

Compliance with Title IV

My name is Jen Quevedo and I am a Professional Interpreter cross trained in both the medical and legal fields. I currently hold the Healthcare Interpreter Certification through the Certification Commission for Healthcare Interpreters. I have vast experience interpreting in the administrative courts on the Western Slope as well as the medical field including workmen's compensation cases. I am writing in support of the rule change to comport with Title IV of the Civil Rights Act of 1964, 42 U.S.C. SS2000d to 2000d-7 and 28 C.R.R, Part 42, Subpart C (Title VI) concerning LEP individuals. I commend you for undertaking this process to assure that the Courts are given a whole and complete picture of the cases presented no matter the English proficiency of the witness.

As the current rule stands, there is no mechanism for the Court to evaluate the quality or the accuracy of the assistance that the Limited English Proficient witness is provided with. While I am aware that those presenting themselves as qualified to interpret in this Court must sign the Code of Ethics for Administrative Court Interpreters, this does not assess training and ability. An attorney or a witness can bring an ad hoc interpreter with no training and no requisite skill level and as long as they sign the Code of Ethics, no additional voir dire is conducted to assess their competency. Oftentimes, attorneys rely on untrained bilingual staff to provide interpretation services in Court. Professional Interpreters are trained to faithfully and accurately convey the entirety of the source language orally, reflecting the style, register, and cultural context of the source message, without omissions, additions or embellishments on the part of the interpreter. This Court does have the ability to assess the competency of most expert witnesses and attorneys but lacks the ability to assure the competency of the language services provided, despite the "interpreter's" promise to adhere to the Code of Ethics. The Code of Ethics does not take into account impediments to performance such as lack of training and experience.

In allowing substandard or untrained interpretation to continue, it is a violation of the due process protections. All of the stakeholders have a vested interest in assuring that the witnesses statements are relayed as accurately as possible to the Courts. Professional interpreters are tasked with preserving the record to accurately reflect any utterance by the LEP individual. Pinnacol, the largest provider of workmen's compensation insurance in the state of Colorado, requires that interpreters providing services to their claimants maintain healthcare interpretation credentials and training. The Court should be held to a higher standard as they have a duty to uphold the claimants' rights to due process. It is in the interest of all parties; the attorneys on both sides, the Court, the Claimant that a full and accurate record is maintained. The only way that accuracy and standards of practice are able to be controlled is if the Court is the entity contracting the interpreter and measuring the standards applied.

I would like to thank you for undertaking this process as, I believe, that it will make a tremendous difference in ensuring that LEP individuals receive the appropriate interpretation in court. The United States prides itself on due process as well as equality. Ensuring that these

liberties extend to LEP individuals is a responsibility that we must not take lightly. Thank you for your time.