

New Mexico Center for Language Access Overview of the Collaborative Process October 2012

The New Mexico Center for Language Access (NMCLA) is the primary outcome of the New Mexico Justice System Interpreter Resource Partnership. The Partnership was envisioned at its inception in November 2008 as a means to increase meaningful language access across the New Mexico justice system. Using as its foundation the idea of an “interpreting resource center for the justice system and other public agencies” as proposed by William Hewitt, National Center for State Courts, in a concept paper of the same name, the New Mexico Administrative Office of the Courts set out to engage a wide range of justice system agencies in the effort.

The New Mexico Justice System Interpreter Partnership, with the support of SJI and the New Mexico Judiciary, made significant progress toward its primary objective:

To ensure that individuals with limited English proficiency who become involved with the New Mexico justice system (civil and criminal) have access to culturally and linguistically appropriate services, consistent with the State Constitution and Title VI of the Civil Rights Act of 1964 and Executive Order 13166.

The Partnership expanded beyond justice system agencies and initial partners (including the New Mexico State Police, Administrative Office of the District Attorney, Public Defenders, and the Children, Youth & Families Department and the University of New Mexico-Los Alamos) to include the University of New Mexico Hospital and School of Law.

The New Mexico Center for Language Access (NMCLA), the Partnership’s primary accomplishment, resulted from the collaboration of the New Mexico Administrative Office of the Courts, the University of New Mexico — Los Alamos (UNM-LA), Doña Ana Community College, Central New Mexico Community College and the University of New Mexico Hospital. NMCLA was created to provide training for bilingual individuals interested in ensuring language access to services for limited English proficient persons throughout the justice and healthcare systems. With administrative leadership from the University of New Mexico – Los Alamos and the support of the Administrative Office of the Courts the Center, as of July 1, 2010, NMCLA is self-sustaining through student fees and related contracts. NMCLA offers state-of-the-art on-line training in justice system and medical interpreting and training for bilingual employees who want to build on their language abilities (e.g., nurses, court clerks, correction and patrol officers), as Language Access Specialists. NMCLA has recruited a highly credentialed faculty

team nationwide and provides language specific training for those who in addition to English speak Spanish, Navajo, Arabic, Vietnamese, Chinese or Russian.

LESSONS LEARNED AND IMPLICATIONS FOR REPLICATION

Key Factors to the Partnership's Success

Clearly, the most essential factor in the success of the Partnership and the creation of the New Mexico Center for Language Access has been **the support, leadership, and commitment of resources from the New Mexico Supreme Court and AOC Director, Arthur Pepin**. They have shown an unwavering commitment to language access as a civil right and a basic element of access to justice. Their leadership has resulted in a significant wage incentive for bilingual employees of the judiciary who complete language access training. While the executive branch of government in New Mexico awards a \$.10 an hour increase, the judiciary awards a \$1.00 an hour increase.

The judiciary's leadership has also **encouraged and supported the inclusion of health care providers and agencies beyond the justice system in Partnership efforts and as beneficiaries of Supreme Court/AOC support**. This reflects the New Mexico Judiciary's belief that justice cannot be defined as only what happens in the courtroom or even the courthouse. This community-wide vision and engagement is exemplary and reflective of the Judiciary's commitment to court-community collaborations. The Partnership is a unique variation on the model of court-community initiatives that resulted in community courts and problem-solving courts. This perspective has enabled and encouraged the involvement of community agencies in the development of court-specific Title VI LEP/LA planning through evaluation of the court's performance in providing language access and assistance in defining language needs across the court's jurisdiction. In turn, the New Mexico Judiciary has provided resources and leadership that extends beyond the court's jurisdiction to both encourage and enable enhanced awareness of the needs and rights of limited English proficient residents and improved language access across a range of public services.

This **judicial leadership has been reciprocated** by key Partnership member agencies, most notably the University of New Mexico – Los Alamos (UNM-LA). At the request of AOC, UNM-LA agreed to take a leadership role in the development of the New Mexico Center for Language Access (NMCLA) and to work collaboratively with the other collegiate partners to develop its initial structure and marketing plan. UNM-LA has been actively involved and engaged with all the Partner agencies and in July assumed full financial responsibility for the management of NMCLA. Assuming this obligation given the state's current budgetary challenges, underscores UNM-LA's commitment to the mission of NMCLA and to the goal of the Partnership. The involvement of the University of New Mexico Hospital (UNMH) has also been essential to the Partnership and to NMCLA. UNMH has graciously shared its experience and language access resources with Partners. UNMH is eager to share, not compete, with other health care agencies, encouraging them to join the Partnership efforts. Another actively involved Partnership member agency is the State Police.

The New Mexico Commission for the Deaf and Hard of Hearing has been an involved and significant member of the Partnership. The Partnership's primary efforts have focused on Title VI and spoken languages. However, the Commission has continued to educate Partners regarding the similarity and difference of providing language access for the deaf and hard of hearing under the Americans with Disabilities Act. NMCLA will begin adding content appropriate for signed language interpreters to its curriculum during 2011 in collaboration with the Commission. As well, all professional training provided by the Partnership and the AOC includes content appropriate to both spoken and signed language interpreters.

The New Mexico State Police clearly are committed to enhancing language access across the justice system and also share their experiences and challenges in discussions and planning sessions, highlighting the diversity and energy of the dialogue among partners. Another example of the unique nature of the Partnership is the involvement of the New Mexico Translators and Interpreters Association, a private organization, representing professional and other interpreters across an array of fields. They were key partners in NMCLA's planning phase.

The University of New Mexico School of Law was one of the Partnership's more recent members. The collaboration between NMCLA and the Law School provides the opportunity for interpreters in training to interpret for the Law School's Law Clinic and the Law School's Mock Trials, while giving law students the opportunity to work with an interpreter during trial or in other interactions with their clients.

State Justice Institute (SJI) funding was a key factor to the project's success. The SJI funds not only provided needed resources, but helped to legitimize the entire project. While not physically present, SJI's commitment to the Partnership and NMCLA, through its funding and professional support, has helped to ground the effort and provide a solid launching-pad for the Partnership's ambitious efforts.

Challenges Faced by the Partnership

While the strength of the key partners has been essential to the successes described in this report, one of the biggest ongoing challenges is engaging more partner member agencies in meaningful ways and having a broad perspective when defining "meaningful." We have learned that being a partner agency does not necessarily require presence at the Partnership's quarterly meetings. Both the Public Defenders and the Administrative Office of the District Attorney have taken advantage of language access training opportunities provided by the Partnership. These partners have set aside time and enable their employees to learn more about language access and their responsibilities to ensure it for their clients. Going forward the Partnership, in whatever form it takes, will continue to define what it means to be a partner in terms of both commitment and benefits.

Probably the most critical challenge this collaborative effort faced has the economy. Lack of funding, furloughs, high vacancy rates, and general uncertainty are real-life factors that realistically moved language access and

resource-sharing approaches like the Partnership down the priority list for many, if not most, agencies. The key response to this rather healthy challenge was staying the course. Within its sphere of influence and resources, the Partnership continues to provide training opportunities for those new to the field; to share information and low-cost, but effective resources supportive of Title VI compliance; and provide support for the continued professionalism of interpreting and language access service providers in all fields.

Implications for Replication

New Mexico is a relatively small state with a population of right around two million. What can be accomplished in terms of collaboration and partnering in more contained service and judicial networks may not be possible in larger states. However, the approach used in New Mexico on a statewide level can be applied to smaller geographical areas, counties, or judicial districts within larger, more highly populated states.

The following elements are seen as essential to replication:

- Strong leadership and support from the Supreme Court and State Court Administrator were crucial factors in New Mexico.
- A designated operational leader, within the judiciary and operating on a statewide level, who is committed to success is also necessary to shepherd the efforts, communicate the Court's commitment, and ensure communication between courts and the Supreme Court, between partners, and with the community at large.
- Thinking outside-the-box regarding collaborations and the willingness and ability (funding) to facilitate initial engagement of partners. In our project with a combination of SJI and AOC funding, we were able to pay some limited travel to bring individuals from around the state to the table and to contract for the initial NMCLA curriculum development and leadership. Establishing a timeline for self-sustainability of NMCLA was crucial, as well, in helping to direct and facilitate decision-making with this benchmark in mind.
- A credible theoretical foundation, which in New Mexico's case was William Hewitt's 2004 concept paper, *Interpreting Resource Center for the Justice System and Other Public Agencies*. The approach discussed in Hewitt's paper provided a context for the Partnership. Mr. Hewitt was the speaker at the first Partnership meeting and fully engaged the partners around the issue of language access, the need to provide qualified language access services, and the feasibility of a "cross-systems" collaboration to identify and reach common goals.

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