

**JUDICIAL COUNCIL OF CALIFORNIA
ADMINISTRATIVE OFFICE OF THE COURTS**

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Report

TO: Members of the Judicial Council

FROM: Court Interpreters Advisory Panel
Hon. Kathleen E. O’Leary, Chair
Lucy Smallsreed, Supervisor, Court Interpreters Program, 415-865-7705

DATE: April 8, 2008

SUBJECT: Court Interpreters: Testing Standards for Certification and Registration
(Action Required)

Issue Statement

Government Code section 68562 mandates that the Judicial Council set standards and requirements for interpreter proficiency. This mandate includes the approval of testing standards. To fulfill this charge, ALTA Language Services, Inc. was contracted in 2006 to conduct the first study of California’s court interpreter testing program since 1994. The study concluded that, while the current testing program is successfully credentialing candidates whose knowledge, skills, and abilities are aligned with those needed to perform the job of court interpreter, certain aspects of the program are in need of improvement.¹

The council’s Court Interpreters Advisory Panel (CIAP) is charged under rule 10.51 of the California Rules of Court to make recommendations to the council on, among other matters, the certification, registration, and testing of court interpreters. Following the release of ALTA’s final report in October 2007 (*Study of California’s Court Interpreter Certification and Registration Testing*),¹ CIAP members and consultants formed subcommittees to consider the findings and recommendations contained in the ALTA report. During a two-day meeting in January 2008, CIAP members achieved consensus on an initial set of recommendations concerning the court interpreter testing program. These recommendations will be followed by the development of additional recommendations to the council concerning interpreter recruitment, training, and testing.

¹ The study is posted at http://www.courtinfo.ca.gov/programs/courtinterpreters/documents/alta_study_2007.pdf

Recommendation

The Court Interpreters Advisory Panel requests that the Judicial Council approve the following testing policy recommendations for immediate action:

1. Approve the 32 KSAs (knowledge, skills, and abilities) identified in the ALTA study as the essential measure of a qualified court interpreter. (A list of the 32 KSAs is attached to this report.) Twenty-six of these KSAs were found by ALTA to be measurable through testing. Adopt these 26 measurable KSAs as the basis for the court interpreter testing program.
2. Adopt the addition of a bilingual oral proficiency screening exam (OPS) to the current testing program, subject to future budgetary authorization. The purpose of the OPS test is to determine that a candidate can demonstrate the level of oral bilingual proficiency necessary to perform the job of court interpreter. The bilingual OPS exam would be implemented for all designated languages and for most but not all nondesignated languages needed in the courts.²
3. Prioritize the revision or development of new exams by language, based on the statewide level of use in the court and need for each language. Any consideration to decertify a currently certified language due to declining use should be based on the findings of the anticipated *2010 Language Need and Interpreter Use Study*.

CIAP approved six additional recommendations that are methodological rather than policy-level in nature. They are attached to this report for the purpose of informing the council of the direction staff will be taking to strengthen the testing program.

Rationale for Recommendation

In order to provide context for the recommendations, the current testing program needs to be briefly explained.

There are two separate tracks in the interpreter testing program: one for certified court interpreters and one for registered interpreters. The track for certified court interpreters is a bilingual testing track for each of the 12 designated languages.³ Interpreter candidates for certification first take a bilingual written exam that includes components in English and in the designated target language. Candidates who pass the written exam go on to take a bilingual English/target language oral performance exam. The oral certification exam tests both oral bilingual proficiency and interpreting proficiency.

² Rare languages are not practical to test.

³ The 12 spoken languages currently designated by the council for which certification tests have been developed are: Arabic, Eastern Armenian, Western Armenian, Cantonese, Japanese, Korean, Mandarin, Portuguese, Russian, Spanish, Tagalog, and Vietnamese.

The testing track for registered interpreters of nondesignated languages is an English-only track. *It does not currently test the candidate in the target language.* There is an English written exam that mirrors the English component of the certification written exam. Registered interpreter candidates who pass the written exam go on to take an oral English proficiency exam. This oral exam tests English proficiency but not interpreting proficiency, which can only be tested through a bilingual exam. The oral registration exam tests neither bilingualism nor interpreting proficiency.

The tests currently being given to qualify certified and registered interpreters have been in use with only slight modification since 1994, when the council assumed the responsibility for the certification and registration of interpreters from the State Personnel Board. CIAP's policy recommendations would (1) update the standards on which the tests are based, (2) introduce bilingual proficiency testing for registered interpreters, and (3) establish the criteria for prioritizing the order in which languages would be selected for the development of new exams or would be selected for possible decertification.

1. Approve the 32 KSAs (Knowledge, Skills, and Abilities) Identified in the ALTA Study as the Essential Measure of a Qualified Court Interpreter, and Adopt the 26 Measurable KSAs as the Basis for the Court Interpreter Testing Program

The ALTA study identified a set of 32 KSAs (knowledge, skills, and abilities) that define the essential skill set for court interpretation. (A list of the 32 KSAs is attached, on page 7.) The KSAs fall into the following skill categories: linguistic, speaking, listening comprehension, reading comprehension, interpreting, and behavioral. The skills in each category were found to be measurable through standard testing instruments, with the exception of the six behavioral skills, which were determined to be assessable only through personal interview and/or job performance. The focus of the ALTA study and CIAP's discussion of its results have therefore been on the 26 measurable KSAs. By seeking endorsement of the KSAs identified in the ALTA study, CIAP is requesting approval to set the 26 measurable KSAs as the standards for qualification of court interpreters, such that all testing instruments must include assessment of these KSAs.

2. Add a Bilingual Oral Proficiency Screening Exam (OPS) to the Current Testing Program

The purpose of the OPS exam is to determine that a candidate can demonstrate the level of oral bilingual proficiency necessary to perform the job of court interpreter. The bilingual OPS exam would be implemented for all designated languages as well as for as many nondesignated languages as possible. This recommendation introduces bilingual proficiency testing for candidates in nondesignated languages, who are currently tested only in English. According to the ALTA report, "To better identify relevant productive skills needed for communication and to assess native-like command of all working languages, an oral proficiency screener should be used in lieu of or in addition to the written screener. This oral proficiency screener should be created so as to sample relevant grammatical structures, general and technical vocabulary, idiomatic expressions, and

formal and informal register. Such an oral proficiency assessment tool could also be used to test English and foreign language proficiency for all nondesignated languages that currently do not have a certification process,” p. 48. CIAP members believe that the OPS should be adopted in addition to, not in lieu of, the written exam.

Adoption of this recommendation will serve two essential purposes. First, it will screen out candidates seeking to become certified interpreters who do not have the necessary prerequisite oral bilingual skills to proceed to the more difficult oral interpreting performance exam, which is both costly and time-consuming to administer. Second, it will provide an immediate bilingual competency check for candidates seeking the status of registered interpreter, for whom there is currently no assessment in the foreign language.

3. Prioritize the Revision or Development of New Exams by Language, Based on the Statewide Level of Use in the Court and Need for Each Language

Government Code section 68563 mandates a study of the language use and need of interpreters in the courts every five years. The next study is due to the Legislature on July 1, 2010. The development of new exams, particularly the bilingual certification exams, is a costly, long-term process. CIAP recommends that, given the likelihood that resources will be insufficient to allow for new exams to be developed in all 12 designated languages at the same time, the design and implementation of new exams should be phased in according to priority based on the need and use of each language statewide.

4. No Decertification of Any Language Should Be Considered Before the 2010 Language and Interpreter Use and Need Study Is Completed

For languages that have declined or remained low in use and need for the last several years, consideration of any decertification should occur only after the results of the 2010 study are available.

Alternative Actions Considered

The alternative to modifying the existing testing program by adding a bilingual oral proficiency screener and developing updated written and oral interpreting performance exams is to continue to employ the testing instruments now in use. Although the ALTA study found that the current program is certifying candidates who are competent to serve as court interpreters, it also identified numerous aspects of the current testing program that are in need of modification. To not act on the recommendations made by ALTA is to disregard the need for an improved, up-to-date testing and certification program that assesses all of the measurable knowledge, skills, and abilities identified as essential to the job of court interpreter; it is also to forego an opportunity to test the oral bilingual proficiency skills of candidates in both designated and nondesignated languages.

Comments From Interested Parties

Upon the release of the final report of the ALTA study, the Court Interpreters Program posted the study on its website and announced a public comment period from November 16, 2007, through December 17, 2007. Copies of the study with an invitation to comment were also sent to all executive officers, presiding judges, and advisory committees. The California Federation of Interpreters, the California Court Interpreters Association, and members of the NCSC Consortium for State Court Interpreter Certification were also notified of the study and invited to comment.

Of the eighteen responses received by CIP, five were submitted on behalf of judicial branch organizations: the California Judges Association, Court Executives Advisory Committee, Judicial Council Access and Fairness Committee, Language Access Subcommittee of the Task Force on Self-Represented Litigants, and Regional Court Interpreter Employment Relations Committee Chairs. An additional three responses were submitted on behalf of other organizations, including the California Commission on Access to Justice, the California Federation of Interpreters, and the Technical Committee of the Consortium for State Court Interpreter Certification. The remaining ten comments were submitted by individual members of several of the committees mentioned, individual interpreters, and test-takers.

The recommendations from the ALTA study that received the most support in the public comments include the following:

- (a) Implementation of a tiered placement system for qualifying interpreters;
- (b) Inclusion in the rater pool of a variety of subject matter experts as well as raters from outside California;
- (c) Inclusion of an oral proficiency screener as a component of the testing instruments;
- (d) Limitation on the number of times a candidate may take the same version of the test;
- (e) Modification of the oral exam content and structure to more closely align with realistic court language and scenarios; and
- (f) Further research into an interpreter's ability to perform simultaneous interpretation when the working language is asymmetrical with respect to English.

Recommendations that received comments opposing their implementation include:

- (a) Implementation of a tiered placement system for qualifying interpreters; and
- (b) Modification of the current test retake policy.

The public comments were fully shared with the Court Interpreter Advisory Panel and were incorporated into its discussion of the ALTA study and its formulation of the recommendations contained in this report. A full summary of the public comments received is attached to this report.

A number of the comments received relate to aspects of the testing program for which CIAP has not yet developed recommendations and are therefore not addressed in this

report. Those comments included the implementation of a tiered placement system, further research into the simultaneous interpretation of asymmetrical languages, and the modification of test retake policies. CIAP will be reviewing these and other areas of the testing program for possible future recommendations to the council. Many of the public comments received were strongly supported by the panel, including the inclusion of an oral proficiency screener, the diversification of the rater pool, and the realignment of oral exam content to reflect realistic court language and scenarios.

Implementation Requirements and Costs

Of the three recommendations proposed for immediate action in this report, only the addition of a bilingual oral proficiency screening exam (OPS) has costs associated with it. The timeline for planning, piloting, implementing, and evaluating the first cycle of an oral proficiency screening exam is May 2008–December 2009, at an approximate cost of \$250,000–\$300,000, subject to future budgetary authorization.

Attachments

Knowledge, Skills, and Abilities Essential for Court Interpretation

Methodological Improvements in the Testing Program

Summary of Public Comments on the ALTA *Study of California's Court Interpreter Certification and Registration Testing*

Knowledge, Skills, and Abilities Essential for Court Interpretation

The following knowledge, skills, and abilities (KSAs) are essential for court interpretation:¹

Linguistic skills:

- 1A Native-like proficiency in all working languages;
- 1B Ability to think and react communicatively in all working languages;
- 1C Knowledge and use of a broad range of vocabulary, including legal terminology, subject-specific terminology, and slang; and
- 1D Knowledge and use of cultural nuances, regional variations, idiomatic expressions, and colloquialisms in all working languages.

Speaking skills:

- 2A Ability to speak with proper pronunciation, diction, and intonation in all working languages;
- 2B Ability to speak with a neutralized accent in all working languages; and
- 2C Ability to project and/or speak softly.

Listening comprehension skills:

- 3A Ability to listen to and comprehend different rates of speech in all working languages;
- 3B Ability to listen to and comprehend various regional accents and/or dialectical differences in all working languages; and
- 3C Ability to ignore auditory distractions and focus on source speaker.

Reading comprehension skills:

- 4A Ability to read and comprehend overall meaning and specific details of written text in all working languages;
- 4B Ability to read and recognize various written contexts, including formal and informal text, subject-specific vocabulary, idiomatic expressions, and colloquialisms; and
- 4C Ability to read quickly and with little preparation.

Interpreting skills:

- 5A Ability to concentrate and focus;
- 5B Ability to process linguistic information quickly;
- 5C Ability to make quick linguistic decisions regarding word choice or terminology selection;
- 5D Ability to apply short-term memory skills in retaining small units of information;
- 5E Ability to think analytically;
- 5F Ability to utilize predictive thinking skills to anticipate incoming messages;
- 5G Ability to convey meaning;
- 5H Ability to provide transference from one language to another;
- 5I Ability to preserve accuracy;
- 5J Ability to select appropriate equivalent for vocabulary or phrases;
- 5K Ability to conserve intent, tone, style, and utterances of all messages;
- 5L Ability to reflect register; and
- 5M Ability to self-monitor and self-correct.

Behavioral skills:

- 6A Ability to practice and follow ethical standards;
- 6B Ability to conduct business in a professional manner;
- 6C Knowledge and awareness of cultural aspects that affect language;
- 6D Ability to work in various settings, situations, or conditions;
- 6E Ability to project self-confidence and self-awareness when interpreting; and
- 6F Knowledge and continued learning of social, technological, and legal changes that affect language.

¹ Source: ALTA Language Services, Inc., *Study of California's Court Interpreter Certification and Registration Testing* (2007).

METHODOLOGICAL IMPROVEMENTS IN THE TESTING PROGRAM

These additional recommendations made by the Court Interpreters Advisory Panel provide direction for staff's implementation of methodological improvements in the testing program.

1. Develop replacement exams in each designated language to be tested, to avoid the problems identified with attempting to translate an exam written for one designated language pair, such as English-Spanish, into other language pairs, such as English-Korean or English-Arabic.
2. Continue to use a written exam as part of the testing program, but redesign it to test more of the measurable knowledge, skills, and abilities (KSAs) than the written exam currently does.
3. Develop a revised oral interpreting performance exam that incorporates all relevant measurable knowledge, skills, and abilities (KSAs), including the ability to ignore auditory distractions and focus on the source speaker, which is not measured in the current exam.
4. Include both a holistic component and key scoring units in the rating system of the oral interpreting performance exam.
5. Review and strengthen the minimum qualifications as well as the training and monitoring requirements for raters of the oral interpreting performance exam, and develop a formal rater code of ethics.
6. Develop additional interpreter training and education programs that will better prepare candidates for the court interpreter examination.

Rationale for Methodological Recommendations

1. Develop replacement exams in each designated language to be tested, to avoid the problems identified with attempting to translate.

Although designing one test in English and then simply translating it into each of the languages to be tested may appear logical and cost effective, differences between languages and cultures compel the design of tests that will assess knowledge of the specific linguistic challenges that can arise between English and the target language. The challenges that face interpreters of Spanish/English, for example, may not be the same ones facing interpreters of Vietnamese/English. In instances where sections of the existing tests in the foreign languages were simply translated from a base script, the ALTA study found that “confusing or

inappropriate translation options were found in the foreign language key words” that “may contribute to complications in the overall assessment process,” p. 29. In order to test key linguistic challenges in specific language pairs and to avoid the use of awkwardly translated tests, ALTA has recommended that foreign language sections in the written and oral exams “should be developed or adapted in the foreign languages, but not translated directly from a base script.” p. 31.

2. Continue to use a written exam as part of the testing program, but redesign it to test more of the measurable knowledge, skills, and abilities (KSAs) than the written exam currently does.

The ALTA study analyzed the current written exam to determine its relevance to the identified KSAs. The final report recommends, “If use of the written exam as a screening device is continued, changes should be made to the content so that it better aligns with determined KSAs. To measure word usage, rather than just word recognition, vocabulary should be presented in context. Additionally, test content should focus on the correct usage of grammatical structures and vocabulary, but not on writing mechanics.... Material used in the written test content should reflect language and scenarios common to the subject matter found in courts. Material that requires...knowledge of arcane language should be removed.” p. 31.

3. Develop a revised oral interpreting performance exam that incorporates all relevant measurable knowledge, skills, and abilities (KSAs), including the ability to ignore auditory distractions and focus on the source speaker, which is not measured in the current exam.

The ALTA study found that the current oral interpreting performance exam tests for 25 of the 26 identified measurable KSAs; it recommends also testing the one KSA not currently measured, which is “the ability to ignore auditory distractions and focus on the source speaker,” p. 28. Additional recommendations affecting the oral performance exam include the use of “subject-specific and everyday vocabulary that mirrors actual court proceedings,” p. 31, and the use of videotaped simulations of courtroom proceedings, “so as to provide candidates with visual cues as they interpret,” p. 6.

4. Include both a holistic component and key scoring units in the rating system of the oral interpreting performance exam.

The current oral interpreting performance exam relies on holistic assessment, i.e., a global score based on a candidate’s overall performance. While this practice follows a longstanding tradition associated with the testing of language skills, the possibility of subjectivity or its perception in the rating practice of the exam is a concern. ALTA studied selected peer testing bodies that certify court interpreters and found that many place primary emphasis on the use of multiple objective scoring units that are used to calculate a cumulative overall score. To create a more objective rating process, the ALTA study recommends that the California

court interpreter testing program place “emphasis on objective scoring units in the oral exams.” (p. 5) These would be key word units and phrases included in the oral interpreting scripts that “should be designed and/or selected to measure knowledge of vocabulary, proper use of grammatical structures, knowledge and use of idiomatic expressions, conservation of register, accurate rendering of names and numbers, and compensatory strategies used for particular pitfalls in the designated languages.” p. 31.

5. Review and strengthen the minimum qualifications as well as the training and monitoring requirements for raters of the oral interpreting performance exam, and develop a formal rater code of ethics.

Rater competence and objectivity is of the utmost importance with respect to the oral interpreting performance exam. Although the current testing program provides for training and monitoring of the oral performance exam raters, a perception exists among some test candidates, interpreters, and others that the training and monitoring of raters needs to be more rigorous. According to the ALTA report, “While selection procedures seem to ensure that raters have essential qualifications and experience to assess candidates, a number of surveyed test-takers, current interpreters, and stakeholders perceive that rater bias contributes to the low passage rate of oral exam candidates.” p. 37.

With respect to rater training, “the majority of interviewed interpreters reported satisfaction with the initial training received, although some commented on the need for more follow-up sessions. Analysis of rater responses also indicates that...further training, as well as ongoing monitoring, may be needed to ensure fairness and standardized practices in the rating process.” p. 38.

Concerning rater qualifications, while oral exam raters have historically been recruited “on the basis of reported knowledge, experience, and professional expertise,” p. 37, ALTA recommends that to avoid perceived bias with respect to rater selection and in particular the use of California court interpreters as raters, “raters who are court interpreters in California should participate in rating teams comprised of academics, language experts, or certified interpreters from other states or systems.” pp. 37–38.

Finally, concerning the development of a code of ethics for raters, the current test administrator has guidelines in place for ethical conduct, including the requirement that raters recuse themselves in the case of conflict of interest (e.g., when a rater recognizes a candidate from the sound of their recorded voice). Raters are not, however, required to sign anything regarding conduct at present. Recommended is a written code of ethics that all raters will be required to review and sign.

6. Develop additional interpreter training and education programs that will better prepare candidates for the court interpreter examination.

The Judicial Council is charged with responsibility for adopting interpreter training programs. The majority of existing programs are for Spanish candidates only and are concentrated in the Los Angeles area. The ALTA study recommends (p. 5):

- Making test preparation materials available to candidates in all designated languages;
- Creating and expanding interpreter training programs to include more languages and geographic locations; and
- Providing mentoring programs or on-the-job training to post-examination candidates.

Implementing these recommendations to broaden the range of training programs and materials will provide opportunities for more candidates to pass the exams and become certified or registered court interpreters.

**SUMMARY OF PUBLIC COMMENTS ON
THE ALTA STUDY OF CALIFORNIA’S COURT INTERPRETERS CERTIFICATION AND REGISTRATION TESTING**

	Commentator	Comment on behalf of group?	Comment Summary
Committees and Other Organizations			
1.	California Commission on Access to Justice Hon. Steven K. Austin and Kathryn M. Eppright, Cochairs	Y	Support for <ul style="list-style-type: none"> • replacing written test with bilingual oral proficiency screener for both certified and registered languages • provisional qualification for interpreting in less formal court-related settings for candidates who pass the oral proficiency screener • emphasis on objective scoring units with holistic assessment being used as a supporting tool • use of raters from outside California and/or SMEs other than court interpreters • tiered scoring and placement based on bilingual proficiency screener due to need for interpreters at every level of the judicial process • pre-exam materials for other-than-Spanish (OTS) languages and online training programs for all languages • training for judges, attorneys, and court personnel on how to work with interpreters
2.	California Federation of Interpreters Fanny Suárez, Northern California Vice-President	Y	Support for <ul style="list-style-type: none"> • standardizing test instruments across languages and using a single cut-score • emphasizing objective scoring methods with holistic rating as a supporting tool • additional training and monitoring of raters • recruitment of raters from inside and outside California • pairing CA-certified court interpreter raters with raters not working as CA court interpreters • videotaped scenarios for the consecutive and simultaneous portions of the oral exam • lengthening the simultaneous component of the exam to more closely align the ratio of scoring units to interpreting time with the ratio modeled in the federal exam

Summary of Public Comments
 ALTA Study of California’s Court Interpretation
 Certification and Registration Testing

	Commentator	Comment on behalf of group?	Comment Summary
	California Federation of Interpreters Fanny Suárez, Northern California Vice-President (continued)		<ul style="list-style-type: none"> • testing on all measurable KSAs • focus on court-related language and scenarios in written and oral exams • developing or adapting new exams in all languages • multiple versions of exams in all designated languages • piloting and analysis of all changes of test content • further study of the asymmetrical OTS simultaneous interpretation issue • addition of an oral bilingual proficiency screener for all languages tested • limiting the frequency or number of times a candidate may take the oral exam • development of pre-exam materials in all languages • mentoring programs for post-exam candidates • training for bench officers, attorneys and court staff Objection to <ul style="list-style-type: none"> • changes of test retake policy without further analysis • implementing a tiered placement system • eliminating the written exam • lowering current wpm requirement on the oral interpreter exam Proposes that <ul style="list-style-type: none"> • raters and their qualifications be made public • a blue ribbon panel of experts address rating issues • three raters be used per team • a warm-up room and preparation materials be provided to oral interpreter exam candidates

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	Commentator	Comment on behalf of group?	Comment Summary
3.	California Judges Association Kate Kalstein, Legislative Counsel	Y	<ul style="list-style-type: none"> • Supports the study’s recommendations. • Urges the Judicial Council to consider that the desired certification requirements might limit the availability of interpreters of languages rarely seen in rural counties.
4.	Court Executives Advisory Committee Sharol Strickland, Chair	Y	Support for <ul style="list-style-type: none"> • oral proficiency screener to assess bilingual proficiency • equalizing written and oral test content across languages to allow for the establishment of one cut-score for all versions and languages • modifying the simultaneous interpreting words per minute (wpm) requirement from 140 to 120 wpm • greater emphasis on objective scoring units in the oral exams • videotaped scenarios in testing
5.	Court Executives Advisory Committee, Individual Members	N	Additional individual CEAC member recommendations: <ul style="list-style-type: none"> • Include a variety of SMEs as raters and test developers from both inside and outside California; modify policy so only failed portions are retaken (Inga McElyea). • Scrutinize simultaneous portion of oral exam for OTS candidates; include SMEs from outside California as oral exam raters (J. Clarke). • Include legal terminology in the oral proficiency test; use a panel of SME or out-of-state raters for the oral screening exam; develop curriculum to align California court interpreter program with knowledge required for certification; adopt a tiered system; develop a structured curriculum about the role of interpreters for bench officers, attorneys, and court personnel (Ginger Lamar and Sean Lilywhite). • Invest more in training and developing candidates using tiered system, possibly modeled on New Jersey’s; explore partnerships with other regions or countries to address shortage of Spanish interpreters; collect additional data on candidates pertaining to education and employment (Jose O. Guillen).

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6.	Judicial Council Access and Fairness Committee Donna P. Clay-Conti, Senior Attorney, Office of the General Counsel	Y	Recommends <ul style="list-style-type: none"> • explaining on CIP website why ASL not included in study • assessing candidates’ abilities to meet the needs of speakers of indigenous languages • evaluating whether the test measures candidate neutrality • surveying court users of interpreter services, LEP self-represented litigants, and interpreter coordinators • use of tiered levels determined by oral proficiency screener • testing candidates on regional colloquialisms • testing for situations in which both sign and spoken language interpreters are needed • assessing candidate ability to translate orders or instructional materials into the plain language of LEP court users • expansion of recruitment to general bilingual individuals • training for judicial officers on the effective use of courtroom interpreters • developing ways to examine performance of court interpreters
7.	Language Access Subcommittee of the Task Force on Self-Represented Litigants Bonnie Hough, Task Force Staff	Y	Favors <ul style="list-style-type: none"> • a tiered system allowing bilingual individuals to function as language facilitators in self-help centers • interviewing LEP self-represented litigants on whether consecutive or simultaneous is easier to understand • discussion of relay interpreting, including indigenous languages and sign language • training in regional vocabulary and colloquialisms

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	Commentator	Comment on behalf of group?	Comment Summary
8.	Regional Employment Relations Committee Chair, Labor and Employee Relations Unit	Y	<p>Supports</p> <ul style="list-style-type: none"> • further study of simultaneous interpretation for OTS languages issue • selection of raters who do not work as California court interpreters • review of rating guidelines and qualifications for exam raters • recommendation to use videotaped simulations during simultaneous and consecutive portions of oral interpreter performance exam <p>Maintains that</p> <ul style="list-style-type: none"> • a tiered system would pose logistical challenges for the courts • equalizing written test scores is unrealistic, but concerns about perception of inequality are valid <p>Suggests that</p> <ul style="list-style-type: none"> • current wpm testing requirement should be maintained • recruitment efforts should target both native and non-native speakers of foreign languages
9.	Technical Committee of the Consortium for State Court Interpreter Certification Robert Joe Lee, Chair	Y	<p>Supplements and corrects specific points made by the ALTA study in reference to the Consortium’s testing program.</p> <p>Sections address the following:</p> <ul style="list-style-type: none"> • the Consortium’s performance test models • design of the Consortium’s written test • written testing of English language skills vs. other-than-English language skills • monologue vs. witness testimony on simultaneous test • training resources • holistic evaluation vs. unit-based objective scoring

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	Commentator	Comment on behalf of group?	Comment Summary
Interpreters			
10.	Judy Arase, Registered Interpreter (Mandarin) and Former CIAP Member	N	Maintains that <ul style="list-style-type: none"> • study contradicts points made by former CIP staff linguist at CIAP meetings that current exam rating is based on objective, not holistic, scoring and that raters rate exams independently, not together • study suggests there has been a substantial change in scoring practice from the former test administrator, CPS, to Prometric yet it doesn’t mention that the same raters are used • study fails to mention that native Cantonese interpreters were contracted as SMEs to rate native Mandarin speakers • the first round of tests undertaken by Prometric were collected by CPS staff in an open folder of questionable security • conflict of interest and potential for system abuse exist because OTS raters can easily identify candidates, whom they see as competitors
11.	Carlos Benemann, Certified (Spanish) and Registered (German) Interpreter	N	<ul style="list-style-type: none"> • Recommends against revising policy to allow retaking failed oral exam components only. • Objects to tiered placement. • Notes lack of supervision of California court interpreters.
12.	Jeanene Carvajal, Certified Interpreter (Spanish) and Voting CIAP Member	N	<ul style="list-style-type: none"> • Inquires whether the ALTA study showed specific examples in which examiners had acted unethically or whether perception of a conflict of interest is due to lack of feedback to examinees regarding the examination. • Requests specific examples or comments made regarding alleged examiner misconduct as well as information on working conditions for examiners, which may have affected the way the exam was graded

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	Commentator	Comment on behalf of group?	Comment Summary
13.	Mimi S. J. Lain, Certified (Mandarin) and Registered (Shanghainese) Interpreter	N	Maintains that <ul style="list-style-type: none"> • candidates are not being properly tested because funds have not been invested to change the existing Mandarin exam • by having the opportunity to memorize the test, unqualified interpreters may become certified
14.	Genevieve Navar, Certified (Spanish) and Registered (French) Interpreter	N	Maintains that <ul style="list-style-type: none"> • sight translation portion uses unrealistically complex documents • candidates are not tested for skillful determination of uncertain meaning or for managing mumbling, racing, or overlapping voices • ethics can’t be adequately tested on a multiple-choice test • giving better feedback on test results to candidates who fail would help them progress
Test Takers			
15.	Perla Johnson (Passed Written Test)	N	<ul style="list-style-type: none"> • Favors tiered system with different levels of competency. • Maintains that candidates circulate and memorize copies of the test because written test contents haven’t changed since at least 2002. • Claims that raters deduct for renditions of regionalisms without allowing candidates to request clarification. • Asserts that the documents used for the sight translation component are not typical of court usage, that the passage for the consecutive interpretation component of the oral exam is unrealistically long, and that the rate of speech on the simultaneous component is much higher than is realistic for nonroutine material
16.	Carol Ton (Passed Written Test)	N	Maintains that <ul style="list-style-type: none"> • there is not enough information for test takers on Prometric’s website • Prometric’s use of social security numbers on testing materials is inappropriate • the time allotted for the test should be 2.5 hours, not 4 hours • the Vietnamese portion of test is poorly written and includes archaic

Summary of Public Comments
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 Certification and Registration Testing

	Commentator	Comment on behalf of group?	Comment Summary
	Carol Ton (Passed Written Test) (continued)		terminology <ul style="list-style-type: none"> • the vocabulary sections of the written test are an important measure of a candidate’s knowledge, but should be put in context • Vietnamese is not compatible with English for simultaneous interpretation • the speaker’s speed and lack of pauses during the simultaneous portion is unrealistic
Other Commentators			
17.	Robert Joe Lee, Head of the New Jersey AOC Language Services Section (Personal Comments)	N	<ul style="list-style-type: none"> • establishing training requirements is important • accent-free speech is unnecessary • contrary to the study’s phrasing, interpreters convey messages, not concepts • further study is needed to determine the comparative frequency of use among the three modes of interpretation (sight, simultaneous, and consecutive) • the phrasing of KSAs such as “react communicatively” and “provide transference” are vague, and there are additional KSAs not identified in the study, involving situational control, mode switching, note-taking, teamwork, assignment preparation, use of technical equipment, and professional judgment; some KSAs being more important than others, the KSAs should be weighted • implementing an oral proficiency screening test may not be worth the extra cost and added complexity for the court interpreter certification process • consider including test content related to civil as well as criminal courts • limit the number of times a candidate may take the same version of a test • do away with holistic scoring completely • the simultaneous portion of the oral exam is more difficult for examinees regardless of language; the high failure rate is likely a

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	Robert Joe Lee, Head of the New Jersey AOC Language Services Section (Personal Comments) (continued)		function of factors other than linguistic dissimilarity <ul style="list-style-type: none"> • in New Jersey, the simultaneous portion is used as a screener for the oral exam because it eliminates the largest number of candidates and is the easiest and least expensive to administer and grade • videotaped simulations are not recommended without further study to analyze the comparative value of an audio-visual vs. a merely audio approach • developing test materials that originate in each language is not always practical, possible, or necessary given proper controls and procedures • research on the most important variables of data collection should be done before collection