

COURT INTERPRETER PROGRAM ADVISORY COMMITTEE

February 12, 2016
11:00 a.m. to 3:00 p.m.
State Courts Building
1501 W. Washington, Phoenix, AZ, 85007
Conference Room 230

APPROVED
June 3, 2016

Present: Judge Don Taylor; Ms. Diane Culin; Mr. Hyung Choi; Mr. Juan Carlos Cordova; Mr. Alfred Gonzalez; Mr. Juan Pablo Guzman; Judge Anna Huberman; Mr. Scott Robert Loos (*proxy for Judge Rosa Mroz*); and Ms. Kathy Schaben.

Telephonic: Judge Charles Harrington.

Absent/Excused: None.

Presenters/Guests: None.

Administrative Office of the Courts: Ms. Kelly Gray; Mr. David Svoboda; and Ms. Amy Wood.

I. REGULAR BUSINESS

A. Welcome and Opening Remarks

The inaugural meeting of the Court Interpreter Program Advisory Committee (CIPAC) was called to order by the Honorable Donald Taylor, Chair, at 11:00 a.m. on February 12, 2016.

B. Announcements

i. Mandatory Evacuation Information

Ms. Kelly Gray briefly explained the evacuation procedures and other safety information to the group.

C. Introductions

The Chair asked for committee member roll call and introductions of staff and guests. Each committee member introduced themselves and provided more information about his or her background and experience in language access or interpreting.

II. PRESENTATIONS

A. Introduction to CIPAC

Mr. David Svoboda, Language Access Coordinator for the Administrative Office of the Courts (AOC) and staff to the committee, presented information about the Arizona Judicial Council (AJC) committee structure, purpose of CIPAC, roles of the committee members and other committee information.

B. Administrative Orders

Judge Donald Taylor, Chair, reviewed the Administrative Orders that govern the committee including the following:

[Administrative Order 2015-95](#): The administrative order established and described the need, purpose, function, and membership of CIPAC.

[Administrative Order 2015-98](#): The administrative order adopted the Arizona Court Interpreter Code of Conduct, effective January 1, 2016.

[Administrative Order 2016-02](#): The administrative order established the Arizona Court Interpreter Credentialing Program.

A question was asked regarding the number of members making up the Committee. The Committee is composed of ten (10) members.

C. Arizona Court Interpreter Credentialing Program

Mr. David Svoboda presented information about the Arizona Court Interpreter Credentialing Program (ACICP).

He explained that first goal of the Arizona Supreme Court Strategic Agenda seeks to develop strategies for increasing the availability and quality of court interpreters and interpreter services. The development of ACICP supports this goal.

He explained that many states across the nation have created interpreter certification or credentialing programs, which vary in structure. Arizona's program is a tiered system, wherein interpreters earn higher tier designations with additional testing and/or improved scores on certain exams.

There are five tiers:

Tier 1: All candidates begin by completing the requirements for the Tier 1 credential, including the creation of a profile in the Arizona Court Interpreter Registry, completing two online classes (court interpreter ethics and an overview of Arizona courts), passing the English Written Exam, and passing the Oral Proficiency Interview (OPI) at an *advanced* level.

Upper Tiers (Tiers 2, 3, and 4): Candidates that have achieved a Tier 1 credential are encouraged to sit for the Oral Examination. A candidate's score on the Oral Examination determines which credential level is earned. The Oral Examination has three components: sight translation (two parts), consecutive and simultaneous interpreting. The Oral Examination is available in 20 languages.

Tier 2: The Tier 2 credential is temporary and expires after 24 months. Candidates who pass the Oral Examination with scores on each section between 60% - 69%, and with neither sight translation section scored below 55%, may be issued a Tier 2 credential.

Tier 3: The Tier 3 credential is a permanent credential. Candidates who pass the Oral Examination with scores on each section between 70% - 79%, and with neither sight translation section scored below 65%, may be issued a Tier 3 credential.

Tier 4: The Tier 4 credential is a permanent credential. Candidates who pass the Oral Examination with scores on each section of 80% or higher, and with neither sight translation section scored below 75%, may be issued a Tier 4 credential.

Tiers 2 through 4 are not progressive. Candidates will be placed in the corresponding tier based on the scores of their Oral Examination.

Tier A: The Tier A credential is designed for languages for which there is no oral interpreting exam available. Candidates must earn a *superior* rating on the Oral Proficiency Interview, as well as complete the other requirements for the Tier 1 credential, to earn this credential.

Mr. Svoboda went on to say that interpreters who have earned certification through other designated tests could apply for reciprocity or transfer of components. The Federal Court Interpreter Certification Exam (FCICE), National Association of Judiciary Interpreters and Translators (NAJIT), and National Center for State Courts (NCSC) tests are eligible for reciprocity.

Candidates who are requesting reciprocity will still be required to take the online classes. Those requesting the transfer of components will be required to complete all other program requirements to earn a credential.

He described the logistical aspects of the testing process including the locations, cycle dates, processes, fees, and expectations of candidates. He cited the Arizona Court Interpreter Credentialing Program website at www.azcourts.gov/interpreters as a publically available reference for interested persons to learn more about the program.

Mr. Svoboda explained the courts' responsibilities related to staff interpreters. Courts are required to have their staff interpreters credentialed by June 30, 2019 at the Tier 3 or Tier 4 level. Courts should start exercising preference for the use of credentialed freelance interpreters starting July 1, 2017.

He clarified that the Arizona Court Interpreter Code of Conduct / Administrative Order 2015-98 applies to all court staff who provide interpreting services in Arizona courts, but does not apply to bilingual staff performing non-interpreter duties. He provided information on how the Arizona Court Interpreter Code of Conduct was developed and went through each cannon with the group. He provided a link to additional information about Arizona Court Interpreter Code of Conduct:

<http://www.azcourts.gov/Portals/168/Resources/CourtInterpreterEthics.pdf>

Mr. Svoboda and Ms. Wood answered questions from the group and discussed various aspects of the program:

- **Tier 2**

It was explained that this tier designation provides management information to courts, allowing them to more easily recognize those interpreters who show promise in developing higher levels of competency and who have outperformed others on the exam. Additionally, as it is temporary, it encourages interpreters to continue to develop their skills to earn one of the higher, permanent credentials.

Clarification was provided on the progression of candidates from Tier 1 into the upper tiers. Candidates need not sit the Oral Examination for each of Tiers 2, 3, and 4 in progression. Rather, the score achieved on the Oral Examination will govern direct placement into the appropriate tier.

Tier 2 is further distinctly differentiated from Tier A as the latter provides no testing of interpreting skills.

It was suggested that it may be useful for courts for the Registry to reflect historical evidence of an interpreter having previously achieved a Tier 2

credential, even if it expired without a permanent tier having been earned.

- **Interpretation of “Credentialed”**

Discussion was held regarding the mandate to have court staff interpreters credentialed at the Tier 3 or Tier 4 level, whereas a credential level is not specified for freelance interpreters. Concern was voiced that courts may favor lower-tiered interpreters for personal, historical, or other reasons and yet remain in compliance with the expectation to show a preference for “credentialed” interpreters.

- **Languages Needed in Arizona**

The NCSC Oral Examination is available in 20 languages. Some of the languages needed in Arizona are not represented among the NCSC languages. The group was informed that the NCSC develops tests based on demand at the national level and Arizona can provide suggestions about the languages in which tests are needed.

- **Oral Proficiency Interview**

It was noted that candidates are not required to pass a test of spoken English but, rather, an English Written Exam. It was suggested that a written exam may not be the best measure of an interpreter’s spoken English ability for court work.

- **Exam Pass Rates**

It was asked how Arizona’s interpreters will fare given national pass rate averages of 50% on the English Written Exam and 10% on the Oral Examination. Arizona pass rates may vary by location based on differences in experience and hiring practices. Also, there are no national statistics on the OPI pass rate as not all states use the OPI.

- **Reciprocity**

Discussion was held on why the University of Arizona’s Court Interpreter Certificate of Proficiency is not included in the reciprocity policy. It was reported that for reasons of uniformity and comparability at the state and national levels, the University of Arizona’s Court Interpreter Certificate of Proficiency is ineligible for reciprocity.

- **Credentialing Program Formation and Implementation**

Concern was voiced that court rules do not address the credentialing program as they do in other states. The Committee was informed that it is typical for new programs such as ACICP to first be executed through an administrative order. As the program matures, it is anticipated that the program will be memorialized in an Arizona Code of Judicial Administration (ACJA) section.

Questions were raised regarding compliance with the mandates of Administrative Order 2016-02 and the handling of performance issues. It is expected that courts will adhere to the administrative order. Managers at the local level will need to plan related to the program and their staff.

It was reported that the AOC has reached out to vendors providing interpreting services to let them know that courts will begin asking for credentialed interpreters when making arrangements for services, and in contracts.

Additional communications to the court and interpreter communities regarding the program's creation and implementation, its expected requirements, and related deadlines have also occurred. A summary of the communications was included in the credentialing program presentation. Despite these outreach efforts, it was noted that some in the court community were taken by surprise by the existence of the Arizona Court Interpreter Credentialing Program.

It was also suggested that there may be some benefit to granting wider access to the Arizona Court Interpreter Registry, beyond the courts themselves to allow attorneys to more easily identify credentialed interpreters. It was posited that this might further incentivize interpreters to participate in the program as they may receive more work.

- **Continuing Education**

It was asked if the program includes a requirement for continuing education of interpreters. The group was informed there is no such requirement. However, it was noted that continuing education is included in the Arizona Court Interpreter Code of Conduct in *Canon 10*. It was also noted that not all states have a formal requirement for continuing education in their credentialing programs.

- **Topics for Future Meetings**

Discussion was held regarding the scope of applicability of the Arizona Court Interpreter Code of Conduct in the context of interpreters used by court-related agencies. This was identified as a topic for a future meeting.

D. Public Language Access and Interpreter Webpage Review

Mr. David Svoboda explained the structure and purpose of the newly updated Arizona Language Access and Court Interpreter website. The site, located at <http://www.azcourts.gov/interpreter>, provides information and resources to interpreters currently in the profession, individuals seeking more information

about becoming an interpreter, members of the public, and those seeking more information about ACICP.

III. CALL TO PUBLIC

A. Good of the Order/Call to the Public

The Chair made a call to public and asked for commentary for the good of the order. There were no responses.

IV. ADJOURNMENT

The meeting was adjourned at 2:42 p.m.

V. NEXT COMMITTEE DATES

- June 3, 2016
12:00 p.m. to 3:00 p.m.
State Courts Building, Conference Room 230
1501 W. Washington St., Phoenix, AZ 85007
- September 16, 2016
12:00 p.m. to 3:00 p.m.
State Courts Building, Conference Room 330
1501 W. Washington St., Phoenix, AZ 85007