to consider guidance to the courts relating to interpreters at different tiers as well as bilingual staff. This would be an effort to assist courts with defining the role of an interpreter and tasks that can be expected of them. This is also designed to give courts a more clear understanding of what their bilingual staff can do without a credential.

Guidance to the courts has historically been limited to language similar to that contained in Administrative Order 2016-02. Increasingly, there have been requests for more specificity.

Members inquired how other states have handled this question. Some states have highly structured guidance but, given the differences in program and court structures, they would need significant revision for use here.

Any guidance would need to address both activities inside the courtroom as well as outside. Questions of the ability to assist customers at the windows, on phones, or through translation were areas that were suggested.

Consideration would also need to be given to other court departments, such as probation to ensure the communication with LEP probationers is meaningful and accurate. The Committee suggested that if guidance is issued, it needs to address all levels of court operations and all possible events.

### **III. CALL TO PUBLIC**

#### **A. Good of the Order/Call to the Public**

A call to the public for any comments. No response was made to the call.

For the good of the order this is the last meeting for member Diane Culin with her term expiring on December 31<sup>st</sup>. The Committee seeks to appoint a new member to her position, as well as add an additional position to the Committee for the President of ACIA.

Members discussed concerns regarding telephonic interpreter service providers.

### **IV. ADJOURNMENT**

#### **A. Adjourn**

Judge Taylor, in his role as Chair of the Committee, adjourned the meeting at 2:36 p.m.

### **V. NEXT COMMITTEE DATE**

March 12, 2021  
12:00 p.m. to 3:00 p.m.  
Virtual Meeting