



Arkansas Remote Interpreting Needs Assessment

Project Team:

Kevin O'Connell, MA¹

Konstantina Vagenas, JD²

Grant Support

By

State Justice Institute (SJI)



¹ O'Connell Research, Inc., Technical and Research Consultant, kevin@oconnellresearch.com

² NCSC, Director and Chief Counsel: Language and Access to Justice Initiatives, kvagenas@ncsc.org

Table of Contents

Executive Summary and Recommendations	3
Executive Summary.....	3
Programmatic Findings and Results from the Statewide Survey on Remote Interpreting.....	5
Project Summary.....	6
A. Understanding the Demand for Interpretation Services	7
Arkansas in the National Context of LEP Growth	8
B. Profiling County Demand from Survey and Administrative Data	10
Interpreter Usage and Common Languages	10
Interpreter Use and Remote Interpreting Survey.....	12
C. Recommendations	18
1. Deploy a pilot that takes advantage of the 22 courts' interest in expanding remote interpreting to both audio and/or video.....	18
2. Develop state level ability to automate processes and standardize policies, procedures, and contracts for interpreters that would be in effect regardless of the technology options.....	18
3. Develop an evaluation plan that incorporates user feedback, administrative data, and suggestions on implementing the statewide pilot and also convene a focus group.....	19
4. Continue to explore new initiatives in administering remote interpretation	20
D. Appendix.....	22
Data Sources and materials for the needs assessment	22
Assessment of Interpreting Technology and Practices Questionnaire.....	22
Implementation Tools and Materials for Pilot Site Engagement.....	22
Site Visits Interview Planning.....	22

Table of Figures

Figure 1: May Site Visit Locations, with County Population and LEP %	4
Figure 2: Percent of LEP Population in Southern States, 2012	8
Figure 3: 20-year Percent Change in LEP population in Southern States	8
Figure 4: 2010 Census of Arkansas LEP population, by Language	9
Figure 5: Arkansas Percent LEP, by County, labeled by sample of Total County Population	10
Figure 6: 4 year trend in Language Interpretation requests, by Language type.....	11
Figure 7: Video Conferencing Setup, Judge/Witness View.....	15
Figure 8: Video Conferencing Setup, Participant View	16

Executive Summary and Recommendations

Executive Summary³

The Arkansas Interpreter Services program requested assistance from the National Center for State Courts (NCSC) in assessing the demand as well as readiness in courts to expand the use of video remote interpreting for cases requiring language interpretation. This report provides an assessment of both the demand and the readiness to expand the use of remote interpreting with a focus on video remote interpreting. The ultimate goal is to develop a method for choosing pilot courts and to propose recommendations for further enhancing remote interpreting services.

This project builds off the partnership between the Arkansas Courts, its Language Interpreter Program, and the NCSC project consultants, which is supported by a grant from the State Justice Institute (SJI). The project consists of three phases: 1) engagement with a 6-court workgroup to develop possible business cases for implementing Video Remote Interpreting in Arkansas; 2) gathering of survey information and data from workgroup courts; and 3) brief site visits and interviews in 4 courts across the state.

Expanding video remote interpreting is a strategy to increase the quality of interpreting by linking a pool of certified interpreters with the demand around the state. It also allows courts to take advantage of technology in order to reduce overall costs when providing high quality interpretation services in its courts. Although the needs assessment was broadly targeted at remote interpreting (which includes video as well as telephonic) as a strategy to reduce costs and increase quality of interpretation, technology choices have impacts on the cost of implementation, operational issues around providing different types of remote interpreting, as well as determining the level of benefit.

This report reviews data from a range of Arkansas sources to develop recommendations for the creation of an initial pilot program, as well as broader recommendations for expanding the use of remote interpretation in the Arkansas courts. The pilot approach is a possible path forward for interpretation to become a function assisted by the state by centrally scheduling interpretations, as well as using state technology resources to support remote interpretation. Technology choice plays a key role in a cost-benefit calculation, and the flexibility of implementation between telephonic and video means more courts can participate in developing business processes and coordination within their courts or counties.

To complete this needs assessment and better understand the range of court experience with remote interpreting, the NCSC project team facilitated a survey of courts and conducted site visits in four courts throughout the state.

³ Acknowledgements: The project team would like to thank Mara Simmons, the Court Interpreter Manager, for her leadership and hard work in coordinating the working group and serving as a skilled guide in helping the NCSC team in understanding Arkansas's Court System. The NCSC team would also like to thank the 30+ participants in the May site visits, whose knowledge and openness helped inform all aspects of this report.

First, the Arkansas Interpreter program, with the assistance of NCSC consultants, developed and administered a survey to courts, which covered the types of technology used for remote interpreting, current use situations for remote interpreting, and attitudes toward using remote interpreting.

Second, in May 2015, NCSC and Arkansas language program staff participated in 5 court site visits to Arkansas circuit and district courts in Pulaski, Washington, Yell, Benton, and Sebastian counties. These courts were chosen by the Arkansas Language Interpreter program because they had some experience using video, or expressed a desire to expand in this area.

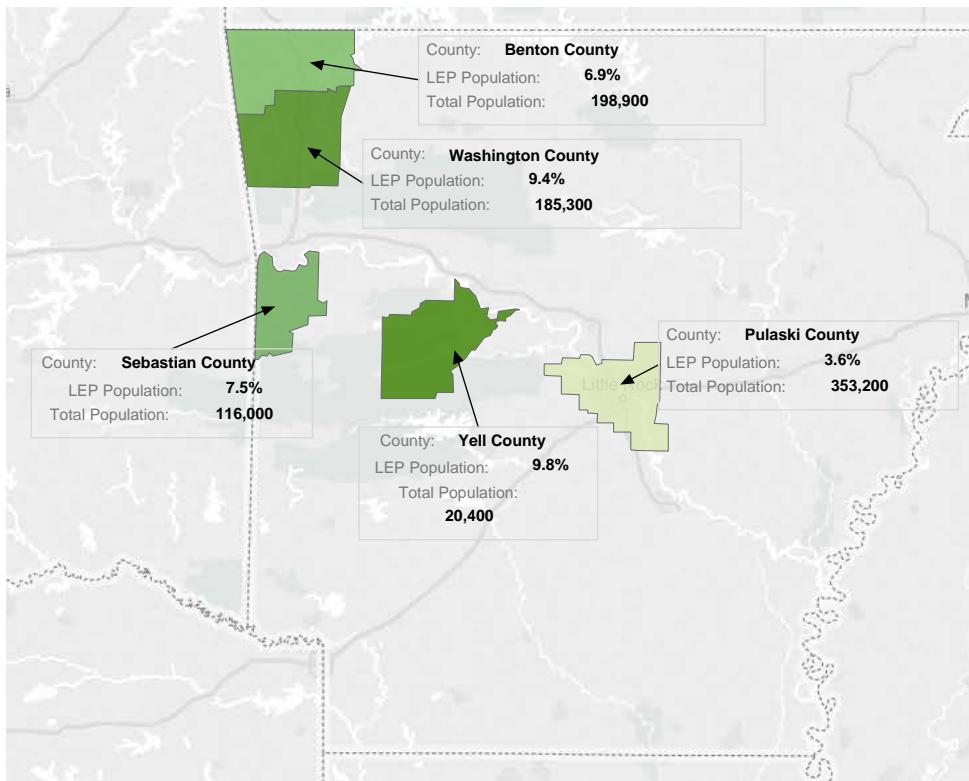


Figure 1: May Site Visit Locations, with County Population and LEP %

The site visit team used a semi-structured interview format to both prepare counties for the types of questions and to ensure some amount of uniformity in the questions asked across courts. Because the survey provided a great deal of context, each Court interview drew from a similar bank of questions, however, the team slightly edited the questions to tailor them to each site.

The goal with this needs assessment was to identify an initial pool of courts with sufficient demand for spoken and sign language interpretation, willingness to expand remote interpreting, and technology assets to explore applications of remote interpreting. This initial group could form a pilot program to assist in learning and refining business processes for including remote interpreters. By offering recurring training, pursuing creative partnerships both in state as well as with other states in the region, Arkansas continues to improve and increase access to justice for those with limited English proficiency.

Future Planning Recommendations

In developing the needs assessment, the NCSC project team recommends the following strategies to both improve the access to the courts for Limited English Proficiency (LEP) litigants and develop cost savings business cases for remote interpreting:

- 1) Deploy a pilot that takes advantage of the interest in 22 courts to expand remote interpreting to both audio and/or video. This should be relatively small and diverse in usage examples.
- 2) Develop state level ability to automate processes as well as standardize policies, procedures, and contracts for interpreters that would be in effect regardless of the technology options.
- 3) Develop a focus group and evaluation plan that incorporates user feedback, administrative data, as well as suggestions for improvement.
- 4) Continue to develop telephonic remote interpreting in tandem with video remote interpreting to gain experience in deploying and administering remote interpretation and growing pool of certified interpreters.

Programmatic Findings and Results from the Statewide Survey on Remote Interpreting

The NCSC team collected a number of programmatic findings and results from the survey on remote interpreting that was administered across the state. Listed below is some of the relevant data identified in the survey:

- LEP individuals make up 3.2% of the population in Arkansas, and Deaf and hard of hearing individuals make up approximately 2.0% of the population. Since 1990, the state's LEP population has grown 82%.
- Arkansas courts made 4,500 requests for certified interpreters in FY 13-14. However, because these were only requests made of the state interpreter program, this number underestimates actual usage as most interpreter usage is arranged locally.
- The interpreter program in Arkansas costs around \$575,000 per year for a combination of staff interpreters and contract interpreters. In addition to covering the cost of the 4 staff interpreters in Spanish and ASL, the Arkansas State Interpreter program paid interpreters \$300,000 in fees and transportation costs. As with usage, this only accounts for interpretation arranged through the state program.
- In 2013-14, 78% of the hours for interpretation were for Spanish, 9% for Marshallese, 5% for ASL, and 8% for other languages.
- A survey of the courts revealed the following from the 43 responses:
 - Relatively few courts surveyed use interpreter days to consolidate interpreters into certain days/times and take advantage of a block of scheduled interpreter time.
 - 40% of courts allow appearance by telephone, with usage varying for interpretation by size of county.
 - 15% allow appearance by computer, but few use it for interpreting.
 - 60% of courts would allow video for interpreting, but few used it in 2014 for interpretation.

- Of the 22 courts willing to expand remote interpreting, 75% of these courts had not used remote interpreters via technology.

Project Summary

The needs assessment consists of three phases: 1) a pre-assessment to develop a work plan and needs assessment strategy with a workgroup; 2) a survey to collect information and data from administrative and fiscal sources; and 3) site visits and development of the written report. The NCSC assisted in the development of a survey which covered types of technology used for remote interpreting, current use situations for remote interpreting, and attitudes toward using remote interpreting. The survey was completed by 43 courts, in March 2015. The response rate was somewhat low for the number of district and circuit courts in the state, but this was large enough to determine the initial interest in expanding remote interpretation services.

In the Fall of 2014, a workgroup was formed to develop business cases for remote interpretation and to identify areas where standardization or training materials provided by the state could improve services. This group met in person in November 2014 to finalize the survey and to further develop use cases. The information from the survey assessed respondent courts' ability to provide remote interpreting services and created an information source, which when combined with other data allowed the remote interpreting working group to understand the following:

1. Existing hardware and connectivity within courthouses for remote interpreting through telephonic, computer, and video;
2. Frequency of interpretation and the fiscal impacts of interpretation at the court level, across all language types; and
3. Internal and external challenges that may inhibit the use of remote interpreting services.

By using a range of information sources, the Arkansas Interpreter Program⁴ is better able to develop a pilot and create testable business cases to adjust their model.

⁴ <https://courts.arkansas.gov/administration/interpreters>

A. Understanding the Demand for Interpretation Services

In understanding the demand for language interpretation services, the primary factors include the size and language needs of the underlying County population. This section lays out a snapshot of the Limited English Proficient (LEP) and American Sign Language (ASL) populations in Arkansas. Over the last decade, the LEP population in Arkansas has grown substantially.

The following summarizes regional and statewide LEP data to provide an idea of the range of needs in Arkansas, both spoken and for the deaf community. The NCSC team developed several datasets, which were based on the US Census and compiled by the Center for Migration at the University of Minnesota.

This data provides state and County estimates of the limited English speaking population overall, and also by language type. Understanding broad trends in migration to and from Arkansas helps explain the role that remote interpreting can play in supporting courts as the LEP population continues to change.

Arkansas courts have placed a priority on court access for LEP or deaf/hard of hearing individuals by creating solutions to the challenge of providing highly qualified interpreters for court events. Urban and rural courts face different strengths and challenges with these issues as an urban court may have more volume of those needing interpretation services, but may also have a larger pool of interpreters from which to draw locally. Rural courts may have fewer people by volume requiring language interpretation for court events, but the result is a smaller pool of interpreters to draw from in the community, such that interpreters would need to travel from outlying areas. This dynamic proves challenging to plan and budget for, because the need for interpretation can vary substantially from year to year, along with the type of language in rural areas. The demand for interpretation is one partly for those who attend hearings, but also for meetings with attorneys at the courthouse before or after a hearing, and assistance required at the service counter. This creates a more realistic picture of the demand courts are trying to meet through its goals of increased access to the courts.

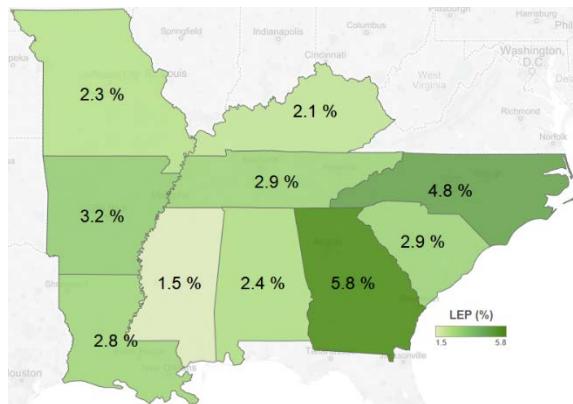
The ability to serve this population is a function of several variables that vary by county and court:

- The number of filings and resultant hearings;
- Who is using the court in the overall population;
- The level of English proficiency by court users;
- LEP court users' preferred language;
- The pool of certified court interpreters; and
- The pool of available court interpreters for a given court event.

In thinking about the demand for language interpretation, one of the main drivers is the size and language needs of the underlying county population, which includes American Sign Language (ASL) for those who are functionally deaf, as well as hard of hearing.

Arkansas in the National Context of LEP Growth

Nationwide, states have seen a growing population of individuals with limited English proficiency, with

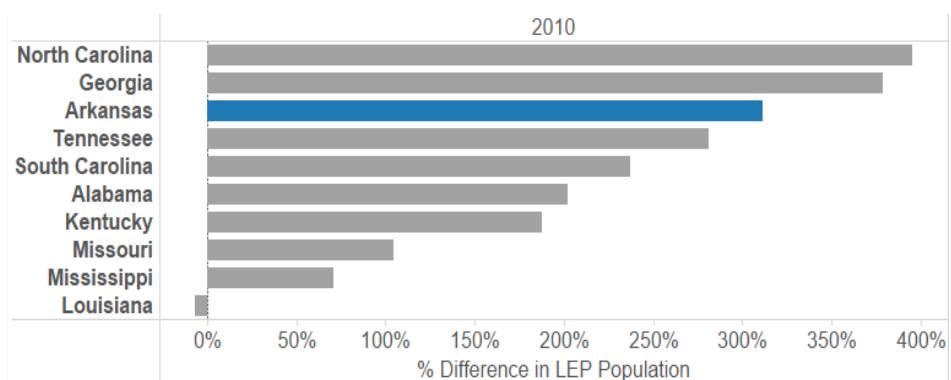


growth in this population expanding 80% nationwide since 1990, from 13 million people to 25 million people in 2010. Arkansas is on the low end of American states in percent of LEP population at 3.2% as shown in figure 1, but in terms of other Southern states, it falls in the middle of growth rates as shown in Figure 2.

Historically, immigration in America has been concentrated in several states, but in the last 20 years, the dispersion has meant more communities throughout Arkansas and its neighbors are seeing changing demography of court users in both urban and rural counties.

Figure 2: Percent of LEP Population in Southern States, 2012

Since 1990, the LEP population has increased by 300%, which is higher than the national average. As the LEP population has grown, so has the linguistic diversity and the types of communities receiving migrants. The growth translates into 76,000 more LEP people in Arkansas than in 1990 who might need spoken interpreter services, nearing 200,000 statewide. However, these statewide growth impacts counties differently as most of the LEP people by population are situated in counties around Little Rock,



Ft. Smith, and Benton. These large urban areas may have experienced most of the growth, but smaller counties have seen new demand create an imperative to develop or augment resources where in previous years the need did not

Figure 3: 20-year Percent Change in LEP population in Southern States

exist. Developing remote service can help courts in areas where providing interpreter services is sporadic, but a small investment in technology can help in providing quality interpretation if no local certified interpreters exist.

The deaf and hard of hearing population is estimated at 2.0% of the population.⁵ This, in conjunction with the LEP rate at 3.2%, means 5.2% of the population may need court interpretation throughout Arkansas. In terms of language need, Spanish speakers represent the largest population of those possibly needing court services at around 50% of the LEP population, with Deaf and hard of hearing at around 35%. Sizable Vietnamese, Chinese, Laotian, and Marshallese populations are languages making up the LEP populations present in Arkansas.⁶ These groups tend to cluster in certain counties and regions. For example, the majority of the LEP Marshallese population tends to be located in Northwestern Arkansas.

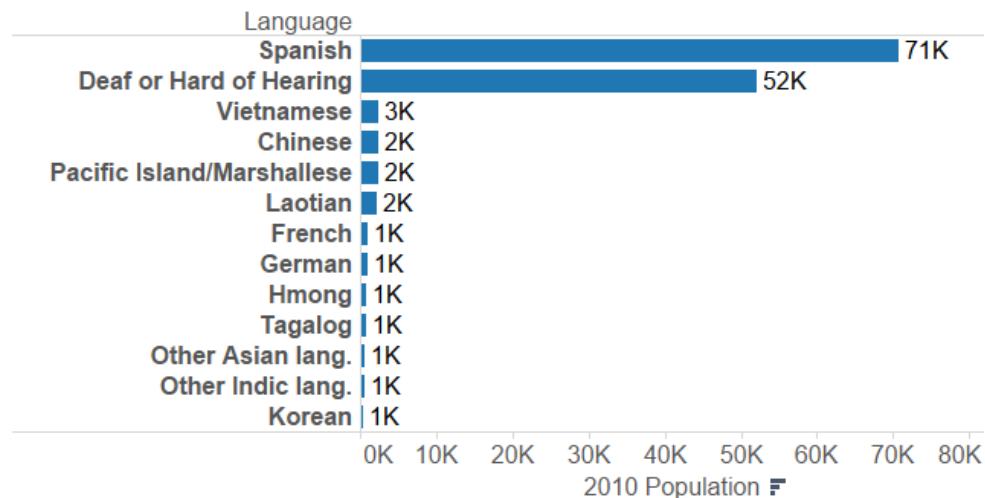


Figure 4: 2010 Census of Arkansas LEP population, by Language

Although LEP estimates can be helpful, they do not always reflect actual usage, as court usage can be a function of outreach efforts in the community as well as demand of hearings or court events. A 2012 Arkansas AOC study found that in some jurisdictions interpreter demand was evenly distributed across cases, however, others found that there was a higher need in criminal and traffic cases. Usage studies can give a better indication of patterns of both interpreter need, as well as documents requiring translation. It is important to differentiate “languages spoken at home” from LEP in spoken languages. Because this assessment also includes Deaf and hard of hearing individuals, figure 3 provides a summary of a range of populations in Arkansas who may need language assistance.

⁵ U.S. Census Bureau, 2012 American Community Survey, American FactFinder, Table B18120; Civilians Ages 18 to 64 Years Living in the Community for the United States and States—Hearing Disability: 2012.

⁶ Migration Policy Institute tabulations from the US Census Bureau’s pooled 2009-2011 American Community Survey (for the United States and states), Table B16001, Responses for those who speak “Less than very well”.

B. Profiling County Demand from Survey and Administrative Data

Arkansas' 75 counties are divided into 23 district courts (115 judges) and 22 circuit court districts (121 judges). In Arkansas, the range of LEP as a portion of its population ranges from none (as measured by the last census), and 17% in Howard county.⁷ Although larger counties have the bulk of LEP in terms of population, counties in Northwestern Arkansas as a group may have an increasing demand due to a growing LEP population. In figure 5, counties with higher LEP populations are indicated with darker colors.

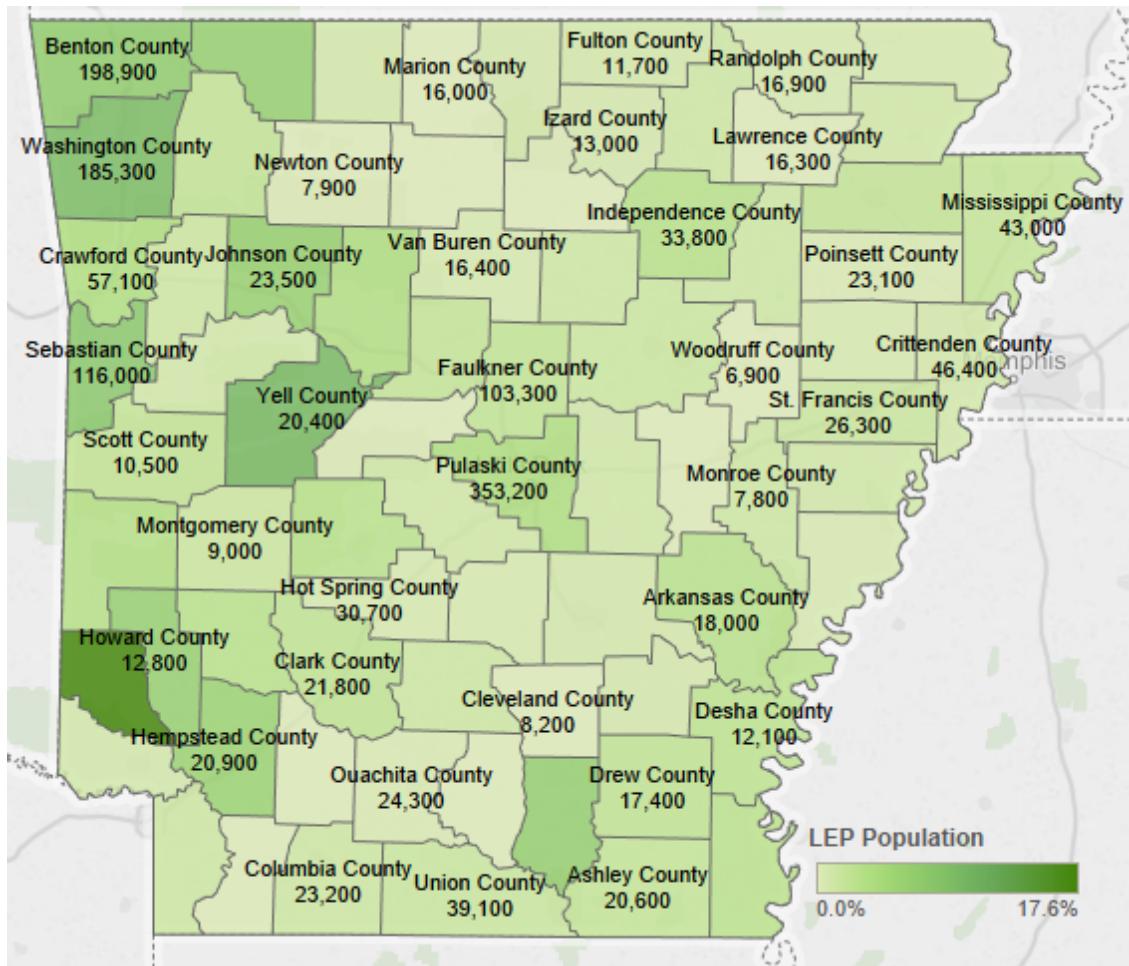


Figure 5: Arkansas Percent LEP, by County, labeled by sample of Total County Population

Interpreter Usage and Common Languages

The LEP population and its 20-year growth translate into a long-term rise in need for interpreter services, such that interpretation was requested in 4,500 instances in FY13-14. This amount has grown since 2007 from around 3000 requests. Spanish requests have grown to nearly 300 per month, with languages other than Spanish being requested 60 times per month. ASL requests have averaged 20 requests for a number of years. Spanish makes up 78% of language interpretation requests in the state.

⁷ Migration Policy Institute tabulations from the US Census Bureau's pooled 2007-2011 ACS (for counties), Table B16001.

Marshallese and ASL both make up around 14% of interpreter requests, with a long list of other languages that is used more sporadically. However, the preference is to use certified interpreters since there can be assurance by the court, and to an extent to those seeking interpretation that they will be receiving high quality interpretation. Figure 5 shows a 5% annual growth rate in both Spanish and Languages Other than Spanish (LOTS), with ASL fairly flat in growth.

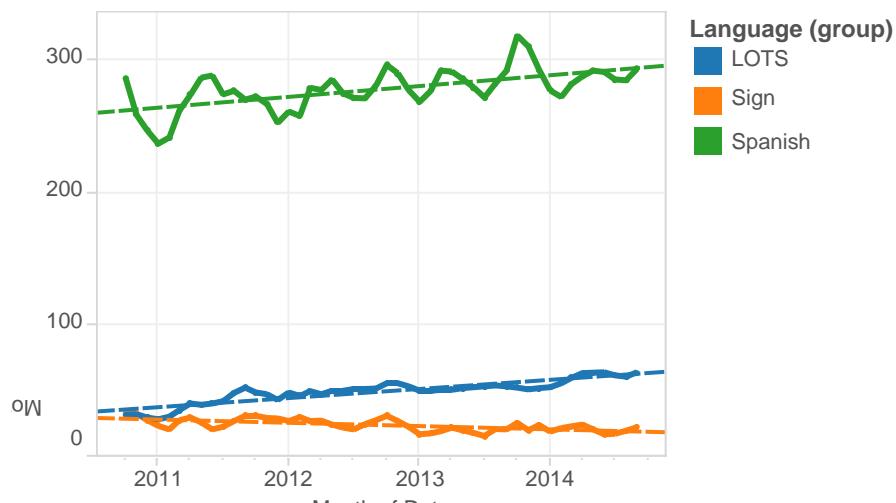


Figure 6: 4 year trend in Language Interpretation requests, by Language type

Total payments for language interpretation in Arkansas totaled approximately \$575,000 in FY 13-14. This included four staff interpreters, as well as certified interpreters that are contracted by courts. This amount does not include interpreters directly contacted by the court. Staff payments totaled approximately \$250,000 in salaries and \$25,000 in travel expenses. Non-staff payments totaled \$300,000 in FY 13-14, and of that \$60,000 was for travel related expenses. Sixty-six percent of this went to funding certified interpreters in Spanish to augment existing AOC staff interpreters. Of the remaining payments, 25% went to LOTS and 10% to ASL. By identifying actual payments for interpreting services, the AOC can better develop a cost benefit model for courts where remote technologies can be the most useful. Depending on the technology choices, the investment in remote technology can pay itself back in a few years. However, not all courts will have the same need or operating expenses to justify the technology investment. There are a range of configurations, ranging from mobile units to installed video units.

Video remote interpreting will not diminish the need for interpreters as any cost savings will come from avoiding travel costs, both in terms of expenses like gas as well as driving time. The complexity and diversity of interpreter payment arrangements makes this difficult to estimate, however it is reasonable to assume that remote interpreting would avoid substantial travel costs assuming a court is configured for remote interpreting and is willing to draw interpreters from the state's list. The interest and preparation to adopt remote interpreting, as well as use the state's list of interpreters, are key aspects of a strategy to use remote interpreting.

Interpreter Use and Remote Interpreting Survey

In February 2015, the Arkansas Interpreter Program distributed a survey to the Clerks of Court that was designed to identify areas of court operations, language usage, attitudes, and technology capabilities.⁸ The survey covered telephonic, computer-based, and video interpreting. Specifically, the survey identified situations when remote interpreting was used, what technology was used for remote interpreting, and attitudes toward using remote interpreting. Below, the survey results discuss court management of interpreters, court hardware and connectivity capacity, and attitudes toward remote interpretation.

Court Management of Interpreters

In order to determine the demand on court personnel other than time in front of judges, courts were asked how often interpreters are provided for services such as meetings with attorneys immediately before and after a hearing and at the service counter. Eighteen (18) courts had several interpretations a month, with most having multiple days a month requiring interpretation services in the courthouse.

The resources needed to schedule and maintain interpreters takes up a substantial amount of non-judicial time. This can be mitigated through the practice of “interpreter days” or block scheduling interpreters. This method of scheduling centralizes the court time of interpreters such that an interpreter comes to the court for set amounts of time, and all hearings or court business requiring a language interpretation is done within this block. Typically, this process can be implemented with one specific language (e.g., Spanish) or one specific interpreter. Thirteen (13) courts responded as users of block scheduling, or approximately 30% of the respondents. Block scheduling is a key to effective remote interpreting since it pools the demand of interpretation with the supply of interpreters, and as such makes the scheduling of interpreters easier and more predictable. The ability to block schedule also allows for creating a uniform list of interpreters and may be a jumping off point to dynamically scheduling interpreter time across counties.

Court Connectivity and Hardware Capacity

A key component of remote interpreting is the ability to connect to the internet or phone lines through a reliable and high quality network. The lack of a quality network reduces the efficacy of remote interpreting by causing delays or interruptions of proceedings or in the case of Video Remote interpretation, unacceptable delays or choppiness in the images and audio. Court technology is made up of both county networks, as well as state provided computers and connectivity. The Arkansas Administrative Office of the Courts supports court computer hardware, as well as a statewide computer network through a Wide Area Network (WAN) with bandwidth capacities for the purpose of supporting the statewide case management system, as well as file and information sharing. Each court has its own technology approach building off this basic setup, which is a function of the physical building, budget and needs, and the integration with other county functions and agencies.

Because audio and video uses a high level of bandwidth compared to other computer applications when using computers or internet protocols, courts need sufficient bandwidth (the speed at which the router

⁸ See Appendix for the full list of survey questions.

connects to the internet measured in bit per second⁹) and capacity (room in the system to support more activity). High quality audio via Voice over IP can be done with 100 kps of bandwidth, while video calling requires a minimum of 768 kps as well as excess capacity in the system to continue performing other tasks as well as take on the requirements of video. Other connectivity options such as Wireless Internet (Wi-Fi)¹⁰ were provided in 45% of responding courts. This type of connectivity gives more flexibility to courts in how they deploy hardware, in that a Wi-Fi connection allows devices to connect to the internet anywhere within the range of the Wi-Fi signal. 25% of courts provide Wi-Fi access throughout the courthouse including public spaces, with the remaining Wi-Fi enabled courts providing access inside courtrooms, hearing rooms, and court administrative offices. Providing Wi-Fi underscores the mix of networks, hardware, and vendors that courts deal with to implement technology projects as it spans both county and state functions. The availability of Wi-Fi could support more use of mobile video or tablets to allow remote interpreting at multiple points and flexibly deployed.

Remote Interpreting Infrastructure in the Courthouse

The survey looked at the three modes of remote interpretation: telephonic, via computer, and dedicated video equipment. These three modes serve as platforms for a number of business cases and provide Arkansas courts with a range of deployment options. Telephonic interpreting can be done with as little as a speakerphone and telephone line, while computer based video interpretation and dedicated video remote interpretation require substantially more networking equipment, as well as specialized hardware and software.

Telephonic Interpreting

A number of courts in the survey have the technology in place to conduct basic remote interpreting via telephone. These deployments require minimal investment in new technology. Courts that do not use telephonic interpreting cited reasons such as judicial preference, wanting more information on vendors and technology, a lack of demand in their courts, and having sufficient on-site interpreters to meet their needs.

- 12 courts had telephones integrated into courtrooms, or telephones with a speakerphone.
- 12 courts had telephones integrated into rooms other than courtrooms, or telephones with a speakerphone.
- 39 courts had some kind of telephonic device available at the service counter.
- 25% of courts said they allow appearances by telephone.
- 3 courts used telephonic remote interpreting in 2014.

The strengths of telephonic interpreting are that it is generally easy to implement using technology already available in the courtroom such as speakerphones, and can in some hearing types, be quickly employed and used in proceedings that otherwise would have been continued for need of an

⁹ Bandwidth is measured in bits per second, but can be expressed in orders of magnitude via kps (kilobits), mps (megabits), gbps (gigabits).

¹⁰ Wi-Fi is a type of internet connection that only requires a corded connection to the WAN at the endpoint of the wireless router. The wireless router then communicates with connected computers/devices, which can be on either a closed network or open/public system.

interpreter. The weaknesses are that audio can limit understanding of non-verbal communication, and often the placement of speakerphones or audio is not conducive to hearings where interpretation is the use case. In courts where audio has been integrated into the courtroom, there are increases in quality. In cases involving deaf court participants, telephonic interpretation is not viable.

Computer-Based Interpreting

Computer based remote interpreting entails using computer hardware in the form of notebook computers, desktop computer hardware, or tablets to enable remote interpreting using software applications, such as Voice over Internet Protocol (VoIP) or video calling applications such as Oovoo.¹¹ Judicial preference, interest in getting more information on vendors and the technology, and having sufficient on-site interpreters to meet their needs were main reasons for not using computer based video in more hearings. However, this solution was seen by respondents as more complex than telephonic, but not as good as video, such that it was not a strongly preferred option.

- Four courts reported using computer based interpreting in 2013.
- Of those using it, only two said they use it regularly (1-2 times per week), with the others using it rarely (a few times per year).

The benefits of computer based interpreting includes the ability to use existing computers and often free consumer technology to share audio and video. The setup of computers or laptops can usually be integrated into existing court networks. The software used is often free or low cost. The weaknesses tend to be the challenge of placing computers or laptops in parts of the courtroom where it is not disruptive to the proceedings (with laptops being far easier to use), as well as adapting video and audio software designed for personal use for remote interpretation. The software adaptation can be problematic when trying to ensure privacy or showing only certain court participants video or audio. In the case of deaf court participants, computer based interpreting provides the ability to use sign language via video functions which is a significant improvement over only using audio.

Video

Video conferencing uses dedicated conferencing equipment that either is in a fixed location, or can be used via a mobile unit in conjunction with network connectivity, often via Wi-Fi. Possessing video conferencing equipment does not necessarily mean it is used for interpreting or court hearings. Eighteen (18) courts reported allowing video for interpreting, with five (5) courts reporting using it more than 1-2 times per month. Judicial preference against using video for remote interpreting and availability of onsite interpreters was a common reason for not using video, as was the need for more information on the technology and available vendors. Courts participating in the survey reported the following:

- Five courts have a video system available that is integrated into their courtroom that could be interpretation, with six of those surveyed having access to mobile units.

¹¹ Skype and Facetime are common voice and video calling applications. They are considered proprietary and listed here only to illustrate common consumer technology approaches that may apply to use-cases in the courts.

- Four courts have video capacity in every courtroom, with five other courts having it in dedicated courtrooms.
- Sheriff's facilities and jails were also listed as locations providing interpretation for in-custody defendants during arraignment or other hearings.
- The quality of hardware and network capacity was not widely seen as obstacles for not using video for remote interpreting, with the larger challenge being a preference for local interpreters.

Figures 7 and 8 below illustrate the staging and custom software used in a courtroom in Sebastian County.

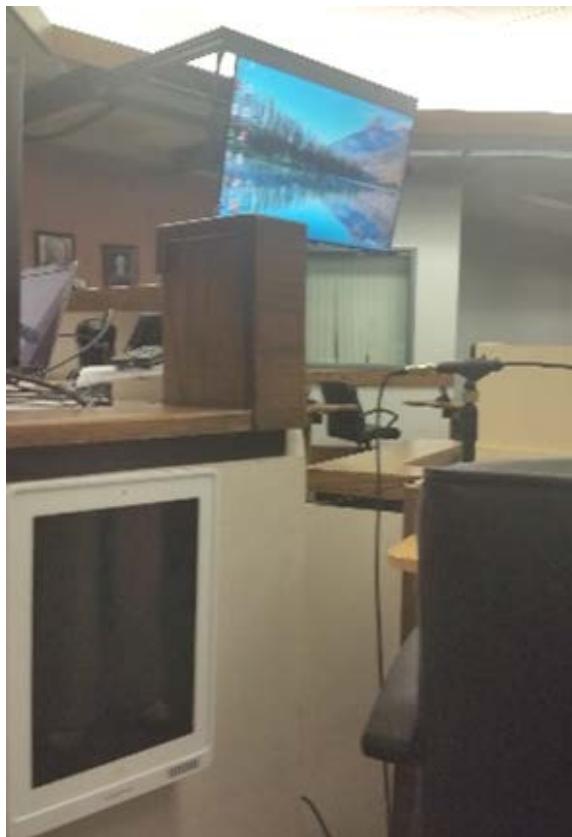


Figure 7: Video Conferencing Setup, Judge/Witness View

As shown in figure 8, the participants would be staged as usual in a court hearing either behind the defendant/respondent table or plaintiff table, as well as in the case of an LEP witness on the stand. The LEP participant would have access to specialized headsets to control the voice or sound and keep conversations private.



Figure 8: Video Conferencing Setup, Participant View.

A strength of video systems is that they tend to be purpose built around video conference in both the software that users interact with, as well as the hardware. This means that the design is more tailored for video use, and in the case of video remote interpreting there are more features for meeting the needs of court customers. A weakness is the cost of the equipment, including both installation and maintenance to assure proper functioning through hardware upgrades and software maintenance.

Developing a Pilot from Courts Willing to Expand Remote Interpreting

Developing a pilot set of counties depends on a number of technology factors as well a current infrastructure, but is also heavily dependent on a court's willingness to explore new technologies and business processes. The survey explored courts' willingness and experience with remote interpreting to develop a more refined list of who might be amenable to pilot remote interpreting with video. A pilot configuration would take advantage of certain economies of scale to lower operating costs of providing each interpretation, as well as centralization of certain administrative functions. Specifically, the use of interpreter days to group interpreting events from a list of certified interpreters would serve a primary goal of providing higher quality services, as well as efficiency for court clerk staff in not having to coordinate and schedule multiple interpreters and hearings. However, since the relatively small number of courts responded to the survey, this initial list could be used to inform the pilot, but a subsequent offer should be made to all courts so as not to bias the pilot to only those that completed the survey.

Of the 43 courts in the survey, 21 were willing to expand their use of remote interpreting. Of those willing to expand, seven were using audio and video. A majority of courts were using "audio only", or a combination of audio and video at least 1-2 times per month. Of the 14 courts willing to expand remote interpreting, but currently not using technology for remote interpreting, one court was only looking to expand to video, as others were open to both audio and video. Further study into the volume and distribution of usage across the courtrooms in these counties would give a better sense of the scale and the needs of developing the capacity, be it business processes or technology.

The 22 counties not willing to expand the use of remote interpreting gave the following reasons:

- Cost was too high;
- Judicial preference for in person interpreters;
- Required more information on vendors;
- Had negative experiences with remote interpreting;
- There was not sufficient demand;
- The demands were seen as too high on court clerks and reporters;
- On-site interpreters were sufficient; and
- Judges wanted to decide on a case by case basis instead of having a blanket policy.

When building a possible list of pilot sites, a phased approach could be used. For example, courts using interpreter days (block scheduling) would be part of a first round; then, the second round could include those not currently block scheduling. Using block scheduling as a threshold would give prospective second round counties time to align the business processes required to effectively use remote interpreting through a centralized location. The breadth of court types in terms of experience with remote interpreting creates an opportunity to experiment with different business cases, as well as to better understand the needs of courts at different phases of remote interpretation.

By choosing courts already showing a willingness to expand into remote interpreting and phasing in counties that already use practices like block scheduling, Arkansas can explore and implement remote interpretation while building on the courts' existing infrastructure.

C. Recommendations

During the NCSC needs assessment, the project team, in conjunction with the Arkansas Interpreter Program developed a set of recommendations based on the statewide survey, site visits, and review of administrative data. The goal of the needs assessment was to profile the demand for interpretation, to assess how this demand looks across the state, and to develop a selection basis for planning a pilot around video remote interpreting.

1. Deploy a pilot that takes advantage of the 22 courts' interest in expanding remote interpreting to both audio and/or video.

Based on the 2014-15 survey, there is a pool of counties willing to expand the use of remote interpreting. However, this may underestimate the level of interest as most of the survey respondents were district courts, under-representing circuit courts. The Interpreter program might use courts' current experience in block scheduling to phase in pilot sites such that those that have already begun to use block scheduling for certain languages have gained expertise and a chance to refine business practices around remote interpreting. By phasing counties into the pilot, Arkansas can build expertise and peer-to-peer learning with the details of implementing audio or video remote interpreting.

2. Develop state level ability to automate processes and standardize policies, procedures, and contracts for interpreters that would be in effect regardless of the technology options.

The Arkansas Interpreter Office should expand its role during the pilot as a hub for best practices and policies, a role which it already serves to some extent. From a technology point of view, it may be able to use its existing network that is provided for its state case management system to connect courts to a pool of remote interpreters. Because the Interpreter programs have already developed a list of certified interpreters, it should continue to add to this list to expand the quality of interpretation, as well as to explore the automation of scheduling. Wherever available, factors such as block scheduling, distance of interpreter travel, and technical capacity could be used in the pilot, the Interpreter programs could develop computer applications that connect requests for interpreters with available interpreters.

Further, a working group could be helpful in developing operational guidelines for courts establishing when to use interpreters remotely, ensuring that goals of due process and efficiency are balanced. Remote interpreting is more commonly used in non-evidentiary hearings or other short events. Also, the interpreter program can be a conduit of information from the courts to the Arkansas AOC about how courts are faring, as well as serving as a conduit for information between courts within a region.

As Arkansas begins to develop and implement remote interpreting around the state, both audio and video in more courts, it is all the more crucial to develop rigorous business cases to understand the costs and the problems that remote interpreting is solving. In addition, business cases should also be used to identify gaps or opportunities for partnerships. Business cases are developed by identifying the reasoning for initiating a project or task and presenting the need to allocate resources, such as money or staff effort.

A rigorous business case captures the qualitative and quantitative aspects of a proposed project. Developing business cases that are specific to applications found in Arkansas courts would ensure that priority is given to processes and situations that will benefit from using telephonic and/or video remote interpreting. Although some business cases will apply to multiple courts, each court should develop or be assisted in creating a business case for its unique situation by choosing remote technologies that are appropriate for the trial court practices, language demand, and technology infrastructure.¹²

Specifically, a business case lays out the proposed costs of remote interpreting implementation, the alternatives considered, and the benefits in efficiency and cost of staff time, both from the courts as well as other agencies with which the courts work. Business cases should also consider not implementing remote interpreting in a court if the business case cannot be made using cost benefit analysis, or if other factors reduce the value or likelihood of success.

During the NCSC site visits and the initial engagement facilitation, several business case concepts emerged for using video remote interpreting in:

- ASL interpretation where no certified interpreter is readily available,
- hearings involving in custody defendants,
- use of mobile video conferencing, which has lower costs as compared to fixed equipment,
- agencies to supplement the local pool of qualified interpreters, and
- remote interpreters via telephone or video at the service counters of courts.

Each of these concepts requires a slightly different analysis to determine the value of pursuing each idea in a specific court. The analyses would include a review of factors such as implementation costs and support, and the benefit to the courts with regard to increased access. Some of this work already has been initiated in a working group during the needs assessment and could be continued to better document and expand the scope of remote interpreting.

3. Develop an evaluation plan that incorporates user feedback, administrative data, and suggestions on implementing the statewide pilot and also convene a focus group.

Once engaged in the pilot, the AOC should develop a standard set of administrative data to review and evaluate questions of process and efficacy of any new remote interpreting system. This data would be augmented by routine interviews, technical network surveys that could apply to all areas of court administration, site visits, and focus groups to monitor successes and implementation gaps.

Administrative data should include, but not be limited to:

- language being requested,
- date of interpretation request,
- whether there was a successful match of interpreter and need,
- cost of services,

¹² http://www.ncsc.org/~/media/Microsites/Files/Future%20Trends%202014/Video%20Remote%20Interpretation%20as%20a%20Business%20Solution_Clarke.ashx

- type of hearing or event, and
- the courtroom location of the instance.

There are several databases that are useful in understanding usage trends. The Arkansas Interpreter Program already uses a scheduling service and this operational data is available upon request as an extract. However, this data is likely underused. Another key database that contains usage trend data is the payment database. Ideally, the usage and payment database would be integrated at some point to provide management reports. The Arkansas Interpreter program already uses an evaluation form after each interpreter session, which should be reviewed and improved as necessary to best address different delivery systems and operational systems. The fact that the Interpreter program collects all of this information should be applauded as these are key information sources that can drive service and program improvement.

Also, the court should invite suggestions from local justice system stakeholders and court users on implementing a pilot that may allow for inclusion in the national cloud. The quantitative data would be augmented by routine interviews, site visits, and focus groups to monitor successes and implementation gaps. Focus groups could include court users, stakeholders, and interpreters with a focus on questions around business processes, gaps in service, or other things that could inform improvements in the interpreting program.

Deeper analysis of cost and use data would allow for better estimation of demand for a given court, as well as improve the creation of business cases for courts and language applications. It is difficult to project future usage without more detailed records and a possible sampling of the local population as many of the assumptions about future demand are based on populations that are not often represented in census data or in typical usage in the courts.

4. Continue to explore new initiatives in administering remote interpretation

As courts throughout Arkansas identify the growing need to develop systems to support interpretation, the challenge of connecting to a pool of certified and qualified interpreters becomes daunting. Finding qualified interpreters is an issue that most courts face. To address this problem, the NCSC is engaging in a national initiative to link courts to certified interpreters through a call center and “national cloud.” While this is a national approach, it can be piloted and experimented with throughout Arkansas. Further, this initiative can enhance access to rare languages beyond Spanish. A video system, along with a larger pool of certified interpreters in rare languages would enhance the quality of service.

Leveraging existing resources within a state and in other similarly situated states is a cost effective approach. To increase the pool of interpreters available, Arkansas and other southern states have begun creating reciprocity agreements. This could create a pool of interpreters who, although possibly living outside of Arkansas, could interpret in Arkansas courts.

This relatively new opportunity, along with increased use of remote interpreting, is further assisted in a reciprocity clause where court interpreters, who are certified by the Administrative Office of the United States Courts or are certified by the Courts in another state from having passed the NCSC Oral Certification Examination, can also register in Arkansas. Video remote interpreting, along with a pool of interpreters from around the region using reciprocity agreements are another way to build experience in using and deploying remote interpreting in courts.

Establishing and maintaining a pool of certified interpreters available to meet court needs makes a persuasive business case for remote interpreting and is a priority for courts and the Arkansas Interpreter Program. During site visits and initial planning meetings with the court working group, one of the main concerns was the availability of certified interpreters, irrespective of the technology or method used to enable their interpretation. Sites were often more interested in growing the list of available certified interpreters as a key first step in improving their interpreter services.

Another way to leverage existing resources is to build relationships within the county justice system across stakeholders and locations. Each county may have a slightly different way of resourcing or funding inter-governmental work in facilities, such as police juries or county councils. In some of the sites, these county government structures were already playing important roles in purchasing technology over multi-year infrastructure plans. With each court and county having unique relationships and finances, the site visits showed several examples of the courts partnering with county leadership to build technical infrastructure as well as physical infrastructure to support remote interpreting. The Arkansas Interpreter program can be a resource in providing examples of projects or funding strategies in courts interested in better partnering with county stakeholders or leadership.

D. Appendix

Data Sources and materials for the needs assessment

This needs assessment took advantage of several sources of data such as US census trends in the Low English and deaf population in Section A of the report, a statewide survey of courts for assessing their use of remote interpreting in Section B, and interview protocols for site visits.

Assessment of Interpreting Technology and Practices Questionnaire

Section B summarized the results of a survey tool developed by the workgroup and was designed to compile technology and interpretation usage, beyond what was possible in administrative data. By compiling data about a range of court practices and inventory, the needs assessment was able to suggest a method for pilot site choices, as well as assessment of the 6 participating courts' usage of remote technologies. It is envisioned that other courts could take this survey to better assist the Interpreter program.

Implementation Tools and Materials for Pilot Site Engagement

The project team developed a range of materials at a November 2014 multi-court meeting to both inform as well as discuss opportunities and barriers to implementing video remote interpreting. This group was also brought together to develop possible business cases for implementing video remote interpreting as a way to inform the process. This "briefing binder" contained implementation guides, bench cards, websites examples, and practical templates gathered from other states. The goal was to give the courts some educational materials and templates to support the working group in brainstorming business cases, as well as leave Arkansas with some examples of how other states have developed materials.

Site Visits Interview Planning

In May 2015, NCSC and the Arkansas language program staff participated in five site visits to Arkansas district and circuit courts to understand issues with interpretation broadly, as well as around remote interpreting. In these meetings, the site visit team met with key stakeholders such as Judges, Court Administrators, Court Staff, Staff Interpreters, and attorneys. The five court sites were Pulaski, Washington, Yell, Benton, and Sebastian counties.

AOC Remote Interpreting Survey

Thank you for participating in the Remote Interpreting Services survey. The survey is being conducted to determine your needs with regard to the technology that is available within your courthouses that will allow you to provide remote interpreting services and to gauge your court's interest. In the survey "Court" refers to a courthouse and the judges, clerks and staff that are employed by the judicial system.

The survey will take approximately 15 minutes and all answers are confidential.

***1. Name of person completing survey.**

***2. Email address:**

***3. Position:**

***4. In which county is your court located?**

***5. What is your Court's name?**

***6. What is your court's jurisdiction?**

- District Court
- Circuit Court

AOC Remote Interpreting Survey

7. Does your court have other entities that would be stakeholders in using Video Remote interpreting? (check all that apply)

- Circuit Clerk
- Prosecutor's Office
- Sheriff
- Public Defender
- Probation

Other (please specify)

8. In 2013, how often were interpreters used in your courthouse (not your individual courtroom)? Include in-court and out of court events.

- Daily
- Weekly
- Monthly
- Rarely
- Never
- Don't Know

9. In 2013, how many courtrooms within your courthouse provided interpreting services?

10. In 2013, did your court call or request an interpreter through the AOC Court Interpreter Services? (Yes/No) If Yes, proceed to question 12.

- Yes
- No

11. If no, how did you meet the demand? (check all that apply)

- Coordinate your own interpreters from local area
- Used your own staff

Other (please specify)

AOC Remote Interpreting Survey

12. If no to 8, how many instances were interpreters use?

13. If no to 8, how many hours were interpreters used?

14. In 2013, how often did attorneys use court-hired interpreters to meet with their clients either before or after a court proceeding?

- Daily
- Weekly
- Monthly
- Rarely
- Never
- Don't Know

15. In 2013, did your court provide interpreter services for court-ordered services such as drug treatment or anger management classes?

- Yes
- No

If "yes", please specify type of service:

AOC Remote Interpreting Survey

16. In 2013, how often were interpreting services provided at the court clerk's office (if applicable)?

- Daily
- Weekly
- Monthly
- Rarely
- Never
- Don't Know

17. In 2013, what other areas within the courthouse did your Court provide interpreting services? If there were no other areas, please indicate that answer as well.

18. In 2013, did your Court use Standard Interpreter Days for interpreted cases? [Standard Interpreter Days are when interpreted cases are consolidated on a particular day of the month/week and the interpreter is scheduled for a block of time.]

- Yes
- No

Telephonic Interpreting

19. What kind of telephone does your Court provide in each courtroom? (check all that apply)

- None
- Telephone without a speaker phone
- Telephone with a speaker phone
- Telephone with audio integrated into courtroom's internal system
- Cellular telephone

AOC Remote Interpreting Survey

20. What kind of telephone does your Court provide in the court clerk's office? (check all that apply)

- None
- Telephone with a speaker phone
- Telephone without a speaker phone
- Cellular telephone

21. In 2013, did your Court allow participants (e.g. parties, attorneys, witnesses) to appear by telephone during court proceedings

- Yes
- No

22. In 2013, how often did your Court provide access to interpreting services via telephone? [Consider both in-court and/or out-of-court events]

- Daily
- Weekly
- Monthly
- Rarely
- Never

23. If your Court did NOT use the telephone to provide access to interpreting services, please select the reasons why. (check all that apply)

- Certified interpreters provide on-site interpreting
- Poor quality of telephone
- Poor quality of audio or acoustics
- Judicial preference of on-site interpreting
- Not enough demand for interpreters
- Need more information about the technology
- Need more information about vendors and types of services
- Cost is too high
- Negative experience when previously used

Other (please specify)

AOC Remote Interpreting Survey

24. What type of computer equipment does your court provide? (check all that apply)

- No additional computer equipment
- Desktop computer
- Laptop computer with built-in web cam
- Laptop computer without built-in web cam
- Tablet
- web cam

Other (please specify)

Computer Interpreting

25. In 2013, did your Court allow participants (e.g. parties, attorneys, witnesses) to appear via computer during in-court proceedings using a video application such as Skype, FaceTime or Oovoo?

- Yes
- No
- I don't know

26. In 2013, did your Court provide access to interpreting services via computer using a video application such as Skype, FaceTime or Oovoo? [Consider both in-court and/or out-of-court events.]

- Yes
- No
- I don't know

27. Does your court offer Audio Enhancement headsets for the Deaf/hard of hearing?

- Yes
- No
- I don't know

AOC Remote Interpreting Survey

28. Choose from the following statements as to why your Court did NOT use a computer to provide access to interpreting services. (check all that apply)

- Poor quality of hardware
- Poor quality of network connection
- Poor quality of audio
- Judicial preference of on-site interpreting
- Not enough demand for interpreters
- Need more information about the technology
- Need more information about vendors and types of services
- Cost is too high
- Negative experience when previously used

Other (please specify)

Video Interpreting

29. What kind of video conferencing equipment does your Court provide that is available for use by the courts? (check all that apply)(Skip to 32, if none)

- None
- Fixed unit integrated into courtroom
- Mobile unit

Other (please specify)

30. Where is the video conferencing equipment located? (check all that apply)

- Every courtroom
- Dedicated courtroom
- Court clerk's office
- Anywhere because it is a mobile unit

Other (please specify)

AOC Remote Interpreting Survey

31. In 2013, did your Court allow participants (e.g. parties, attorneys, witnesses) to appear by video conferencing during in-court proceedings?

- Yes
- No

32. If you answered "yes" to question 28, in what type of hearings did they appear? (check all that apply)

- Arraignments
- Crime Lab Expert
- Witnesses

Other (please specify)

33. In 2013, how often did your Court provide access to interpreting services by video conferencing? [Consider both in- court and/or out-of court proceedings.]

- Daily
- Weekly
- Monthly
- Rarely
- Never

Other (please specify)

AOC Remote Interpreting Survey

34. If you answered "none" to question 27, please indicate the reasons as to why your Court did NOT provide access to interpreting services by video conferencing.

- Certified interpreters provide on-site interpreting
- Poor quality of hardware
- Poor quality of network connection
- Judicial preference of on-site interpreting
- Not enough demand for interpreters
- Need more information about the technology
- Need more information about vendors and types of services
- Cost is too high
- Negative experience when previously used

Other (please specify)

Netowrk and Technology Connections

35. Does your Court provide network connection that is available for use by the courts?

- Yes
- No

36. Who provides or manages your network connection? Check all that apply.

- County
- City
- Court
- State
- No network connection is available

37. Who provides or manages your computer or telephone or video hardware?

- County
- City
- Court

AOC Remote Interpreting Survey

38. Where is the Court-provided network connection accessible? (check all that apply)

- Every courtroom
- Dedicated courtroom
- Court clerk's office

Other (please specify)

39. Does your Court provide wireless Internet (Wi-Fi) connection?

- Yes
- No

40. Where is the wireless Internet connection accessible? (check all that apply)

- Throughout the courthouse
- All courtrooms
- Dedicated courtroom(s)
- Court offices

Other (please specify)

Remote Interpreting Expansion

41. Is the wireless Internet connection open to the public?

- Yes
- No

42. Would your Court be willing to explore or expand technology to provide access to remote interpreting services?

- Yes
- No

AOC Remote Interpreting Survey

43. If you answered "no" to the previous question, please specify why your Court would NOT be willing to use any form of technology (telephone, computer/PC, video conferencing) to provide access to interpreting services. (check all that apply)

- Certified interpreters provide on-site interpreting
- Poor quality of hardware
- Poor quality of audio or acoustics
- Poor quality of Internet connection
- Judicial preference of on-site interpreting
- Not enough demand for interpreters
- Not enough staff to support the workload
- Need more information about the technology
- Need more information about vendors and types of services
- Cost is too high

Other (please specify)

44. Which technology would your Court be willing to explore? (check all that apply)

- Telephonic Interpreting
- Video Services (Skype, Oovoo, FaceTime, etc.)
- Enhanced Audio Headsets for the Deaf or Hard of Hearing
- Not willing to explore technology

Other (please specify)

AOC Remote Interpreting Survey

45. What would your Court need to expand to video technology to assist with interpreting services?

- New hardware
- Upgraded hardware
- Upgraded connection
- More staff support
- More judicial support
- More Court support and/or coordination
- Interpreter resources

Other (please specify)

Arkansas Video Remote Interpreting Needs Assessment Project

Date	Time	Duration	Place
November 19, 2014	10am-4pm CST	6 hours	625 Marshall Street Little Rock, AR Telephone number: 800.503.2899 Access Code: 8415648

Topic	Time	Time Allocated (Minutes)	Objectives
Introductions <ul style="list-style-type: none"> • Arkansas • NCSC 	10:00	5	Information
Agenda and Document Folder Review	10:05	15	Discussion
Survey Finalization <ul style="list-style-type: none"> • Interpreter Usage • Interpreter Court Processes • Deployment Options 	10:20	40	Decision
Break	10:00	10	
Business Case Development <ul style="list-style-type: none"> • Working Lunch(provided) 	10:10	110	Discussion
Break	13:00	20	
Implementation Resources <ul style="list-style-type: none"> • VRI Manual • Bench Guide • Tip-Sheets 	13:20	90	Discussion
Break	14:50	10	
Language Access Planning for the next 5 years <ul style="list-style-type: none"> • Each Court in the Pilot • Role of the State Judiciary 	15:00	50	Discussion
Closing and next meeting date <ul style="list-style-type: none"> • Planning Site Visits • Survey rollout 	15:50	10	Information

Arkansas Guides and Materials Packet

VRI Workgroup meeting
Administrative Office of the Courts
625 Marshall St.
Little Rock, AR

These materials were put together to serve as reference tools for the process of developing a video remote interpreting system in your court(s). These guides and tools will give you some general background on VRI, as well as what we hope are some useful templates for developing your own local solutions.

Please don't hesitate to contact the Needs Assessment team with questions.

Kevin O'Connell
NCSC Consultant
kevin@oconnellresearch.com

Mara Simmons
Arkansas Court Interpreter Program
Mara.Simmons@arkansas.gov

1. Developing Business Cases for VRI
 - a. Business Case for VRI
 - b. Defining a Business Case Instructions
2. Bench and Staff Tipsheets
 - a. Texas Bench Guide
 - b. Arizona Bench Guide
 - c. Staff Bench Guide
3. Equipment Checklists and Materials
 - a. Courtroom Equipment
 - b. Interpreter and Assistive Equipment



Video Remote Interpretation as a Business Solution

**Thomas Clarke, Vice President
of Research and Technology,
National Center for State Courts**

Courts are under increasing pressure to provide broader interpreter services. One strategy for meeting the demand is video remote interpretation (VRI), and pilots of VRI are now demonstrating acceptable quality and cost.

Courts have been using videoconferencing for some time in several capacities. Judicial training is probably the most widely used purpose, followed closely by video arraignments in criminal cases to avoid the cost and danger of prisoner transport. Until recently, any other court applications of videoconferencing were relatively rare and often not satisfactory because of quality issues. Those other uses included remote expert witnesses, remote interpreters, and remote testimony by juveniles who were being kept anonymous. All of these applications of videoconferencing were used only when physical participation in the court hearing was impossible. In other words, it was a last resort.

Fortunately, technical progress with videoconferencing in general has been both steady and significant over the last several years. Quality has improved in several ways. First, the general availability of high-definition video goes a long way toward reproducing an experience that more closely matches the direct physical experience by clearly showing important

aspects of body language. Second, most videoconferencing products, both hardware and software, are becoming more compliant with open technical standards, making it easier to reliably connect two parties. Finally, the cost of both hardware and software is speedily decreasing, as with all technology these days.

Of course, it does not matter how good or inexpensive videoconferencing technology is if a court or a remote participant in a court hearing cannot connect over a sufficiently fast Internet connection. Fortunately, the minimum requirement for a quality video and audio connection is at the very low end of what is now considered the broadband range, so individuals and courts are increasingly able to support that requirement.¹ Video connections can also be easily designed to “fail over” to audio-only connections if the bandwidth is insufficient. Since several states are currently using audio remote interpretation, it serves as a useful benchmark and starting point for video capabilities.

In the latest national survey, less than 6 percent of all households, and probably a lower percentage of courthouses, are unable to access at least a T1 level of throughput, which is 1.5 megabits per second. The proportion of households lacking broadband continues to decrease significantly each year, so we can expect this problem to continuously diminish in magnitude. Even better, courts will be motivated to upgrade their wide area networks to all courthouses to

support their e-courts initiatives adequately. That shifts some of the cost burden off of VRI and makes the business case easier to justify.

A range of video alternatives exist in the current marketplace. Choices will depend on the business requirements for particular hearing types; the degree to which courtrooms or hearing rooms already use technology, such as digital audio and cameras; and the budget constraints. Rather than mandating a single technology solution, courts might be wise to provide several tiers of remote capability suited to the situations and budgets of specific courts. For example, a remote rural court might use Skype or Jabber, while a large urban court with an advanced electronic courtroom might use the latest and greatest video equipment.

Once the technology infrastructure becomes capable of adequately supporting a court's need, the next step is working out pertinent policies and business processes to ensure sufficient legal quality. This kind of work is best done in real life using pilot implementations. No amount of legal or conceptual discussion can foresee what the experience will be like when participants in real court hearings try to use videoconferencing. As in all new business processes, some training and practice is necessary to attain the necessary skill levels and coordination.

Appropriate policies and processes are a tricky mix of legal protections and practical capabilities that influence each other. For example, one might restrict the use of VRI to very limited and controlled hearing types and translation situations if high definition is not available, because the lack of body language could meaningfully threaten due process. Most court hearings cannot appropriately use VRI if the reliability of the connection is questionable, since busy dockets cannot and should not wait for technical glitches to be solved.²

Another significant concern is quality assurance. Most states have established training requirements for their interpreters, and many vendors do the same. Any use of VRI must also provide for training and quality assurance. One way to do this, for a national cloud capability, is a contract provision specifying both training requirements and a quality-assurance process. Current state court policies, especially in jurisdictions piloting VRI, can be models or starting points.

It is unclear exactly what legal requirements should exist for video recordings of remote interpreters. If there is a need for such recordings, then storage-and-archiving requirements will need to be established. Most modern court case

THE NEW YORK STATE UNIFIED COURT SYSTEM

Working with Interpreters

by Video or Teleconference

TIPS FOR REMOTE INTERPRETING

USE OF REMOTE INTERPRETING:

Remote interpreting is a useful alternative in providing court interpreting services, when availability or critical need renders on-site interpretation impractical.

Telephone or video interpretation may be used in place of on-site interpreting whenever the quality of interpretation is not compromised and:

- 1. there is no on-site UCS staff or qualified freelance interpreter available, and there is a time-sensitive matter to be heard; or
- 2. there is no available on-site UCS staff or qualified freelance interpreter available for a less-immediate matter; or
- 3. it is more responsible to obtain the service by remote-means than to delay a court proceeding.

Remote interpreting may be considered a suitable option when there is a time-sensitive matter requiring interpretation and no other resources are available. Adhering to the following "tips" will help to ensure that the remote appearances run smoothly and efficiently.

SCHEDULING A REMOTE INTERPRETER:

The Clerk (or appropriate court personnel) should provide as much advance notice as possible when an interpreter is needed. Requests for remote interpreting services may be submitted online, using the [Request for Remote Interpreting Services](#) form that is available on courtnet, or by submission of a detailed e-mail to: remoteinterpreting@nycourts.gov

Include as much case information as possible with the request for interpreting services (e.g., case type, procedural phase, which party needs the interpreter), to help the interpreter prepare for vocabulary or legal terminology that may be used during the procedure.

If it is the first time the court is conducting a remote session, a "test run" is strongly recommended. This test will confirm the clarity and proper use of video and/or telephonic connections and equipment to be used during the remote interpretation, and should be conducted at least 30 minutes prior to the remote session.

BEFORE THE PROCEEDING:

- Before the proceeding begins, the interpreter should be introduced (by the judge) to the court user, in order to ascertain that they understand and can hear one another.

• Explain to the court user, through the interpreter, that the interpreter's role is to translate what is said in the courtroom in English into the foreign language and vice versa. The interpreter cannot give any advice, make suggestions, or engage in private conversations with the court user.

• The court should advise all parties in the courtroom that **one person should speak at a time**; it is impossible to interpret multiple voices at the same time.

• The court user should be advised (by the judge) that if they are unable to hear or understand what the interpreter has said, **she** should raise their hand and the judge will ask for clarification from the interpreter.

• If there is a jury present, explain that languages other than English may be used during the proceeding. Even if members of the jury understand the non-English language being spoken, jurors must base their decision on the evidence presented in the English interpretation.

• In proceedings where an interpreter for the **Deaf or Hard of Hearing** is required, the positioning of the parties is particularly important. Facial expressions, lip movements and bodily gestures are interpreted. The person who is deaf or is hard of hearing must be able to see the monitor clearly, and the remote interpreter must also be able to see the court user clearly.

WORKING WITH INTERPRETERS BY VIDEO OR TELECONFERENCE

DURING THE PROCEEDING:

- The Judge should have the interpreter state his/her name, spelling it out, for the record. Inquire whether any party knows the interpreter, to eliminate potential conflicts or the appearance of impropriety.
- Once the case is ready to proceed the interpreter can be sworn in. Administering the oath to the interpreter underscores the importance of adhering to the principles of clear and accurate court interpreting.

SAMPLE OATH FOR THE INTERPRETER:

"Do you solemnly swear or affirm that you will interpret accurately, completely, and impartially, follow all official guidelines for legal interpreting or translating, and discharge all of the duties and obligations of legal interpretation and translation?"

- Remote interpretation should be done in the **consecutive mode**. All responses and verbal exchanges should include a pause after a sentence or two, in order for the interpreter to fully capture what is being said and to orally translate.
- If the court user and his/her attorney need to confer privately, the handset of the telephone may be used; if one receiver is utilized, it should be shared between the court user and the attorney.
- If needed, the court can utilize the 'mute' button for in-court exchanges that do not involve the court user (similar to an off-the-record bench conference).
- Beware of shuffling papers or other activity near the microphones. All sounds near the unit will be transmitted and may interfere with the interpretation.

EVALUATING THE REMOTE INTERPRETING SERVICE:

The court's observation can aid in the evaluation of an interpreter's performance. Accordingly, consider the following to determine if the interpreter is communicating effectively during the proceeding:

- Are there significant differences in the length of interpretation as compared to the original testimony?
- Does the individual needing the interpreter appear to be asking questions of the interpreter?
- Is the interpreter leading the witness, or trying to influence answers through body language or facial expressions?
- Is the interpreter acting in a professional manner?
- Is the interpretation being done in the first person? For example, while verbally translating what is being said in court, the interpreter must relay the statement as if he/she is the person speaking.
- In order to keep a clear record, does he/she address the Court in the third person? (e.g. "Your Honor, the interpreter could not hear the last question.")

At the conclusion of each Remote Session, please complete the [Remote Interpreting Assessment](#), which is available online via courtnet. The Office of Court Interpreting Services (OCIS) relies on your comments and suggestions in order to make remote interpreting a useful service.

If an interpreter will be needed for a subsequent date, please submit a [Request For Remote Interpreting Services](#) Form to the Office of Court Interpreting Services, so that the remote arrangements can be made; scheduling arrangements for future assignments should not be made during the current video or telephonic remote interpreting appearance.

If you have any concerns or questions about an interpreter's performance, contact the Chief Clerk of the court. You may also contact the Office of Court Interpreting Services at (646) 386-5670 or by e-mail: InterpreterComplaints@nycourts.gov

THE NEW YORK STATE UNIFIED COURT SYSTEM

Working with Interpreters

by Video or Teleconference

TIPS FOR REMOTE INTERPRETING

management systems can store and link video files to docket entries for hearings, if necessary. The bigger problem, as for all electronic records, is preservation and access. How will courts guarantee that video-recording formats will be usable in the future and that the recordings will still be intact? These are open questions.

Thirteen states have implemented pilot VRI projects or are expanding existing projects. Another fourteen states are planning to explore or evaluate VRI capabilities during the next year. An even larger number of states are already using audio approaches to remote interpretation. This base of experience provides a solid starting point for establishing best practices.³ One should not overstate the value of these pilot implementations for reducing the risk of large-scale use.⁴ In most states, the courts actually using VRI are limited to a few jurisdictions and a small number of hearing types. VRI use at the counter and for non-courtroom hearings is even rarer.

Needless to say, the advent of operational VRI in courts has met with mixed support from professional interpreters. There are serious, valid concerns about appropriate use. Almost everyone can recall a bad experience of some kind with video conferencing in general, so we know that proper implementation is very important. We also know that interpreters and other hearing participants must adhere to best practices and become comfortable with the process. Not every interpreter can be a remote interpreter.

North Carolina's Magistrate Video Project

North Carolina's Magistrate Video Project (MVP) allows law enforcement and magistrates to conduct probable-cause determinations and initial appearances using video call technology. Using a laptop computer and wireless capability, a police officer can now contact a magistrate at any time from almost any location in the state. MVP has shown immediate benefits in cost and efficiency and has reduced risks related to transporting arrestees to magistrates' offices for law-enforcement officers. MVP was approved for use in 56 of North Carolina's 100 counties and has been implemented in 22 counties as of February 2014.

“...jurisdictions with many interpreters on staff for more common languages may find that they can augment revenues by selling the services of their interpreters to other courts.”

Fortunately, under the direction of the Conference of State Court Administrators (COSCA) Language Access Advisory Committee (LAAC), the Council of Language Access Coordinators (CLAC) is working on national guidelines now, and a number of states already use local guidelines.⁵ In 2013 COSCA also passed a resolution authorizing LAAC and CLAC to establish best practices for the use of VRI and create a national database of qualified interpreters.

Each jurisdiction is in a different situation and will probably use VRI in different ways. For example, some states have many interpreters available for a majority of their core languages in many locations. They may have excess capacity that could be used by other, less fortunate states. At the other extreme, some more rural states may have very few practical interpreter resources and may need to do more hearings with VRI than others. Finally, there are many rare languages where few qualified resources are available nationally.

The last scenario illustrates a core business case for creating a national “cloud” VRI capability. While the cloud is definitely a buzzword now, we use it here to describe the ability of a court to schedule a remote interpreter for any language from any location using VRI. Depending on the capabilities of the cloud provider, remote interpreters may need to be scheduled, or they may be available in near real time. Cloud providers must respond to variations in demand across many courts without knowing ahead of time what that demand will be. The great advantage of a national cloud provider is that a court need not worry most of the time about finding the interpreter they need.

The first step toward a national cloud provider is creating a national database of qualified remote interpreters. This move alone would benefit most jurisdictions if it included many of the rarer languages, because finding and scheduling physical interpreters for the rarer languages is time-consuming and expensive. A national database of qualified interpreters matches supply to demand efficiently while eliminating travel costs.



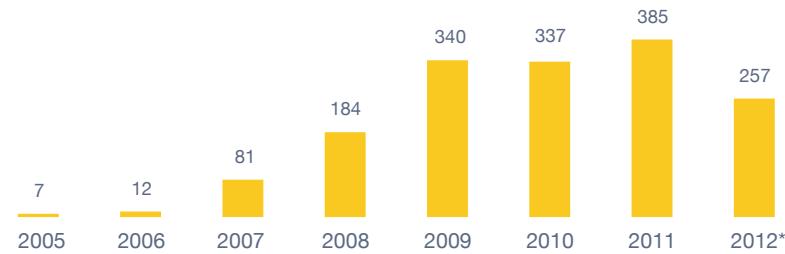
Minnesota Judicial Branch: Remote Interpreting Website

VRI is obviously not a total solution to the interpreter problem. It is one strategy among several and should be used appropriately. VRI is probably a good solution when it is cost prohibitive to use a physical interpreter or when doing so would cause inappropriate case delays. When it is simply impossible to access a physical interpreter, VRI can be a solution. For most jurisdictions, VRI may be the best alternative for many rarer languages. Conversely, jurisdictions with many interpreters on staff for more common languages may find that they can augment revenues by selling the services of their interpreters to other courts.

While using large, high-definition screens definitely improves the body-language problem and high bandwidth mitigates audio-and-visual-quality issues, it is still not clear what hearing types will ultimately be judged appropriate for VRI. As use spreads, practical experience will help courts make that decision. It is already clear that using VRI and mobile end points will significantly mitigate translation problems at the counter and in informal hearing rooms. Encounters outside the courtroom may be perceived by case participants with interpretation needs as significant barriers. Courts should not concentrate their efforts exclusively on the courtroom and fixed VRI end points.

If the business case for VRI proves attractive to many jurisdictions, they will reap a bonus. The same high-performance videoconferencing infrastructure can be reused

Remote Interpreting Appearances in New York State, 2005 - 2012



* as of 8/31/2012

Source: "Management of Remote Interpreting Technology" workshop, October 2, 2012.

for other court purposes, such as remote expert witnesses or juveniles that need to remain anonymous. The hardware and software only needs to be purchased once.

Federal Department of Justice guidelines are broad and do include interpreter services outside the courtroom. Some courts are already experiencing a significant need for interpreters at the counter and elsewhere in the courthouse. As mentioned above, the use of mobile end points for VRI has the potential to readily support these additional needs. Courts will need to carefully consider when permanent fixed end points are appropriate and when mobile end points would be more advantageous.

American state and local courts can benefit from the experience of others with VRI. Other industries, such as health care, already make significant use of VRI. Other countries have used VRI for years, with Australia being one of the obvious leaders. U.S. courts and vendors can benefit from this prior experience and its hard-won lessons about how best to implement VRI. Because the technology used for VRI is evolving so rapidly, courts should be careful not to take these prior experiences too literally when it comes to making technology decisions.

It is safe to say that court use of VRI will increase along with improvements in the technical infrastructure and demand for qualified interpreters. Courts will incrementally add this new capability to their technology arsenal as needed. With luck, a national cloud VRI capability will also soon be available. ☀

References

Brummond, P., and K. Mikshowsky (2012). "District 7 Court Interpreter Pilot Program Report." Report for the Wisconsin courts.

Clarke, T. (2012). "Recommendations for the Use of Court Video Remote Interpretation (VRI)." Report by the National Center for State Courts to the Integrated Justice Information Systems Institute, Ashburn, Va.

Clark, T., A. Marx, and J. Varela (2012). "Recommended Guidelines for Video Remote Interpreting (VRI) for ASL-Interpreted Events." Judicial Council of California, San Francisco.

Conference of State Court Administrators (2013). "Resolution 7: In Support of Establishing Best Practices/Recommendations for the Use of Video Remote Interpretation." Adopted as proposed by the CCJ/COSCA Access, Fairness and Public Trust Committee, Annual Meeting, July 31.

Napier, J. (2011). "Here or There: An Assessment of Video Remote Signed Language Interpreter-Mediated Interaction in Court." In S. Braun and J. L. Taylor (eds.), *Videoconference and Remote Interpreting in Criminal Proceedings*, pp. 145-85. Guildford, UK: University of Surrey.

Schellhammer, E. (2013). "A Technology Opportunity for Court Modernization: Remote Appearances." Report for the Association of Canadian Court Administrators.

¹ For a proposed set of VRI business and technical requirements drafted by an informal group of court representatives from Florida, Kentucky, Texas, Oregon, Utah, West Virginia, South Dakota, Nebraska, and New York, see Clarke, 2012.

² To see how courts are planning to deal with due-process issues, see the report on a new rule by the Arizona courts: "Report to the Arizona Judicial Council from the Criminal Rules Video-Conference Advisory Committee," Administrative Order 2008. See also the draft revisions of pertinent Michigan court rules: Supreme Court Order 2013-18. The latter also includes proposed standards for use.

³ For an interesting example of a pilot project that resulted in comprehensive recommendations for appropriate policies and business processes, as well as a quantitative business case, see the Wisconsin pilot report by Brummond and Mikshowsky (2012).

⁴ For a broader international view of appropriate practices for the use of remote appearances, see Schellhammer (2013). For a critical report on the use of VRI for sign language in Australia, see Napier (2011).

⁵ LAAC published its first version of business and technical requirements in July 2013. For an example of state guidelines for ASL, see Clark, Marx, and Varela (2012).



Call for Article Submissions

Trends in State Courts is an annual, peer-reviewed publication that highlights innovative practices in critical areas that are of interest to courts, and often serves as a guide for developing new initiatives and programs and for informing and supporting policy decisions. *Trends in State Courts* is the only publication of its kind and enjoys a wide circulation among the state court community. It is distributed in hard copy and electronically.

Submissions for the 2015 edition are now being accepted. Please email abstracts of no more than 500 words by October 15, 2014 to Deborah Smith at dsmith@ncsc.org. Abstracts received after this date are welcome and will be considered for later editions.

Visit the *Trends in State Courts* website at www.ncsc.org/trends for more information and detailed submission guidelines.

NCSC Officers and Management Staff

Headquarters

300 Newport Avenue
Williamsburg, VA 23185

Mary Campbell McQueen
President

Robert N. Baldwin
Executive Vice President and General Counsel

Thomas M. Clarke, Vice President
Research and Technology Services

John R. Meeks, Vice President
Institute for Court Management

Jesse Rutledge, Vice President
External Affairs

Gwen W. Williams, Chief Financial Officer
and Vice President of Finance and Administration

Court Consulting Services

707 Seventeenth Street, Suite 2900
Denver, CO 80202-3429

Daniel J. Hall, Vice President
Court Consulting Services

NCSC International

2425 Wilson Boulevard, Suite 350
Arlington, VA 22201

Jeffrey A. Apperson, Vice President
International Program Division

Government Relations

111 Second Street NE
Washington, DC



Developing Business Cases for Remote Interpreting

Strong business cases use strategies to maximize return on investment by choosing remote technologies that are appropriate for the trial court practices, language demand, and technology infrastructure, as well as alleviate non-judicial resources spent on scheduling, processing, or managing interpreters.

Business cases are developed by capturing the reasoning for initiating a project or task and present the need to allocate resources, in money or staff effort. A rigorous business case captures the qualitative and quantitative aspects of a proposed project. Developing business cases that are specific to applications found in courts would ensure priority is given to processes and situations that will benefit from using telephonic and/or video remote interpreting. Although some business cases will apply to multiple courts, each court should develop or be assisted in creating a business case for its unique situation.

In general, the business case lays out the proposed costs of remote interpreting implementation, the alternatives considered, and the benefits in efficiency and cost of staff time, both from the courts as well as other agencies with which the courts work. Business cases should also consider not implementing remote interpreting in a court if the business case cannot be made using cost benefit analysis, or if other factors reduce the value or likelihood of success.

Business cases start as concepts:

- ASL interpretation where no certified interpreter is readily available,
- hearings involving in-custody defendants,
- mobile video conferencing to lower the costs of fixed units
- Using agencies to supplement the local pool of interpreters,
- remote interpreters via telephone or video at the service counters of courts.
- Assuring confidential communication between defendants/respondents and lawyers

Each of these concepts or ideas requires a different analysis to determine the worth of pursuing them in a specific court, in terms of both implementation costs, support and the benefit to the courts in increased access to interpreting services.

Questions that need to be answered about each concept include:

1. What is the strategic context for using remote interpreting? Does this solution address the need?
2. What is the scope of work to applying remote interpreting to a court? What are the pros and cons of the RI approach?
3. What steps need to be taken to implement RI? What partnerships within the court or government would need to be made? What technical skills would be needed?
4. What are the expected costs(one time and recurring) and where will funding come from? What are the costs of doing nothing(status quo)?



TEXAS COURT REMOTE INTERPRETER SERVICE

Working with OCA Spanish Interpreters: A Bench Card for Judges

Overview of Texas Court Remote Interpreter Service

The Office of Court Administration's (OCA) Texas Court Remote Interpreter Service (TCRIS) provides:

- **free** Spanish language interpretation services by licensed court interpreters
- in all case types (criminal, civil, family law, juvenile, probate, etc.)
- by telephone or videoconferencing
- for short, non-evidentiary hearings that typically last 30 minutes or less*
- by advanced scheduling or on demand, as available
- in Texas district and county-level courts and, as time and resources permit, justice and municipal courts

***Note:** Interpretation services, however, can be reserved in blocks as large as two hours, to account for the slower pace of hearings with consecutive interpretation, possible delays in the time a hearing starts, and other extenuating circumstances.

TECHNOLOGY REQUIRED:

- Landline speakerphone (minimum);
- High-speed Internet and webcam; or
- Dedicated videoconference system (preferred)

HOURS OF SERVICE:

Monday through Friday
except state holidays
8:00 a.m. until 5:00 p.m.

To enroll in the service (before the first appointment is scheduled):

1. Log on to: www.courts.state.tx.us/oca/tcris and click "ENROLL."
2. Submit the information requested to enroll the court.
3. An OCA interpreter will schedule a test call or videoconferencing session.

To schedule an interpreter:

1. Log on to: www.courts.state.tx.us/oca/tcris and click "SCHEDULE" (or contact OCA).
2. Submit the information requested about the proceeding.
3. An OCA interpreter will respond by the next business day to confirm the appointment with connection details.
4. If a court will consecutively hear more than one short proceeding requiring an interpreter, the court must schedule a separate appointment for each (up to a maximum total of 2 hours for all hearings).

A few minutes before the scheduled appointment:

1. Call the phone number provided in your appointment confirmation email (or for videoconference systems, follow the connection instructions in the confirmation email.)
2. Identify the court to the interpreter and provide the requested information.

Procedures for successful use:

1. Prior to the hearing, any document that a participant or the court anticipates using should be sent to the interpreter by email or fax. However, the interpreter is **NOT** permitted to perform sight translation of documents or interpretation of audio or video recordings.
2. At the beginning of the hearing, make sure that all parties are close enough to a microphone (and for video conference calls, make sure that the Spanish speaker is close to the video camera and screen) to be clearly heard by the interpreter. The judge should confirm that: (1) all participants can hear each other; and (2) the interpreter and Spanish speaker understand each other.
3. When the hearing convenes, the judge should ask for and resolve any challenges to the interpreter's qualifications or appearance via telecommunication. OCA staff interpreters' qualifications are available online at www.courts.state.tx.us/oca/tcris.

In criminal cases, the judge should ask the defendant if the defendant objects to the interpreter's oath and appearance being made via phone/videoconference. If the defendant does not object, the judge should ensure that this is reflected in the record.

4. The judge should administer the interpreter's oath. (See sample oath at right.)
5. If any participants are unfamiliar with the use of a remote interpreter, the judge should instruct them. (See sample instructions at right.)
6. The judge should ensure that: (1) all speakers pause at reasonable intervals (about every two sentences/10 seconds); and (2) the Spanish speaker pauses for interpretation, even if that person understands or speaks some English.

For additional assistance, please contact:

Office of Court Administration
Texas Court Remote Interpreter Service (TCRIS)
P O Box 12066, Austin, Texas 78711-2066
Phone: (512) 463-5656; Fax: (512) 475-3450
Email: interpreter@txcourts.gov

Sample interpreter's oath:

"Do you solemnly swear that you will well and truly and to the best of your ability discharge the duties of interpreter and translate from English into Spanish, and from Spanish into English, such questions and answers as shall be put to the witness and received from the witness in the case now pending before the Court?"

Sample instructions for the judge to give to all participants:

"We will be using a Spanish interpreter today who is at a remote site. The interpreter will communicate with [name of Spanish-speaking participant]. It is important to speak clearly and at a moderate speed so that our voices will be heard through the microphone located [place]. The interpretation will be consecutive so the speaker must pause every 10 seconds or so. If we speak too fast or for too long, the interpreter will have to ask for repetitions to make sure [he/she] conveys the exact same information in the other language. Please direct all questions and statements to the Spanish-speaker rather than to the interpreter. For example, phrase the question as 'What is your marital status?' rather than as 'Ask her what her marital status is.' The interpreter will then speak from the perspective of the person for whom [he/she] is interpreting."

Video Remote Interpretation Benchcard

Judicial Script

This information is provided to help successful implementation of use of language interpreters via remote video. In addition to criminal proceedings as outlined in Rule 1.6, remote video can be utilized for other court matters. The most appropriate proceedings would be when an interpreter is unavailable to participate in person and relatively short in nature. The use of remote video technology can be utilized for both spoken language and American Sign Language Interpreters.

✓ Important Reminders

Please have your clerk or judicial staff ensure the following prior to the use of the equipment:

- Make sure court's audio visual system is turned on.
- Test the connection to the interpreter initiated prior to the start of the proceeding.
- Determine if interpreter needs to be sworn at the beginning of the proceeding.
- Ensure staff has explained to counsel the process for attorney-client communication.
- Indicate when the interpreter is to begin and when the interpreter is released.

✓ Suggested Language

Suggested Language to Establish Consent

We will have a _____ (language) interpreter for today's matter. The interpreter is at a remote location and will participate in court via video-conference.

Do parties and counsel agree to the interpreter appearing remotely for this proceeding?

Parties and counsel consent to the use of video remote interpreting, so the court will proceed. As a reminder, please inform the court immediately if any party or the interpreter is having technical difficulties.

Interpreter, please state your name. (Administer Oath if necessary) or indicate _____(interpreter name) is present by video remote conferencing and sworn to interpreter _____(language) for _____(defendant).

OATH:

Do you solemnly swear or affirm that you will interpret from _____ to English and English to _____ accurately, completely and impartially, using your best skill and judgment in accordance with the standards prescribed by law and the Interpreter Code of Ethics; that you will follow all official guidelines established by this court for legal interpreting or translating, and discharge all of the solemn duties and obligations of legal interpretation and translation?

Video Remote Interpretation Tip Sheet

Arizona Supreme Court's Video Remote Interpretation Room

Reminders

This information is provided to help successful implementation of use of language interpreters via remote video. The most appropriate proceedings would be when an interpreter is unavailable to participate in person and relatively short in nature. The use of remote video technology can be utilized for both spoken language and American Sign Language Interpreters.

<p>✓ Scheduling the Interpreter</p>	<p>Contact the interpreter and verify the following:</p> <ul style="list-style-type: none">• Does the interpreter speak the specific language of the party needing interpretation- include specific dialects. If the party is deaf, do they communicate through ASL or lip-read?• Confirm the interpreter is available on the date and time of the hearing.• Obtain the interpreter contact number(s), including cell phone and email address.• Explain the interpreter will report to AOC office and will be sent an email from the AOC with details.• Provide the interpreter with the name of the party needing interpretation, charges, hearing type and estimated length of hearing.• Send email to AOCINT@courts.az.gov to schedule the interpreter room.
<p>✓ Day of the hearing</p>	<ul style="list-style-type: none">• Ensure all materials that the interpreter needs have been faxed to: 602.307.1297 or sent via email to: AOCINT@courts.az.gov• Make sure court's audio visual system is turned on before the judge is on the bench.• Determine if interpreter needs to be sworn at the beginning of the proceeding. If so, prepare the judge.• Ensure counsel understands the process of using headphones for attorney-client communication.• Indicate when the interpreter is to begin and when the interpreter is released.• For assistance, please contact Court Services Division: 602.452.3358

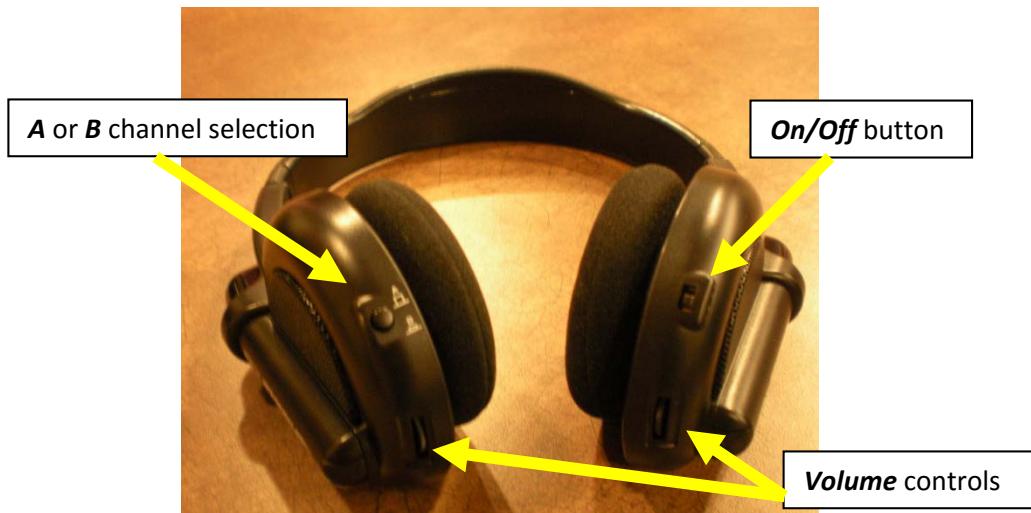
Court - Remote Interpreter Courtroom Equipment

The equipment located in the courtroom for use during remote interpreting includes dual channel headsets and two wireless microphones. Courtroom staff should turn on and test the headsets and microphones to make sure they are working properly before providing them to the attorney and/or person needing interpretation. The headsets should be set to channel B.



The headsets use two AAA batteries each, and the wireless microphones use two AA batteries each. The wireless microphones have a battery indicator display in the small window when they are turned on.

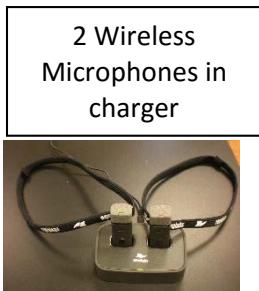
The headsets have two channels: **A** and **B**. The **B** setting is for use with the interpreter system and the **A** setting is for assisted listening.



When connected, the remote interpreter has the ability to hear anyone speaking into any microphone in the courtroom, and the interpreter can be heard over the amplification system in the courtroom. The attorney and client can wear a headset and use the wireless microphones to communicate with the remote interpreter. When requested, the remote interpreter has controls which can provide for a private conversation between the interpreter, attorney and client. This conversation can be held anywhere within the courtroom as the transmitters and receivers send and receive beyond the well of the courtroom. The interpreter also has the ability to control the pan/tilt/zoom camera to view any location in the courtroom. The interpreter can also zoom in on documents that are placed in a position so that they can be read by zooming in the camera.

Superior Court
Interpreter and Assistive Listening Courtroom Equipment

The equipment located in the courtroom for use during **remote interpreting** includes two headsets and two wireless microphones. To use them for remote interpreting, the courtroom staff should remove the microphones from the charger and connect them to the headsets. Press the button on the microphone and wait until the small light turns green. The units are then ready for use. When finished with the units, disconnect the headset from the microphone and place the microphone back in the charger.



2 Head sets



Headset connector inserted in microphone



Assembled microphone and headset



When connected to the courtroom, the remote interpreter has the ability to hear anyone speaking into any microphone in the courtroom, and the interpreter can be heard over the amplification system in the courtroom. The attorney and client can wear a headset and use the wireless microphones to communicate with the remote interpreter. When requested, the remote interpreter has controls which can provide for a private conversation between the interpreter, attorney and client. This conversation can be held anywhere within the courtroom as the transmitters and receivers send and receive beyond the well of the courtroom. The interpreter also has the ability to control the pan/tilt/zoom camera to view any location in the

courtroom. The interpreter can also zoom in on documents that are placed in a position so that they can be read by zooming in the camera.

There is a charger with five headsets that can be used for assistive listening or listening to an interpreter in the courtroom. The headsets have four channels, but only two are active. Channel 1 is for listening to an interpreter in the courtroom and Channel 2 is for assistive listening. Remove a headset from the charger and turn it on, then select whether it will be used on Channel 1 if there is an interpreter in the courtroom, or Channel 2 for assistive listening. Please keep the headsets in the charger when not in use. When in the charger, the light next to the headset will turn green when it is fully charged.

NCSC Site Visits to Arkansas: May 3-5, 2015

Sample Questions for Site Visits

<i>Location</i>
Pulaski, Washington, Yell, Benton, and Sebastian Counties

- In the last few years, how has offering interpretation services in your district impacted your courts from an operational point of view?
- In a statewide survey, a number of courts reported an interest in using the remote interpreting, but their technology was a barrier. Generally, what parts of technology pose issues? Similarly, what parts of remote interpretation pose issues?
- In the same survey, barriers also mentioned were judicial preference or discomfort with remote interpretation, as well as the required physical presence of interpreters. Do you see these as barriers in your court?
- Most of your interpretations are for Spanish, but you have a wide range of language types. What strategies are already in place to deal with other languages?
- What types of cases tend to require interpreters? Do any of these pose specific scheduling issues?
- When using interpreters, what is the process for requesting and using an interpreter? Do you use contractors, freelance, or permanent staff?
- How willing would your court be for being part of a pilot that would centralize certain aspects of scheduling and coordination? Or do you see local control?
- Have you used any special processes for interpretation of ASL or deaf relay?