

VRI related proposed changes to the July Publicly Posted Plan
Prepared during 10/21-10/22 JWGLAP meeting

Issue Statements and Recommendations:

- (new paragraph 2 in issue statement, page 35, sec. C)

The Quality of interpretation is of paramount importance and should never be compromised. Generally, remote interpreters are not a substitute for an in person certified or registered interpreter. There may be situations; however, if the effectiveness of the communication is in no way compromised and certain steps have been taken, where remote interpreting can be appropriate.

- Page 37. 1st paragraph, after 1st sentence:
In 2010 and 2011, California conducted a successful pilot of Video Remote Interpreting in American Sign Language interpreted events which resulted in very high participant satisfaction, and improved access to court certified interpreters. Although this pilot did not specifically address spoken language interpretation, it did establish that remote interpreting, with equipment which meets minimum technology requirements, could be used to provide meaningful language access in a variety of courtroom environments. Based on this demonstrated success, the use of VRI in ASL events has expanded to more than a dozen courts around the state. (cite the one page document)
- Page 37 Begin a new paragraph with the sentence starting with: “Courts additionally”
- Page 38 1st full paragraph, BEFORE sentence beginning “similarly” ADD: Suggested language for the judicial officer is provided in Appendix C.
- Rec. 11 ADD: Remote interpreting may only be used in place of on-site interpreting whenever it will allow LEP court-users to fully and meaningfully participate in the proceedings. If it is determined that using RI would negatively impact access for any reason, an on-site interpreter should be used instead.
- Rec. 12- Before using remote interpreting in the courtroom, the court must consider, at a minimum, the specific factors set forth in Appendix B, “Factors and Considerations for Remote Intepreting,” or other factors that may develop as the technology evolves.
- New Rec. 13 The implementation committee should establish minimum technology requirements for VRI which should be updated on an ongoing basis and must include requirements for both simultaneous and consecutive interpreting. (See also CLAC Remote Interpreting Guidelines.)
- Old Rec. 13, no changes
- NEW recommendation after old 13:
In order to fully explore and further develop best practices in the use of remote interpreting and video remote interpreting with spoken languages, the Judicial Council should conduct a pilot, in alignment with the Judicial Branch’s Tactical Plan for Technology 2014-2016. This pilot should, to the extent possible, collect relevant data on: due process issues, participant satisfaction, use of certified and registered interpreters as opposed to provisionally qualified interpreters and the effectiveness of a variety of available technologies including for both simultaneous and consecutive interpreting.
- Old rec. 14 DELETE: “in high frequency languages”
- Recommendation 52 (make bench cards), ADD: “including related to remote interpreting.”

Appendix B

- First bold line at top, replace “should” with “must”.
- Add a new sentence: Until the implementation committee has established technology minimums for RI, as required under recommendation 13, appendix D should be consulted on an interim basis.

Appendix C:

- CHANGE “judge” to “judicial officer.”

DRAFT