



Limited English Proficiency and the State Courts Final Report

SJI-13-P-096

**National Center for State Courts
Language Access Services Section**

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I. Executive Summary

A. Introduction

In response to the growing numbers of court users with limited English proficiency (LEP) over the last several years, there has been a significant shift in the national response to language access needs in the state courts. In particular, state courts and their representative leadership have acknowledged the need for coordinated efforts to address the challenges facing their respective jurisdictions' LEP populations and have focused efforts accordingly on developing or improving language access planning and services for LEP court users.

In support of the state courts' commitment to developing and improving language access services, the National Center for State Courts (NCSC) has provided technical assistance, guidance, and the development of resources for state court use. With the generous funding and support of the State Justice Institute (SJI), NCSC has helped make improvements and contributed to the expansion of language access services nationally through the development of local and statewide language access plans; the provision of technical assistance in support of video remote interpreting initiatives; and the direction and support of other projects related to language access and court interpretation, such as the improvement of credentialing programs for court interpreters and the development of statewide translation protocols. Through these initiatives, the state courts, along with the support of partners such as SJI and NCSC, have exemplified their commitment to providing fair and equal access to justice for all court users regardless of English proficiency status.

B. Limited English Proficiency and the State Courts

In 2012, following the issuance of a resolution by the Conference of Chief Justices (CCJ) entitled [Ensuring Access to Justice for Limited English Proficient Individuals](#), the [National Summit on Language Access in the State Courts](#) (National Summit), funded by SJI and hosted by NCSC, was convened to develop state-specific strategies for improving access to justice for LEP individuals. With nearly 300 judicial leaders from 49 states, 3 territories, and the District of Columbia in attendance, the summit demonstrated the clear commitment by state courts to provide language access services as a fundamental principle of law, fairness, and access to justice.

Following the summit, NCSC published a report titled [A National Call to Action](#),¹ which provided an overview of the summit and presented a series of action steps derived from priority areas for state courts to improve their services for LEP persons. To further support the state and local courts in implementing identified action steps identified during the summit, NCSC

¹ A follow-up report titled [Called to Action](#) was published in 2018. This report highlights the significant improvements made by state courts in providing language access services since the National Summit held in 2012.

subsequently applied for SJI assistance in the form of an umbrella grant. In the grant proposal, NCSC set forth a plan not only to build on the momentum of the summit, but to put in place a structure that would take action on the steps that had been recommended over the past two decades and serve as a platform for implementing future recommendations. As set forth in detail below, the components of NCSC's plan were to:

- (1) use its unique role and capacity to foster national improvements in how the state courts administer justice;
- (2) allocate SJI's funding and NCSC's resources to the issues that summit members identified as the most significant problems warranting the earliest possible resolution; and
- (3) establish a sound process for moving forward on each step of the plan to address the highest priority problems, including those addressed at the summit, and those likely to arise in the future.

Specifically, NCSC proposed providing technical assistance to approximately 15-20 participating state and local court programs to support language access-related activities and facilitate collaborative problem-solving. In addition—and in response to the states' need for remote interpreting solutions—NCSC proposed the development of a searchable national database of court interpreters that could be used by state court managers and staff to identify qualified individuals to work on remote assignments for their courts when resources could not be obtained locally.

C. Summary of Grant Projects

Under this SJI umbrella grant, NCSC conducted a total of 16 technical assistance projects in 14 individual jurisdictions between 2012 and 2019 with the scope of services falling into three broad categories: the development of local and statewide language access plans (LAPs) and other vital planning documents; needs analysis and the identification of technological solutions for remote interpretation; and the development of language access related resources, such as recommendations pertaining to court interpreter credentialing programs and the creation of translation protocols and policies.

As highlighted in the map in Figure 1, technical assistance projects were conducted across the nation for both local and state jurisdictions of varying size and governance structures. Projects were focused on addressing the specific language access needs of the requesting jurisdiction and often included in-person or remote interviews and meetings with court staff and stakeholders. All projects resulted in written reports or documented recommendations, which have been provided in hard-copy and electronic format as supplemental materials to this report.

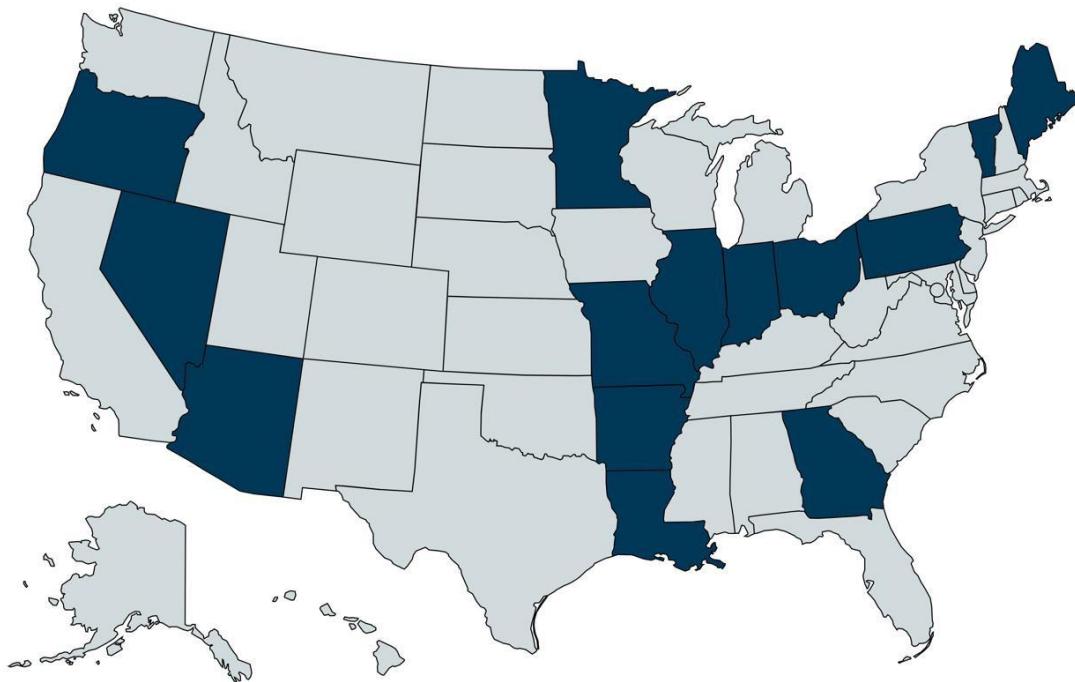


Figure 1: Blue shading illustrates state and local jurisdictions that received SJI grants under this umbrella contract.

In addition to the individual local and state court technical assistance grants, NCSC also used grant funding to develop a national tool to assist state courts in locating and accessing qualified court interpreters that may not be easily sourced at the local level. This multi-phased project included the development of national tier designations to assist state courts in identifying individual court interpreter qualifications across the nation, as well as an initial campaign to have state courts submit court interpreters for placement in a national database. In 2016, NCSC launched [the database](#) with 1,324 interpreters in 49 languages and announced its availability to language access program managers across the country. Since this date, NCSC, with the assistance of program managers, has worked to improve policies and protocols for interpreter submission to the database as well as develop future database fields that would identify court interpreter availability for remote (telephonic or video) work.

Throughout the work of these grant-funded projects, NCSC shared updates and progress reports, as well as findings and recommendations, during the Language Access Advisory Committee (LAAC) business meetings held biannually and at the annual conference of the Council of Language Access Coordinators (CLAC). Additionally, many of the individual state court recipients of these grants have presented to their fellow state court language access program managers at the annual conference on the improvements, progress, and work resulting from these technical assistance grants.

As described in more detail in the body of this report, language access services nationwide have been significantly improved by the support of SJI and this umbrella grant. Through the development of statewide language access plans, assessments and recommendations pertaining to remote interpreting initiatives, and the creation of language access-related tools and resources, SJI's funding support has directly assisted a great number of states and provided models and work products for use by others. Additionally, through the development of a national database of qualified court interpreters, funding provided by SJI has set the stage for the more efficient use of court interpreters, resulting in the provision of expanded language access assistance across the country.

II. Background

Over the last several years, the state courts have recognized the important role of language access in providing procedural fairness and due process to their court users and have responded by addressing the challenges and opportunities of serving their limited English proficient (LEP) communities. By way of recognizing this need and taking appropriate actions, states have worked to ensure that LEP constituents can meaningful participate in court services as a means of providing fair and equal access to justice.

In 2011, the Conference of Chief Justices (CCJ) issued a resolution on [Ensuring Access to Justice for Limited English Proficient Individuals](#), which reaffirmed the commitment of CCJ to achieving access to justice for limited English proficient individuals. The resolution called for continued national efforts to increase language access services and recommended the convening of a roundtable of key stakeholders as well as the implementation of a summit to bring together state teams to develop strategies for improving access to justice for LEP persons. This vision for a convening of state court leadership on language access came together in the [National Summit on Language Access in the State Courts](#) (National Summit), which was held in Houston, Texas from October 1-3, 2012. Approximately 300 representatives from 49 states and 3 U.S. territories attended to share successful strategies and evidence-based practices and to develop state action plans for program improvements.

The summit, which was supported by the State Justice Institute (SJI) and hosted by the National Center for State Courts (NCSC), consisted of a dynamic mixture of plenary sessions, workshops, and state team planning sessions in which state court administrators and language access program staff could come together and brainstorm solutions for their courts. Keynote addresses were delivered by Hon. Wallace B. Jefferson, the then Chief Justice of the Supreme Court of Texas, and Hon. Edward C. Prado, current U.S. Ambassador to the Argentine Republic and former appellate judge on the United States Court of Appeals for the Fifth Circuit. The program sessions focused on providing tools for states to assess the needs of their programs; leveraging technological solutions, such as remote interpretation; managing a pool of qualified court interpreters; training all court officers and personnel on the role of court interpreters; and discussing collaborative efforts and strategic planning with respect to court interpretation and language access.

Following the summit, NCSC, supported by SJI, produced a report titled [A National Call to Action](#),² which provided an overview of the summit, including findings from a pre-summit survey on the status of language access in the state courts, and presented a series of action steps derived from priority areas addressed in the summit for state courts to improve their services for LEP persons. These priority areas included identifying the need for language assistance,

² A follow-up report titled [Called to Action](#) was published in 2018. This report highlights the significant improvements made by state courts in providing language access services since the National Summit held in 2012.

establishing and maintaining oversight, implementing monitoring procedures, training and educating court staff and stakeholders, training and certifying interpreters, enhancing collaboration and information sharing, utilizing remote interpreting technology, ensuring compliance with legal requirements, and exploring strategies to obtain funding. The report was widely distributed to state courts and key language access stakeholders and has continued to serve as a valuable framework and point of reference for tracking progress on improvements to language access in the state courts.

In 2012, the CCJ and the Conference of State Court Administrators (COSCA) also agreed to charter a new national collaborative structure via the Council of Language Access Coordinators (CLAC), which would consist of members from all U.S. states and territories as designated by each COSCA member, and would be overseen by a Language Access Advisory Committee (LAAC) as a subcommittee of the COSCA Committee on Access, Fairness, Public Trust and Confidence. CLAC and LAAC were both to be supported by the NCSC Language Access Services Section (LASS), which would continue the work related to national court interpreter test development and test maintenance initiated by the former Consortium for Language Access in the Courts as well as provide technical assistance, guidance, and resources on national initiatives related to language access. Through CLAC, LAAC, and LASS, state and local court program managers working directly with language access issues have been able to pool their resources and expertise and learn from one another in developing solutions that work for their courts.

CLAC, in addition to maintaining a vibrant and ongoing peer-to-peer network over an online listserv supported by NCSC, has convened an annual conference since the summit in 2012. During this annual CLAC Conference, the seventh of which will be held in San Francisco in September 2019, CLAC program managers receive updates on national initiatives from LAAC and NCSC and participate in sessions organized around prominent court interpreter and language access issues. CLAC members participate in this annual conference by sharing their accomplishments, reviewing strategies and programs that have helped improve language access in their courts, and discussing court interpreter and language access challenges that are common nationwide. Areas of focus at the conferences align closely with those highlighted in the National Summit and include, among other things, training court interpreters and court personnel, recruiting and credentialing court interpreters, conducting language access planning, serving the deaf and hard of hearing, developing and maintaining translation efforts, implementing technological solutions such as Video Remote Interpreting (VRI), and collaborating with justice partners.

Over the last several years, CLAC members have also participated on joint working groups with LAAC members to discuss and develop solutions related to national initiatives. In 2013, CCJ/COSCA issued resolutions supporting a working group on VRI and supporting the sharing of interpreter resources nationwide through a collaborative database and a system of National Proficiency Designations. The National Proficiency Designations were published in 2013 by a CLAC/LAAC working group and were designed to be separate from state-specific certification requirements so as to assist states in identifying the qualifications of interpreters outside their certification classification systems. The national court interpreter database was conceived as a

tool, integrated with the National Proficiency Designations, to allow courts to search for qualified court interpreters, particularly in less common languages, thereby addressing a shortage of trained interpreters locally available for assignments. A working group on VRI developed a *Remote Interpreting Guide for Courts and Court Staff*, which was made available as a draft for CLAC program managers in 2014. Additionally, remote interpreting tools and guidance are currently being revisited by the new VRI Working Group supported by a separate SJI award (SJI-14-P-242) and staffed by NCSC.

In addition to initiatives related to VRI, CLAC members have also participated on working groups to review court interpreter testing policies, develop protocols for monitoring and reporting complaints and quality issues for court interpreters listed on a national database, develop language neutral training materials, evaluate ASL credentialing options, and develop guidelines for the creation of legal glossaries. CLAC members also participate in conference calls at least twice per year, led by CLAC liaisons to LAAC, in which they discuss special areas of interest to the membership.

Following the work undertaken during the National Summit, and to further support CLAC members and promote the development and implementation of language access solutions for courts, in fall 2012, NCSC applied for SJI assistance in the form of this grant project. The proposal, titled *National Action Plan for Creating Solutions to Improve Access to Justice for Litigants with Limited English Proficiency*, called for NCSC, using its unique role and relationship with key language access stakeholders, to assist courts in enhancing their programs in accordance with the priorities outlined in the *National Call to Action* and further addressed by LAAC and CLAC membership. The scope of work encompassed establishing sound state and national policies, applying appropriate technologies, delivering technical assistance to specific courts, and disseminating information.

It was anticipated that language access-related technical assistance would be delivered to 15-20 state court programs and local courts and would consist of activities such as needs assessments, evaluations of specific planned approaches, and other forms of collaborative problem-solving between NCSC and participating court programs. NCSC staff and consultants were able to work with state court personnel to assess and provide recommendations and direct assistance with regard to developing statewide language access plans (LAPs), implementing new technological solutions such as VRI, creating certification programs, and creating translation protocols and policies.

In accordance with the 2013 CCJ/COSCA resolution on VRI, and the demand for a national search platform for qualified interpreters, NCSC also proposed to develop the National Database of State Court Interpreters (National Database). The National Database would compile information on state court interpreters, map their reported qualifications to the tiers developed by the National Proficiency Designations Working Group, and allow state court interpreter program managers and staff to reach out to individuals for assignments in their court systems. The National Database was conceived as a user-friendly tool for courts to find interpreters with known qualifications on out-of-state rosters in instances where they could not be sourced locally.

III. Technical Assistance Projects

In accordance with the SJI grant, NCSC accepted applications for technical assistance from a total of 21 state and local court systems. Each of the applying jurisdictions completed a request for technical assistance form and worked with NCSC staff to determine the precise deliverables and timeline for each technical assistance project. NCSC evaluated these proposals based on their cost, alignment with national language access priorities, and NCSC's capacity to provide technical assistance.

Projects were awarded in the budgeted range of \$15,000 to \$20,000 for projects focused on sustainable elements of program development. No funding was provided for operational costs. Under this umbrella grant, NCSC conducted 16 technical assistance projects in 14 state or local jurisdictions. The technical assistance recipients included:

- Arizona Administrative Office of the Courts (AZ)
- Arkansas Administrative Office of the Courts (AR)
- Supreme Court of Georgia (GA)
- Illinois Administrative Office of the Courts (IL)
- Indiana Supreme Court (IN)
- Louisiana Supreme Court (LA)
- Maine Judicial Branch (ME)
- Minnesota Judicial Branch (MN)
- Missouri Office of State Courts Administrator (MO)
- Nevada Administrative Office of the Courts (NV)
- Franklin County Municipal Court (OH)
- Oregon Judicial Department (OR)
- Administrative Office of the Pennsylvania Courts (PA)
- State of Vermont Judiciary (VT)

Projects fell primarily into two broad categories: (1) assistance with the development of LAPs and (2) needs assessments for VRI. Other individual projects not related to these broad areas included assisting with the development of a court interpreter credentialing program, evaluating options for centralized scheduling, assisting with developing protocols for translation, and assisting with developing data collection practices for local LEP populations.

A. Language Access Plans

During the National Summit, participants and workshops emphasized the important and strategic role of a jurisdiction's LAP in clarifying statewide and local functions and oversight of language access programs; providing internal and external audiences with vital information on the background, purpose, policies, and procedures for delivering language access; and establishing reasonable action steps and targets for courts to plan and measure their program development

progress. The *National Call to Action* identified the following key components of a language access plan:

- the process for identifying court users in need of language assistance, including a description of how data is routinely collected and analyzed;
- the various language services to be provided, such as signage, translation, interpreters, and bilingual staff;
- a description of initial and ongoing training efforts for judges, court staff, and justice partners;
- procedures for notifying LEP court users of available services;
- ongoing processes for monitoring and evaluating services and updating the LAP accordingly;
- information on the position or program charged with the implementation and management of the LAP;
- information on the stakeholders and collaborative partners involved in the development and oversight of the LAP;
- timelines, objectives, and milestones;
- description of staff and funding resources needed for initial implementation and ongoing management; and
- identification of issues and/or obstacles relative to these components and strategies to address them.

These key components are also reflected in the [*Language Access Assessment and Planning Tool for Federally Conducted and Federally Assisted Programs*](#) produced by the Department of Justice (DOJ) to provide guidance on the development of language access plans.

As a strong LAP is both a strategic tool and means for courts to communicate the mission and structure of language access, developing these resources has been a central priority for court language access programs, and in the interest of helping courts overcome barriers to providing LEP individuals with access to the courts and court programs, NCSC has maintained an integral role in helping develop and improve these vital documents. By way of the expertise of its staff consultants to both state and local courts, it has received significant interest in technical assistance in this area.

Franklin County Municipal Court (Ohio)

The Franklin County Municipal Court located in Columbus, Ohio reached out to NCSC in July of 2016, following a consultation with NCSC staff during the 2016 Annual Meeting of the National Association for Court Management (NACM), for assistance with local language access services. They requested an overall needs assessment, written recommendations, and the development of a draft local language access plan.

NCSC offered to conduct a needs assessment for the court as well as to develop a language access plan that addresses statewide requirements and policies, local procedures, implementation strategies, and resource identification for effective delivery of language access services. In the fall of 2016, NCSC conducted telephone interviews with Franklin County court staff and stakeholders to examine the structure of the language access program as well as to assess language needs and interpreter usage. These discussions resulted in the production of a project plan and agenda for site visits.

In February 2017, NCSC staff conducted a two-day site visit, in which they conducted interviews with over 40 individuals, including judicial officers, court staff, and persons from the Public Defender's and Prosecutor's Offices. They then produced a report for the court, entitled *Language Access Needs Assessment for the Franklin County Municipal Court: Report and Recommendations*. The assessment addressed challenges and best practices for language needs and data collection, strategies for court interpreter training and recruitment, provision of language access services at points of contact outside the courtroom, strategies for collaborating with justice partners, and tools available to help court staff and judicial officers understand and make effective and appropriate use of language access services.

The *Franklin County Municipal Court Language Access Plan* was then drafted, covering the legal basis and purpose of the municipal court language access program, statewide and local language needs and interpreter usage, the role of the language access coordinator, steps for determining the need for an interpreter, establishing court interpreter qualifications, assigning interpreters, translation of forms and documents, training for municipal court staff and judicial officers, addressing interpreter complaints, and public notification and evaluation of the LAP. The Franklin County Municipal Court accepted the deliverable in January 2018 and its 2017 Annual Report acknowledged NCSC and SJI for their support in assessing the needs of the language access program and creating a local language access plan.

Georgia

The Georgia Commission on Interpreters (Commission) submitted a request for technical assistance in the spring of 2015, which included a request to produce a Model Administrative Protocol (MAP), which would provide step-by-step guidance for trial courts to assist LEP and Deaf and Hard of Hearing (DHH) court users during their interaction with the courts. The finished protocol would provide a customizable template for courts to use to implement language access services. The Commission requested the assistance of NCSC's expert consultants to provide recommendations on best practices and procedures to help courts meet their obligations to provide interpreting services.

NCSC staff held regular conference calls in the summer and fall of 2015 with project leaders Jana Edmonson-Cooper and Shinji Morokuma, representing the Commission, to outline and review the draft MAP work product. A final draft was completed in November of 2015 and presented to the Commission for discussion in December 2015. The MAP included information and best practices on the legal basis for interpreter provision, approaches for data collection and

needs assessment, guidelines for the provision of qualified interpreters in court proceedings and other functions managed by courts, and strategies for management and monitoring of the MAP. A companion document was also designed to accompany the MAP with detailed explanations for the provisions of the template and to identify courts' options for meeting their legal obligations.

In March 2016, Justice Keith R. Blackwell, Associate Justice of the Supreme Court of Georgia and Chair of the Georgia Supreme Court Commission on Interpreters, addressed a letter to key stakeholders requesting review and comment on the draft MAP. This letter was also shared with CLAC members over the listserv. At the May 2016 CLAC Conference in New Orleans, Shinji Morokuma and Jana Edmonson-Cooper delivered a presentation on the MAP focusing on its advantages as a potential model for non-unified court systems.

The Commission continued to hold stakeholder meetings over the course of 2016 and 2017. Beginning in November 2017, the MAP was piloted in the Seventh Judicial Administrative District, which encompasses seven rural and metropolitan judicial circuits in the vicinity of Atlanta, and Middle Judicial Circuit of the Eighth Judicial Administrative District. Each site agreed to adopt the MAP for a six-month period and provide written feedback and data on their experience. The final MAP was published for statewide use in January 2019.

Maine

The Maine Judicial Branch reached out to NCSC in October 2015 for assistance with the development of a comprehensive statewide LAP. The Judicial Branch reported that while it had many of the necessary components in place, they needed to be compiled into a product for presentation to its Limited English Proficiency Advisory Committee for review and comment. In February 2016, NCSC agreed to provide consulting services to assist the Communications Access Specialist for the Maine Judicial Branch in drafting and revising a plan for consideration by the LEP Advisory Committee. NCSC and the Maine Judicial Branch agreed on a timeline for pre-assessment planning, conducting a statewide survey, onsite visits, and drafting the statewide LAP.

In September 2016, NCSC staff visited four judicial centers in Maine: Lewiston District Court; Androscoggin County Superior Court; Ellsworth District and Superior Courts; and the Penobscot Judicial Center in Bangor. During the visits, staff were able to meet with clerks, judicial officers, and members of the Maine LEP Advisory Committee. In October 2016, NCSC conducted a survey of court stakeholders in collaboration with the Judicial Branch to assess existing language needs and practices in the Maine courts. The survey addressed state demographics, language access planning, and court policy; special language services provided by the courts; education and training in language access for judicial officers and court staff; and use of technology. NCSC submitted a report detailing the results of the survey to the Maine Judicial Branch in November 2016.

NCSC staff drafted the LAP and submitted the product to the Judicial Branch in May 2017. The draft LAP encompassed the language access needs of the Maine courts, the legal framework for

language access, data collection, recruitment, the provision of language access services, translation, judicial branch training, community outreach and stakeholder engagement, and monitoring of the language access plan and services. The LAP then underwent internal revisions within the Maine Judicial Branch. The Maine Judicial Branch published the final version of its LAP in January 2019, acknowledging NCSC as a contributor.

Minnesota

The Minnesota Judicial Branch submitted a request to NCSC towards the end of 2014 for technical assistance developing a statewide LAP, and separately, for help examining options for centralizing interpreting scheduling and invoice processing. The Minnesota courts transitioned to a statewide funding model in 2002, but at the time of the request, each of the 87 county courts were required develop their own annual LAP, and the Minnesota Judicial Branch had decided to move to a comprehensive statewide LAP to better reflect statewide standards for language access. NCSC agreed to a timeline for pre-assessment planning and conference calls, site visits, and drafting the statewide LAP.

NCSC staff conducted site visits in Minnesota in June 2015, during which they were able to meet with language access stakeholders in the court system. They subsequently drafted a statewide LAP in collaboration with the Minnesota Judicial Branch. The LAP addresses language access needs, the legal framework for language access, language need data collection and early identification, provision of language access inside and outside of courtroom proceedings, translation, judicial branch training, and public outreach and dissemination. The Minnesota Judicial Branch reviewed the draft and published a final version in July 2016.

Vermont

In December 2016, the Vermont Judiciary sought technical assistance from NCSC to conduct an analysis of its existing LAP, which was adopted in December 2012, and to develop an implementation plan for the steps outlined in it. In January 2017, NCSC began a review of existing language access services and the LAP, and produced a final report with findings and recommendations pertaining to the LAP as well as an implementation plan and timeline for language access action steps.

As part of this project, NCSC conducted qualitative interviews with Vermont court staff and stakeholders in late fall 2017 to examine services being provided in Vermont courts and priority areas for development. NCSC delivered a draft *Review and Analysis of the Vermont Judicial Language Access Plan* in February 2018. The report addressed the legal sufficiency of the LAP, DOJ language access implementation guidelines with respect to LAPs, the effectiveness of the LAP in addressing statewide needs, and recommendations for updates and improvements to the LAP. The Vermont Judiciary and NCSC staff reviewed and revised the report in spring 2018 and the judiciary accepted the final report that April.

In summer 2018, NCSC drafted its implementation plan, which proposed 16 activities—and tasks within each step—for the judiciary to make progress in delivering language access services. These included (1) developing and meeting with an internal advisory committee, (2) developing an initial budget and ongoing resource allocation process, (3) conducting a statewide internal needs assessment, (4) implementing editorial changes and organization recommendations for the LAP, (5) developing a statewide language access complaint process, (6) implementing a statewide process for the collection of language use and need data, (7) developing a clear branch policy regarding the use of qualified interpreters, (8) conducting statewide translation efforts of critical information, (9) developing recommended guidance for posting critical information, (10) developing multilingual audio and video information pertaining to critical information, (11) developing training materials and resources regarding working with interpreters, (12) developing an external advisory committee, (13) developing a work plan and procedures for the expanded use of VRI, (14) developing a process for the recruitment and training of bilingual staff, (15) developing an interpreter training plan, and (16) developing a plan to implement a court interpreter credentialing process. The implementation plan was accompanied by a budgeting worksheet to assist the Vermont Judiciary in estimating its expenses for each action item and tracking its actual costs.

B. Video Remote Interpreting Assessments

During the National Summit, many state teams noted that remote interpreting was a priority action item for their courts, driven by the opportunities this technology might have for providing quality interpreters where they could not be reasonably sourced locally and for developing further efficiencies for their language access programs. At the time of the summit, a handful of states had VRI pilots underway, but many states expressed a need to develop sound strategies for implementation that would work with the communication technology infrastructures currently in place in their court systems. States also wanted additional assistance with understanding the advantages offered by different service providers as well as how to prepare judges, court staff, and interpreters to use VRI technology through training and use protocols.

A significant number of states reached out to NCSC for assistance examining and anticipating the needs of their courts for VRI and to make recommendations that would help them plan their own pilots and projects. Prior to being awarded this project, NCSC, supported by SJI, completed a VRI needs assessment with the Wisconsin Court Interpreter Program to evaluate video and audio capabilities in preparation for a remote interpreting pilot project. CLAC members received the report with great interest and were eager to work with NCSC consultants to evaluate the challenges and opportunities for implementing VRI in their own states.

A separate NCSC project (SJI-14-P-242), supported by SJI, was initiated in 2014 to promote VRI implementation at a national level. That project originally set out to design and execute a Request for Proposals (RFP) process to conduct a pilot with a national remote interpretation vendor, which is referenced in some of the technical assistance assessments mentioned in this report, but was rescoped following termination of the contract with the national VRI vendor,

Stratus Video, LLC (Stratus Video), due to service delivery issues. That national VRI project, now led by Felix Bajandas, a Principal Court Management Consultant at NCSC, is currently tasked to develop a resource center of tools and guidance for state courts to use in selecting VRI vendors and to develop VRI implementation strategies.

The state courts continue to express strong interest in VRI and have benefited from shared information about each state's progress with VRI on peer-to-peer networks. VRI has been a valuable topic of discussion in each of the most recent CLAC conferences and continues to generate conversation on CLAC online forums.

The below outlines the direct technical assistance provided by NCSC staff to assist states with assessing VRI readiness and develop strategies for implementation under this grant.

Arkansas

The Arkansas Administrative Office of the Courts (AOC) reached out to NCSC in spring 2014 to request technical assistance with conducting a VRI needs assessment in several rural Arkansas courts in order to determine the needs, cost, equipment requirements, and feasibility of implementing remote interpreting solutions. The objective of this project was to enhance delivery of quality court interpretation at the most reasonable cost for the courts. The findings of the assessment were to be shared with other Arkansas courts with a potential interest in implementing VRI. In August 2014, NCSC and the Arkansas AOC agreed to conduct a pre-assessment to develop a work plan and needs assessment strategy with an Arkansas working group, conduct a survey to collect information and data on language need and technology usage, complete site visits, and develop a report and recommendations for consideration by the AOC.

An Arkansas working group was formed in fall 2014 to develop business cases for the use of VRI and identify areas where standardization and training materials could improve services. It met in person in November 2014 to review the survey, which was designed with the assistance of NCSC, and to further discuss potential use cases for VRI. The survey was designed to assess respondent courts' capacity for VRI and to allow the working group to understand the hardware and connectivity existing within Arkansas courthouses, frequency and fiscal impact of court interpreting events, and challenges with the use of remote interpreting. It was administered by NCSC in March 2015 and was completed by 43 courts.

In May 2015, NCSC and the Arkansas language access program staff participated in five site visits to Arkansas district and circuit courts in Benton, Pulaski, Sebastian, Washington, and Yell Counties. During these visits, the site visit team was able to meet with stakeholders, including judges, court administrators and staff, staff interpreters, and attorneys. Stakeholders were asked about technological challenges, the preferences of judges, strategies for dealing with interpreters in languages other than Spanish, the process for requesting interpreters, and willingness to participate in a larger pilot.

The project team submitted its report to the Arkansas AOC in September 2015. The report encompassed the demand for interpretation services, results of the assessment survey, site visit findings, and a series of recommendations for Arkansas. The recommendations included (1) deploying a pilot that takes advantage of the interest of 22 courts in expanding remote interpreting, (2) developing state-level ability to automate processes and standardize policies and contracts, (3) developing an evaluation plan that incorporates user feedback and administrative data, and (4) continuing to explore new initiatives in remote interpretation. The report was accompanied by data sources and material for the needs assessment, the assessment questionnaires, implementation tools and materials for pilot sites, and interview planning materials for site visits.

Illinois

In 2015, the Administrative Office of the Illinois Courts (AOIC) reached out to NCSC to request assistance with assessing the needs and capabilities of its circuit courts for VRI in support of a pilot project and to deliver a written report with findings and recommendations. NCSC agreed to a scope of work for technical assistance in March 2015. The technical assistance was delayed as AOIC leadership spent time reevaluating its pilot strategy and considering installing equipment for a remote interpreting workstation. In February 2018, NCSC and the AOC agreed to a revised scope of work and timeline for technical assistance to conduct a VRI needs assessment.

In April 2018, the AOIC installed a workstation in Cook County for the delivery of VRI to seven selected rural pilot sites and held planning calls with NCSC consultants. Seven counties participated in the Illinois VRI pilot: Cook, Champaign, DeKalb, Kendall, McLean, Rock Island, and Winnebago. In November and December 2018, NCSC staff conducted two site visits, during which staff was able to interview court personnel, judges, information technology staff, and administrators located in the Winnebago and Champaign pilot counties and the Winnebago County Domestic Violence Assistance Center, as well as test VRI equipment and VSee client software in court facilities. Staff also interviewed interpreters via videoconference.

In December 2018, NCSC staff submitted a report to the AOIC summarizing findings and recommendations of the assessment. The report evaluated the VRI infrastructure, identified specific obstacles for successful VRI experiences in pilot courtrooms and facilities, and recommended solutions to a number of VRI challenges. The general recommendations included (1) documenting VRI processes for interpreters, judges, court, staff, IT personnel, and LEP court users; (2) establishing and documenting fundamental equipment and software for VRI; (3) testing and upgrading the bandwidth in courtrooms; (4) defining and documenting software requirements for interpreters; (5) creating VRI training materials for judges and court staff; (6) conducting training sessions; (7) establishing success criteria for each VRI pilot site; and (8) establishing a sustainability plan for VRI.

Indiana

In 2014, the Indiana Supreme Court shared with NCSC its interest in piloting VRI in several locations to address the lack of certified interpreters in many of its counties and the disproportionate effect of travel payments on the limited language access budgets of decentralized county courts. The Supreme Court submitted a request for technical assistance from NCSC to conduct a VRI assessment in selected pilot counties and to provide guidance on VRI implementation in other courts. NCSC agreed to conduct a series of on-site visits and provide its findings and recommendations for each pilot site.

NCSC staff conducted the site visits from February 18-19, 2015. Staff were able to interview court administrators, technology officers, and other court staff responsible for conducting the planned VRI pilots in the Allen, Marion, and Shelby County courts. Staff also interviewed the Indiana State Court Administrator and the staff attorney for the Supreme Court Language Access Program for statewide information about the use of videoconferencing and VRI by the various county courts.

NCSC submitted its report to the Indiana Supreme Court in May 2015. The report encompassed general findings and recommendations related to VRI as well as findings and recommendations for the proposed pilot sites. The general findings reflected wide variation in both the readiness and business cases for VRI in county courts. The general recommendations suggested review and modification of court rules and business processes to better support VRI. The report found the proposed pilot sites to be strong candidates for implementation of VRI, but also identified challenges and disparities in technological capacity and court support for adoption of new technological solutions.

The report also suggested that Indiana may benefit from participation in a national VRI contract, for which an RFP was then being drafted under a separate project. As mentioned, a national vendor, Stratus Video, was selected at the beginning of 2016, but the contract was ultimately terminated due to the inability of the contractor to comply with expectations.

Louisiana

The Louisiana Supreme Court reached out to NCSC in 2014 to request technical assistance to conduct a VRI needs assessment in selected Louisiana courts to determine the needs, cost, equipment requirements, and feasibility of implementing VRI. NCSC agreed in March 2014 to engage with a six-court working group to develop possible business cases for VRI, survey courts involved in the working group, conduct site visits, and deliver a report and recommendations for the Louisiana Supreme Court.

In December 2014, the Louisiana Interpreter Program and NCSC staff developed and issued a needs-assessment survey to six Louisiana courts, which was intended to identify court operations, use cases for VRI, technological capacity, language demand and usage, and stakeholder perceptions of remote interpreting technology. Six courts participated in the survey,

all of which were interested in expanding use of VRI, but which also expressed that they required upgraded hardware and connectivity as well as to promote support among key stakeholders.

In April 2015, NCSC and the Louisiana Interpreter Program completed four site visits to Louisiana courts as well as to the Department of Corrections. The four court sites, which were chosen on the basis of their experience and desired technological expansion, were the 26th Judicial District Court, the Orleans Criminal District Court, the 24th Judicial District Court, and the Baton Rouge City Court. Visits consisted of structured interviews to gather information related to issues and challenges related to implementation of VRI, judicial attitudes, processes for finding interpreters for less commonly used languages, handling of interpreter requests, and willingness to participate in a future pilot.

The project team delivered its report to the Louisiana Supreme Court in September 2015. The report included information on the demand for interpretation services in Louisiana, findings of the interpreter use and remote interpreting survey, and future planning recommendations. The project team recommended (1) the development of an action plan to establish business policies, processes, and procedures; (2) the development of business cases to employ strategies that maximize return on investment; (3) the establishment of a pilot partnership with the Louisiana Department of Corrections; (4) continued exploration of new initiatives for administering VRI; and (5) the development of an evaluation plan to assist in including courts in a planned national VRI contract then being orchestrated by NCSC.

In May 2016, Darryl Campbell, representing the Louisiana Department of Corrections (DOC), which was interviewed as part of this assessment, also presented at the CLAC Conference in New Orleans on a partnership between his agency and the Orleans Criminal Court to use VRI for certain appearances, arraignments, and hearings. Partnership with the DOC was among the recommendations of the report.

Maine

In early 2016, the Maine Administrative Office of the Courts requested assistance conducting a feasibility assessment for the use of VRI in courtrooms and at clerks' windows. Maine intended that the assessment would survey technological capacities for VRI and make recommendations for its implementation. In February 2016, NCSC agreed to a scope of work and technical assistance deliverables.

NCSC conducted site visits in January 2017 in the Portland, Lewiston, and Ellsworth District Courts and the Superior Courts in Penobscot County and Androscoggin County. During the site visits, NCSC staff interviewed a variety of judicial officials, court administrators, and technology officers to survey infrastructure and equipment inside and outside of courtrooms. Staff also gathered information on a number of business case considerations for VRI.

In January 2018, NCSC staff submitted a final report to the Maine Administrative Office of the Courts, which analyzed the existing communications infrastructure, the potential for use of VRI

inside and outside of courtrooms, and considerations for interpreters. The report noted that videoconferencing technology in courtrooms and high-quality bandwidth statewide position Maine strongly for implementation of VRI, but, among several other observations, noted the importance of best practices for maintaining secure communications and suggested potential equipment or programming for courtroom software to support VRI. The key recommendations of the report include investment in additional Polycom units for some courts, examining the configuration of software for VRI, providing operations instructions with courtroom equipment, providing refresher training to staff on VRI equipment, establishing consistency in determining responsibility for operation of equipment, developing a support strategy and formalizing procedures for reporting issues with VRI, communicating technical requirements for client applications to interpreters, setting expectations with interpreters on handling technical problems, making use of the National Database of State Court Interpreters, reviewing security best practices for videoconferencing equipment, and coordinating with Executive Branch stakeholders on potential impacts of widespread VRI implementation.

Missouri

In fall 2016, the Missouri Office of State Courts Administrator (OSCA) requested technical assistance in examining the potential for providing VRI to LEP court users in Missouri, including videoconferencing software and hardware capabilities, and providing written findings and recommendations. In October 2016, NCSC agreed to a scope of work and technical assistance deliverables.

In August 2017, NCSC staff and staff of the Missouri OSCA conducted site visits with five courts of various populations and locations to review the videoconferencing infrastructure. The team visited the Circuit Courts in the cities of St. Louis and St. Charles as well as Callaway, Warren, and Montgomery Counties, where they were able to interview judges, administrators, and court staff responsible for managing information technology. They were able to survey the courts' existing infrastructure and possible barriers for implementation of VRI.

In March 2018, NCSC staff submitted a report to OSCA consisting of findings and key recommendations from the assessment. The report examined the existing infrastructure for VRI inside and outside of the courtroom, the VRI-readiness of interpreters, and business case considerations. The report found that most courts in Missouri are well equipped with state-provided videoconferencing capability that can be leveraged for VRI and also that the courts visited were interested in making use of VRI, particularly for situations where interpreters may be difficult to source locally.

The report made the following key recommendations: (1) considering additional videoconferencing units for some courts as VRI events increase, (2) implementing additional software programming and configuration to accommodate VRI, (3) providing clear instructions with court equipment, (4) providing formal training to staff on the use of VRI equipment, (5) establishing clear responsibility for setup of equipment, (6) developing a formal implementation strategy, (7) communicating clear client-software requirements for interpreters, (7) establishing

equipment testing procedures or first-time users, (8) making use of the National Database of State Court Interpreters where it may assist in identifying VRI-capable interpreters, and (9) communicating clear expectations to interpreters for dealing with technical problems.

Nevada

In early 2014, the Nevada Administrative Office of the Courts reached out to NCSC for technical assistance to conduct an analysis on the effective implementation of VRI in Nevada courts. The AOC asked NCSC to review the existing environment and infrastructure for VRI, provide information on potential providers, and make key recommendations that consider statutes and rules for the use of interpreters. In March 2014, NCSC agreed to a scope and timeline for technical assistance.

In April and May 2014, NCSC staff held a number of pre-assessment planning calls and collected information from the Nevada AOC. In June 2014, Nevada AOC staff facilitated on-site visits with NCSC staff to the Virginia Township Justice Court in Storey County as well as the Carson City Justice and District Courts, where NCSC staff was able to tour courtrooms and discuss potential use of VRI in these urban and rural locations with judicial officers and court staff. Following these visits, NCSC submitted a report with findings and recommendations to the Nevada AOC, which was finalized in July 2014.

The report found that the Nevada AOC maintained sufficient technical architecture for the delivery of VRI, had a sound strategy for statewide use, and had court rules which would not preclude participating in a national pilot then being planned. However, it also noted that insufficient bandwidth in rural courts may present significant challenges, that most courts had not clearly developed business cases for videoconference generally or VRI specifically, and that insufficient data was available to determine a statewide business case. The report recommended (1) creating a plan for the use of VRI that identifies which mode of VRI should be used by each court, (2) creating a statewide business plan for the use of VRI, (3) estimating statewide cost-savings of participating in a national VRI pilot, and (4) carrying out several local VRI pilots to identify best practices and improve the estimated business case.

C. Other Language Access and Court Interpreter Projects

In addition to language access planning and remote interpreting initiatives, many courts noted their needs for technical assistance in other areas of language access that would help them serve their LEP populations and provide continued access to justice. Such projects (listed below in detail) included the development of a credentialing program for court interpreters, improving interpreter scheduling, collection LEP end user feedback, and developing statewide and local translation policy and procedure.

Arizona

In fall 2015, the Arizona Administrative Office of the Courts (AOC) shared with NCSC that they were considering implementing a credentialing program for interpreters. The AOC requested technical assistance from NCSC to guide credentialing program and policy development and provide recommendations for interpreter pipeline development. In November 2015, NCSC agreed to a scope and timeline for technical assistance with the Arizona AOC.

In January 2016, NCSC and AOC staff held an in-person meeting to review existing credentialing program policies and practices and identify issues that may require further development. The review encompassed pre- and post-test requirements, program cost structure considerations, interpreter designation categories, the appeal process, reciprocity, and the process for testing non-credentialed interpreters already working in the courts.

In September 2016, NCSC submitted a report to the Arizona AOC that provided findings and recommendations for further development of the Arizona Court Interpreter Credentialing Program (ACICP). The report provided an overview of the credentialing program; reviewed the credentialing and testing process, training options, post-credentialing requirements, and communication and outreach efforts; and provided recommendations. As appendices, the report also included a questionnaire for interpreters and strategic communications tools developed by NCSC. The report recommended extensive communication with court interpreters regarding the new credentialing process, candidate engagement, identification of additional testing elements as screening tools, and the consideration of continuing education requirements for court interpreters.

In addition to the review and recommendations for credentialing program development, NCSC also submitted a report to the AOC in 2016 on interpreter pipeline development strategies to address potential impacts of implementing a credentialing program and to promote strategies for maintaining a stable roster of qualified interpreters for the courts. The report provided an overview of language and court interpreter skills, identified recruitment options, and described pre- and post-credentialing training options. The report recommended launching targeted recruitment efforts focused both broadly on bilingual communities and more specifically to individuals in the interpreting profession; examining training tools, events, and options for interpreters already in the credentialing process; partnering with established training providers; collecting data on interpreters in all stages of their pipeline; and establishing continuing education requirements to maintain and elevate the skills of credentialed interpreters.

Minnesota

The Minnesota Judicial Branch reached out to NCSC at the end of 2014, at the same time as their request for assistance developing a statewide LAP, to request assistance evaluating options for a potential centralized interpreter scheduling and invoicing process. The Minnesota Court Interpreter Program had recently undergone an internal audit and was in the process of conducting a program risk assessment. In February 2015, NCSC agreed to a scope and timeline

to research options for centralized scheduling and invoicing and to deliver a written report summarizing findings and recommendations.

After evaluating the Minnesota interpreter management system in coordination with Minnesota Judicial Branch staff, NCSC designed a survey to be administered to members of the court language access community via the CLAC listserv. The survey, which was administered in May 2015, polled respondents on their use of computer applications to manage interpreter scheduling and invoicing. Staff simultaneously conducted research through available online tools to analyze platforms constructed for the purpose of allowing interpreters to access schedules and invoices online. NCSC also followed up with selected survey respondents to interview them regarding their experience with the scheduling and invoicing services they were using and contacted system vendors providing outsourced services to CLAC member courts.

In July 2015, NCSC submitted a report to the Minnesota Judicial Branch that examined the existing interpreter management system for Minnesota and provided an overview of states using centralized automated invoicing or scheduling, vendors known to have provided interpreter management services to the courts, and other interpreter management companies. In its recommendations, the report noted that while viable alternatives to replacing the current interpreter management system exist from a technical perspective, all would require significant internal resources and funding to implement. The report recommended that the Minnesota Judicial Branch, following the completion of its technical review, establish a stakeholder project governance structure to review available alternatives, analyze specific risks, and develop a transition strategy.

Oregon

In January 2014, the Oregon Judicial Department (OJD) requested technical assistance from NCSC to develop meaningful instruments to gather data from the LEP population and document their needs. OJD desired to use the data to improve their language access program and create collaborative partnerships between the judicial system and LEP communities. NCSC agreed to assist OJD in developing and conducting two surveys, one of which was administered in court and one of which was administered online.

In May and September 2014, the surveys were administered to Oregon LEP court users. The in-court survey consisted of 24 questions and received 314 responses. The online survey consisted of the same questions as the in-court survey, plus four additional questions, and received 30 responses. All survey responses were kept anonymous. The surveys were designed to gather LEP-relevant data specific to issues experienced, to gauge satisfaction with OJD services, and to provide initial outreach to the LEP community.

In November 2014, NCSC provided a report to OJD including the compiled survey results and conclusions. The report concluded that the survey results reflect a general satisfaction with the court experience of LEP court users, but also identified trends containing valuable areas for

improvement. The report recommended that OJD carefully review the comment fields in the survey responses for specific feedback and continue to conduct outreach and awareness efforts.

Pennsylvania

In July 2018, the Administrative Office of Pennsylvania Courts (AOPC) reached out to NCSC to share a project they envisioned of developing a protocol for prioritizing translation of court forms, creating a plan for translation maintenance, and developing additional Spanish/English glossary terms. NCSC agreed to a technical assistance scope of work and timelines to develop a translation guidance manual and operational plan, assist with the pilot testing of a translation prioritization matrix, and develop a glossary of 50 plain English and Spanish terms to incorporate into the AOPC's existing legal glossary.

In August 2018, NCSC staff worked with the Translation Subcommittee of the AOPC Monitoring and Evaluation Subcommittee to present an outline for the Translation Guidance Manual (TGM). NCSC staff continued to meet with AOPC staff during the fall and submitted a draft TGM in December 2018. The manual provides a step-by-step guide for the identification and prioritization of documents for statewide translation, the prioritization of languages for statewide translation, and the translation management process. It also identifies best practices for finding high quality translation providers, notes cost considerations, provides guidance for supporting local court translation efforts, and highlights considerations for producing audio and video materials in multiple languages. The appendices include sample spreadsheets, a plain language checklist, guidance documents for local courts, and a translation duties matrix.

The Translation Subcommittee reviewed the draft TGM and provided comments during meetings in January and February 2019. NCSC is currently incorporating revisions based on that commentary, and the final draft will be made available to the AOPC upon completion and acceptance of those revisions. The addition of glossary terms is also in progress and reflects a collaborative effort between NCSC and the Translation Subcommittee.

IV. National Database of State Court Interpreters

During the National Summit, state teams described the potential advantages of sharing interpreters with local partners, such as community and outside government agencies, and began outlining the concept for a national pool of qualified interpreters from which all states might draw when they found difficulty filling assignments through their traditional local sources. Action Step 6 from the *National Call to Action* observed that “[i]nterpreter sharing through remote technology can help state courts appoint qualified individuals who may not be available in person, and it can expand available job opportunities for language professionals, which can be particularly helpful in keeping interpreters of less frequently-used languages engaged in the profession.” In tandem, state teams envisioned, as a national initiative, the development of a Shared National Court Video Interpreter Network, which would potentially source interpreters from a shared database and was described in Action Step 7.

LAAC, CLAC, and NCSC immediately set out to address key hurdles to sharing interpreters at the national level, principally the difficulty for states in attempting to measure the qualifications of interpreters who have been credentialed in other states due to the varying structures and requirements of each state’s certification program. LAAC convened a National Proficiency Designation (NPD) Working Group to develop clear benchmark qualifications for interpreters based on common and nationally recognizable credentialing elements. The NPD Working Group developed a system of tiers, which assign interpreters to categories of qualification based on their NCSC written and oral exam scores, state-specific and/or federal certification designations, orientation experience, performance on Oral Proficiency Interviews (OPIs), and Registry of Interpreter for the Deaf (RID)-recognized credentials for sign-language interpreters.

In July 2013, CCJ/COSCA issued a resolution *In Support of Sharing Interpreter Resources through Establishing a Shared National Court Video Remote Interpreting Network and National Proficiency Designations for Interpreters*. The resolution described the network benefits of pooling authorized court interpreters and outlined the purpose of the National Proficiency Designations. It authorized LAAC, with the assistance of CLAC, to promulgate and amend the NPDs as necessary and also expressed appreciation to NCSC for its willingness to maintain the shared national court VRI network on behalf of CCJ and COSCA, and for its overall efforts to promote the availability of effective VRI solutions for state courts.

NCSC, having established key stakeholder buy-in for the project outline and the National Proficiency Designations, set out with vital activities for designing, building, and testing a National Database of State Court Interpreters. In its proposal for this project, NCSC described “[d]eveloping and maintaining a clearing-house of state-certified interpreters capable of providing in-person and remote services,” and the funding provided under this grant has been essential in producing an operational and sustainable platform for courts to access a shared interpreter inventory.

Development of the National Database of State Court Interpreters

In fall 2013, NCSC met with IT staff and a subgroup of the LAAC/CLAC VRI Working Group to design a prototype for the National Database. NCSC worked with stakeholders to envision the fields required for interpreters as well as a submission form to input interpreter data, and also built an early beta-version of the database for internal testing. NCSC delivered a report on its efforts to stakeholders during the CLAC Conference in Portland, Oregon in April 2014.

In August 2014, NCSC sent a general call for interpreter submissions to CLAC members and began collecting submission forms, which was accompanied by suggested language for states to use when communicating the purpose of the database to their interpreters and requesting their information. Twenty-seven states responded to this original call for interpreter submissions by sending NCSC a submission form. NCSC reviewed the submission forms, verified the oral exam scores provided for each interpreter using its internal repository, made a tier assignment according to the National Proficiency Designations, and followed up with states to collect additional information for interpreters and resolve discrepancies where necessary. Several states reported they would be unable to compile reports due to the administrative time and cost required and/or due to privacy concerns.

In 2015, NCSC worked with its information technology staff on web-development tasks to retool the database with features to facilitate more efficient uploading of interpreters, specifically a functioning bulk-upload form and a matrix for the automatic assignment of NPD tiers. During this time, NCSC also redeveloped the visual layout of the database; contracted a graphic designer to create an attractive logo; built in additional administrative features for NCSC, including a configurable language menu and tools for profile management; created the landing page content; wrote a set of frequently asked questions to guide database users; and added clarifying definitions for the document describing the National Proficiency Designations. In spring 2016, NCSC worked with a focus group of five CLAC members to conduct a functionality test of the database and its features prior to its launch. The group noted the database was user-friendly, but also that the volume of interpreters disproportionately consisted of Spanish-language interpreters and lacked interpreters for many of the rare languages desired by courts.

In May 2016, NCSC launched [the database](#) and announced its availability to CLAC members. CLAC program managers were directed to reach out to NCSC staff for credentials and instructions to access the database. NCSC also conducted a demonstration of the database for attendees of the CLAC Conference in New Orleans, Louisiana later that month. At the time of launch, the database contained an inventory of 1,324 interpreters in 49 languages. Interpreters were not distributed evenly among languages and reflected the language-volume of certified and qualified interpreters sourced from state court interpreter rosters, specifically resulting in a large representation of Spanish interpreters. At the time of launch, a number of fields designed to allow database users to determine the availability of interpreters remained unpopulated, as specifications for an interpreter's technical capacity to interpret remotely had not been identified and interpreter outreach had not been conducted.

At the time the database was launched, NCSC was beginning a partnership with Stratus Video to provide a national service delivery of VRI. Stratus Video was also given access to the National Database interpreter inventory to facilitate its work with the state courts with which it was contracting. In January 2017, NCSC terminated its contract with Stratus Video due to failure of the vendor to meet expectations outlined in its provisions. At the 2017 CLAC Conference in Washington, DC, CLAC members held a discussion on VRI to share their vision for the future of the project and suggested the development of tools to assist program managers as they implement their own remote interpreting solutions. NCSC, supported by SJI (SJI-14-P-242), is currently working to develop a VRI Resource Center under a separate project as a rescoped continuation of the national cloud solution.

Interpreter Monitoring Protocols

During its business meeting at the CLAC Conference in New Orleans, Louisiana in May 2016, LAAC decided to convene a Subcommittee on Interpreter Monitoring Protocols. The subcommittee, consisting of members of CLAC and LAAC, was tasked with designing additional features for the database that would allow state court interpreter program managers to report issues affecting the quality, moral character, and professionalism of court interpreters. The subcommittee met by conference call six times in the fall of 2016 to research features used in other professional databases for reporting on disciplinary and other issues, discuss priorities, and identify key enhancements to the National Database.

In November 2016, the subcommittee submitted its report and recommendations to LAAC. The subcommittee focused on issues such as loss of certification or credentialed status, criminal history, and history of misconduct, and designed new fields for the database to allow program managers to provide—and for NCSC to track—information related to these categories. It was noted at the time that some states may be prohibited by governing rules and statutes from disclosing information related to these fields. LAAC approved the recommendations during its business meeting at the COSCA Midyear Meeting in Naples, Florida in December 2016.

In spring 2016, NCSC staff worked with its IT division to develop and test the features recommended by LAAC. New fields were added to the database to capture, as reported by a state, instances of loss of certification or credential, criminal history, and history of misconduct, and allowed states to report any incident so that database users could follow up for additional information with those reporting states. NCSC reported to CLAC on the Interpreter Monitoring Protocols during the 2017 CLAC Conference, and in August 2017, announced its intention to begin collecting information from CLAC program managers to populate these fields in concert with maintenance efforts.

Maintenance and Future of the National Database

In August 2017, NCSC reached out to program managers to share its plan for populating the new interpreter monitoring fields, to make any needed changes to the interpreter inventory as

submitted by states, and to invite program managers from states that did not participate in the original call for submissions to provide their own interpreters for the database. In fall 2017 and spring 2018, NCSC collected updated submissions from 15 of the states that had participated in the original call for submissions, in which states reported changes to the information for interpreter profiles, reported information to fill the interpreter monitoring fields, requested that some interpreters be removed from the database, and provided additional interpreters to be included in the database inventory. NCSC then reviewed these submissions and made necessary changes to interpreter profiles using the administrative features of the database but did not receive any interpreter submissions from states that did not participate in the original call for interpreter submissions.

In September 2017, SJI approved a new scope of work for the national VRI initiative (SJI-14-P-242), under which a new VRI Working Group would work with and guide NCSC staff, led by staff technology consultant Felix Bajandas, in developing tools to assist courts in planning and implementing their own VRI solutions. The project plan included designing enhancements of the database to allow users to identify VRI-ready interpreters and also to allow both interpreters and CLAC program managers to update information they maintain for the database directly, without communicating through NCSC. The working group also envisioned a self-submission process for interpreters to create a profile and provide their own onboarding information for the database, which it was hoped would help fill the need for interpreters of rare languages not captured by the database inventory.

In the fall and winter of 2018/2019, the VRI Working Group convened a subgroup to meet with developers from NCSC and create specifications for the desired database enhancements.

Working with the foundation for the database created under the *Limited English Proficiency in the State Courts* grant project, the new VRI Working Group led by Mr. Bajandas will take the National Database into a new phase of development and will deliver vital new functionality to CLAC program managers and other stakeholders invited to participate, opportunities for interpreters to find work with the courts, and quality interpretation for LEP persons using the court system.

Database Usage

NCSC collects Google Analytics reports that capture, for each weekly period, the number of database sessions, user locations, and user device and browser information. As a sample of database analytics, during the six-week period between January 28 and March 10, 2019, 38 sessions were initiated for the National Database by users in 11 states, not including sessions initiated by NCSC staff. Alaska has reported that it is using the database to contact qualified interpreters and guides them through installing and using the client software, VSee. Other CLAC members have used the database to find interpreters for traveling in-person assignments. CLAC program managers still use the CLAC listserv regularly to make requests for rare language interpreters but will now often preface that they first attempted to use the National Database, suggesting that the listserv is, for some stakeholders, becoming an option of second choice.

NCSC expects that a greater variety of languages for court interpreters, such as those sought over the listserv, would greatly improve the user experience and increase usage statistics. The self-submission process for interpreters currently envisioned by the VRI Working Group is likely to enhance the variety of interpreters and increase the probability that when users log in, they are able to find an interpreter in the language they are seeking. Features allowing users to evaluate the VRI capability of interpreters are also estimated to increase usage by reducing the instances where CLAC program managers may reach out to interpreters who do not have essential equipment for VRI or who are not willing to take VRI assignments.

