

Meeting Date	Language Access Committee	
November 18, 2016	Executive Dining Room	
<b>Members Present</b>	<b>Member Excused</b>	
Judge Su Chon	Russell Pearson	
Judge Rick Romney	Jenny Andrus	
Judge Mike Leavitt	Gabriela Grostic	
Mary Kaye Dixon	Amine El Fajri	
Randall McUne		
Miguel Medina		
Megan Haney		
Michelle Draper		
Maureen Magagna		
<b>Staff:</b> Keisa Williams, Rosa P. Oakes		
<b>Guests:</b>		
Topic: Approve minutes of September 23, 2016		
Randall McUne noted that his name was entered incorrectly as “Russell” and requested a correction. With that amendment, Mr. Medina moved to approve the minutes; Mr. McUne seconded the motion.		
Motion: Passed unanimously		
Topic: Employee Stipend Policy		By Keisa Williams
Ms. Williams explained the employee language stipend process and reviewed rule amendments she drafted to clarify the committee’s policy.		
<p>In order for employees to receive a second language stipend, they must receive a passing score on the OPI. In 2013, the courts hired a nationally recognized firm, Alta, to conduct a state-wide assessment of employee staff interpreter duties and recommend a minimum passing score. The courts adopted the minimum score recommended by Alta and drafted rules limiting employees’ interpreting duties to direct services (e.g. information given at front counters or probation officers conducting meetings in a second language).</p> <p>Unfortunately, it was brought to Ms. Williams’ and Rosa’s attention by TCEs that some employees who have NOT passed the test are often sought to provide interpreting – both for direct services and in court. In addition, employees who have passed the test and are receiving the stipend are asked to interpret in court. Ms. Williams noted the very serious due process and court liability issues if these actions continue. Ms. Williams seeks to clarify the court’s policy in Rule 3-306 and the HR policy on stipends. Further, she aims to provide training for all judges and court staff (including stipend recipients) to curtail any potential issues.</p> <p>The committee agreed with Ms. Williams that court employees receiving a stipend are only authorized to provide direct services. In very limited situations they may interpret simple information such as rescheduled hearings dates/times. They should not, however, be asked to interpret in court proceedings under any circumstances.</p>		

After a lengthy discussion, it was agreed that Ms. Williams will rework the language and formatting of Rule 3-306.04(1)(F) and (2)(A) to include the suggestions made by the committee. This topic will be revisited at the next meeting.

Topic: Defense Counsel Update

By Keisa Williams

Ms. Williams updated the committee on the status of the appointment of defense counsel. The Judicial Council will be reviewing it at their next meeting.

Topic: Other Business

By Rosa Oakes

Ms. Oakes reported that some concerning issues have come to light in the recent past:

- A recommendation that a probation officer use Google Translate to translate a safety plan for a family. The committee expressed serious concerns and suggested this item should be included in training for court staff.
- An Interpreter Coordinator failing to follow the rule regarding the use of certified interpreters unless not reasonably available. This is being addressed directly with the coordinator.
- Some states are going to great lengths to secure rare language interpreters – including providing visas and travel from out of the country. Ms. Oakes suggested following the guideline set by the Dept. of Justice to “take reasonable steps to provide meaningful access.” The committee agreed.

Judge Chon moved to adjourn.

Next meeting date is January 20, 2017