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Attention: Policy Coordination and Liaison Committee
Regarding: Proposed Language for Provisional ASL Interpreters in Court – Public Comments

I am an ASL Court Certified interpreter working in the California Courts since 1980, holding the SC:L(ASL Court Certification) since 2006. I have worked in the LA County, San Diego County, Imperial County, Riverside County, Alameda County and the Contra Costa County Courts over the many years. I'm also one of the few ASL Court Interpreter trainers here in California.

I am in favor of the Judicial Council's effort to formalize procedures and policies in qualifying non-SC:L interpreters (non-Court Certified) to work in the California Courts.

The truth of the matter, that many individuals out in the community are unaware of, is the fact that the various Courts have for decades been using and qualifying non-SC:L (non-Court Certified) interpreters for various Court Hearings and Trials. In the San Diego County alone, where I reside, just last month a non-Court certified interpreter was used for a trial involving a Deaf defendant and Deaf witnesses. Several non-Court certified interpreters have recently been added to the roster of interpreters contacted and hired to do Court interpreting work. The Courts are currently qualifying non-Court certified interpreters without any guidelines, procedures, or policies. And most Courts (Judges, coordinators, etc.) are not experts or highly knowledgeable about the work of ASL Court interpreters, the unique interpreting process that is involved when interpreting for Deaf individuals, the types of certifications available, the certification process for ASL Court interpreters, etc.

While in favor of all of the proposed changes, I would like to highlight a few concerns that I have. One, is similar to that expressed by Mrs. Margaret Ransom Cobb, the suggestion to include an immediate reference to Rule 2.892 to provide the most expedient and direct access to the document, entitled, "Guidelines for Approval of Certification Programs for Interpreters for Deaf and Hard- of-Hearing Persons".

My second concern is that anything done that impact Deaf individuals and their services especially in the Court system should first include the Deaf community state-wide into this discussion and planning process. I strongly support the Deaf community's mantra, "Nothing about us without us!" I understand that a few Deaf individuals may have been consulted but this information needs to go out to the entire Deaf community state-wide and not just in the Northern California region. Efforts need to be made to inform the Deaf community of their rights to a Court certified interpreter and their options when one is not available. Individuals using interpreters in the court, whether they are Court certified or not, need to have an avenue in which they can file a complaint when their communication needs are not being met.

Lastly, in looking at the INT110 form, there are a few areas that should be considered for adjustment for ASL interpreters specifically or included for when there is an ASL interpreter involved. For example,

National Certification either by the Registry of Interpreters for the Deaf (RID) or from the National Association of the Deaf (NAD) should be the minimum certification standard. This should be indicated and/or asked if the interpreter has this. Another section deals with 'Training in Legal Terminology' – currently there is one line on the form. Perhaps this could be expanded to include one or two more lines to allow for a more extensive listing of trainings taken by the interpreter. Also of benefit to the Court would be the inclusion and requirement of a resume or C.V. from the interpreter outlining their legal interpreter trainings, number of hours of courtroom experience, mentoring, letters of recommendation, etc.

I have seen some very highly skilled and legal/court trained interpreters working in the Courts that do not have a Court certification – and their work has been very successful and effective. But I have also seen many interpreters with no certification whatsoever, or with lapse certification, or with national certification but with very little court training. I have seen these folks present themselves to the Court and be allowed to interpret hearings and trials – their work not so effective or successful leaving Deaf consumers very little option or recourse. This has led to near or actual mistrials and the wasteful use of the Courts resources and monies.

So, while I support the Judicial Council's efforts to get more interpreters in Court to serve the needs of the Deaf, I'm concerned that without the careful considerations and inclusion of the Deaf community into these efforts, this will be more of a disservice to all involved.

Thank you for taking the time to consider these comments.

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