

**Language Access Committee**  
Videoconference Webex

September 17, 2021

**Members Present**

Evangelina Burrows  
Rory Jones  
Judge Michael Leavitt- Chair  
Russ Pearson  
Chip Royce  
Cade Stubbs  
Judge Michael Westfall

**Members Excused**

Yadira Call  
Judge Kelly Schaeffer-Bullock  
Ingrid Oseguera

**Staff**

Kara Mann

**(1) Welcome**

Judge Michael Leavitt welcomed committee members to the meeting, and addressed the July 9, 2021 minutes. Rory Jones moved to approve the minutes. Evangelina Burrows seconded the motion. The motion carried unanimously.

**(2) Contract Interpreter Rate Increase- Update**

Ms. Mann advised the committee that the Judicial Council approved:

- a 20% contract rate increase for the freelance court interpreters. The new contract rates are:
  - Certified: \$47.76
  - Approved: \$40.93
  - Registered 1: \$40.93
  - Conditionally Approved: \$22.28
  
- an additional contract rate increase for Fiscal Year 2022 as courts address the COVID-19 backlog. The temporary contract rates are in effect until June 30, 2022, and are:
  - Certified: \$50
  - Approved: \$41
  - Registered 1: \$41
  - Conditionally Approved: \$23

**(3) Proposed Mentoring Program**

Ms. Mann reminded the committee at the last meeting there were concerns on how confidentiality and ethics should be handled by mentors.

Ms. Mann shared Utah Supreme Court Rule of Professional Practice 14-808(h), which outlines confidentiality of mentors in the New Lawyers Training Program overseen by the Utah State

Bar. Under the court rule, the new lawyer is to discuss issues in hypothetical terms. If the lawyers determine hypothetical terms are not practical under the circumstances, then the new lawyer is not subject to the Utah Rules of Professional Conduct on Confidentiality of Information while seeking mentoring on the situation.

The committee discussed allowing mentors and mentees waiving confidentiality in similar circumstances. Judge Leavitt asked if a court rule would be necessary for the court interpreter mentoring program. Ms. Mann advised she would ask General Counsel for their opinion in the matter and report back.

#### **(4) Proposed Provisional Interpreters**

Ms. Mann reminded the committee that at the last meeting the idea of provisionally approving court interpreters was suggested as a potential solution to the backlog caused by the COVID-19 pandemic.

The committee reviewed Code of Judicial Administration Rule 3-306.03 and the testing and training requirements of the four credentialing levels for court interpreters. In discussing conditionally approved interpreters, Judge Westfall suggested that credentialing could be used for all languages, not just languages of a lesser diffusion. Russ Pearson suggested waiting to see how the backlog strains the interpreters' availability before changing the conditionally-approved credentialing.

After further discussion, the committee determined provisional interpreters are not a viable solution for the backlog at this time.

#### **(5) 2022 Interpreter Training & Testing Subcommittee**

Ms. Mann requested the formation of a subcommittee to review how the interpreter testing and training requirements can be offered in 2022 while the courts operate in the red phase of the Risk Phase Response Plan. Ms. Mann reminded the committee that last year's subcommittee's recommendations were approved by the Management Committee for 2021.

Mr. Pearson, Rory Jones, and Cade Stubbs agreed to serve on the subcommittee.

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

There being no further business, the meeting adjourned at 12:50 pm.