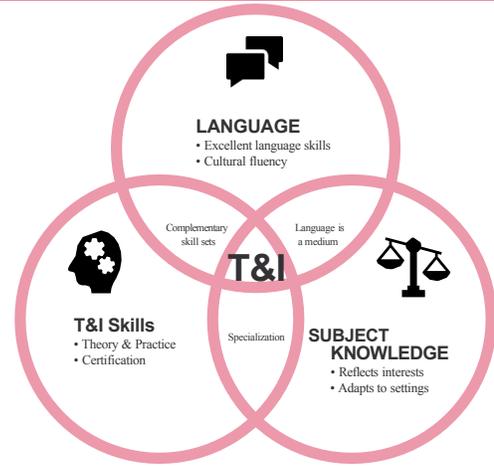


Minnesota's Dedicated Court Interpreters Need Your Support

Please Support The MJB
Supplementary Budget Request
Which Includes Funding For
State Court Interpreters
Thank You!



OUR GOAL: Increase Judicial Interpreter compensation to a competitive pay rate for certified and roster interpreters in an effort to stem the loss of quality interpreters from our ranks and recruit new talent.



As a question of racial equity, both in terms of interpreter pay and access to justice, the Minnesota Judicial Branch payment policy restricts equal access to justice for people with limited English proficiency.



Small, women-owned and minority-owned businesses are negatively impacted by the Minnesota Judicial Branch's antiquated payment policies.

INTERPRETERS ARE STRUGGLING: It's almost impossible to make a living as a court interpreter. As a result, interpreters are leaving the profession for other work after receiving only paltry increases over the last 27 years.



ACTUAL INTERPRETER TAKE-HOME PAY: Our take-home pay has eroded to such a point that it has plunged to **near minimum wage** after taking travel time, mileage, insurance, gas, preparation time, etc, into account. This is not sustainable for interpreters who struggle to fill a 20-hour workweek.



LIMITED HOURS: The court scheduling and payment policies limit most interpreter sessions to a few hours per day. As a result, court interpreters can **usually only bill for about 20 hours** per week, assuming that they actually work both morning and afternoon sessions every day. However, being able to bill a full 20 hours is unusual for most interpreters and impossible for those who speak less common languages.



LOSING INTERPRETERS: Since we started tracking in 2019, the court interpreter roster experienced over a **20% loss in active interpreters**. Low pay in the courts is cited as the main factor in choosing other interpreting work.

Support Your Partners in Criminal Justice Providing Professional Mandated Services for Criminal, Family, Juvenile, Civil Cases

BACKGROUND:

Judicial Interpreters bridge the linguistic gap in the Minnesota criminal and civil courts, state-funded domestic abuse service centers, state penitentiaries and holding cells, state and municipal government offices, and more.

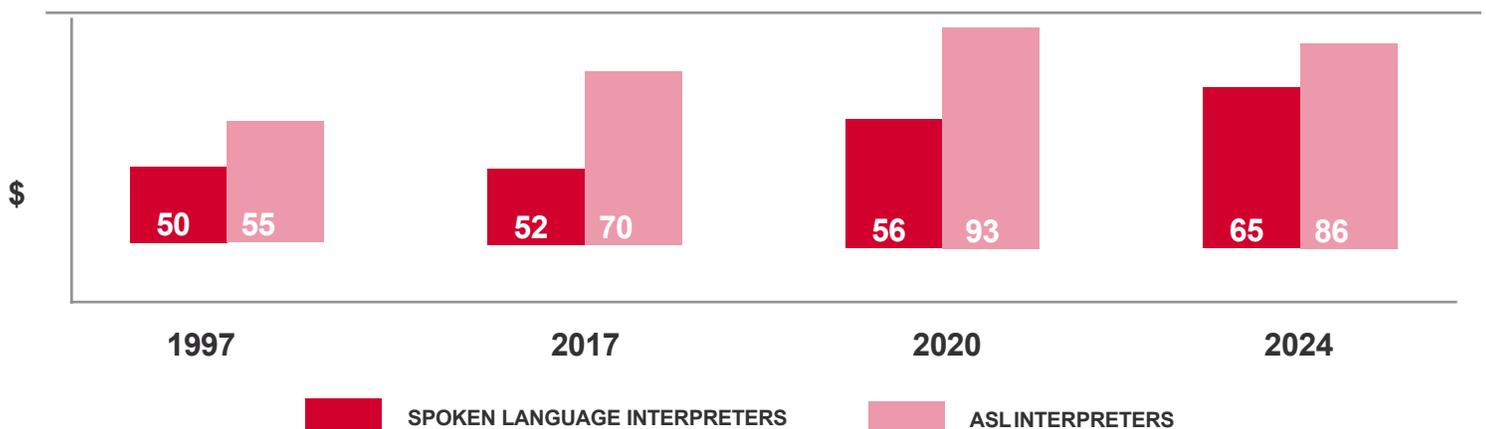
Without interpreters, both our judicial partners and limited English proficient immigrants and citizens cannot communicate. We provide professional, competent and indispensable services so that the executive and judicial branches of government function as smoothly as possible.

Here is some background regarding pay for mandated interpreter services:

- **The Minnesota Judicial Branch started out strong!** - In 1997, the MJB set a competitive pay rate for spoken language interpreters. Let's restore the MN Court Interpreter Program's reputation as the exemplary and cutting-edge program it was at its inception.
- **Spoken language interpreters left behind while other mandated services see an increase** - Over the years, interpreters have only seen token increases while psychological service fees have doubled, eating up a larger portion of the mandated services budget each cycle.
- **Never enough funding** - The history of yearly budget negotiations between legislative and judicial branches and resulting underfunding of the courts runs the risk of cheapening justice. These shortfalls undermine the right to **due process** for those passing through the system, as well as the staff employees and private contractors entrusted with facilitating it.

The interpreters have been attempting to work with the Minnesota Judicial Branch for years to address concerns around the pay equity and working conditions of independently contracted interpreters. **In 2020 interpreters went directly to the legislature** and are grateful for the committee's support in allocating funds for a interpreter rate increase (see chart below).

The disparate treatment of court interpreters reflects poorly on the Minnesota Judicial Branch and the District Courts' obligation to equal access to justice.



TheAsk: Will you support the MJB's Supplementary Budget Request?



January 8, 2024

Court Interpreter Program
c/o Mr. Jeff Shorba, State Court Administrator
State Court Administrator's Office
Court Services Division
25 Rev. Dr. Martin Luther King Blvd, Suite 105
St. Paul, MN 55155

Dear Mr. Shorba and Court Interpreter Program staff:

The American Alliance of Professional Translators and Interpreters (AAPT) is a national association representing all categories of professional interpreters and translators, including those in the judicial field. AAPT's mission is to advocate on behalf of its members and the profession as a whole. Our goal is to ensure that the needs of the courts and the private sector are met with a pool of competent certified interpreters/translators. Court interpreting is a highly specialized area of interpretation and compensation should be commensurate. Therefore, we support our colleagues in the Minnesota courts in defense of improved working conditions and a salary adjustment commensurate with certified interpreters' skills and years of service, consistent with cost-of-living increases, and at similar levels of earnings of other certified interpreters in the nation.

AAPT strongly supports ongoing open dialogue between court interpreters and the Minnesota Judiciary to find solutions that benefit all parties involved. We trust that through ongoing communication, a solution can be reached to ensure that language access and justice in your community is not adversely impacted.

Sincerely,

The AAPT Board of Directors

PO Box 878, Montrose, CA 91021 • 760-58-AAPT
info@aaptconnect.org • aaptconnect.org

18 January 2024

Court Interpreter Program
State Court Administrator's Office
Court Services Division
25 Rev. Dr. Martin Luther King Blvd, Suite 105
St. Paul, MN 55155

RE: Response to proposed revisions to the Court Interpreter Payment Policy, 513a, and the Court Interpreter Qualifications Policy, 513c

We are Assistant Public Defenders and Core Staff writing to express our continued solidarity with and support for the Minnesota Certified Court Interpreters (MCCI).

On 16 June 2023, MCCI wrote a letter with specific recommendations to “prevent the erosion of [their] profession in Minnesota courts.” As public defenders, we routinely rely on the professional and highly trained court interpreters who assist in the representation of our clients. It is imperative to the integrity of the court proceedings that we have the best trained and certified court interpreters available.

Since the MCCI began their work stoppage on 8 January 2024, it has become even clearer how important the MCCI are for our clients and to ensure their due process rights.

We, again, ask you to adopt the thirteen (13) recommendations proposed in their 16 June 2023 letter. The Minnesota Certified Court Interpreters deserve to be sufficiently compensated for their skills and professionalism.

Respectfully signed by the following Assistant Public Defenders and Core Staff:

Rebekah Phelps	Karen Pence	Jamie Vanoosbree
Patrick Montplaisir	Jenna Symanietz	Angela Kroening Johnson
Gerald Wallace	Maggie Bott	Marecca Vertin
Bradley Peyton	Chris Lynch	Darcy Sherman
Corey Western Boy	Adrienne McMahon	Alyson Sorensen
Eve Byron	Matthew Wilkening	Browerti Koffah
Laura Nolen	Laurel O'Rourke	Amy Nash
Taylor Harrison	John Chitwood	Kelsey Soderberg
Briana Perry	Christopher Johnston	Max Fredell
Gina Iannone	Thomas Huling	Brooke Adams
Nathaniel Hyle	Jennifer Chaplinski	Josh Daramola
Dylan O'Brien	Antonia Kurtz	Veronica Surges
Kevin Morrison	Bret Nelson	Sarah Prentice-Mott
Ryan Zelmer	Bob Kolstad	Eduardo Salgado Diaz
Megan Hunt	Brenna O'Connor	Rebecca Noothed
Vanessa Hofman	Stefan Landreau	Chelsea Reinartz

January 13, 2024

Honorable Michelle Winkis Lawson
MN Seventh District
Vice-Chair MN Judicial Council

Good afternoon, Your Honor

I am writing to you with regard to the contract court interpreters' work stoppage. From your many years of experience working with interpreters, I know that you are aware of the vital role that court interpreters play in the Minnesota Judicial Branch's goal of providing access to justice for all Minnesotans. Without highly skilled court interpreters, the communication between Limited English Proficient parties (LEP parties) and the Courts would encounter significant and even insurmountable impediments.

Since 1994, Minnesota has been a leader in providing access to justice by utilizing a highly respected and skilled corps of court interpreters. At the beginning of this initiative, court interpreters were well compensated for their unique ability. Overtime, however, the value and purchasing power of this compensation has been degraded greatly by inflation, and despite very small increases, the compensation has fallen behind with respect to the cost of living.

The current work stoppage is meant to highlight the essential function of court interpreters in facilitating complex communication between the courts and the LEP parties. In addition, the goal is also to emphasize that court interpreters need to receive remuneration for their work that reflects their professional skill as well as the value that they provide to the operations of the court system.

I greatly appreciate this opportunity to bring this matter to your attention and I hope that you will consider supporting the efforts of MN Contract Court Interpreters in our quest for fair compensation.

If you have questions or concerns, please do not hesitate to contact me.

Sincerely,

Leonor

Leonor Valderrama de Sillers
MN Certified Court Interpreter # 214

January 26, 2024



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Fred Goetz

Amber Johnson

Shauna Kieffer

Hannah Martin

Xavier Martine

Andrew Mohring

JaneAnne Murray

Jack Rice

To Chief Judge Natalie Hudson and State Court Administrator Jeff Shorba:

I write as President of the Minnesota Association of Criminal Defense Lawyers (MACDL) to ask you, in the strongest possible way, to bring a swift and fair resolution to the Minnesota interpreters' work stoppage. The work stoppage will soon enter its fourth week. During that time MACDL members across Minnesota have experienced significant disruptions in the timely handling of criminal cases and a serious decline in the quality and accuracy of the interpretation during court proceedings. MACDL has serious concerns about the threat this poses to the due process and fair trial rights of non-English speaking defendants.

MACDL members have had criminal hearings needlessly continued because interpreters are not available. When interpreters are provided on remote language lines, they are not court-certified and the translation is often of poor quality. This leads to confusion and lack of understanding for the lawyers and, most importantly, the accused.

The Minnesota Judicial Branch's Court Interpreter Program and the 513(c) Court Interpreter Roster Qualifications Policy have been essential for the fair administration of justice for all, including non-English speaking defendants. Doing away with or weakening the standards for court interpreter certification would result in non-English speaking defendants not receiving the due process they are entitled to. It will also almost certainly result in increased delays and appeals due to poor translation, lack of understanding, and ill-informed or ill-advised decisions being made by defendants.

MACDL urges you to treat the Minnesota interpreters fairly and bring their rates up to align with modern-day economic realities. As we have seen over the past three weeks, justice does not happen in our courts without qualified court-certified Minnesota interpreters. Please do whatever is needed to get them back in our courtrooms as soon as possible.

Sincerely,

David Valentini
President, Minnesota Association of Criminal Defense Lawyers

January 5, 2024

Court Interpreter Program
c/o Mr. Jeff Shorba, State Court Administrator
State Court Administrator's Office
Court Services Division
25 Rev. Dr. Martin Luther King Blvd, Suite 105
St. Paul, MN 55155

Subject: Letter of Support for Minnesota Court Interpreters

Dear Mr. Jeff Shorba and Court Interpreter Program staff:

The National Association of Judiciary Interpreters and Translators (NAJIT) and the American Translators Association (ATA) extend their unwavering support to the dedicated court interpreters working in Minnesota who are advocating for improved compensation and working conditions. We commend them for their steadfast commitment to facilitating seamless communication in legal proceedings. Interpreters play a pivotal role in bridging linguistic and cultural gaps in the administration of justice, significantly contributing to the integrity and effectiveness of the court system.

Founded in 1978, NAJIT is singular in representing court interpreters, court translators, judicial officers, court administrators, scholars, trainers, as well as interpretation and translation students. ATA was founded in 1959 and represents translators and interpreters working in over 90 languages. Together, we represent nearly 10,000 language professionals nationwide, many of whom work in legal settings. We are united by our commitment to advancing the professional contributions of interpreters and translators in legal settings, nurturing their growth, and advocating for best practices that ensure equal access to justice for communities of speakers with limited English proficiency (LEP). We fully recognize the unique skill set, knowledge, and professionalism that court interpreters bring to their vital work. We firmly believe that compensation for these services should be congruent with the high standards of expertise required.

Understanding the paramount importance of fair compensation, we acknowledge the intricacies of court interpreter work and the continuous investment in professional development to maintain and enhance interpretation skills. Adequate remuneration not only recognizes the value court interpreters bring to the legal process but also serves as a crucial means of attracting and retaining highly qualified professionals, thereby ensuring the continued delivery of professional interpretation services.

NAJIT and ATA stand firmly beside interpreters in advocating for compensation structures that align with the specialized nature of court interpreting. We encourage ongoing and constructive

dialogue between interpreters and court administrators to address these concerns and collaboratively find mutually beneficial solutions. Creating an environment that truly values the indispensable contributions of interpreters is essential to enhancing the overall delivery of justice.

NAJIT and ATA remain resolute in our commitment to supporting the professional interests of court interpreters nationwide, advocating for fair compensation, and highlighting the invaluable role interpreters play in our legal system. We pledge our ongoing support to Minnesota court interpreters' efforts to engage productively with the Minnesota Judiciary. Together, we can contribute significantly to the advancement of the interpreting profession and the ongoing pursuit of justice.

The NAJIT Board of Directors
The ATA Advocacy Committee

Cc:

Representative Jamie Becker-Finn
Hon. Natalie E. Hudson, Chief Justice, Minnesota Supreme Court
Judge David L. Knutson, First Judicial District
Polly Ryan, Program Coordinator, Court Interpreter Program
Governor Tim Walz
Senator Ron Latz



MINNESOTA TEAMSTERS PUBLIC & LAW ENFORCEMENT EMPLOYEES' UNION, LOCAL NO. 320, STATE OF MINNESOTA



AFFILIATED WITH
International Brotherhood of Teamsters

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Recording Secretary

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Trustee

Connie Westlund
Trustee

Statement of Solidarity with Minnesota Court Interpreters

Teamsters Local 320 stands in solidarity with Minnesota Court Interpreters as they use their collective power to fight for better pay.

Teamsters Local 320 represents Minnesota State Court Reporters, Court Clerks in the First and Seventh Judicial Districts, Guardian ad Litem Supervisors, and Assistant Public Defenders and Support Staff at the Board of Public Defense.

In the summer of 2023, the Minnesota Judicial Branch introduced proposed changes to the Court Interpreter Policy and left an open public comment period. Individually and collectively, the majority of certified interpreters, several attorneys, judges, and other legal career professionals expressed their disdain for the Branch's regressive policy and offered their feedback and proposals. The MJB ultimately released a new policy with insufficient amendments to the proposed policy.

Interpreters for court proceedings are responding with an adamant "NO!" to MJB's new payment policy. Teamsters understand their position as the MJB has been chronically underfunded for years. We hope the new Chief Justice will begin to address these system-wide disparities.

The interpreters are independent contractors and do not belong to a union. Therefore, any work stoppage will not involve active picket lines or strike sanctions.

In Unity,

Brian Aldes
Secretary Treasurer

BA/SS, opeiu#12

To put the Minnesota court interpreter's demand for a significant pay increase in historical perspective, certified interpreters are now paid \$56.00 per hour, an increase that went into effect in 2021 after an increase from \$50.00 to \$52.00 in 2018 which means NO increase in pay for 19 years until then. According to Minneapolis's Federal Reserve Bank, this means that by 2018 that \$50.00 per hour was reduced to \$31.92 in value or purchasing power and the two raises in 2018 and in 2021 only incrementally change these numbers over the past 26 years. Moreover, interpreters are independent contractors and pay the full 15.2% social security tax on every dollar earned instead of only 7.65% paid by employees, and they receive absolutely no employment benefits such as medical insurance and pension contributions. Compare this to compensation for Minnesota court personnel to understand just how unfair these circumstances have become.

By contrast a Minnesota district court judge was paid \$86,834.00 per year in 1997 which has been raised since then to \$169,254.00 as of 2022 with proposed or passed legislative increases of 4% for 2023 and another 4% for 2024 bringing their pay up to \$183,065.00 - approximately a 110% increase since 1997 - and thus have suffered no inflationary loss of purchasing power over that period while at the same time that of interpreters has been cut in half. As a former attorney I know how hard most judges work at their job and therefore should be fairly compensated but in evaluating fairness here be informed that additionally they receive a very substantial benefit package including medical, dental and disability insurance, and an incredible employer (state of Minnesota) contribution to their pension of up to 22.5% so that the true total compensation received is over \$224,000.00 or a 118% increase since 1997. Moreover, they only have to pay 7.65 on their earnings for social security instead of the 15.3% paid by court interpreters. Not only do our judges receive fair compensation under the above criteria, but so do most court personnel - especially at the higher positions. Court Administrator Shorba for example is paid over \$200,000.000 per annum plus the aforementioned benefits yet has been in the vanguard of assuring court interpreters remain underpaid.

In order to become certified in our courts an interpreter must undergo rigorous study, training and, testing to qualify for the position. Many study and practice for years before testing and many hold advanced degrees in the field. At trial they must not only be able to simply interpret from a foreign language into English but they must be able to do so consecutively AND simultaneously if required and also be able to sight translate written documents. On top of this they must become proficient in the legal process, terms and ethics and are required to perform their duties under extreme pressure in a trial setting. Their importance to the judicial process cannot be understated and it is incumbent upon those who determine what they are to be paid particularly those who can most influence that determination - that is our judicial branch meaning judges and administrators alike - to recognize that fact and to once and for all compensate our court interpreters fairly. Given its resistance over the last twenty plus years, however, I would propose in the alternative that, since the judicial branch apparently places so little value on the interpreters' skills, perhaps we can dispense with them altogether and our judges instead would be required to be fluent in at least one of the commonly- used foreign languages spoken in our courts in order to qualify to conduct trials and other proceedings. Certainly we as taxpayers would benefit from the resulting lower expenditures and, no doubt, from a more intellectually skilled, if not more enlightened, judiciary.

Michael L. Lander