

## **LANGUAGE ACCESS CENTERS: A WIN-WIN IDEA**

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*The creation of a central recruiting, training, testing, and scheduling center for providing foreign-language interpreters is not just a theory anymore. Alaska has created its Language Interpreter Center under the auspices of the Alaska Immigration Justice Project, and the idea can be replicated.*

### **Background**

Throughout the 1990s and well into this century, the provision of foreign-language interpreting in the nation's state courts has been a challenge for court managers. As the number of non-English speakers and of different languages being spoken grows, court interpretation becomes more and more a priority and a conundrum. To their credit, many of the nation's state court systems have developed court-interpreter-testing programs within the administrative offices

of the courts. These programs maintain rosters of qualified interpreters, oversee testing programs, track the qualifications of various interpreters, and, in some cases, work closely with the judiciary to adjust scheduling practices and other management policies to better use the services of the interpreters and the courts. More important, as judges and court personnel have availed themselves of various educational opportunities over the past ten years, the recognition of the importance of quality interpretation has grown, and the specialized skills required to be a qualified interpreter are better understood and more often acknowledged.

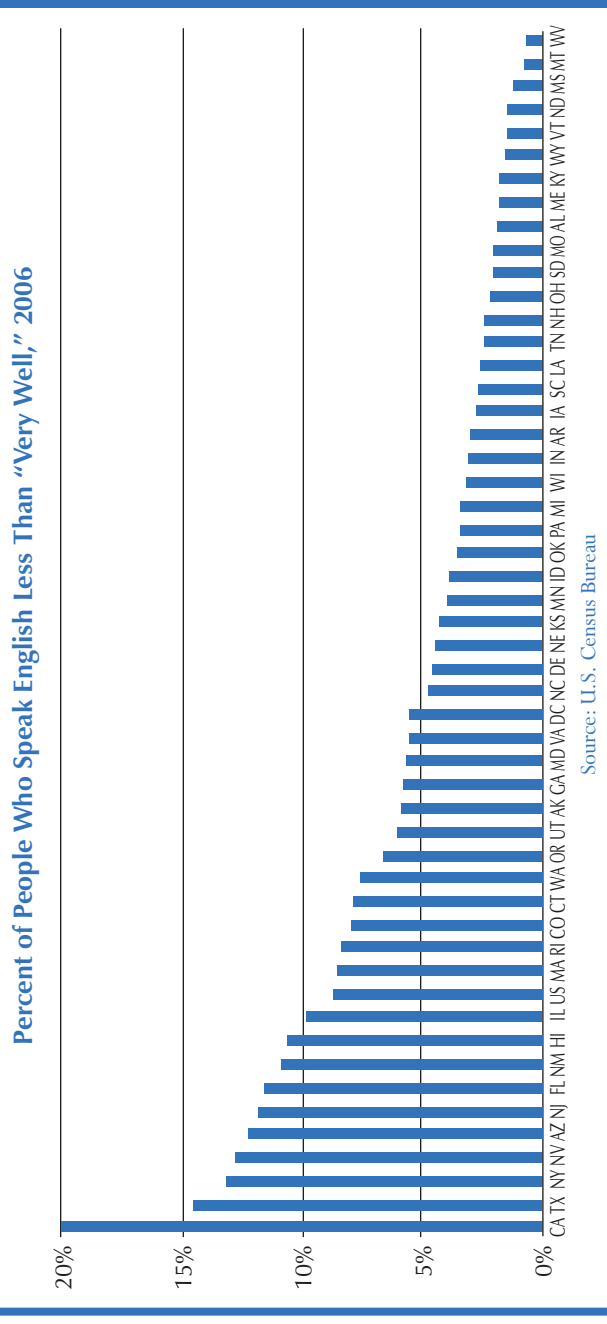
### **The Problem**

The challenge of the past decade was to identify, through performance testing, interpreters who

were qualified enough to interpret in the courtroom. Jurisdictions that were lucky enough to certify or license enough interpreters to meet the needs of the courts began to recognize new challenges. Once a qualified interpreter has been identified, the courts often do not have enough work to keep that individual busy, particularly in languages other than Spanish. For example, a state may have a certified interpreter in the Vietnamese language, but only needs the services of that interpreter sporadically through the year. How can that court ask the interpreter to stay in the business of interpreting, but deny the opportunity to make a living?

So, the problem is twofold. Some state courts still do not have enough qualified interpreters and continue the quest to recruit, train, and test interpreters in various languages. Other state courts may have qualified interpreters, but not enough work to provide a living.

The courts are not alone. All state and federal agencies and medical facilities are facing many of the same problems. For example, the Annie E. Casey foundation has hosted a "Language Access Convening" for the past three years, bringing individuals



together from myriad agencies and offices, including mayors' offices, departments of labor, offices of multicultural services, health forums, human-service agencies, and children's services agencies. All of these entities are seeking better avenues for non-English speakers to access the services and products they are entitled to, including language interpreters.

In addition, all agencies and courts that receive federal funds are responsible, under Title VI of the Civil Rights Act and Executive Order 13166, to provide access for limited-English-proficient (LEP) individuals to important services. Each federal agency that provides financial assistance was tasked with developing guidance for its recipients on the obligation to provide meaningful access to LEP persons.<sup>1</sup> This includes an assessment that balances the following four factors: 1) the number or proportion of LEP persons eligible to be served or likely to be encountered by the program or grantee; 2) the frequency with which LEP individuals come in contact with the program; 3) the nature and importance of the program, activity, or service provided by the program to people's lives; and 4) the resources available to the grantee/recipient and costs.

### Interpreting Services as a Public Resource

William E. Hewitt was instrumental in the founding of the Consortium for State Court Interpreter Certification (Consortium), along with representatives from the Consortium's founding states, Minnesota, New Jersey, Oregon, and Washington.<sup>2</sup> The Consortium is a collaborative effort—states work together, pooling financial and other resources

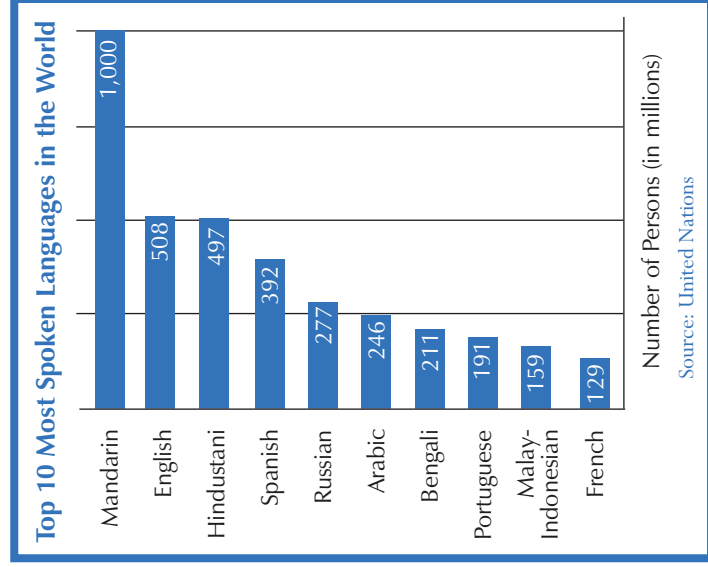
to accomplish tasks that could never be accomplished alone. In 2004, with the same vision for collaboration and the theory of economies of scale, Hewitt documented a concept for the development of interpreting resource centers for the justice system and other public agencies. He noted:

The market for interpreters is not focused: each agency has its own home-grown system and list of people it calls upon [to interpret]. Public agencies do not have enough demand in different languages to offer regular or even significant irregular employment to qualified people. When public services agencies and the courts do need an interpreter, the need is acute. When an acute situation develops, the agency or court may be forced to go to private, for-profit firms to provide interpreters, many of whom are unqualified. At this time, it is a "take-it-or-leave-it" seller's market; the public agency is forced to accept unqualified individuals (often unknowingly) or does not provide the service at all, both of which result in unfairness or miscarriages of justice.<sup>3</sup>

The concept is that skilled interpreters might be able to make a living providing services to public agencies and the courts if those entities know how to obtain the service from a central source. Drawing from the successful sharing of resources that is experienced by the Consortium, there is much to be said for achieving economies of scale by coordinating the efforts of multiple agencies and sharing resources and interpreters locally, regionally, and across courts and other agencies, state and federal.

### Alaska's Language Interpreter Center

In 2004 the Alaska Court System proposed a project to develop just such a center.<sup>4</sup> It envisioned that the center would provide qualified language interpreters to government agencies, nonprofit organizations, the courts, and private businesses who serve customers and clients with limited English proficiency. The court system received funding from the State Justice Institute to assess the need for interpreters and the feasibility of creating and sustaining a centralized, statewide language interpretation and recruitment center. In 2005 the Alaska Court System hosted the Oral Language Interpreter Summit. Twenty-two organizations agreed to collaborate in the initiative, including state and local government and medical, social services, education, and legal entities. Stakeholders included the Alaska Department of Transportation and the Municipality of Anchorage; the Anchorage



**The initial stakeholders partnered with the Alaska Immigration Justice Project to create the Language Interpreter Center and established these goals:**

- 1. Provide qualified interpreters to government, business, and service organizations for Alaskans with limited English proficiency.**
- 2. Train and certify interpreters and translators.**
- 3. Develop and implement a system for linking center customers with qualified interpreters and translators.**
- 4. Offer training for groups and agencies on the roles, responsibilities, and professional ethics of qualified interpreters.**

Neighborhood Health Center; the Alaska Department of Health and Social Services; the Anchorage School District and the University of Alaska, Anchorage; and the Alaska Court System. In addition, Alaska Native groups and other private businesses (such as ConocoPhillips) and nonprofits (such as United Way) joined the initiative. These organizations, along with other interested organizations, brought important in-kind and financial support that enabled the initiative to apply for and receive start-up funding from the Rasmuson Foundation, which provides financial support for Alaska initiatives.

During the first year of operation, the center hired a program manager and, from the needs assessment that was conducted in 2004, identified communities with the greatest interpreter needs. The center researched and began developing statewide and local service-delivery models. In addition, the center made a plan for recruiting and screening interpreter candidates and selected appropriate training to educate agencies, businesses, and potential interpreters about the interpreter profession. The center created a business plan to ensure long-term sustainability and workforce development in Alaska.

A critical, long-range goal of the center is to test interpreters and then match qualifications to job requests. Interpreters not qualified to work in complex court situations can work in other agencies and businesses where the opportunity to clarify unfamiliar language (for example, technical vocabulary) and ask questions of the LEP is greater. Interpreters can hone their skills, increase their vocabulary,

attend additional center training sessions, and otherwise prepare themselves for more and more interpreting opportunities, all while remaining in their chosen profession.

### **Challenges for the Language Interpreter Center**

The center reports that although many of the initial goals have been reached, challenges along the way have been recognized.

- Securing the needed funding during the first several years of existence to ensure sustainability was foremost among the challenges.
- Coordinating and synthesizing the philosophies, culture, differing fiscal years, and political realities of various government, institutional, and private offices was more difficult than anticipated.
- Entities and interpreters needed education and awareness about the knowledge, skills, and abilities required for competent interpreting.
- Vocabulary for interpreting in the legal and medical fields had to be developed with help from and coordination with Alaska Natives.

An additional challenge faced by the center is raising the standards of interpreting. In other states that have adopted oral-proficiency testing as a way to measure the qualifications of its state court interpreters, the experienced interpreters, those who have been providing needed services for years, experience fear and trepidation.

*“We are a collaborative, public-private organization dedicated to creating a pool of qualified language interpreters for entities statewide.”*

*- Language Interpreter Center brochure*

After years of providing a service, they are suddenly faced with the fact that a test might reveal that they are truly not qualified to be interpreting in the courts. Resistance to testing is understandable and should be expected by any court system, licensing office, or public-resource-interpreting center that is introducing a testing program.

### **Conclusion**

Despite the challenges, language centers such as the one created in Alaska may be the wave of the future. Certainly, it is more efficient to have a central point

of contact when offices, agencies, and institutions require the services of an interpreter, rather than for each of them to keep and maintain a list of interpreters who may or may not be qualified for the assignment. Centralization allows the opportunity for interpreters to mentor others, discuss common professional issues and topics, and increase their interpreting skills and vocabulary. It also allows the agencies and offices to stop creating and maintaining lists of interpreters; instead, the agency can call the center to schedule an interpreter in a given language for a date and time certain. Once the service has been provided, the agency receives an invoice and pays for the service.

The theory of language interpreter centers is replicable; stakeholders from any geographic area of the country can come together and agree to share resources and establish a central location for the hiring, firing, scheduling, training, testing, and disciplining of interpreters. Stakeholders can define what skill level is needed for their particular business or service. Once tested, interpreters can be categorized and approved for work within those organizations, aspiring to increase the number of categories for which they are approved. The costs associated with interpreter services can be better regulated, allowing offices and agencies to budget for the provision of interpreter services more accurately and allowing for a fair and consistent pay scale for the interpreters.

Created with careful planning, language interpreter centers can be a win-win situation for everyone involved—the potential benefits are significant for the interpreters, the LEP persons, and the stakeholders involved.

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## RESOURCES

- Alaska Immigration Justice Project (2007). *The Language Interpreter Center*. <http://www.akijp.org/interpreter.html>
- Federal Interagency Working Group on Limited English Proficiency (2008). *Limited English Proficiency: A Federal Interagency Website*. <http://www.lep.gov/>
- Hewitt, W. E. (1995). *Court Interpretation: Model Guides for Policy and Practice in the State Courts*. Williamsburg, VA: National Center for State Courts. [http://www.ncsconline.org/D\\_Research/CourtInterp/Res\\_CtInte\\_Pub2006.pdf](http://www.ncsconline.org/D_Research/CourtInterp/Res_CtInte_Pub2006.pdf)
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## ENDNOTES

- <sup>1</sup> Those guidance documents can be found at [www.lep.gov](http://www.lep.gov).
- <sup>2</sup> William E. Hewitt is the author of *Court Interpretation: Model Guides for Policy and Practice in the State Courts* (1995), which still serves as the bible for state courts that are setting up or managing a court-interpreter-testing program.
- <sup>3</sup> This quote is taken from a concept paper, written by Mr. Hewitt in 2004 and distributed to Consortium member states, but not published.
- <sup>4</sup> For more information about the Language Access Center, browse <http://www.akijp.org/interpreter.html>.