

# The Supreme Court of Ohio

## MEMORANDUM

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**TO:** Chief Justice Maureen O'Connor

**FROM:** Judge David Hejmanowski, Chairperson  
Bruno Romero, Manager of the Language Services Program

**CC:** Mike Buenger, Administrative Director  
Stephanie Hess, Deputy Administrative Director  
Stephanie Nelson, Director of Court Services Division

**DATE:** December 22, 2017

**RE:** Advisory Committee on Language Services – 2017 Annual Report

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Pursuant to Guideline 4.03 of the Operating Guidelines for the Advisory Committee on Language Services, Judge David Hejmanowski, chairperson and Bruno Romero, staff liaison to the advisory committee, hereby submit the 2017 Annual Report.

### **Purpose of Advisory Committee**

The purpose of the advisory committee is to provide ongoing advice to the Court and its staff regarding the promotion of statewide rules and uniform standards on the operation of language access programs in Ohio courts; the development and delivery of interpreter services to Ohio courts, including training programs for judges and court personnel; and the consideration of any other issues the advisory committee deems necessary to assist the Court and its staff regarding the provision of language services in Ohio courts.

### **2017 Activities and Accomplishments**

The advisory committee met on April 21, August 18 and December 8. Over the course of these meetings, the advisory committee considered and discussed a number of important items to assist local courts address language access issues. The advisory committee's efforts focused on developing an action plan to address the moratorium of the national exam for legal certification of American Sign Language (ASL) interpreters. The Registry of Interpreters for the Deaf (RID) which administers the exam suspended this certification and in doing so deprived the Court the ability to qualify additional Supreme Court certified sign language interpreters. The advisory committee will present a specific proposal to the Court for consideration to lessen the impact of the moratorium.

A number of additional topics were discussed by the advisory committee in 2017:

- (1) The advisory committee is considering a proposal to expand the educational requirements to all roster interpreters so that certified sign language, certified foreign language, provisionally qualified, registered and American Sign Language interpreter with generalist credentials must meet 24 hours of legal interpreting training over a 24-month period.
- (2) The advisory committee is finalizing a proposal for the Court to consider a disciplinary procedure for certified sign language, certified foreign language, provisionally qualified, registered and American Sign Language interpreter with generalist credentials. The language services program continues to receive feedback regarding violations of the Code of Professional Conduct for Court Interpreters and Translators, Sup.R. Appendix H. As of January 2018, the Supreme Court roster of certified, provisional, registered and otherwise qualified interpreters stands at 175. This does not include approximately 1,000 interpreters who provide services to the courts, but are not listed on the Supreme Court roster. While the Court has established a complaint process for the violation of Title VI of the Civil Right Act, Title II of the Americans with Disabilities Act and Ohio Revised Code relevant to language access, no such process is in place for interpreters violating professional standards.
- (3) The Special Projects subcommittee is looking at how video remote interpreting can enhance access for individuals who are deaf and hard of hearing as well as limited English speakers. Efforts to establish a national network of certified interpreters to be accessible via video remote has proven to be very challenging because a workable platform was lacking to bring together needs, services and technology. However, a regional and local network may prove to be viable as the scale is reduces geographically and numerically in terms of supply and demand and piloting opportunities.
- (4) At the December meeting the training subcommittee outlined a preparatory program to further support candidates going through the certification process as well as providing certified sign language, certified foreign language, provisionally qualified, registered and American Sign Language interpreter with generalist credentials opportunities to enhance their skills by offering advance and specialized courses, such as interpreting in domestic violence or human trafficking cases. The training subcommittee will also propose a way to incorporate more training geared to American Sign Language interpreters. Offering and requiring legal interpreter training for generalist credentials is a way to mitigate the void created by the moratorium of the legal sign language certification.
- (5) The advisory committee will support a national effort to develop educational videos for the judiciary on the use of sign language interpreters for deaf, hard of hearing individuals in the courts. An Ohio firm received a grant from the California Judicial Council to create these educational tools. The advisory committee and the language services program will be providing support in completing this project.

The Advisory Committee on Language Services and the Language Services Program will continue to work together to strengthen access to justice for every limited-English person in Ohio.