



new mexico center
for language access

MULTILINGUAL INTERPRETING
AND TRANSLATION
CERTIFICATE PROGRAMS

Newsletter

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JUSTICE SYSTEM LANGUAGE ACCESS SPECIALIST



Making a Difference

By Paula Couselo-Findikoglu

Most of us, at some point in our lives, have experienced the frustration of feeling misunderstood or being unable to make ourselves understood by others – even when speaking the same language. In the courts, when accuracy and immediacy are of utmost importance, the consequences of being misunderstood can reach far beyond frustration. The need for qualified linguistic assistance to non-English speakers is clear across the justice system.

Considering that more than 36% of New Mexico residents speak a language other than English at home, the New Mexico Judiciary is making a concerted effort to ensure that individuals with limited English proficiency who become involved with the New Mexico justice system have access to culturally and linguistically appropriate services, consistent with the State Constitution and Title VI of the Civil Rights Act of 1964 and Executive Order 13166. How can such language access be provided? By certifying court interpreters, and by offering training opportunities to bilingual judiciary employees. Why? Because even though approximately 43% of New Mexico residents speak Spanish, in fact Spanish has been spoken in the New Mexico-Colorado border and the contemporary U.S.-Mexico border since the 16th Century, it takes more than being bilingual to be able to provide effective language access services, and language access is needed outside as well as inside the courtroom.

When we think of the courts, we usually think of the courtroom, where the state is proud to have a long history in providing interpreting services. However, the concept of language access extends far beyond the courtrooms. Any state agency receiving federal funding is obliged to provide language access services under Title VI of the Civil Rights Act of 1964 and Executive Order 13166. In everyday life, many bilingual court clerks strive to serve their non-English speaking clients. Elva Rivas, Legal Assistant for the Fifth Judicial District Court in Lovington, pointed: “I have seen when a Non-English [speaking] person feels so helpless because they are unable to communicate with the public and they have no family to help them with their needs. I feel very strongly about helping these individuals and letting them know that when they come to our office they will be treated with respect and courtesy and that they are just as important as the next person.”

In the courts, the way in which information is provided and rules are explained to clients is of critical importance because their decisions will be based on their understanding of the court process. When it comes to limited-English speakers, this process may become overwhelmingly difficult if their linguistic needs are not *properly* addressed. Imagine trying to represent yourself in court –where you will have an interpreter—but being ill-prepared because the forms, the rules, everything were in a language you do not speak and/or was explained to you partially in English. Lucero Solis, at the Self Help Division of the Second Judicial District Court, noted: “During the innumerable hours I have spent working in the Self

Help Division of the Second Judicial District Court, I've had the chance to make many observations about the way the world of law, especially in domestic cases, works. One of the most striking findings I have made during this experience is that most people are in financial hardship and cannot afford legal representation. Low incomes have forced many parties to self-represent in a setting that is absolutely foreign to them.”

But again, it is not *just* about speaking Spanish –or Navajo, or Vietnamese. It is about having the adequate linguistic and interpreting tools, including proper knowledge of the ethics and best practices, that will make a real difference in the quality of the language access services.

For this purpose, the New Mexico Center for Language Access (NMCLA), a collaborative project of the New Mexico Judiciary, UNM—Los Alamos and the University of New Mexico Hospitals, offers a certification program for those interested in providing language access to limited English-proficient individuals across the justice system: the *Justice System Language Access Specialist Program*. With today's socio-economic reality in mind, and considering the fast-paced world we live in, the Center decided to make the training more accessible by offering it online. Students are required to take an introductory course, which lays the foundation for interpreting skills building and professionalism. The core part of the training –which includes three courses: Fundamentals of Translation & Interpreting, Ethics & Best Practices and Criminal & Procedural Law Terminology– focuses on the fundamental translation and interpreting theory, techniques, and extensive practice. It also exposes students to legal terminology and legalese, as well as different cultural and ethical considerations that are important for good professional conduct. During their specialization course –Justice System Interpreting–, students continue working on their legal terminology and interpreting skills at a higher degree of specialization. For a total of sixteen weeks, students delve into what it means to be a *qualified* language access service provider.

Such a project would not have been possible without the unwavering support of the New Mexico Supreme Court and Administrative Office of the Courts. In addition to making time and resources available to the program, the courts grant the employees who obtain the Language Access Specialist Certification a \$1.00 per hour increase to their base pay.

The Judicial Education Center has provided funding for a number of scholarships in FY 2010 and FY 2011 for bilingual employees of the New Mexico Judiciary who were accepted into the Justice System Language Access Specialist Certificate Program at NMCLA. As a result of this training, court employees gain a strong ethical and professional foundation to use their bilingual abilities, and to enhance language access within their court. Norma Juarez, Chief Clerk for the Hobbs Magistrate Court, explained: “That is why I am so interested in the Justice System Language Access Specialist Program. Most of us have improved our bilingual skills through trial and error. Some of us have even spent time looking up words or asking interpreters that work with our courts how to better say or express things. Having this opportunity of receiving structured education on Spanish terminology and concepts is a great advantage over other state agencies. Once we complete your courses, I see ourselves as more efficient, having less friction with Spanish-speaking people, and with a less stressed environment. As far as personal improvement, this education's impact will carry over to our personal lives allowing us at the same time to improve our children's languages. It will also open more job opportunities allowing us to advance our careers.”

The talent is here: they are service-oriented bilingual employees committed to improving and professionalizing their language access services. To honor such commitment, NMCLA strives to create training that is in line with New Mexico's language access needs. Its *multilingual* programs are intended to raise awareness about the importance of language access in the lives of those who need these services. There is still a long way to go, but the commitment to making a difference is here to stay.

Interview with Pamela Sánchez, Statewide Program Manager, Language Access & Jury Services with the New Mexico Administrative Office of the Courts.

Why the need for creating a training program for bilingual employees throughout the NM justice system? What was the AOC's goal?

The New Mexico Judiciary is committed to ensuring access to justice for all New Mexico residents and recognizes that language access is a key component to access for justice. The New Mexico Judiciary is proud of its long history of providing interpreters for jurors and others involved in legal proceedings who are not proficient in English. We are also aware that language access services are crucial outside the courtroom as well as during court proceedings. While we are

fortunate to have many bilingual employees in courts across New Mexico, we are also aware that many of these talented individuals are being asked to provide interpreting and translation services without appropriate training. In order to ensure qualified language access services to all non-English and limited English speaking court customers, we have worked with NMCLA to create the Language Access Specialist training program. Through this program we ensure that our bilingual employees can receive the training necessary to provide qualified language access and are not asked to provide services beyond their language abilities.

How is this training different from that for court interpreters?

Interpreters who work in the courtroom must pass an array of challenging written and oral examinations in all three modes of court interpreting to become certified as court or justice system interpreters. They receive and maintain rigorous training in legal vocabulary, courtroom procedures, and ethics. They are professional interpreters, whether working as staff, contract, or free-lance court interpreters, and must comply with regular background checks and continuing education requirements.

The Language Access Specialist training for bilingual court employees provides an overview of all the modes of interpreting and the ethical canons for providing language access services in legal and court settings. However, it focuses practice on the modes used most frequently outside the courtroom – consecutive interpreting and sight interpreting/translation of documents -- with individuals who call or come to the courthouse, e.g., for information, to complete or file documents, or schedule appearances. Language Access Specialists are trained to identify when a request for interpreting is beyond their language abilities or the parameters of their position. They are not trained, nor qualified to work as interpreters in legal proceedings.

What are the benefits?

The benefits are two-fold. First there are the benefits realized by non-English and limited-English speaking individuals who come to our courts and can now receive a higher quality of access as provided by trained, bilingual court employees. This assists our courts by improving the efficiency of service and helping courts meet their obligations to provide qualified language access services to all court customers. Secondly, bilingual employees of the New Mexico Judiciary are able to use this training to build upon their language abilities to enrich their professional and career prospects.

Any other benefits for NM court employees?

As well, the New Mexico Judiciary makes it possible for individuals who successfully complete the Language Access Specialist training to receive a \$1.00 per hour increase to their base pay. This increase can be sustained through regular participation in free, online continuing education sessions designed specifically for Language Access Specialist within the NM Judiciary.

Any plans for the future?

We hope to expand the number of court employees who are able to take advantage of the Language Access Specialist training. Beginning in April-May 2010, all employees of the New Mexico Judiciary will be required to participate in mandatory language access training.

What type of training will you provide?

This training will highlight the judiciary's legal and ethical obligations to provide meaningful language access and the role of the court interpreter and the role of the language access specialist. Hopefully, this training will encourage more bilingual employees to take advantage of this opportunity for career advancement and stewardship.

Professional Development Classes

New Upcoming Class!

English-Spanish Criminal & Procedural Law Terminology I (online)

This class introduces students to the most common terms of criminal and procedure law, the legal concepts behind them and how to translate legal terms based on a model of functional equivalency. The class will greatly enhance students' terminological knowledge and prepare them for classes in consecutive and simultaneous court interpreting.

Duration: 4 weeks. Newly certified court interpreters and court certification candidates are ideal candidates to this class. **Next class begins on March 28th, 2011** **Instructor: Sandro Tomasi.**

Sandro Tomasi has been a Spanish-English interpreter and translator since 1991. He is a New York State staff court interpreter and is certified as a medical interpreter by the State of Washington. He has published articles on law and language and is the author of *An English-Spanish Dictionary of Criminal Law and Procedure*. Mr. Tomasi has trained interpreters, translators, lawyers, nurses and doctors on various interpreting and translation

Approved for 12 NM Certified Court Interpreter/Justice System Interpreter continuing education hours.

Justice System Interpreting (online)

This class introduces students to fundamental legal concepts and terminology, and the NM and federal legal systems. The class includes intensive practice in the three modes of interpreting with a high degree of specialization. **Duration:** 8 weeks.

Requisite: NMCLA admission process required. **Next Class begins on April 25th, 2011.**

Medical Interpreting (online)

This class introduces students to fundamental medical concepts and terminology, and basic anatomy and physiology. The class includes intensive practice in the three modes of interpreting with a higher degree of specialization. **Requisite:** NMCLA admission process required. **Next Class begins on April 25th, 2011.**

Mentorship Program (face-to-face – online)

Program includes:

1. Face-to-face intensive training session at UNM School of Law
2. Practice simultaneous interpreting examination (administered under the same conditions of the consortium's examination + rating/feedback from instructor).
3. Court observation
4. Volunteer program at UNM Law Clinic
5. Interpreting for jurors at UNM School of Law Mock Trials
6. Online test preparation with instructor

Program starts on June 18th, 2011. Requisites: Must have taken NM Court Interpreter Orientation in 2010 or 2011. Must have passed the Consortium Written Examination. NMCLA admission process required.

Intensive Face-to-face Training Session

Sessions include:

1. Professionalism and marketing of language services
2. Overview of final examinations
3. Intensive practice in the three modes of interpreting
4. Practice simultaneous examination (administered under the same conditions of the consortium's examination + rating/feedback from instructor)
5. Mini mock trial
6. Interpreting for jurors
7. Language-specific session

Dates: June 18th-19th, 2011. Requisites: same as Mentorship Program.

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