

WINTER 2001/02

**Issue on State  
Certification for AZ**

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# ACIA Communiqué

## Judge Arellano to Speak December 8th At Issue: Whether AZ will join 'Consortium'

ACIA is set to round out a successful year with the End-of-year Reunion/Posada at Lita Van Duzer's (Fed. Court staff) home December 8th at 11:00 A.M. (RSVP). Mesa Juvenile Court Judge **Sylvia Arellano** will speak on the issue of state certification for Arizona. At issue is whether AZ should join the Consortium (see articles). Arizona is now the only Southwestern non-member state. Judge Arellano is the head of the AZ Minority Judges Caucus, on the committee studying the contentious and complex issue. Reminder: you can pay your **dues** for next year at the meeting. See you there!

September 22nd found 25 people at the new Phoenix Federal Courthouse where Victoria Vázquez, co-author of Fundamentals of Court Interpretation spoke on paralinguage in the courtroom. A copy of the

'interpreter's bible' was given away to the happy raffle winner, Anh Pearson (Freelance - Vietnamese). **ACIA's new website (aciaonline.org)** was also announced. Contact Pat O'Connor with any comments or suggestions at his web address: **poconnor331@earthlink.net**.

It's elections time again. ACIA thanks outgoing President Louis Velasco, Vice President Linda Baronsky, Secretary Hortensia Studer and Treasurer Patrick O'Connor for their two years of service. Please vote for the candidates for next year: Gabriella Lindsey (Sup. Court) for Secretary, Sary Tavrytzky (Span. Freelance) for Treasurer, Kathleen Penney (Sup. Court)



Linda Baronsky, Vice President, and President Louis Velasco at the September 22nd meeting

## State Certification for Arizona's Court Interpreters?

By: Patrick O'Connor

With the addition of Texas and Connecticut this year as the 26th and 27th members of the State Court Interpreter Certification Consortium, under the National Center for State Courts, Arizona suddenly finds itself in the minority of non-member states. Many states have joined with little debate but in Arizona controversy surrounds the issue, which is being studied by the Arizona Minority Judges Caucus, headed by

Judge Sylvia R. Arellano, in its Interpreter Issues Committee. One of the recommendations of its soon to-be-released report to the Supreme Court will be whether AZ should join the Consortium or whether to rely on local knowledge and expertise to develop certification exams. Dr. Roseann Dueñas González is a firm opponent of joining the Consortium and you can read her opinions in her subcommittee report in this issue.

for VP and Pat O'Connor (Federal Court) for President. All have extensive court interpreting experience and are long-time ACIA members. You may also write in your favorite candidate for any of these offices. Or, maybe plan to join a committee to help keep improving ACIA!

This is an issue of potentially great impact on the livelihood of many court interpreters. The status of court interpreting here could benefit from the flow and exchange of ideas, solutions to common problems, shared statistics such as rates of compensation and other documents, and court rules. Is Arizona running a risk by standing alone or are the courts' interests better served by relying on local expertise?



# The Challenges of being a Court Interpreter

By Marcia Hernández-Resler

Being a court interpreter has its challenges. The subject matter is serious in nature but typically the everyday expressions pose the biggest challenge, propelling you into the role of courtroom comedian! Take it from me—when things go wrong, laughter is not the best medicine, it’s the only one!

Although we’ve never been in the military, my husband and I seem to move every two years or so, bringing new challenges in the form of never-ending lists of new terms and locations. Example: a magistrate in

Colorado is a commissioner in Arizona and District Court is Superior, not ‘Federal’ court. If that weren’t enough, let’s not forget all the new names of streets, avenues and client hangouts: suami (swap meet!), los perros (dogtrack), escójdol (Scottsdale), El Orfeo, maribel (Maryvale). Around Yuma—Algodones, el panteón, Cuervos, el río,... You get the idea!

These words of local color and locations cannot be learned from dictionaries. There is only the hard way—the school of hard knocks, time and ex-

perience. I’ve read maps (one loaned to me as a not-so-subtle offer of help), taken notes on common locales and talked to agents who know these places, getting the names of the border town pairs: Los Algodones & Andrade, Sonoyta & Lukeville, Nogales and Douglas...

Sonoyta is a real place; don’t mistakenly assume it’s ‘Sonorita’. Asking for clarification is a must. We can’t be expected to know everything (although some may disagree) and thus shouldn’t act like we do. This method isn’t foolproof

Marcia Hernández-Resler is a staff interpreter at U.S. District Court in Yuma.

**ACIA TIP: ‘FELONY’ IN SPANISH IS DELITO GRAVE/MAYOR, NOT ‘FELONÍA’**

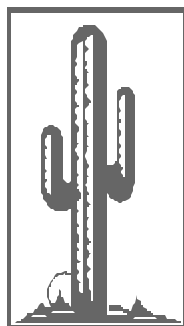
as one example shows: “Mr. So-and-So, what was your intended destination when you crossed the border?” To which he clearly (as mud) replied: “Soley”. I repeated it to myself and still confused, requested a repetition. Once again his answer: “Soley!” After two such exchanges, I decided that was as far as I could get and “interpreted” this location as “Soley”, hoping that such a place existed—maybe in California? But the judge himself seemed confused but to my re-

lief he determined it was bated in the U.S. and decided to proceed. At that moment, a helpful neighbor added “see-tee”: yep, you guessed it—Salt Lake City!

And then there was my favorite example of overcorrection. The defendant said “yo crucé cerca de El Parque” (I crossed near “The Park”). I knew it had to be some small town in Mexico, after all, he would have said del and not de El, right? With authority I interpreted “I crossed near El Parque” and

with a big smile, the judge said “You mean near the park in San Luis?” “Sí!” he answered. Once again, scarlet was my color for the day!

Interpreting is a noble profession. The fate of the defendant lies in the accuracy of our communication so consider your words carefully; ponder every idiom. Be sure to make mental notes of your interpretations for future reference. That way if you should ever find yourself without employment, you can be a stand-up comedian!



Victoria F. Vasquez gave a presentation on ‘Paralanguage in the Courtroom’ at the September 22nd meeting.

**ACIA ANNOUNCES END-OF-YEAR REUNION/POSADA**

**DECEMBER 8th, 11:00 a.m. at THE HOME OF LITA VAN DUZER (RSVP!)**  
**With Guest Speaker Juvenile Court Judge Sylvia R. Arellano**  
**5409 E. Dahlia Drive, Scottsdale 85254 (602) 494-4383**  
From I-10 take 51 N. exit Cactus, rt. (east) to 56th St. (light), turn left and left again on Dahlia, just before light. Go to end of road; house is 2nd from end on left. From I-17 exit Greenway, go left (east) to 56th St., turn right, go to street just past light on Sweetwater, turn right—2nd house from end on left. Please RSVP: In Phoenix at 602-322-7265 (Lita) or Tucson at 520-205-4249 (Pat)



# AMJC (AZ Minority Judges Caucus) Interpreter Committee

## Sub-committee Report on State Certification Recommendations—Redaction

By: Dr. Roseann Dueñas González and Jonathan Levy, NCITRP

The report addresses the following concerns of Arizona in trying to create a comprehensive plan to address the increasing need for improved interpreter services:

- What are options re: establishing AZ certification?
- Rationales for choosing one option over another
- What is the relationship between testing and training?
- What training programs are currently in existence?

### Options

- 1) Conduct new research and develop a test from scratch unique to the state's needs.
- 2) Become a member of National Center for State Court's (NCSC)

Consortium and pay for their tests. 3) Work with a state agency, the Univ. of AZ National Center for Interpretation to use existing tests for the state's testing/certification.

### Pros and Cons:

#### 1. Developing a new test

A new test specifically for AZ involves a time-consuming and expensive development process including linguistic analysis, formation of an expert panel and piloting and evaluation. Funding problems and the long-term nature would leave immediate needs unmet.

#### 2. Joining the Consortium

Joining the NCSC would provide quick access to interpreter tests used by other states. Currently, 25

states have joined, generally those with very small Latino populations that lack resources for their own programs. There is a fee for membership based on population; AZ's would be \$50,000. The Consortium also charges for administration and scoring and also a charge for any training requested. Interpreters already certified by the Consortium would not need to be re-certified to work in AZ courts and the state could use language tests other than Spanish. However, there are a number of drawbacks with this option:

- 1) Consortium tests do not include a written exam of language proficiency; only an oral test inadequate for establishing interpreter competence. A 15 minute oral test is insufficient to determine whether the interpreter has the requisite skills for AZ courts. California, a member, keeps its written portion as a cost-effective screening device. Interpreters who cannot pass a written proficiency exam should not go on to the more expensive oral test.

2) Consortium Spanish tests do not take into account Southwestern Spanish usage, using tests developed in New Jersey and Washington state crafted for Eastern seaboard Spanish. There is no mechanism in the scoring to accommodate other usage, creating a bias against Southwestern candidates and their responses will often be counted as incorrect.

3) The Consortium is known for its unreliable scoring methods, making its tests unreliable and invalid. The Consortium claims to have standardized manuals for test creation, administration and rater training but this is not so. Some federally certified interpreters involved in Consortium testing have attested to the poor scoring methods used. The lack of appropriate guidelines for administering and scoring interpreter tests is its greatest failing.

4) Consortium training has been criticized for its inapplicability to other member states. Kansas and Minnesota have complained about the training not being applicable to their courts. For states with

resident expertise, joining the Consortium is a wasteful endeavor in difficult financial times. Other drawbacks include tests not being legally defensible; the Consortium is not as economical as first appears; and that the test development and administration standards are unreliable as they are not scientifically developed and are contributed by different states with various content, difficulty levels and foci.

**3. Using Existing exams in a Cooperative Agreement:**  
**The sub-committee has reached the conclusion that the most desirable course of action for the State would be to work with the U of A National Center for Interpretation and other local experts to modify existing valid, reliable**

### tests for the State's current and future needs.

Reasons for working with resident experts are many: initial costs for test development would be minimal (total outlay \$9800 for modifying existing tests); money saved could then be used for training opportunities; the NCITRP would use Arizonans in all stages, guaranteeing all AZ's particular needs are met; a written test is available at the University that could be modified easily for the State; the oral test can be developed specifically for AZ; other language tests would be inexpensive at about \$12,000 per language; and AZ has the entity with the most test development/administrative experience in the nation—the U of A's National Center for Interpretation, which developed and administered the Fed. exam, 1985– 2000.

ACIA workshops; ASU Spanish Language Court Interpreter Certificate Program; the U of A Agnese Haury Institute for Court Interpretation; and a joint program in development between Pima Community College and the U of A to expand PCC's Translation Certificate Program to a full Assoc. degree.

### Training:

Having reviewed the options, it is the conclusion of the subcommittee that the interests of the State will be best served through the use of existing in-state resources to modify existing testing instruments.



**Which road will Arizona take—the Consortium or its own version of a state certification exam?**



"There is no mechanism in the scoring to accommodate other usage, creating a bias against Southwestern candidates..."

**WANTED:**  
**CERTIFIED SPANISH INTERPRETERS**  
**FOR TELEPHONIC COURT INTERPRETING PILOT PROJECT**

The Four Corners Telephone Court Interpreting Pilot Project is seeking certified Spanish interpreters interested in providing telephonic interpreting during this 10-month pilot project. Services will be provided to 4 different locations: 5th District Court in Lovington, New Mexico; Juvenile Court in Ogden, Utah; 7th District Court in Montrose, Colorado; and the Municipal Court in Tucson, Arizona.

The project is coordinated in AZ by the AZ Supreme Court's Administrative Office of the Courts and runs mid-November 2001 to mid-September 2002. Contact:

**Jennifer Greene, Courts Project Specialist**  
Court Services Division, AOC  
1501 W. Washington, Suite 410  
Phoenix, AZ 85007-3231  
Phone: (602) 542-9555  
E-mail: [jgreene@supreme.sp.state.az.us](mailto:jgreene@supreme.sp.state.az.us)

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## Perspectives from a Consortium State

Isabelle  
Houlbreque,  
Interpreter  
Supervisor, and  
Ron Olson work  
at Denver City  
and County  
Court, Colorado.

When states consider whether to join the Consortium, they look to the experiences of other states that are already members. How has it worked? Are the courts being better served? I exchanged e-mails recently with Isabelle Houlbreque who is Court Interpreter supervisor at Denver City and County Court and also an informal spokesperson for the Consortium.

“When I see the mediocrity of most interpreters who are certified by no one, I think that the Consortium is a decent compromise...” she said in a recent e-mail, regarding whether the Consortium tests are sufficiently challenging. “For Colorado, the test has hit the spot.”

Many aspects of the Consortium please her: “I like the access that we have to the tests in other languages. I like the fact that we get calls from interpreters outside of Colorado who are thinking of

moving here—no problem.” She worries about not having enough interpreters to serve her court’s needs: “But for now...if we could just get a few more people to pass the test...only one did on the last round.” But she also worries about shortcomings she sees in the Consortium: “Certification should be the starting point for most interpreters; for some, Consortium Certification implies they’ve reached the summit and are now experts.”

Ron Olson, who works with Ms. Houlbreque, says: “We just cannot have people interpreting without some standards to be able to measure them by and we should not charge...unless we can tell them why we are worth paying more than is paid to ‘Joe Bilingual’.”

Ron, like Isabelle, sees a great benefit in being a part of a network with other states: “Now we have exposure on a new sphere.

We are not just a little minority group looking for a piece of the pie. We are part of something bigger... We have more validity as a profession to outsiders.....”

Both seasoned professionals emphasize the importance of continuing education: “The Consortium should mandate continuing education and require people to update skills”, Ms. Houlbreque stated. As far as what is actually occurring, Ron Olson stated “...the Consortium system is still pretty new, and there is a lot of talk about continued ed but it hasn’t been institutionalized enough.”

Finally, looking into the future, Ms. Houlbreque states, “I can see the Consortium expanding into other areas such as determining who is a “bilingual employee”...The future of the Consortium could be rich... addressing numerous issues beyond testing interpreters.....”