

COURT INTERPRETER PROGRAM ADVISORY COMMITTEE

August 12, 2022

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

Virtual Meeting

Present: Judge Don Taylor; Ms. Laurie Allen; Mr. Juan Carlos Cordova; Mr. Alfred Gonzalez; Ms. Kathy Schaben; Ms. Xiomara Smith; Judge Danielle Viola

Telephonic: Hon. Juan Pablo Guzman; Judge Catherine Woods

Absent/Excused: Ms. Shifa Alkhatib; Judge Anna Huberman

Presenters/Guests: Mr. Chris Bleuenstein; Ms. Jennifer Fish

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

I. CALL TO ORDER

A. Welcome and Opening Remarks

The August 12, 2022, 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 March 2022 Minutes

The draft minutes from the March 4, 2022, of the Court Interpreter Program Advisory Committee were presented for approval. The Chair called for any omissions or corrections to the minutes; there were none.

- Motion was made by Mr. Juan Pablo Guzman to approve the March 4, 2022, minutes of the Court Interpreter Program Advisory Committee. Seconded by Judge Danielle Viola. Motion passed unanimously.

II. REGULAR BUSINESS

A. ACICP Testing for Translators

Ms. Jennifer Fish, Human Resources Director, Judicial Branch of Arizona in Maricopa County, discussed collaboration with Arizona Court Interpreter Credentialing Program (ACICP) for testing of Superior Court of Arizona in Maricopa County staff translators using ACICP exams. Her office is looking to establish a tiered compensation schedule for their staff translators similar to that for their interpreters, which is based on the ACICP credentialing tiers.

The Judicial Branch of Arizona in Maricopa County is requesting that ACICP allow Maricopa County Superior Court staff translators to take the ACICP Arizona Courts Overview and Arizona Court Interpreter Ethics online courses, as well as the English Written Exam, all of which are all part of the ACICP Tier 1 credential. After completing these requirements, the staff translator would be compensated at the same level as an ACICP Tier 1 credentialed interpreter with the court. To progress further, the staff translators would need to pass an official translation certification exam provided by another program.

The Arizona Administrative Office of the Courts (AOC) does not object to the request and will administratively manage the translator-participants like other ACICP candidates who are non-credential seeking but still wish to take ACICP exams (e.g., ASL interpreters). There are only a handful of translators that would participate in the ACICP testing process, so the impact to the program is negligible.

- Motion was made by Juan Pablo Guzman to allow Maricopa County Superior Court staff translators to participate in the ACICP Tier 1 online classes and English Written Exam. Seconded by Ms. Laurie Allen. Motion passed unanimously

B. ACICP Update

Mr. David Svoboda, in his role as AOC Language Access Coordinator, presented updates on the Arizona Court Interpreter Credentialing Program.

The summer administration of the English Written Exam and Oral Proficiency Interviews (OPIs) were held in July 2022. There were 27 English Written Exams administered in the session and the pass rate was 44%. The pass rate over all administrations of the exam is currently 47%, and court staff demonstrate a 50% pass rate overall, similar to the pass rate nationally.

Court staff taking the exam struggle more with Part I, General Language Proficiency, than Part II, Court-Related Terms & Usage, and Ethics &

Professional Conduct. This indicates that many staff now working through the credentialing program are not college-level English speakers, which is problematic for court interpreters. This may be a result of a higher number of dual-role court staff working through the program. Candidates hired as clerks, bailiffs, or other administrative roles generally do not possess the skills needed for interpreters and, therefore, tend to struggle with ACICP exams.

There were 18 OPIs administered in July with a pass rate of 100%. Most candidates passed at the *Advanced-Mid* level (50%), however, there were quite a few candidates who passed at the *Advanced-High* and *Superior* levels this session. One candidate passed at the *Advanced-Low* level. Candidates at this level are counseled about improving their language proficiency level before moving on in the credentialing process, as there has yet to be a candidate who has passed the skills exam after achieving an *Advanced-Low* level on the OPI.

The Oral Court Interpreter exam was administered in May 2022. There were 38 exams administered, with an overall pass rate of 36.8%. Three (3) staff interpreters advanced to Tier 3 this sitting, and five (5) candidates advanced to a Tier 2. The pass rate over all administrations at the Tier 3 level is approximately 11%, which is just above the national pass rate of 9-10%.

A preparation seminar focusing on consecutive interpreting was held in April 2022. It was offered twice, with one day being Spanish-specific, and the other language neutral. Attendance at this in-person training was light. There were eleven (11) participants in the Spanish session and three (3) participants in the language-neutral session. Half of the seminar attendees who sat for the May 2022 sitting of the Oral Court Interpreter Exam passed the exam at Tier 2 or above, significantly higher than the overall pass rate of the session (36.8%).

Though evidence shows that preparation class participants routinely pass at higher rates than the population as a whole, interest has waned for this training. Consequently, a preparation seminar prior to the November 2022 session of the oral exam will not be held. If interest in training of this kind picks up, the AOC will consider bringing back the *Oral Court Interpreter Exam Preparation Seminar* in 2023.

A total of 396 individual interpreters have earned a credential to date, with 136 of those individuals holding a permanent Tier 3 or Tier 4 credential.

The 2023 exam calendar will be published in the coming weeks. ACICP is looking for additional court locations that can share the responsibility of hosting and proctoring OPIs, which to date has been handled in Phoenix exclusively by Maricopa County Superior Court staff.

The AOC and Pima Community College District (PCC) intergovernmental agreement to deliver ACICP credentialing examinations to designated PCC students expired in June 2022. The collaboration effort is expected to continue, and a new agreement is awaiting approval by the Pima County College District Board. ACICP staff is working with PCC staff to ensure access to the Tier 1 classes and exams for the Fall 2022 cohort of students.

There continues to a marked increase in the number of candidates that cancel or do not appear for their exams. Recently, nearly half of scheduled candidates either cancelled or did not show for their exam. ACICP does not allow refund of exam fees under policy. However, program staff allows candidates to reschedule to a future session at no additional charge, provided there are no vendor charges associated with the change. This flexibility has led to increased administrative burdens for staff, gaps in testing schedules, and waste of program resources. Program staff is now considering if it is necessary to implement some disincentives to discourage cancellations and no-shows going forward and may request input from the Committee on this matter in the future.

C. Interpreter Staff Reporting

Mr. David Svoboda, in his role as AOC Language Access Coordinator, resumed the committee's discussion concerning a reporting requirement for courts regarding their staff interpreters for the purposes of tracking compliance with A.O. 2016-02.

In past years, the AOC Language Access Office used the Annual Personnel Survey to track court compliance with A.O. 2016-02, which requires courts to have their staff interpreters credentialed at 3 or higher, and to show preference for credentialed contract interpreters. Recent changes to the survey made it necessary to anonymize the information collected. As an unintended consequence of this shift, ACICP can no longer match the court staff interpreters reported by courts to credentialing records.

In November 2021, this body recommended establishing an annual interpreter reporting requirement for the courts, to be due at the same time as other annual reporting requirements, that includes contract interpreters, and, if necessary, how language access services are being provided in the absence of both. At that time, the Committee asked staff to provide a draft template for consideration at a future meeting.

As requested, Mr. Svoboda presented the draft report for the committee for its consideration. It was suggested that the report template account for situations in which an administrator is responsible for reporting for more than one court, and a clear indication of which contract interpreters are to be included, such

as tying reporting to the top languages listed on the court's Language Access Plan.

Mr. Svoboda will provide an updated template for additional comments via email before bringing the recommendation to AOC leadership.

D. Continuing Education Requirements Update

Mr. David Svoboda updated the Committee on the work concerning the proposal for continuing education requirements for court interpreters. A draft of the new code section was shared with the Committee on Superior Court, Committee on Limited Jurisdiction Courts, Judicial Staff Education Committee, and Committee on Judicial Education and Training, the Limited Jurisdiction Court Administrators Association, the Arizona Court Interpreters Association, and the Arizona Translators and Interpreters, Inc. All groups had very positive feedback on the proposal.

In April 2022, the draft code section was posted on the ACJA Forum for public comment. The comment period expired at the end of July 2022. The proposal was viewed over 200 times and no comments were received.

The proposal will be presented to the Superior Court Administrators, Superior Court Presiding Judges, and Arizona Judicial Council. It was requested that the Superior Court Clerks also receive the information.

E. 2022 Interpreter Coordinator Summit

Hon. Juan Pablo Guzman, in his role as Chair of the 2022 Court Interpreter Coordinator Summit Planning Workgroup, presented the updates from the workgroup.

The AOC plans to host the Summit in person at the Arizona State Courts Building this year on October 14, 2022. The workgroup has developed an agenda centering on core issues for courts related to language access, including adapting to virtual interpreting and hearings, educating users of interpreter services on new delivery platforms, interpreter continuing education, and ADA Title II issues. Arizona Court of Appeals Judge Samuel Thumma, Co-Chair of the COVID-19 Continuity of Court Operations During a Public Health Emergency Workgroup, will present the opening keynote address. The afternoon breakout session topics include finding interpreters of very rare languages, impacts of technology on the delivery of language services, LAP considerations for virtual hearings, and training and support for uncredentialed interpreters. The morning guided networking discussions will include Spanish for clerks and challenges for bilingual staff, issues for small and rural courts, and a roundtable for general interpreter issues.

F. ACIA Mentorship Program

Ms. Xiomara Smith, in her role as the Arizona Court Interpreter Association (ACIA) President, provided an update on the status of the interpreter mentorship program.

Ms. Veronica Munoz, ACIA President Emeritus, will continue to administer the mentorship program. The program was not administered in 2022 as recent Board elections led to changes in leadership and members needed to adjust to their new roles on the board.

The program will resume in 2023 and will feature options for individual and group mentoring. The program will focus on the techniques required of accurate and effective professional court interpreters. Interactions and materials used in the program will be managed by Google Classroom, which is a blended learning platform that allows mentors to communicate, connect, and provide materials to mentees in the program. ACIA will notify ACICP when the program resumes to assist in recruitment of mentors and mentees.

III. OTHER BUSINESS

A. 2023 CIPAC Dates

Mr. Svoboda, in his role as Committee staff, presented the proposed committee meeting dates for 2023. The group did not object to the following dates for 2023:

- Friday, March 10, 2023
- Friday, August 11, 2023
- Friday, November 17, 2023

IV. GOOD OF THE ORDER / CALL TO THE PUBLIC

A. Contract Interpreter Rates

Ms. Kathy Schaben discussed contract interpreter rates. Recently, contract interpreters across the state have asked for pay increases as inflation continues to rise. Ms. Schaben requested this be discussed at a future meeting of this body.

B. AOC Interpreter Staffing

Due to scarce interpreter resources around the state for ASL and languages other than Spanish, Ms. Kathy Schaben requested the Committee discuss at

a future meeting the possibility of having interpreters on staff at AOC and available to assist courts either in-person or remotely.

C. Interpreter Pipeline Development and Court Internships

Judge Danielle Viola shared news about the revival of the interpreter internship program at the Superior Court of Arizona in Maricopa County. Over the summer, two (2) sets of full-time, paid interns were able to observe court interpreters, practice renditions, and learn from credentialed court interpreters on staff with the court. Most interns enjoyed the 5-week internship, providing positive feedback to staff and program coordinators. It is anticipated that the program will continue during the summer of 2023.

Mr. Bleuenstein answered questions about recruitment of interns and the program's organization. He agreed to discuss more about the program at a future meeting of CIPAC.

V. ADJOURNMENT

A. Adjourn

Judge Taylor, as Chair of the Committee, adjourned the meeting at 1:53 p.m.

VI. NEXT COMMITTEE DATE

November 18, 2022
12:00 p.m. to 3:00 p.m.
Virtual Meeting