

*Consortium for Language Access in the Courts*  
*Executive Committee Minutes*

**FINAL**

**October 17, 2011**

**I. Call to Order**

John Goerdt, Vice-Chair, called to order a teleconference meeting of the Executive Committee on Oct. 17, 2011 at 2:00 p.m. Eastern time.

**II. Roll Call**

The following persons were present for the meeting: Brenda Aiken (AK), Janica Bisharat (ID), Carmel Capati (WI), John Goerdt (IA), Emy López (CO), Katrin Johnson (WA), Mara Simons (AR), and Patricia Griffin (COSCA liaison). Wanda Romberger was unable to attend.

**III. EC Meeting Minutes**

Minutes from the September EC conference call had been previously approved unanimously via email exchanges.

**IV. COSCA Liason Report**

*Consortium reorganization:* Pat Griffin reported meeting with Rob Baldwin, Chief Legal Counsel for the NCSC, to discuss the proposed reorganization plan that would move the test development, test maintenance, rater training, and various test administration functions to a division within the NCSC. A revised report on those recommendations will be reviewed by a special COSCA committee, including Pat, next week. If it is approved, it will go to the COSCA Board, which meets December 1 - 3. Pat will email the final report to the EC . The EC will forward this summary to all the state program managers. COSCA will be encouraged to discuss the summary document with the state liaison prior to the COSCA meeting. Pat noted that nothing in the final report is set in stone; it is still open for revision.

*ABA Standards for Language Access in the Courts:* The ABA will work with representatives from CCJ and COSCA in Washington, DC, on October 26 to discuss revisions to the standards to address CCJ/COSCA concerns about mandatory payment of all court interpreters in all cases without regard to the LEP's economic status. The revised standards will be reconsidered during the ABA mid-year meeting in February.

**V. Staff report**

Wanda Romberger was on leave and unavailable for the conference call.

**VI. Review of Proposed 2012 Budget**

Janica, Katrin, and Emy had met prior to the conference call to discuss the next budget. They considered how to capture the "Annual Revenue" line item. (Members are billed one year in advance, so revenue for the next year might be collected in the current year.) It was decided to show the revenue received regardless of the year it is intended to cover.

Projected revenue from the practice exam kits was reduced because we did not sell as many practice exam kits in CA as expected when they began offering the Consortium's oral exams.

Online training revenue: The Consortium will receive 30% of the profit from the University of New Mexico's (UNM) online court interpreter training program. The agreement between the Consortium and UNM requires UNM to cover its faculty and other costs before calculating the profit. Because of the anticipated start-up and curriculum development costs in 2012, it is anticipated that revenue will be generated beginning in 2013.

Under "Expenses," the major focus in 2012 will continue to be on rater training and test maintenance. In 2009, the EC made a three-year commitment (2010 – 2012) to long-overdue rater recruitment and training. In 2012, \$65,000 is committed to rater recruitment and training and \$75,000 for test maintenance. Two oral exams require significant maintenance and some others need minor improvements. Funding for "staff support for test administration" has been moved to "Consortium Admin. and Staffing."

\$5,000 has been assigned for website improvements to help achieve the recommendations made by the Professional Issues Committee– in addition to the standard annual budget of \$10,800 for website development and maintenance. An additional \$10,800 will support further development and use of the SharePoint application for managing test materials and rater scoring of the oral exams, which will eventually eliminate the need for mailing exams and score sheets. SharePoint requires the use of a secure login for each rater. Each rater is given "permission" or access only to designated folders. Staff time is required to manage permissions and the uploading and downloading of test materials.

The final projected balance for 2012 is \$196,000 – up from \$188,000 at the beginning of 2012, and up significantly from a projected deficit entering into 2010.

The EC discussed priorities for use of at least some of the projected reserves. Some members expressed concerns about committing a significant amount of funds to any particular priority before CCJ, COSCA, and the NCSC make a decision about the proposal to reorganize the Consortium's functions. Members agreed that, even if a plan for reorganization is announced in December, there would have to be at least several months of transition planning and implementation before the reorganization is realized. After considerable discussion, it was decided that the EC should conduct a holistic, well-planned needs analysis. For example: What percentage of time are Consortium staff members spending on various Consortium and non-Consortium projects? What CLAC-related functions are receiving adequate support and where are the gaps? The EC discussed conducting a survey of CLAC program managers to obtain their views on the quality and timeliness of the support they receive.. The findings from that analysis would be useful to assess staffing needs regardless of whether, when, or how the reorganization actually occurs. The at-large members of the EC will draft a survey form and implement the survey.

EC members should email Janica any final suggested edits for the 2012 budget by next week; the EC can then vote by email on the budget.

## **VII. Committee Reports**

### **A. Technical Committee (Emy)**

At its last meeting, TC members engaged in a productive discussion about their current roles and responsibilities, particularly in light of all the recent test development activity. The discussion helped identify specific projects to focus future attention on, such as developing recommendations for testing non-certifiable languages, and utilizing technology for exam administration, file transfer and rating.

Emy requested EC approval to use \$7,500 to subsidize the cost of revising California exams that will be made available for Consortium use. There was a misunderstanding between CLAC staff and Prometric regarding the CA interpreter testing company, specifically the contract for “test development.” Staff thought Prometric was responsible for the final two steps in “test development” – i.e., pilot testing and revisions. Prometric believed they were to develop the exams, and that staff or others hired by the CLAC, would perform those two steps. It will cost \$7500 – beyond the contract price with Prometric-to finish those two steps. The new CA exams will now meet CLAC standards as outlined in the Test Construction Manual at a cost of \$1500 per exam vs. the regular cost of \$40,000 per exam. It was moved, seconded, and unanimously approved by EC members to spend the additional \$7500 to complete the final two steps on the 5 oral exams from CA (Korean, Punjabi, Mandarin, Eastern Armenian, and Khmer). It was noted that this budget item was brought to the Technical Committee but that it really needed to come to the EC since it is the EC that monitors the budget of the Consortium. The EC thanked Emy for her stewardship in this manner.

### **B. Professional Issues Committee (Carmel)**

The website redesign recommended by the PIC will be completed sometime during 2012 at the earliest.

The MOU between the CLAC and UNM for the online interpreter training program should be signed by the second week of November, assuming the final MOU is approved by the EC and the NCSC’s legal counsel. The CLAC will receive 30% of the profit from each program – after the UNM meets its expenses. There is no cost imposed on the CLAC, which is primarily required to promote the online programs, provide representatives to help in the development of the curriculum, consider criteria for choice of faculty, and provide evaluation of the pilot classes. PIC members will provide the representatives. There is a clause that allows both sides to terminate the agreement with 90 day’s notice, so the CLAC could withdraw if the reorganization makes it difficult or impractical to perform its functions. Carmel will email Katrin the final version of the MOU for one last review.

A Wisconsin Court of Appeals judge asked Carmel to see if the CLAC would support adding ASL interpreters to the ABA Standards on Language Access in the Courts. The EC decided that the judge should contact the Chief Justice in Wisconsin to have her advocate for this change through CCJ.

### **C. Annual Meeting Committee (Mara)**

Mara asked whether a discount should be offered to those who register early for the annual meeting. It was agreed to charge \$325 for early registration and \$375 for registration after the stated date.

Mara announced that the Arkansas AOC had donated \$3000 to the CLAC's annual meeting, to be spent however the EC deems most appropriate. The EC is extremely appreciative of the Arkansas AOC's generous support. This money will not be reflected on the ABM Budget; instead, Mara will keep a separate budget and invoice directly all expenditures that come out of this donation to the Arkansas AOC.

Carmel reported that the Professional Issues Committee agreed that they do not need to send out a survey this year; instead have the Annual Business Meeting Committee send out the State Report in a survey format. Carmel also requested that program managers be asked in advance to report on any new programs or innovations in their states and to share them during the PIC segment on the agenda.

Mara has arranged for a dinner at the Arkansas Governor's mansion on Monday night during the annual meeting. She can keep the cost at \$25 per person by using the AR AOC funds.

Mara will send a tentative draft of the annual meeting agenda to the EC next week. The EC will review the draft and provide comments.

Vendors, paired with program managers, will likely be involved in the presentation on video remote interpreting. Agustin de la Mora, who is a consultant member of the TC, wants to do a presentation on his remote interpreting system. The EC discussed whether it was appropriate for him to be a vendor and attend sessions of the annual meeting. The EC agreed that he could attend as a vendor, but then would not be able to attend any other sessions thus avoiding a possible conflict of interest. Emy agreed that the Technical Committee is able to handle their annual report in Agustin's absence.

### **VIII. Membership Outreach (Katrin)**

This issue was tabled until next EC conference call. Katrin will email material to the EC next week.

### **IX. Other issues**

Review of the 2008 Strategic Plan document: Tabled until next EC conference call.

Report by Katrin on a meeting in Washington, DC, on "Implementing Language Access Plans," presented by the Annie Casey Foundation and the Migration Policy Institute at the request of the USDOJ. It was organized for representatives from federal executive branch agencies, which had not moved forward with developing LEP Plans. The session was designed to provide federal agencies with information, tools and resources to expedite the writing and implementation of their LEP plans and policies.

### **X. Next conference call: November 10 at the regular time. EC adjourned at 4:45 p.m. EDT**