



National Association of Judiciary Interpreters & Translators

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Sunday, March 24, 2013

Sen. David Y. Ige, Chair
Sen. Michelle N. Kidani, Vice-Chair
Hawai'i Senate Committee on Ways and Means
Conference Room 211
State Capitol
415 South Beritania Street
Honolulu, HI

Submitted via website

Re SUPPORT with amendments, HB 266 HD1, Relating to Language Access

Mr. Chair, Madame Vice-Chair, Hon. Members:

I write as chair of the Advocacy Committee of NAJIT, the National Association of Judiciary Interpreters and Translators. NAJIT's mission is to promote quality services in the field of legal interpreting and translating. Our members play a critical role in ensuring due process, equal protection, and equal access for non-English or limited English proficient (LEP) individuals who interact with the judicial system.

NAJIT is the largest American organization of judiciary interpreters and translators. Our aims include: the promotion of professional standards of performance and integrity for court and legal interpreters and translators; wider recognition for the profession of judiciary interpreting and translating; and the enunciation of positions on matters affecting the advancement and interest of the profession of court and legal interpreting as a whole. NAJIT's advocacy committee is charged with monitoring developments relating to legal interpreting and translating and advocating for appropriate standards and procedures.

We applaud the State of Hawaii for establishing the Office on Language Access (OLA), charged with oversight, coordination, and the provision of technical assistance to state agencies and non-profit entities throughout the state to comply with federal language access requirements. We note that a number of these organizations have submitted testimony in support of H 266, citing the need for the bill's proposal to create within OLA a Language Resource Center, intended to assist them in obtaining the services of *qualified* interpreters and translators to provide access to their services for Hawaii's numerous and highly diverse Limited English Proficient population.

As currently proposed in HB266, OLA's Language Access Center would provide this assistance through several measures which NAJIT supports, including that of maintaining "a publicly available roster of interpreters and translators." Our concern with the latter, however, was that, as described in the current version of HB266, this roster would list "any of their qualifications and credentials." We are pleased to hear that the Language Access

Advisory Committee (LAAC) and HIAN have reached an agreement to amend this language to “any of their qualifications and credentials based upon guidelines to be established by the office of language access in consultation with the language access advisory council.”

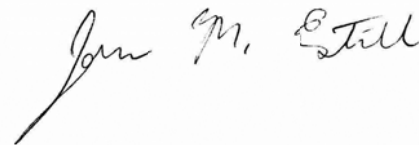
We understand that the Office of Language Access (OLA) will take into consideration the suggestions made in previous HIAN testimony, as well as those of the Language Access Advisory Council, in drawing up guidelines for inclusion in the roster of interpreters and translators and the listing of the qualifications and credentials.

Without such specific criteria, organizations and individuals seeking interpreters and translators will have difficulty in determining which of those listed on the roster have legitimate qualifications as proven by performance-based testing of the actual skills and knowledge required to provide reliable interpretation and translation. For example, a person who has a certificate of attendance for two-day workshop on Interpreting for Victims of Domestic Violence may or may not have the language ability and interpreting skills needed for this kind of work. Someone with a Ph.D. in French Literature may or may not have the legal vocabulary, the interpreting skills, and knowledge of ethics and courtroom protocol to interpret in court. A person with a law degree from a foreign university may or may not have sufficient knowledge of English to provide accurate translations of legal documents. Another problem is that there are private language service providers that assure clients that “all our interpreters and translators are certified,” based on little more than a casual perusal of the self-reported “qualifications” of the people they hire.

Entities such as state and federal judiciaries, certain national and international government agencies, and as nationally or internationally recognized professional organizations such as NAJIT and others described in the HIAN testimony have dedicated significant resources and expertise to the development of scientifically valid examinations for their certifications. It is significant to note that even prestigious universities such as the Monterrey Institute of International Studies do not award “certification” based on their Master’s Degree programs in Interpretation and Translation. In order to become “certified,” their graduates must pass the type of examination administered by the entities described above.

We urge your committee to recognize the importance of professional standards for interpreters and translators by passing HD266 SD1 with the amendments agreed to by HIAN and the Language Access Advisory Council.

Very truly yours,

A handwritten signature in black ink that reads "John M. Estill". The signature is written in a cursive style with a long, sweeping underline that extends to the left.

John M. Estill
Chair, NAJIT Advocacy Committee