

## Spanish Interpreter Services

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### Executive Summary

Hennepin County District Court has had the policy of outsourcing interpreter services for courtroom related matters for a number of years. During the period 1994 - 1999, interpreter service outsourcing expenses have increased dramatically. The current 1999 budget allocation is \$440,000, but the actual amount disbursed was \$598,000, compared to \$388,000 in 1998. This increased expenditure for interpreter services is adversely affecting other areas of the court, such as information technology and training, as money assigned for their programs is redirected to interpreter services.

To gain control of this expenditure the court must determine if the present system of outsourcing interpreter services is the most efficient method of delivery. In making this determination, the court must look at a number of requirements governing the appointment of an interpreter for a matter in court. Looking at delivery of service is in no way looking at quality of interpretation. Quality of interpretation is an issue to be researched at another time.

To evaluate the current outsourcing system, it is necessary to review the events or developments from which the current system evolved. The 5th, 6th and 14th Amendments to the Constitution of the United States guarantee rights of due process, which would be denied an individual who is unable to understand the proceeding taking place in court. The State of Minnesota has criminal and civil statutes that direct appointments of interpreters in courtroom related actions in which the party or defendant is handicapped in communication and therefore could not participate in their case. Federal regulations enforcing the Americans With Disabilities Act mandate sign language interpreters when a party is hearing impaired.

In addition to these legal requirements, the Minnesota Supreme Court promulgated Rule 8 of the General Rules of Practice, to provide Minnesota District Courts with detailed guidelines for the appointment of qualified interpreters in courtroom related matters. Rule 8 also enumerates the process an interpreter needs to complete in order to be eligible to interpret in the court system.

Hennepin County District Court has always outsourced all interpreting needs dealing with courtroom activities, first with individual interpreters and then in the last three years through countywide contracts. Before Rule 8, the determination for the level of qualification of an interpreter was based solely on how the judge and staff perceived the individual as they worked in the courtroom and how smoothly the case progressed. There were no expectations or standards established to measure quality, skill level or performance. Many times hiring was based on low cost, not skill.

Again, three years ago with the establishment of Rule 8, the State Courts put in place a process for certifying court interpreters. Currently there are twenty-seven Spanish, two Russian and two Hmong

certified court interpreters. The courts are required by Rule 8 of the General Rules of Practice to use Certified Court Interpreters whenever possible. Interpreters certified to interpret in the Minnesota State court system charge from \$5 to \$10 more per hour than non-certified.

Immigration to the State of Minnesota has also increased since 1995. The top six languages requested in Hennepin County District Court are Spanish, Somali, Hmong, Vietnamese, Russian and Sign Language. In an April 1999 memo, Mark Herzfeld of Hennepin County's Office of Planning and Development revealed that 10% of the children in public school in Hennepin County reported that a non-English language was spoken at home. Also the Minnesota Planning Agency has reported in the July 1998 newsletter that increasing numbers of immigrants are coming from Southeast Asia and Africa. This growth in immigration is another cause for increased use of interpreter services.

An analysis of at least two different types of delivery service is needed to determine if the Hennepin County Fourth Judicial District model is the most cost effective. To accomplish this, a comparison was undertaken between the Eighth Judicial District, which employs a staff Spanish interpreter, and the Fourth Judicial District's outsourcing of Spanish interpreter needs.

Statistical data covering the period 2/1/98 - 1/31/99 relating to case numbers, interpreter hours per case, and cost per case was examined. Results showed that in the Eighth Judicial District an average of 2.08 hours was needed for each case involving a Spanish interpreter. As the Fourth Judicial District did not have any data on the average number of hours required of a Spanish interpreter on a specific case, the 2.08 average hours per case from the Eighth Judicial District was applied to 3,492 outsourced Spanish interpreters cases handled in the Fourth Judicial District. This analysis revealed that 3.5 staff Spanish interpreters were needed to handle the caseload that was outsourced during the period 2/1/98 - 1/31/99.

Once the number of staff was determined, an analysis of yearly salary and benefit costs covering four different hourly rates could be completed. The lowest rate of \$20's reflects the current paid compensation for the Hennepin County interpreter classification. The three remaining hourly rates (\$25, \$35, and \$45) cover the most common fees charged by independent Spanish interpreters in the Hennepin County area.

The result of the comparison of these figures reveals that the annual salary and benefit costs for 3.5 staff Spanish interpreters are more costly than the outsourcing of services in three of the four rate ranges. The one area that was less costly than outsourcing interpreter services was the salary rate for the Hennepin County classification. At the present time, the Hennepin County Labor Relations department and representatives from the American Federation of State County and Municipal Employees Council 14, Local 34 of the Social Service Unit, union representative for this classification, are reviewing the qualifications and compensation for the interpreter position. It is expected that the results of these negotiations will be an increase in compensation and the inclusion in the qualifications of the Rule 8 criteria for court interpreters.

## Conclusion

The current practice in Hennepin County District Court of outsourcing Spanish interpreter services is the most cost-effective system of the two studied for delivering these services. Salary and benefit costs are very important indicators of this difference in service delivery, but the ancillary needs of space, workstation with computer and necessary furniture also increase the cost for staff interpreters. I would recommend a further study of outsourcing or hiring staff interpreters in one of the lesser-requested languages such as Hmong, Somali, or sign language in order to obtain a more complete cost

comparison of service delivery.

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