

COURT INTERPRETER PROGRAM ADVISORY COMMITTEE

March 8, 2019

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

State Courts Building

1501 W. Washington, Phoenix, AZ 85007

Conference Room 230

APPROVED

August 16, 2019

Present: Judge Don Taylor; Ms. Diane Culin; Mr. Alfred Gonzalez; Mr. Juan Pablo Guzman; Judge Anna Huberman; Judge Danielle Viola.

Telephonic: Mr. Juan Carlos Cordova; Ms. Kathy Schaben; Judge Catherine Woods.

Absent/Excused: Ms. Margarita Bernal.

Presenters/Guests: None.

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

I. CALL TO ORDER

A. Welcome and Opening Remarks

The March 2019 meeting of the Court Interpreter Program Advisory Committee was called to order by the Honorable Don Taylor, Chair, at 12:05 p.m.

B. Approval of the November 2018 and January 2019 Minutes

The draft minutes from the November 2, 2018 and January 25, 2019 meetings 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 November 2, 2018 and January 25, 2019 minutes of the Court Interpreter Program Advisory Committee. Seconded by Mr. Juan Carlos Cordova. Motion passed unanimously.

II. REGULAR BUSINESS

A. ACICP Update

Mr. David Svoboda, in his role as the AOC Language Access Coordinator, provided an update on the Arizona Court Interpreter Credentialing Program (ACICP). The group discussed recent exam matters, statistical information, and the remainder of the 2019 exam calendar. Pass rates for the English Written Exam and the Oral Court Interpreter Exam continue to trend downward.

The January/February 2019 session of the English Written Exam showed an overall pass rate of 46%. 22 candidates attempted and passed the Oral Proficiency Interview (OPI). In December 2018, ACICP offered its first English Written Exam/OPI Preparation Seminar. The six-hour workshop reviewed court terminology and sequence, court interpreter ethics, provided an exam overview, as well as English vocabulary-building tools and exercises. Participants of the workshop performed slightly better on the English Written Exam than the testing group overall. ACICP will be offering the seminar again in May 2019 for the July 2019 exam session.

The December 2018 session of the Oral Court Interpreter Exam showed that 19 of the 48 testers passed the exam, with 16 new credentials earned. In October 2018, ACICP offered an Oral Court Interpreter Exam Preparation Seminar. Candidates who participated in the October 2018 seminar outperformed the overall pool of candidates. ACICP offered a two-day version of the Oral Court Interpreter Exam Preparation Seminar in February 2019 in preparation for the May 2019 exam session. The next Oral Court Interpreter Exam Preparation Seminar will be offered in early October 2019 for the November 2019 exam session.

B. Preference Guidance and Staff Interpreter Credentialing Deadline Recommendation Update

Mr. David Svoboda, in his role as the AOC Language Access Coordinator, updated the Committee on the status of the Preference Guidance document, and discussed the progress of the Court Staff Interpreter Credentialing Deadline Extension Recommendation.

In January 2019, AOC published the "Guidance to Courts Regarding the "Preference" Requirement in A.O. 2016-02" on the AJIN Interpreter page, and issued a Statewide Memorandum announcing the guidance to courts.

In February 2019, Mr. Svoboda, as staff to the Committee, met with AOC leadership to discuss the Court Staff Interpreter Credentialing Deadline

Extension Recommendation approved at the January 2019 meeting of this body.

The AOC considered the Committee's recommendation and is supportive of an extension of the credentialing deadline to some staff interpreters. However, the extension will differ from that recommended by this Committee. The AOC proposes granting an extension to the staff interpreter credentialing deadline as follows:

- Court employees who provide interpreting services hired before July 1, 2017 who hold a Tier 1 or Tier 2 Credential and who sit for the Oral Court Interpreter Exam in May 2019 should be granted a one-time extension to become credentialed at the Tier 3 or Tier 4 level through June 30, 2020.

Additional input on the proposed extension will be sought from additional committees for consideration by the Chief Justice.

Discussion was also held on issues small rural courts may experience as a result of the staff interpreter credentialing deadline.

- Motion was made by Ms. Diane Culin to form a workgroup with the purpose of identifying additional resources and guidance to courts which would assist in compliance with Administrative Order 2016-02.

Workgroup Members:

- Mr. Juan Pablo Guzman
- Ms. Diane Culin
- Ms. Kathy Schaben
- Additional members from limited jurisdiction courts to be determined at a later date.

C. Contract Interpreter Rate Discussion

Mr. David Svoboda, in his role as staff to the Committee, recapped the Committee's November 18th discussion regarding contract interpreter rates in relation to the credentialing program which was brought by Mr. Gonzalez. Mr. Gonzalez then continued the discussion in this meeting.

There is a perception that due to credentialing requirements and an increased demand for credentialed interpreters in the market, there has been an increase in rates for contract interpreter services. There is concern some courts will be priced-out of the market or be unable to find qualified interpreters.

The Committee discussed the need for interpreters to be treated as professionals both in terms of credentialing requirements and pay scales in

order to attract and retain qualified staff. The Committee will undertake a study of pay rates across the state and review the information at a future date.

D. ACICP/Pima Community College Collaboration Update

Mr. David Svoboda, in his role as the AOC Language Access Coordinator, updated the Committee on the status of ACICP's collaboration project with Pima Community College (PCC).

The collaboration with PCC continues to progress incrementally. The PCC Board of Regents has approved the inclusion of ACICP testing fees in its tuition structure. The first group of students is planned to start in the Fall 2019 for the online classes and Tier 1 exams. In Spring of 2020, PCC will offer the class requiring students to take the Oral Court Interpreter Exam. PCC is in the process of drafting a "Memo of Understanding" for AOC review and Mr. Svoboda will update the Committee as appropriate.

E. OPI Scores and the Correlation to Oral Court Interpreter Exam Performance

Mr. David Svoboda, in his role as the AOC Language Access Coordinator, summarized previous Committee discussions related to ACICP candidates' Oral Proficiency Interview (OPI) scores and their performance on the Oral Court Interpreter Exam, reviewed current ACICP policy, and provided data related to the OPI.

Currently, ACICP policy requires candidates to score at the "Advanced" range or higher on the OPI. The "Advanced" range includes "Advanced-Low," "Advanced-Mid," and "Advanced-High" categories. Mr. Svoboda presented the following comparison data between the OPI and the Oral Exam for Committee discussion:

OPI Score: Advanced-Low

1. Five (5) scorers of Advanced-Low have taken the Oral Exam.
- 2. None have passed the Oral Exam.**
3. Average score range on Oral Exam sections: 30-43%.

OPI Score: Advanced-Mid

1. 43 scorers of Advanced-Mid have taken the Oral Exam.
- 2. 17 have passed the Oral Exam (39.5%).**
 - a. 6 earned Tier 3 (35.3%).
 - b. 11 earned Tier 2 (64.7%).
3. Average score range on Oral Exam sections: 59-60%.

OPI Score: Advanced-High

1. 70 scorers of Advanced-High have taken the Oral Exam.

- 2. 51 have passed the Oral Exam (72.9%).**
 - a. 30 earned Tier 3/4 (58.8%).
 - b. 21 earned Tier 2 (41.2%).
3. Average score range on Oral Exam sections: 65-70%.

From this data, it is evident that small deficiencies in candidates' speaking and listening abilities are magnified on Oral Exam. This means that scorers of "Advanced-Low" on the OPI are unqualified for the Oral Exam; scorers of "Advanced-Mid" will struggle with the Oral Exam, but some may succeed; and scorers of "Advanced-High" on the OPI are well positioned to pass the Oral Exam.

Discussion was held regarding acceptable passing scores on the OPI. The number of interpreters affected by changing the passing score would be minimal as there have only been 18 candidates to earn that score to date, out of more than 270 tests.

Further discussion was held regarding the addition of an English language OPI requirement. Some members were concerned about a lack of information related to performance on an *English* OPI and an interpreter's performance on the English Written Exam, foreign language OPI, and Oral Court Interpreter Exam. ACICP agreed to provide additional information as it develops.

- Motion was made by Mr. Juan Pablo Guzman to make the passing score for the OPI "Advanced-Mid" or "Advanced-High" under the ACTFL Proficiency Guidelines, thereby eliminating "Advance-Low" as a passing score for the OPI, under ACICP policy. Seconded by Judge Anna Huberman. Motion passed unanimously.
- Motion was made by Mr. Alfred Gonzalez to add passing an English OPI as part of the Tier 1/Tier A ACICP credential requirement under ACICP policy. Seconded by Ms. Kathy Schaben.
 - Motion was amended by Ms. Diane Culin to first implement a pilot program where some ACICP candidates perform an English OPI in order to evaluate the potential effectiveness of adding an English OPI.
 - Motion was further amended by Judge Danielle Viola to include that ACICP staff survey other states using an English OPI as part of their certification process to gather data about the effectiveness of the English OPI as a screening tool.

Amendments approved by Mr. Gonzalez and Ms. Schaben. Amended motion passed unanimously.

III. CALL TO PUBLIC

A. Good of the Order/Call to the Public

The Chair asked the Committee if there were any other matters to discuss and made a call to the public. There were no responses.

IV. ADJOURNMENT

A. Adjourn

- The meeting was adjourned at 2:03 p.m.

V. NEXT COMMITTEE DATE

August 16, 2019
12:00 p.m. to 3:00 p.m.
State Courts Building, Conference Room 230
1501 W. Washington St., Phoenix, AZ 85007