

**Agenda**  
**Language Access Committee Meeting**  
 July 9, 2021  
 12:00 – 2:00 p.m.

Administrative Office of the Courts  
 Scott M. Matheson Courthouse  
 450 South State Street  
**Via Videoconference**

12:00	Welcome, Discussion, and Approval of Minutes	Discussion/ Action	Tab 1	Judge Leavitt
12:05	Reopening Strain on Court Interpreters <ul style="list-style-type: none"> <li>• Suggested Protocols</li> <li>• Backlog Data</li> </ul>	Discussion/ Action	Tab 2 Tab 3	Kara Mann
12:45	Proposed Contract Interpreter Pay Increase	Discussion/ Action	Tab 4	Kara Mann
1:15	Proposed Mentoring Program	Discussion/ Action	Tab 5	Kara Mann
1:45	Committee Members	Discussion/ Action	Tab 6	Kara Mann
1:50	2022 Proposed Meeting Dates	Discussion/ Action	Tab 7	Kara Mann
2:00	Adjourn			Judge Leavitt

**2021 Meeting Schedule**

- September 17, 2021
- November 19, 2021

# Tab 1

**Language Access Committee**  
Videoconference Webex

May 21, 2021

**Draft**

**Members Present**

Evangelina Burrows  
Yadira Call  
Amine El Fajri  
Rory Jones  
Judge Michael Leavitt - Chair  
Chip Royce  
Judge Kelly Schaeffer-Bullock  
Judge Michael Westfall

**Members Excused**

Russ Pearson

**Staff**

Kara Mann

**(1) Welcome**

Judge Michael Leavitt welcomed committee members to the meeting, and addressed the March 19, 2021 minutes. Evangelina Burrows moved to approve the minutes. Judge Michael Westfall seconded the motion. The motion carried unanimously.

**(2) Reopening Strain on Court Interpreters**

Kara Mann informed the committee that she had a concern that the backlog created by the COVID-19 pandemic will create a strain on the court interpreters as Utah State Courts starts to reopen. Ms. Mann presented a proposed memo to go to the Pandemic Response Team with suggestions on reopening considerations for court interpreters. Ms. Mann shared Ms. Burrows drafted most of the proposed suggestions included on the memo.

Judge Kelly Schaeffer-Bullock advised that Justice Courts are now holding evidentiary hearings and jury trials in-person. Judge Schaeffer-Bullock asked if there will be statewide prioritization or if court interpreters will accept assignments based on which court contacts them first. Ms. Mann shared that it would currently be based on which court contacts them first. Judge Schaeffer-Bullock suggested a recommendation from the committee to the appropriate group, board, or committee to address the prioritization of cases.

Yadira Call suggested stacking trials of the same language so that if one doesn't go, then there's another trial going forward that will still require court interpreters.

After discussion, Judge Leavitt asked Ms. Mann to find out estimates on the need for court interpreters for the backlog. Judge Leavitt advised that without knowing the scope, it's difficult to submit suggestions to the Pandemic Response Team. Ms. Mann agreed, and asked the committee be willing to vote by email out of concern that reopening phase will start soon.

### **(3) Proposed Mentoring Program**

Ms. Mann reminded the committee that at a previous meeting there was a proposal to start a mentoring program for approved Spanish interpreters as a way to address the shortage of certified Spanish interpreters. Ms. Mann shared that COVID-19 had delayed her from starting on this project. Ms. Mann presented an outline on how the mentoring program would work.

- Certified Spanish interpreters (mentors) would mentor approved Spanish interpreters (mentees).
- Mentors and mentees must meet for at least four hours over a minimum of two months and a maximum of four months.
- Mentors must observe their mentee interpreting a court proceeding two separate times and offer constructive feedback on their court interpreting skills.
- Mentors must discuss the Oral Proficiency Exam with their mentees and provide insight and tips about the exam.
- Mentors must have their mentee practice the three modes of court interpreting and provide constructive feedback.
- Mentors and mentees must sign an agreement form.
- Mentors must complete a tracking form for which they will receive four hours of continuing education credit. The mentees must sign off on the tracking form.

Ms. Mann shared proposed suggested lessons, the agreement form for both mentors and mentees, and the tracking form. Ms. Mann asked if there should be a confidentiality clause added to the agreement form for mentors and mentees.

Judge Schaeffer-Bullock suggested there be confidentiality unless there are concerns about the ethics or the interpreting ability of the mentee.

Judge Leavitt advised researching the mentoring program at the State Bar to see how situations where a mentee reports an ethics violation are handled.

Mr. Chip Royce suggested framing it as a training issue, rather than an ethics issue. Mr. Royce shared mentors might not report if there are punitive consequences to the mentee.

Judge Schaeffer-Bullock suggested researching the New Judges Mentoring Program to see how they handle ethical disclosures.

Judge Schaeffer-Bullock motioned to table the discussion until the July meeting so that Ms. Mann can research how confidentiality and ethics should be managed for a mentoring program. Judge Westfall seconded the motion and the motion passed unanimously.

### **(4) Revised Conditionally Approved Interpreter Form**

Ms. Mann presented the following suggested updates to the Conditionally-Approved Court Interpreter Appointment Form.

- Add the question, "If asked, can Utah State Courts share your name, email, and phone number with attorneys or other government agencies looking for an interpreter in this language?" Ms. Mann advised she receives emails asking for interpreter leads from

other agencies or attorneys regularly, but that the legal department has determined interpreters must agree to have their contact information shared.

- Change the wording from “acquired language” to “non-English language” in the question regarding schooling to clarify the question.

Ms. Call motioned to approve the form with the changes. Ms. Burrows seconded the motion and the motion passed unanimously.

#### **(5) Continuing Education Policy**

Ms. Mann shared that she receives requests to grant continuing education hours to interpreter conferences, but that many of the sessions last less than an hour. Under the current policy she cannot grant continuing education credit for any classes that last less than one hour. Ms. Mann proposed adding the following language to section 3(D) of the policy.

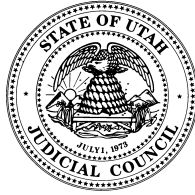
1. An exception shall be granted for half-hour courses that are offered by an AOC approved interpreting conference. A half-hour segment shall be counted as half-hour of continuing education when offered by an AOC approved interpreting conference.
2. An exception shall be granted for forty-five minute courses that are offered by an AOC approved interpreting conference. A forty-five minute segment shall be counted as forty-five minutes of continuing education when offered by an AOC approved interpreting conference.

Ms. Call motioned to approve the form with the changes. Judge Schaeffer-Bullock seconded the motion and the motion passed unanimously.

#### **(6) Adjourn**

There being no further business, the meeting adjourned at 1:15 pm.

# Tab 2



# Administrative Office of the Courts

Chief Justice Matthew B. Durrant  
Utah Supreme Court  
Chair, Utah Judicial Council

July 6, 2021

Hon. Mary T. Noonan  
State Court Administrator  
Catherine J. Dupont  
Deputy Court Administrator

## MEMORANDUM

**TO: Pandemic Response Team**

**FROM: Language Access Committee**

**RE: Reopening Considerations for Court Interpreters**

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As Utah State Courts reopen and begin to schedule the growing backlog of jury trials, it is important to recognize the role that court interpreters will play during this period. Interpreters are a finite resource that all courts rely on. Scheduling jury trials that require court interpreters without thoughtful considerations may lead to more jury trials being scheduled than we have available interpreters, especially since proceedings over one hour require two interpreters.

Although there have been discussions on bringing on temporary judges and court personnel to help with the backlog, that most likely will not be a feasible option with court interpreters. As courts throughout the country start scheduling the backlog of hearings and trials, there will be an increased demand nationwide on court interpreters.

As the Risk Phase Response Plan is revised with new guidelines, The Language Access Committee recommends considering the following suggestions to alleviate the strain that will be placed on interpreter resources.

- Coordination between the districts and their Interpreter Coordinators will be the key to ensuring cases requiring interpreters are appropriately spaced out. Districts should watch the scheduling of jury trials that will require interpreter assistance to ensure there aren't numerous jury trials scheduled for the same days. Spanish is the most requested language, and it's very likely that without thoughtful scheduling, some weeks the demand will outstrip supply.
- Counsel should alert the court as soon as possible when defendants, victims, or witnesses will need interpreter assistance. Judges should inform counsel that last minute interpreter requests are likely to go unfilled.

**The mission of the Utah judiciary is to provide an open, fair,  
efficient, and independent system for the advancement of justice under the law.**

- If a limited English proficient party speaks more than one language, the Interpreter Coordinator should be provided with that information. For example, many individuals from African nations speak more than one language. If an interpreter cannot be found in their preferred language, interpreter assistance may be available in their alternative language.
- Details on the length of time an interpreter will actually be needed will be important. For example, if a jury trial is set for three days, but a witness requiring a court interpreter will only be testifying one afternoon, then that information can help the Interpreter Coordinators with scheduling.
- Some deaf parties will require a Certified Deaf Interpreter (“CDI”, interpreters who are deaf themselves) in addition to the American Sign Language interpreter. CDIs and ALS interpreters work together to relay interpret. Depending on the length of the proceeding, it might be possible that two ASL interpreters and two CDIs will be necessary. CDIs are in high demand, and early requests are more likely to be filled.
- The number of CART providers in Utah is quite limited, but during the pandemic the need for their services increased. CART (captioning) providers are considered an ADA accommodation for deaf or hard-of-hearing parties who do not know American Sign Language. CART providers must have certain accreditation from the National Reporters Association, and just like court interpreters are in high demand nationally. Trials and longer proceedings that require a CART provider should be scheduled at least six weeks in advance, especially if locating an out-of-state CART services provider will be necessary.

Courts should not have to inform parties that their jury trial has been further delayed due to the unavailability of court interpreters, especially since parties have been forced to wait throughout the pandemic. If these suggestions can be implemented, it will go a long way in easing the strain that will be placed on court interpreters during Utah State Courts’ reopening phase.



**Tab 3**

**Confidential**

**Tab 4**

**Confidential**

# Tab 5

## **Court Interpreting Mentoring Program**

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The mentoring program has a two pronged goal for approved Spanish interpreters: (1) providing feedback on their interpreting skills for the three modes of court interpreting, and (2) preparing for the Oral Proficiency Exam.

Recognizing that interpreters may know each other personally, mentors and mentees will have the ability to request who they are partnered with.

### Certified Spanish Interpreters Participation Outline

Certified interpreters who volunteer to participate as mentors will be eligible for a minimum of four continuing education hours each reporting period and can apply for two additional continuing education hours depending on the time spent meeting with their mentee. Six hours is the maximum amount of time granted for CEUs, even if you meet with your mentee for any additional hours.

Lessons on the following page are provided as a template, although the mentor can create their own schedule or lessons as long as two hours are spent on feedback and discussion regarding their mentee's court interpreting skills and two hours are spent on preparing their mentee for the Oral Proficiency Exam.

Certified Spanish interpreters willing to mentor must agree to:

- Meet with their mentee for a minimum of four hours over two months.
  - Meetings can occur in-person or by video
  - Meetings can exceed the two month minimum.
  - Mentors can apply for two additional CEU hours if they meet with their mentees for six or more hours.
- Provide constructive feedback on the mentee's court interpreting skills
  - Mentors must monitor their mentee actively interpreting twice on separate days.
- Discuss the Oral Proficiency Exam and provide insight and tips without divulging the actual exam's contents
- Practice and provide constructive feedback on their mentee's skill and proficiency with each mode of court interpreting.
- Share any relevant interpreting resources with their mentee
- Sign an agreement form
- Complete a tracking form in order to receive continuing education hours

### Approved Spanish interpreters Participation Outline

The mentoring program is geared towards supporting approved Spanish court interpreters specifically.

Approved Spanish interpreters must be agree to:

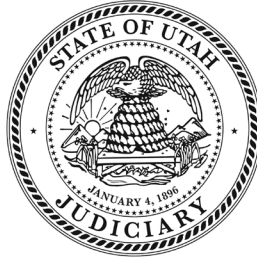
- Meet with the mentor at least four hours over a minimum of two months and a maximum of four months
  - Meetings can occur in-person or by video
- Have their mentor monitor them actively interpreting in a court setting
- Receive constructive feedback regarding their court interpreting skills

- Study with their mentor to prepare for the Oral Proficiency Exam.
- Sign an agreement form
- Sign a tracking form for their mentor to receive continuing education hours

### Suggested Lessons

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- Meeting 1:      Discuss the three modes of court interpreting  
Practice each mode of interpreting (exercises for each mode of interpreting provided by the AOC)  
Discuss suggested improvements based on the exercises
- Meeting 2:      Discuss the mentee's court interpreting assignments monitored by the mentor  
Discuss suggested improvements  
Discuss interpreting resources  
Discuss the Code of Professional Responsibility for Court Interpreters
- Meeting 3:      Discuss an overview of the Oral Proficiency Exam  
Discuss tips for the Oral Proficiency Exam  
Discuss lessons learned by the Mentor
- Meeting 4:      Complete a practice Oral Proficiency Exam (provided by the AOC)  
Score exam  
Discuss suggested improvements



## Utah State Courts Court Interpreter Mentoring Program Agreement

Please read carefully and sign below.

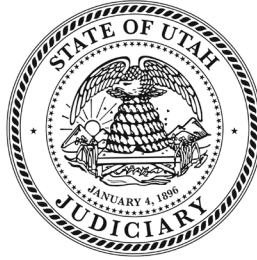
I, \_\_\_\_\_, am interested in acting as a mentor to an Approved Spanish interpreter. I agree to:

- meet with the mentee for four hours over a period of two to four months, either in-person or by video.
- observe the mentee interpreting in two separate court proceedings.
- provide the mentee with constructive feedback regarding their interpreting skills in each mode of court interpreting.
- discuss the Oral Proficiency Exam and provide insight and tips with the mentee.
- share interpreting resources with the mentee.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Signature of Interpreter

\_\_\_\_\_  
Printed Name of Interpreter



## Utah State Courts Court Interpreter Mentoring Program Agreement

Please read carefully and sign below.

I, \_\_\_\_\_, am interested in having a Certified Spanish interpreter act as a mentor to me. I agree to:

- meet with the mentor for four hours over a period of two to four months, either in-person or by video.
- have the mentor observe me actively interpreting in two separate court proceedings.
- have the mentor provide me with constructive feedback regarding my interpreting skills in each mode of court interpreting.
- discuss the Oral Proficiency Exam with the mentor.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Signature of Interpreter

\_\_\_\_\_  
Printed Name of Interpreter



# UTAH STATE COURTS COURT INTERPRETER MENTORING PROGRAM

Section I. INFORMATION		
MENTOR'S NAME:		
MENTEE'S NAME		
Section II. MEETINGS		
Mentors must provide two hours on court interpreting skills and two hours on preparing for the Oral Proficiency Exam		
Date of Meeting	Topics	# of Hours
Section III. DECLARATION		
<i>I declare under penalty of perjury under the laws of the State of Utah that the information provided above is true and correct.</i>		
<b>SIGNED:</b> (Mentor)		<b>DATE:</b>
<b>SIGNED:</b> (Mentee)		<b>DATE:</b>

This form must be completed and turned in to the Language Access Program by the mentor in order to receive continuing education credit.



**Tab 6**

**Confidential**

# Tab 7

## **Proposed 2022 Committee Meeting Dates**

January 14, 2022

March 18, 2022

May 20, 2022

July 15, 2022

September 16, 2022

November 18, 2022