

Language Access Task Force Meeting Minutes

October 27, 2017

In attendance: Hon. Jose Salinas, *co-chair*, Hon. Lakshmi Reddy, *co-chair*, Rhonda Marcum, Stephanie Ritchie, Marina Waters, Maria Wildridge

Staff: LaKesha Triggs

Welcome and approval of August meeting minutes

Hon. Jose Salinas, *co-chair*, welcomed the task force members to the meeting. Task force members reviewed the August 25th meeting minutes. Task force approved the August 25th minutes.

VRI pilot program

Staff attorney LaKesha Triggs updated the task force about the Video Remote Interpreting (VRI) pilot program. Testing and training of interpreters has been completed. The vendor Court Call is still working on some technical issues with the VRI kits. Once those issues have been resolved, the pilot counties will begin using the VRI equipment.

LATF report

Staff attorney LaKesha Triggs informed the task force that she will be submitting an annual report of task force activities to the Supreme Court on December 1, 2017. This report will be a summary of task force activities and recommendations to the Supreme Court. Working group chairs are asked to provide summaries of activities to LaKesha Triggs which will be compiled in the report.

Working Group updates

a. Communications/Outreach

There was no report from this working group.

b. Court interpreter certification program

There was no report from this working group.

c. Research/Data collection

Marina Waters updated the task force about the language access needs assessment that has begun. The working group is continuing to collaborate with the National Center for State Courts (NCSC). NCSC developed a draft survey and set of interview questions

intended to be used to collect qualitative and quantitative data from stakeholders across the state including judges, court staff, interpreters, consumers, lawyers and others. This group submitted a final list to NCSC of stakeholders from all 92 counties.

d. Technology

Working group met and discussed setting up a deaf friendly website. The group also recommended setting up a video to explain the court process on the Supreme Court's website. In addition, the group discussed setting up video phones in the court lobbies to assist the deaf individuals in the courtrooms.

e. Resource Development

There was no report from this working group.

The meeting was adjourned at 2:10pm.

Language Access Task Force Meeting Minutes

August 25, 2017

In attendance: Hon. Jose Salinas, *co-chair*, Enrica Ardemagni, Aimee Heitz, Lun Pieper, Stephanie Ritchie, Marina Waters, Maria Wildridge

Staff: LaKesha Triggs

Welcome and approval of June meeting minutes

Hon. Jose Salinas, *co-chair*, welcomed the task force members to the meeting. Task force members reviewed the June 30th meeting minutes. Task force approved the June 30th minutes.

King v. Marion Circuit Court opinion

Staff attorney LaKesha Triggs discussed the *King v. Marion Circuit Court* opinion decided on August 18, 2017. Plaintiff Dustin King is a deaf litigant who requested an ASL interpreter for mediation. The Marion Circuit Court denied his request and offered King to adjudicate his case and an interpreter would be provided to him at cost. Plaintiff King filed suit in the U.S. District Court for the Southern District of Indiana, alleging that the Marion Circuit Court violated Title II of the Americans with Disabilities Act (ADA) by refusing his request for an interpreter or any other reasonable accommodation. The district court ruled in King's favor. The 7th Circuit Court of Appeals reversed the district court's decision and the case was remanded with instructions to dismiss without prejudice. The Court concluded that the Marion Circuit Court's invitation to litigate afforded King full access to court. Staff Attorney LaKesha Triggs suggested to the task force that it send some recommendations of best practices advice to judges in lieu of this court decision.

VRI pilot program update

The Video Remote Interpreting (VRI) pilot program has begun. All three pilot counties: Marion, Shelby, and Allen counties will be on a six month pilot program. Court Call is the vendor for this pilot program. Testing and training is underway in the pilot counties.

Working Group updates

a. Communications/Outreach

Lun Pieper informed the task force about compiling a comprehensive list of community networks for outreach efforts.

b. Court interpreter certification program

Maria Wildridge suggested that the task force come up with guidelines/policies for court interpreters to abide by when interpreting in court. Maria also discussed about putting a formal complaint process in place and also adding continuing education credits for the interpreters. Staff attorney LaKeshia Triggs reported that the Supreme Court will be providing an online preparation course for the English written exam for the January session.

c. Research/Data collection

Marina Waters updated the task force about the language access needs assessment that has begun.

1. The working group is continuing to collaborate with the National Center for State Courts (NCSC). As a reminder, that is the organization that we are partnering with for a language access assessment (to be completed this fall) and a language access plan (to be completed next spring).

2. Since our last meeting we provided NCSC with language access related data that was available to us from any state courts that are currently using a centralized database called Odyssey to track these interactions. NCSC was also provided with a comprehensive report of interpreter use for the Marion Superior Court. NCSC is currently reviewing this data.

3. NCSC provided the Administrative staff at the Superior Court with a comprehensive questionnaire about language access policies and procedures across the state. This was completed and NCSC is currently reviewing this data.

4. NCSC developed a draft survey and set of interview questions intended to be used to collect qualitative and quantitative data from stakeholders across the state including judges, court staff, interpreters, consumers, lawyers and others. We, with your help, provided suggestions on their draft. Some Highlights of those suggestions included:

- defining the key terminology including LEP, interpretation, and translation to participants;
- inclusion and accommodation for Deaf and hard of hearing participants and from some key refugee and immigrant groups in town;
- inclusion of additional languages specifically inclusive of immigrant and refugee populations, such as languages from Burma, Africa and India;
- inclusion of questions about the process courts are using to assess interpreter qualification when subcontracting directly with interpreters; and
- additional questions targeting phone use and readiness for VRI use.

d. Technology

There was no report from this working group.

e. Resource Development

Aimee Heitz discussed about what other resources and grant opportunities are available beyond what the courts can provide.

Next meeting: October 27, 2017 at 1:30pm Indiana Office of Court Services, 30 S. Meridian Street

Language Access Task Force Meeting Minutes

June 30, 2017, 1:30pm

In attendance: Hon. Jose Salinas, *co-chair*, Hon. Lakshmi Reddy, *co-chair*, Enrica Ardemagni, Kathleen Casey, Clare Corado, Rhonda Marcum, Lun Pieper, Stephanie Ritchie, Maria Wildridge

Guests: Trevor Baldwin, Randy Nicolai, Donald Aills, Charlene Santiago, Mandy Alexander, Hannah Baker, George Martin, Mustafa Alkhasoneh, Michael Burelli, Kendra Key

Staff: LaKesha Triggs

Welcome and approve of April meeting minutes

Hon. Jose Salinas, *co-chair*, welcomed the task force members and guests to the meeting. Task force members reviewed the April 28 meeting minutes. Task force approve the April 28 minutes.

New Task force members

Enrica Ardemagni and Stephanie Ritchie are the newest appointed members of the Language Access Task Force.

Spring Judicial College

Judge Reddy spoke about the LEP session at the Spring Judicial College in May. There were about 40 judges in attendance. The session was very interactive and was a mix of legal and best practice tips in working with interpreters. The reviews and feedback were very positive.

CLAC conference

Staff Attorney LaKesha Triggs attended CLAC (Council of Language Access Coordinators) conference in Washington, D.C. in May. The conference was informative and engaging. LaKesha Triggs spoke about a continuing education credit program for current certified interpreters that other states have implemented. The Indiana Office of Court Services is looking to provide more training opportunities for interpreter candidates. Additionally, video remote interpreting projects were discussed among the states.

VRI pilot initiative update

The Video Remote Interpreting (VRI) pilot program will start on July 1. It will be a six month program. The vendor is Court Call. Demonstrations were done in front of the Indiana Supreme Court and other trial judges. There are three pilot counties: Marion, Shelby, and Allen. There was discussion about the use of VRI for sign language and whether the picture will be of good

quality. There was also discussion about whether the interpreting will be recorded and if people in a court gallery can hear the interpreter to measure accuracy. Task force members also mentioned concerns about internet connection.

Working Group updates

a. Communications/Outreach

Lun Pieper informed the task force about compiling a comprehensive list of community networks for outreach efforts. The group will use two messages—to community members and to the courts for educating about interpreter services. Lun has identified twelve organizations and asked the task force to provide additional organizations to be added to the list.

b. Court interpreter certification program

The next court interpreter program will be held in August. Maria Wildridge suggested that the task force come up with guidelines/policies for court interpreters to abide by when interpreting in court.

c. Research/Data collection

Staff attorney LaKesha Triggs updated the task force about the language access needs assessment that has begun. NCSC will be assisting the task force with the needs assessment. The assessment is in the process of gathering quantitative and qualitative data from the courts in all the regions of the state.

d. Technology

Technology group has met three times. The group has contacted other states about technology in their courtrooms including VRI. Group members went to Hamilton county and tested their technology including their CART services and VRI program. Rhonda Marcum also discussed whether the court websites are ADA accessible for the deaf and hard of hearing community.

e. Resource Development

Kathleen Casey discussed about what other resources are available beyond what the courts can provide. Kathleen is looking for funding resources at the public defender commission. It was mentioned that possibly the task force should focus on developing funding to get court interpreters in the courtrooms or funding to community groups to help recruit more interpreters.

Next meeting: August 25, 2017 at 1:30pm Indiana Office of Court Services, 30 S. Meridian Street

Language Access Task Force Meeting Minutes

April 28, 2017, 2:30pm-4:30pm

In attendance: Hon. Jose Salinas, *co-chair*, Hon. Lakshmi Reddy, *co-chair*, Kathleen Casey, Clare Corado, Aimee Heitz, Rhonda Marcum, Lun Pieper, Marina Waters, Maria Wildridge

Guests: Trevor Baldwin, Randy Nicolai, Kellyeanne Norrod, Andy Rork, Amanda Alexander, Donald Aills, Sara Bianco

Staff: LaKesha Triggs

Welcome and approve of February 24 meeting minutes

Hon. Jose Salinas, *co-chair*, welcomed the task force members and guests to the meeting. Task force members reviewed the February 24 meeting minutes. Aimee Heitz moved to approve minutes. Clare Corado seconded. Task force approve the February 24 minutes.

Sara Flores and Adam Mueller update

Task force members Sara Flores and Adam Mueller will not be able to continue serving on the language access task force. Task force members were charged to give names of potential task members to fill the vacancies to Hon. Salinas, Hon. Reddy, and staff attorney LaKesha Triggs. After receiving the recommendations, Hon. Salinas and Hon. Reddy, LaKesha Triggs will discuss and submit those names to the Chief Justice for approval.

Court interpreter grants

Staff attorney LaKesha Triggs informed the task force that there was a total of 37 applications representing 36 counties who applied for court interpreter grants. LaKesha Triggs informed the task force members of the factors when awarding grants, such as the number of reported interpreter hours for the previous calendar year.

Also, task force members learned about the new reimbursement system where each grantee will have to submit a claim voucher at the end of the interpreter service to get reimbursed. Task force members discussed an easier process for counties to apply for grant. The task force will work on improving the grant application for next grant cycle.

Language Access Needs Assessment update

Staff attorney LaKesha Triggs informed the task force of the National Center for State Courts (NCSC)'s proposal to assist in a language access needs assessment. The proposed timeline is for the project to be completed by next year.

Biennium budget/funding

Staff attorney LaKesha Triggs informed the task force of additional funding of \$500,000 for fiscal years 2018 and 2019 for interpreters/language access projects. This additional funding will help provide more grants to the counties for interpreter services.

Working Group updates

a. Communications/Outreach

Lun Pieper informed the task force about compiling a comprehensive list of community networks for outreach efforts. The group will use two messages—to community members and to the courts for educating about interpreter services

b. Court interpreter certification program

Maria Wildridge spoke about implementing a continuing education credits program for the current certified interpreters. Also, Maria discussed implementing a preliminary screening test for individuals before taking the oral exam. Thirdly, Maria discussed the recent survey that was sent out to the current certified interpreters on the Supreme Court's registry to get feedback on improving the court interpreter certification program. These survey results will be reviewing and analyzed by this working group. Also discussed is to have a minimum requirement of interpreting 5 cases to maintain certification status.

c. Research and data collection

The group has already collected census data and has analyzed the data from the LEP survey that was sent to the judges in 2015. Marina also spoke about the NCSC language access needs assessment proposal. This group will serve as a supporting role to NCSC in developing the needs assessment.

d. Technology

Rhonda spoke about the video remote interpreting (VRI) project. This group presented at the Indiana Association of the Deaf about the task force. This group has reached out to other states to see how VRI has been operating and to get their perspectives. Staff attorney LaKesha Triggs informed the task force of the VRI pilot program that will be implemented this year. Pilot counties include Marion, Shelby, and Allen counties.

e. Resource Development

This group did not meet.

Upcoming events

The Spring Judicial College will be held on May 3-5 at Indianapolis Marriott East. Staff attorney LaKesha Triggs and Hon. Reddy will be co-teaching a LEP session. Additionally, Staff attorney LaKesha Triggs will be attending the Council of Language Access Coordinators (CLAC) conference in Washington, D.C. on May 21-24.

Next meeting: June 30, 2017 at 1:30pm

Indiana Office of Court Services, 30 S. Meridian Street, Suite 500

Language Access Task Force Meeting Minutes

February 24, 2017, 2:30pm-4:30pm

In attendance: Hon. Jose Salinas, Hon. Lakshmi Reddy, Kathleen Casey, Clare Corado, Sara Flores, Rhonda Marcum, Christian Mendoza, Lun Pieper, Dr. Samantha Paredes Scribner, Marina Waters, Maria Wildridge

Staff: Mary Willis, LaKesha Triggs, Justin Forkner

Welcome and Introductions

Mary Willis, Chief Administrative Officer, welcomed the task force members and identified language access for Limited English Proficient (LEP) individuals as one of the most important issues facing the judiciary. Task Force members introduced each other and shared their reasons why they joined the task force.

Overview of current language access projects/initiatives

Staff Attorney LaKesha Triggs reviewed the current language access projects and initiatives that the Indiana Supreme Court has done. LaKesha reviewed the court interpreter grant program and informed the task force members of the process that counties go through when applying for Supreme Court grants.

The task force members discussed the current court interpreter certification program and the different steps that an individual has to take to become a certified court interpreter. There are currently over 100 court interpreters that have gone through the Supreme Court's certification program. There were several issues/comments from task force members about mandating to counties to use only certified court interpreters instead of unqualified persons such as family or friends when interpreting court proceedings.

LaKesha discussed the Language Line telephone interpreter service that the Supreme Court provides to the counties. The I Speak cards and bench card projects were also discussed to the task force members. The task force members were also informed of the Workplace Spanish program that is available to court staff to learn basic Spanish in order to better communicate to Spanish speaking individuals who come to court. The Workplace Spanish program is a partnership with Ivy Tech which provides and teaches the curriculum to the students.

Goals of the Task Force

LaKesha Triggs informed the task force of the importance of developing and implementing a state-wide Language Access Plan for Indiana. LaKesha informed the task force of some outreach efforts to the National Center for State Courts for technical assistance in language access planning. The task force discussed ways to improve the court interpreter certification program such as providing a language proficiency exam before signing up for the certification

program. It was also discussed to develop a continuing education credit program once an individual is certified. LaKesha also informed the task force about current bilingual forms that the Supreme Court provides in Spanish and the goals of providing additional court forms in other languages.

Spring Judicial College

Judge Reddy spoke about the upcoming spring judicial college in May. Judge Reddy discussed the different topics that would be taught to the judiciary such as Title VI of the 1964 Civil Rights Act and the recent Indiana cases that dealt with providing interpreters. The session would include interactive video scenarios that would show the judiciary some best practices in dealing with interpreters. Task force members proposed additional ideas for topics which include:

- teaching about the different types of certifications (i.e. medical, court, state v. national certifications)
- being more inclusive for American Sign Language (ASL) interpreters (best practices, interpreter positioning in the courtroom)
- payments of interpreters (who should pay the cost)
- evaluating the qualifications of the interpreters
- more supervision of interpreters to evaluate interpretation accuracy.

Working groups

LaKesha Triggs outlined the charge for the working groups, generally:

- Have a chair for each group.
- The working groups are free to recruit additional individuals to serve on the working groups who are not officially on the task force.
- Each working group would meet during the off months and provide an update at the next task force meeting.
- LaKesha is available to help staff the working groups.

LaKesha outlined the working groups that were recommended. The task force members then selected working group assignments:

Research and data collection

This working group will work with the LEP community, stakeholders, and the Supreme Court to collect relevant data to understand the effectiveness and economic impact of ensuring language access as a benefit to the state. It will also oversee a comprehensive language access needs study.

Members

Marina Waters- Chair
Samantha Scribner

Court Interpreter certification program

This working group would focus on improving and expanding the current interpreter certification program. It will also propose recommendations and solutions to increase certified interpreters in languages other than Spanish. Thirdly, the working group will develop a continuing education credits program for current certified interpreters

Members

Maria Wildridge- Chair
Samantha Scribner
Lun Pieper
Sara Flores

Communications/Outreach

This working group would focus on communicating the work of the task force to the legal community and the public. Liaison activities would include coordination with bar associations, community organizations, law schools, etc.

Members

Lun Pieper- Chair
Kathleen Casey
Maria Wildridge
Clare Corado

Technology

This working group would include IT staff from the Court, language access stakeholders/providers and the private bar and will focus on developing and executing a language access technology plan. Examples include developing video remote interpreting initiatives in the courts and developing a web portal (online and telephone).

Members

Rhonda Marcum- Chair
IT Court staff

Resource Development/Funding

This working group would aim to increase resources and funding for language access in Indiana by speaking as a unified voice for the entire system and developing champions in the greater philanthropic, social service community. The task force would not raise funds for its own operations but rather look at the system as a whole and explore opportunities to generate resources.

Members

Kathleen Casey

Christian Mendoza

Meeting schedule

The task force agreed that the meetings will be bi-monthly on Friday afternoons. The working groups will meet on the off months and provide an update to the entire task force at the next general task force meeting.

Next meeting: Friday, April 28, 2017 at 2:30pm

Indiana Office of Court Services, 30 S. Meridian Street, Suite 500