

Language Access Advisory Committee
Friday, May 14, 2021 12:00p.m. – 1:00p.m.
Virtual Meeting Minutes

1. Attendance: Enric Mallorqui-Ruscalleda, Maria Wildridge, John McGauley, Peter Robbins, Judges Salinas, Crawford; Justice Dickson; Aimee Korolev, Mike Moore, Doneisha Posey, Rhonda Marcum. Staff: Lun Pieper
2. Co- Chair Judge Salinas welcomes members and the committee approved the March minutes. A scrivener error on item #6 of the minutes will be fixed.
3. VRI update continued. Members reviewed the VRI Trial survey results. Only 18 participated in the survey. The overall result was positive, and most participants indicated they are willing to try if VRI becomes available statewide. Slack's pricing was too high and the second recommendation from Court Technology did not work out due to terms of the contract. Lun and Court Technology will look for other application. Some items to consider are costs, security, contract terms, and user-friendliness.
4. Language Access Plan (LAP) template for local courts. The goal is to have each local court develop their own language access plan, starting with courts that are recipients of court interpreter grant award. We received around 49 grant applications this year. Out of that only 8 courts have yet to submit their local LAP.
5. OJA launched a new web-based Court Interpreter Search. This allows the public to search for Indiana Court Certified/Qualified interpreters based on specific criteria such as language need, ability to remote interpret, or counties willing to serve. Interpreters oversee updating their own profile and contact information through a court portal, which feeds data into this Court Interpreter Search. Having this online platform will maximize visibility of Indiana Supreme Court Certified/Qualified interpreters.
6. Court Interpreter Certification program just concluded the Spring session. 9 people took the oral exams for Spanish, French, and Russian. Members mentioned a need for German speaking interpreters in parts of Indiana.
7. Justice Index Survey. Every four year, the National Center for Access to Justice (NCAJ) releases a Justice Index survey. Language Access is one of the five categories that was being assessed in the 2020 survey. Members reviewed and compared the score chart in 2016 and in 2020. Indiana moved up nearly 50% in the 2020 score from the 2016 score, in providing language access. While recognizing some criteria used for scoring may not be relevant to Indiana due to Indiana's specific judicial structures, statutes or laws, there may be certain areas, such as, Translation protocol, initial hearing rights, that this Committee can work to improve.
8. Advisement of rights translation. After obtaining a script of an English advisement of rights video that was posted on the court's website, IOCS' legal division staff attorney

reviewed the texts to ensure the laws are accurate. Then, Maria Wildridge and Prof. Enric Mallorqui-Ruscalleda reviewed and revised the original translation of the Spanish version. Both met multiple times to discuss some issues and questions regarding whether to use both the feminine and masculine singular or use the plural which is already inclusive. Ultimately, they decided to use the masculine singular because of the complexity of the document and because it will be orally rendered. To use both the feminine and masculine and both plural and singular for every word would be complicated and duplicative when reading. Another issue was translation of legal concepts or terms that has no Spanish equivalent, such as: vehicular habitual offense, Department of Correction or Community Correction. In those situations, they employed a word by word translation and changed order in accordance with the Spanish syntax. The whole document was reviewed, checked, and proofread to ensure consistency. In creating a video perhaps adding a photo to illustrate the meaning of those words might help ensure the Spanish speakers understand those words.

9. Rule amendment proposal discussion continued. The Rules Committee discussed the proposed changes to Indiana Administrative Rule 14 under the current emergency rule. The proposed amendment points to this Committee and the court interpreter guidelines as the authority for any hearing or proceedings involving court interpreters under AR 14. Members discussed possibly creating videos using native speakers (and documenting the process) on various topics: advisement of rights, Boykin rights, etc. and how the process of authorization for courts to use these videos would work. Members should keep in mind that a perfect solution might never be attainable.
10. Members were asked to think about topics for a future Language Access Summit.
11. Next Meeting Friday, July 16, 2021 from 12:00 p.m. – 1:00 p.m. via Zoom.

Language Access Advisory Committee
Friday, March 26, 2021 12:00p.m. – 1:00p.m.
Virtual Meeting Minutes

1. Attendance: Enric Mallorqui-Ruscalleda, Stephanie Ritchie, Rhonda Marcum, Aimee Korolev, Marshelle Broadwell, Lakshmi Reddy, Barbara Crawford, Brent Dickson, Michael Moore. Staff: Lun Pieper. Absent: Peter Robbins, Maria Wildridge, Jose Salinas, John McGauley, Doneisha Posey.
2. Co- Chair Judge Reddy starts the meeting with a welcome. Aimee made a motion to approve the minutes, Judge Reddy second and the minutes was approved.
3. VRI/*Slack* survey results & VRI update: 38 judicial officers and 9 Spanish certified interpreters joined the trial program that ran for three months. 9 training sessions were conducted. Cons: the trial period fell within the holidays period (Thanksgiving, Christmas, and New Year). Court hearings were down around the holidays, and interpreter needs were also down. Pros: participants liked the application's ease of use and ease of scheduling interpreters. All interpreters were experienced court certified interpreters used to remote setting. The 17 question-survey results and additional feedback indicated satisfaction with the overall program, and the likelihood of using VRI in the future based on this experience was high. Next step: Due to the high cost of *Slack*, it's not sustainable, and, an alternative, cost-friendly application, *Ryver*, is being considered. If contract terms are acceptable and agreed upon, *Ryver*, might be used to pilot the next phase. (see attached survey result)
4. Parenting Time Guidelines in Spanish: The Guidelines, translated into Spanish, is now available and posted on the Court's website, at the Indiana Rules of Court page. Members discussed other ways to find funds and grants to take on additional translation projects. Possible funds are the COVID relief money, court improvement grant, and federal funds to help support translation projects of court documents such as Child Support Guidelines.

52 total forms of Protective Order were translated by an IOCS division into Spanish, Burmese, Hakha Chin, and Simplified Chinese. LAAC staff provided technical assistance in implementing best practices and assessing qualification of the translators used. The staff person is conducting a pilot currently.
5. Advisement of rights video recorded in 2014 is on the Court's website and transcript of the video has been obtained, so that other language translations can be done from this script. Hendricks county developed videos for Spanish advisement on various topics, which could be used as a framework. Hamilton county also plays video before the judge comes in. Cons: more challenging to interpret into ASL from a video.
6. Members discussed drafting a rule change proposal (in criminal procedure) related to the use of initial hearing rights video to use in the courts. Once a proper translation is

completed, producing the video to be reused repeatedly throughout the state seem to be a low-cost project to investigate. Challenges with this proposal: determining accuracy of translations/interpretations and determining the accuracy of law, which is constantly changing. Determination the accuracy of translations so that the translation does not change the meaning of the rule was another challenge. Since each court has its own local rules, a rule proposal might be a challenge. Members discussed that the “ask” of the Rule Committee might be to designate LAAC as the “advisor or expert” on the accuracy of translations (as opposed to a “law making” function).

7. Members were provided with two documents of Translation Protocols: Pennsylvania Translation Protocol and CLAC Guide to Translation of Legal Materials. The goal is for Indiana to have its own Translation Protocol/Guide to use statewide. This discussion is tabled until the next meeting.
8. Next Meeting Friday, May 14, 2020 12:00 p.m. – 1:00 p.m. via Zoom.