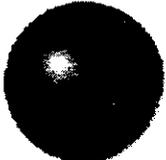


# **Iowa Court Interpreter Policies & the Consortium for Language Access in the Courts**

**John Goerd**

Deputy State Court Administrator (Iowa)  
Vice Chair of the Executive Committee,  
Consortium for Language Access in the Courts

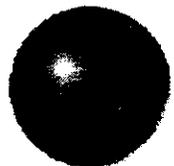
[john.goerd@iowacourts.gov](mailto:john.goerd@iowacourts.gov)



## **Iowa Court Interpreter Policies & the Consortium for Language Access in the Courts**

### **⊕ Materials provided:**

1. This slide presentation (PDF version)
2. **10 Key Components of a Successful Language Access Program in the Courts**
3. Bench Card for Iowa Judges
4. **Executive Summary: California's Assessment of the Consortium for Language Access in the Courts' Exams**  
(plus selected Appendices)



## **Websites With Additional Information Related to This Presentation**

Consortium for Language Access in Courts:

[www.ncsconline.org/D\\_Research/CourtInterp.html](http://www.ncsconline.org/D_Research/CourtInterp.html)

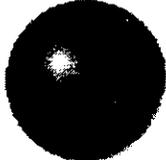
Iowa's Court Interpreter Program:

[www.iowacourts.gov/District\\_Courts/Court\\_Interpreter](http://www.iowacourts.gov/District_Courts/Court_Interpreter)



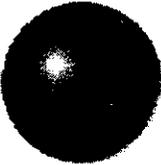
## Iowa's Development of Rules & Policies on Court Interpreters

- ✦ IA Supreme Court appointed advisory committee in 2001
- ✦ Responded to a murder case involving Vietnamese defendants
  - ✦ Interpreter for Miranda rights told them they had the right to an "Engineer"
- ✦ Earlier in a child custody "kidnapping" case, an interpreter told the defendant he was charged with "child sleeping" (*He pleaded guilty!*)



## Iowa's Development of Rules & Policies on Court Interpreters

- ⊕ Before 2004, the Iowa Court Rules required judges to appoint a “**qualified interpreter.**”
- ⊕ No testing/training reqs. for interps. in Ct Rules
- ⊕ What was a “qualified” interpreter?
  - ⊗ Bi-lingual (seems to speak both languages well)
  - ⊗ Education (college not necessary, but helpful)
  - ⊗ Experience (Occasional interpreting in ct for X yrs)
  - ⊗ Promptness (We can count on her/him)
  - ⊗ Polite / Cooperative / Likeable



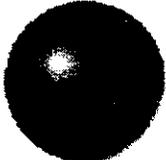
# *Code of Ethics for Court Interpreters*

## ***CANON 1***

### ***ACCURACY AND COMPLETENESS***

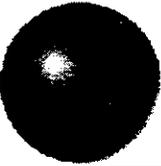
An interpreter shall render a complete and accurate interpretation or sight translation by reproducing in the target language the closest natural equivalent of the source language message, without altering, omitting, or adding anything to the meaning of what is stated or written, and without explanation.

- ▶ **Remember**: A person's liberty, property, immigration status, or possibly the interests of his or her children may be at stake!



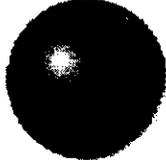
## Qualities of a Competent Court Interpreter

- ✦ **College-level vocabulary in 2 languages**
  - ✦ Including legal & technical terms, slang, etc.
- ✦ Excellent **memory skills**
- ✦ Excellent **mental alacrity**: Ability to quickly identify [completely & accurately] the meaning of the words/phrases in the spoken language and quickly identify and articulate [completely & accurately] the equivalent meaning in the other language
- ✦ Interpreter **training & experience**
- ✦ Knowledge of court interpreter **role & ethics**



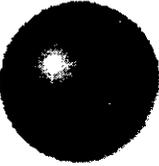
## Iowa's Development of Rules & Policies on Court Interpreters

- ✦ **2001:** Supreme Ct Advis. Committee
  - ❖ Report & Recommendations (2001)
- ✦ **2004:** Iowa Court Rules on Interpreters
  - ❖ Certification: Accepted Fed, NAJIT, Consortium
  - ❖ Created a Roster of Court Interpreters (MN's reqs):
    - 2-day orientation program
    - Pass multiple choice test on interpreter ethics
  - ❖ Required courts to appoint highest ranked interp. available.



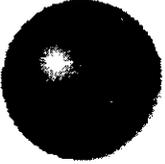
## Iowa Judicial Branch's Development of Rules & Policies on Court Interpreters

- ❖ **2005:** Joined the Consortium for Language Access in the Courts
  - ❖ Access to written exam to screen interpreters on:
    - General English vocabulary & slang/idioms
    - Legal terminology
    - Knowledge of court procedures
  - ❖ Access to oral interpretation (certification) exams in 14 languages (now **25**)
  - ❖ Amended Court Rules in **2006** (effective 1-1-07)
    - Raised Roster reqs.: Pass Consortium written exam



## Iowa's Current Court Rules (Chap. 47): Basic Qualifications for Ct Interpreters

- ◆ **Age**: 18 or older (*proposal to be 21*)
- ◆ **Education**: Min. of H.S. diploma or equivalent (*proposal to have A.A. or equiv*)
- ◆ **Criminal history check** (by court staff)
  - ❖ No felonies
  - ❖ No crimes of dishonesty, moral turpitude
    - *Proposal: no crimes of dishonesty/moral turpitude*



## Iowa's Basic Qualifications - *continued*

### ◆ Ct Interpreter Application Form

Provide evidence of education and experience to be a competent court interpreter

### ◆ Sign an Oath → **on Application**

- Know Code of Professional Ethics
- Have skills & knowledge to be a competent court interpreter



## Requirements to be on Iowa's Roster of Court Interpreters

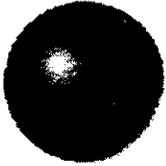
- ➔ **Meet basic qualifications** (above)
- ➔ **Attend a 2-day orientation program**
- ➔ **Pass 2 written multiple-choice exams**
  - Consortium exam (135 Qs) + Ethics (25 Qs)
  - ★ Both exams are in English; none in the foreign lang.!
  - ★ No testing of interpretation skills!!!
- **Cannot guarantee the competence of interpreters without testing interpretation skills!**
- **Education & experience are not enough!**



**Experience Does Not Ensure Competence!  
No substitute for testing!!!**

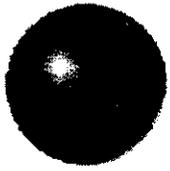
**Actual scores on oral certification exams:**

- ❖ New Jersey – Mid-1990s – 1<sup>st</sup> test of court interps.
- ❖ Consortium **oral** exam: need **70%** correct to pass
- ❖ **Yrs. as Full-Time Ct Interp. / % Correct on oral exam**
  - **38 years -----→ 44% correct**
  - **22 years -----→ 36% correct**
  - **12 years -----→ 29% correct**



## **Iowa Court Interpreter Classifications**

- ◆ **Class A – Certified** (meets IA standards)
- ◆ **Class B – Noncertified (Roster + 1 of these):**
  - ◆ **Certified in a state with lower standards**
  - ◆ **Came within 5% of passing certif. exams**
  - ◆ **College-level ct interp training program**  
(e.g., DMACC's program)
- ◆ **Class C – Noncertified / On Roster**
- ◆ **Noncertified / Not on Roster**



## Iowa: Appointment of Court Interpreters

- ◆ Court shall appoint an interpreter with the highest classification among those who are reasonably available
- ◆ Must give preference within each classification to interpreters on the Roster



## Iowa: Court Interpreter “Certification”

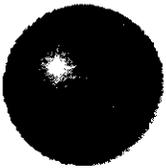
**Iowa: To be “certified” – an interpreter must meet Roster requirements and:**

**Sign language certification – must pass:**

- ▶ “Specialist certificate: legal (SC:L)” exam from NTSRID (Nat. Test System-Registry of Interps for the Deaf) - **OR**
- ▶ “Generalist” certif. on the NIC (Nat. Interp. Certif.) exam

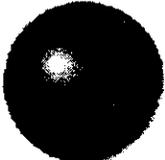
**Oral language certification – must pass:**

- ▶ Pass a 3-part oral interpretation exam offered by the federal courts, NAJIT, or the Consortium



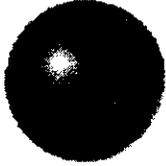
## Oral Language Court Interpreter Certification Exams Accepted by Iowa

- **Federal** Court Interp. Certification Program  
(Spanish only)
  - **80%** correct on all scoring units in the 3-part exam
- **NAJIT** - Nat. Assoc. of Judiciary Interpreters & Translators (Spanish only)
  - **80%** correct on all scoring units in the 3-part exam
- **Consortium** for Language Access in the Courts  
(**25** languages)
  - **IA: 70%** correct on ea. of 3 parts in **1 test session**
  - *(Some states allow passing 3 parts in 1 – 3 years)*



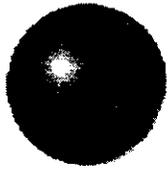
## **All oral certification exams include 3 parts**

- **Sight** interpretation of 2 written documents
    - 1 pg English doc. – interpreted into other language
    - 1 pg other lang. doc. – interpreted into English
  - **Consecutive** interpretation (start/stop)
    - Pre-recorded (on CD) questioning of a witness by an attorney; approx. 120 words/minute for about 10 minutes.
    - Exam proctor plays question; stops; interpreter interprets into other language; proctor plays witness response; stops; etc.
  - **Simultaneous** interp. (continuous) – Pre-recorded closing statement by atty; proctor turns it on, lets it play.
- *Entire 3-part exam is recorded; recording sent to graders*



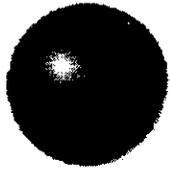
## Court Interpreter Certification for Oral Language Court Interpreters

- ◆ **Scoring Units**: Each part of oral exam contains 50 to 90 scoring units – specific words or phrases to be scored by graders (Consortium exams: 215 SU.s total)
- ◆ **Exam Content**: Exams in ea. language contain the same percentage of SU.s that cover various linguistic challenges (e.g., 15% legal terms, 20% general vocab., 15% grammar). ***See Appendix 12 of ALTA report.***
- ◆ **Scoring dictionaries**: Provide 3 – 4 acceptable interpretations of each scoring unit
- ◆ **Graders**: Certified interpreters trained to grade oral exam. Consortium provides list of approved graders.



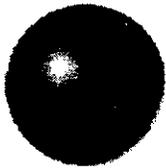
## Iowa SCA's Administrative Directive on Court Interpreter Compensation (2007)

- Standard fees for court interpreters (next pg)
- Minimum one hour per AM, one hour per PM
- Pay for travel time
- Cancellation policies
- *Find it at: **[www.iowacourts.gov](http://www.iowacourts.gov)***
  - ❑ *Click on "Interpreter Roster" (top of page)*
  - ❑ *Click on "Compensation" (top of page)*



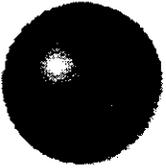
## ***Iowa's Standard Fees for Ct Interpreters***

- ❖ **Sign language interpreters** (per hour)
  - **Class A** (certified): \$70
  - **Class B** (noncertified): \$45
- ❖ **Oral language interpreters** (per hour)
  - **Class A** (certified): \$55
  - **Class B** (noncertified): \$45
  - **Class C** (noncertified/on Roster): \$40
  - Not on Roster: \$25



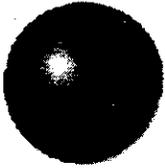
## *Iowa Court Interpreter Info on Website*

- **www.iowacourts.gov**
- **Click "Court Interpreters"** (top of page)
- **See links on top of this court interp. page:**
  - ★ **Guide**      ★ **Tests**      ★ **Training**
  - ★ **Rules**      ★ **Ethics**
  - ★ **Forms** (Application, Registration, etc.)
  - ★ **Compensation** (Directive on Interp. Pay)



## ***Iowa Court Interpreter Program: Lessons Learned***

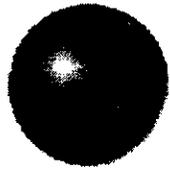
1. Join the Consortium!
2. Develop testing standards for interpreters
3. Clear rules on appointment and compensation
4. Educate judges, court staff, and attorneys on:
  - the qualities of a competent interpreter
  - appointment process (who locates, schedules interps)
  - how to handle court proceedings involving interpreters  
*(See the Bench Card for IA Judges)*
5. *See 10 Key Components of Successful Ct Interp Program*



***Consortium for  
Language Access In the Courts***

***Mission Statement***

To inspire and enable its members to promote equal access to justice in courts and tribunals by eliminating language barriers for persons with limited English proficiency

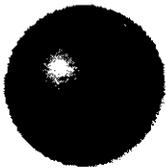


# ***Consortium for Language Access In the Courts***

## **Core Values**

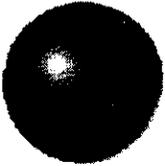
The Consortium dedicates itself to:

- ✦ **Fairness**
- ✦ **Integrity**
- ✦ **Service**
- ✦ **Collaboration**



## ***Consortium for Language Access In the Courts: History & Purpose***

- ✦ Started in **1995** by 4 states: NJ, MN, OR, and WA – with help from the **NCSC**
- ✦ **Purpose**: Share exams and other interpreter-related resources among states to promote:
  - Efficient use of state resources
  - Standardize tests & testing policies
  - Identify and encourage best practices
- ✦ Currently – **40 member states**

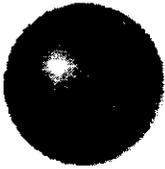


## ***Consortium for Language Access In the Courts – Member Benefits***

### **1. Access to oral interpretation**

#### **(certification) exams in 25 languages**

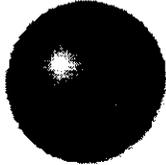
- Costs **\$20,000+** to develop one valid oral exam -- plus costs for test maintenance, train graders, etc.
- *Fed. Courts: Oral exam only for Spanish!*
- California hired ALTA Language Services, Inc., to evaluate the Consortium's exams (to determine if CA should adopt/use them); -- **See Executive Summary of ALTA report (2010)**
  - **Very complimentary** about Consortium exams, test construction methodology, etc.



# ***Consortium's Oral Interp. Exams for Court Interpreter Certification***

**21 Complete 3-part Exams & 4 Partial Exams**

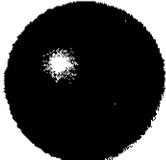
Armenian (E.) [CA]	Japanese [CA]	Russian
Armenian (W.) [CA]	Khmer*	Somali
Arabic	Korean	<b>Spanish</b>
Cantonese	Laotian	Tagalog [CA]
French	Mandarin	Vietnamese
Haitian-Creole	Polish	<b><u>Abbreviated Exams:</u></b>
Hmong	Portuguese	Bosnian    Marshallese
Illocano	Punjabi [CA]	Chuckese    Turkish



## ***Consortium for Language Access In the Courts – Member Benefits***

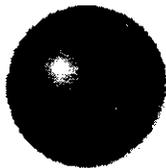
### **2. Access to a written exam** for screening interpreters

- Most states require interpreters to pass this test before taking the oral exams
- Costs **\$5,000 - \$10,000** to develop, pilot, evaluate one written exam
- *See ALTA Language Services, Inc., Report*



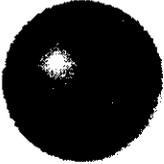
## ***Consortium's Written Exam for Screening Court Interpreters***

- ◆ 135 Multiple-Choice Questions
  - ❖ **Part A**: 75 Qs – General English vocabulary & slang
  - ❖ **Part B**: 60 Qs – Legal terms, court process, ethics
  - ❖ **To pass: 80%** correct on all 135 Qs
  
- ❖ Currently -- 2 Versions of the written exam
  - ➔ Limit examinees to taking 1 version only once in 12 months; never more than two times total (4 total chances)



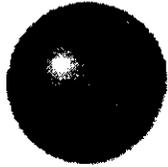
## ***Consortium for Language Access In the Courts – Member Benefits***

- 3.** Access to a **Listserv** of Consortium members (interp. program managers)
  - Help find interpreters for uncommon languages!
  - Help identify best practices in other states
- 4.** Access to a **members only website** with valuable resources and materials
- 5.** Access to a **database of interps.** who have taken exams in member states



## ***Consortium for Language Access In the Courts – Member Benefits***

- 6.** Right to attend Consortium **Annual Meeting** – valuable education program, networking, participate in *governance of Consortium*
- 7.** Access to **bi-annual survey of member state program managers** RE: their interpreter policies on a range of issues (*excellent info source!*)



## ***Consortium – Member Responsibilities***

### ❖ **Pay member fees**

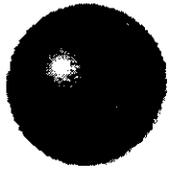
- ❖ SD: \$15,000 initial fee (*pay over 5 years*)
- ❖ Annual fee (after yr 5) – SD: \$5,103

### ❖ **Maintain exam security!**

- ❖ Tight security on exams (recordings, dictionaries, exam transcripts, etc.)

### ❖ **Participate in Consortium business**

- ❖ Annual meetings, listserve, committees, etc.



## ***Consortium for Language Access In the Courts***

- ⊕ More information on the Consortium is available at:  
[www.ncsconline.org/D\\_Research/CourtInterp.html](http://www.ncsconline.org/D_Research/CourtInterp.html)

Questions?