



National Association of Judiciary Interpreters & Translators
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October 11, 2016

Ms. Kareen Prentice
Court Services Analyst
Court Interpreter Program
Nevada Administrative Office of the Courts
201 South Carson Street, Suite 250
Carson City, NV 89701
Via email

Re: Court Interpreter Conditionally Approved Designation

Dear Ms. Prentice:

We are writing to comment on the discussion of the final “Court Interpreter Conditionally Approved Designation” guidelines.

This letter comes from the Board of Directors of the National Association of Judiciary Interpreters and Translators (NAJIT), the largest U.S. organization of judiciary interpreters and translators. For nearly forty years, our mission has been to promote quality services in the field of legal interpreting and translating. Our members play a critical role in assuring due process, equal protection, and equal access for non-English or limited English proficient (LEP) individuals who interact with the judicial system. NAJIT’s Board of Directors and Advocacy Committee are charged with monitoring national events and intervening where possible to forward the aims of the organization and the dedicated professionals that comprise our membership. NAJIT also enjoys a very close working relationship with the Nevada Interpreters and Translators Association (NITA).

In our opinion, the effect of the “Court Interpreter Conditionally Approved Designation” would be to create a new class of interpreters: that is, interpreters who are allowed to practice in Nevada courts “only when there is a finding of a lack of a credentialed resource on the record.”

Our comments are as follows:

- The proposed change to the guidelines creates another level of interpreters, “Conditionally Approved”. Although the proposed change may be a well-intended attempt to address a shortage of credentialed interpreters in Nevada, the lowering of the requirements to be met will serve to water down the quality of interpreter services in the state and will be another blow to the existing credentialed interpreters who have met the certification requirements. Any shortage of credentialed interpreters would best be addressed by revisiting the decision to reduce the hourly rate for certified Spanish interpreters in Nevada. That decision has driven many certified interpreters out of the state court system and towards other areas of work.
- This current proposal could have the unintended consequence of circumventing the existing hierarchy for interpreter appointment, thus further diminishing the incentive for certified



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interpreters to work in the state court system. Both Texas and New Mexico have implemented similar changes and the result has been a rise in the use of non-certified interpreters well beyond the instances contemplated by the new rule.

- Other states using the same Consortium for Language Access in the Courts examinations set a level of 70% for minimum competence.
- Reducing the required number of hours of continuing education for lesser-qualified individuals is counterintuitive. Those individuals should have the same requirements, if not stricter ones, in order to promote a quicker rise to certified status.

We believe that the proposed change should not be adopted. Rather, we recommend that the Nevada Administrative Office of the Courts look for options that would create a greater incentive for existing certified interpreters to choose court assignments over other types, as well as more training opportunities for individuals to achieve certification status. Creating a lower tier of interpreters does not address the root causes of the shortage of certified interpreters and in fact could exacerbate the problem. We welcome the opportunity to serve as a resource and conduit to find solutions that will serve the interests of justice, fundamental fairness and those of the dedicated professionals who provide an invaluable service.

Very truly yours,

Esther H. Navarro-Hall

Esther Navarro-Hall, Chair
On Behalf of the Board of Directors