



Report to the Governor
C.L. "Butch" Otter
and the
2nd Regular Session of the
63rd Idaho Legislature



Idaho Supreme Court
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Language Access

Ensuring Meaningful Access to Justice

The Mission of the Idaho Courts is to “provide access to justice through the timely, fair, and impartial resolution of cases.” Idaho judges have the direct responsibility of overseeing the fulfillment of this mission by ensuring that witnesses, parties, and other qualified individuals can meaningfully participate in, and adequately communicate with the courts.

The Idaho Supreme Court actively supports the Judiciary’s mission by providing a variety of services and linguistic aids to facilitate access to deaf, hard of hearing and non-English speaking individuals. The range of services includes access to in-person interpreters, telephonic and video remote interpreter services, translations of written materials, bilingual staff services and many others.

What is a court interpreter?

Court interpreters are educated bilingual individuals with native-like mastery of English and a second language, in addition to interpreting and translating skills with specialized knowledge of legal and field specific terminology.

IMPROVING LANGUAGE ACCESS ACROSS THE STATE

The courts in Idaho provide language access services in different ways. The Supreme Court allocates monies appropriated by the Idaho Legislature to support interpreter training and testing to ensure that courts across the state have access to certified and registered interpreters. To further this goal, it has supported Idaho’s membership with the Language Access Services Section at the National Center for State Courts, which provides access to certification exams in 19 different languages for use in Idaho.

Additionally, to meet the increased demand for interpreters, the Supreme Court partners with the Fourth Judicial District Court to offer new interpreter orientation and training, as well as skills-building workshops for practicing interpreters. These training events afford practicing interpreters important educational opportunities for improving and maintaining their skills.

Educational sessions are frequently provided to judges at New Judges’ Orientation and the Idaho Judicial Conference. Informative programs are presented to clerks at the Idaho Institute for Court Management. Training sessions are also provided to members of the legal community.

“No person in the United States shall, on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”

Title VI of the
Civil Rights Act of 1964

ONGOING PROJECTS

- The Language Access Committee has been diligently working to develop a statewide language access plan consistent with legal requirements. To assist with the creation of this document, the committee conducted a statewide needs assessment. A working group was assigned to analyze the results of the needs assessment survey and make recommendations to assist policy development and enhance allocation of available resources.

- The number of certified interpreters available to work around the state has decreased. This reality presents a struggle for rural courts looking to comply with their legal obligations. To increase the number of certified interpreters, the Supreme Court's Education Department has launched an online mentor assisted training. This is a three-month faculty-led intense training offered to assist individuals to improve their skills and testing abilities.

2014 SNAPSHOT OF LANGUAGE ACCESS SERVICES

- Coordinators throughout the state processed approximately 8,028 requests for linguistic assistance in 2014. Ada County had the highest number of events recorded.
- The Idaho courts provided assistance to individuals communicating in more than 49 different languages, including American Sign Language. The top three languages are Spanish, Arabic, and American Sign Language.
- Court interpreter expenses statewide for FY14 were in excess of \$730,000. This figure does not take into account the salary of bilingual court personnel, nor does it include expenses for translation services.
- Through legislative appropriation, the Supreme Court provided \$60,000 for staff interpreter positions in the 3rd and 4th judicial districts, and \$10,000 was available to the 5th, 6th, and 7th judicial districts to assist with the expense of freelance certified court interpreter services.

Legal Requirements

- *The Americans with Disability Act (ADA) protects individuals with a disability when they participate in court matters. The ADA mandates that individuals cannot be charged for the auxiliary aid or service provided.*
- *Title VI of the Civil Rights Act of 1964 and Omnibus Crime Control and Safe Streets Act of 1968 prohibits recipients of federal financial assistance from discriminating based on national origin by failing to provide "meaningful access" to individuals who have limited English proficiency.*
- *Idaho Code § 9-205 requires that an interpreter be appointed in any civil or criminal action in which the witness or a party does not understand or speak the English language, or has a physical handicap which prevents him or her from fully hearing or speaking the English language.*
- *Idaho Court Administrative Rule 52 sets forth the policy of the Supreme Court relating to the appointment of interpreters for individuals who are seeking access to the courts and to court proceedings.*

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