

ADMINISTRATIVE OFFICE OF THE COURTS
STATE OF NEW JERSEY

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CN-037
TRENTON, NEW JERSEY 08625

FOR RELEASE: JUNE 19, 1986

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The first steps in developing a permanent program that ensures equal access to justice for linguistic minorities have been approved by the New Jersey Supreme Court.

As a result, the Judiciary is moving to improve court interpreter performance, enhance the quality and uniformity of interpreted proceedings, strengthen administration of interpreting, secure quality translations of forms and assure a sufficient number of bilingual probation officers.

In its review of the report by its Task Force on Interpreter and Translation Services, the Court endorsed the Task Force's "guiding principle" that the courts should be equally accessible to all persons, regardless of their ability to communicate in English.

The Task Force, finding that services to linguistic minorities are uneven and often substandard, recommended a series of actions to provide equal access to all phases of court proceedings and services through qualified interpreters, bilingual employes and understandable forms and documents.

"The Task Force has made an impressive and persuasive case for remedial action," the Court said, in comments made public today. "Equally persuasive are its conclusions that the recommendations cannot be implemented overnight, and its suggested plan of action that includes both short and long-term timetables.

"Our initial actions can be viewed as the first steps upon which a permanent program of improvement and change will be built," the Court said.

Robert D. Lipscher, administrative director, said that, based on the Court's authorization, the Administrative Office of the Courts is:

--Seeking public comment on a code of professional responsibility bidding upon all persons who interpret in or translate for the courts.

--Preparing to seek public comment on standards and uniform policies governing interpreted proceedings.

--Participating in the development of a curriculum for training court interpreters that is expected to result in permanent programs at three colleges and universities.

--Placing reference tools, such as standard, legal and technical dictionaries, in the trial courts to assist interpreters.

--Establishing a statistical reporting system that will provide the first reliable data on the frequency of interpreted proceedings to determine the required number of interpreters.

--Translating into Spanish the forms used with the greatest frequency in the trial courts.

To administer the program, Lipscher said the AOC has organized a three-member unit, called the Court Interpreting, Legal Translating and Bilingual Services Section.

Robert Joe Lee of Titusville, who was staff director for the Task Force, was appointed chief. Lee, 38, served for seven years as a researcher and assistant chief in AOC's Probation Services Division.

A graduate of Princeton Theological Seminary and the Rutgers School of Criminal Justice, Lee previously was a prison chaplain for Hispanic prisoners, a bilingual corrections counselor and a religion and philosophy instructor at Westminster Choir College.

Lipscher also announced that vicinage probation departments have more than doubled their number of bilingual officers since 1984 and have submitted plans for further expansion that will exceed the Task Force's recommended target number of 72.

In the past two years, he said, the number of bilingual probation officers increased from 22 to 50, with plans to hire another 35.

The recently-proposed code of professional responsibility requires, among other things, that interpreters maintain an impartial disposition in all matters and towards all parties, and avoid conflicts of interest or appearance of bias.

The proposed code says interpreters should be "unobtrusive" during proceedings, protect confidential information and refrain from commenting on cases, and convey all of the meaning of the source language into the target language without interjecting or revealing their own feelings. They would

be prohibited from providing legal advice or from explaining forms and services.

Lipscher said AOC is working with Montclair State College and the Higher Education Department to design the curriculum for a three-week "train the trainers" program in 1987.

For the second year, AOC is providing 20 scholarships to staff and freelance court interpreters for the intensive summer program conducted by Montclair State College.

The AOC has developed a list of forms requiring translation, ranked according to the volume of clients using them. These are forms that are used to process cases (such as the summons), secure an obligation (such as the conditions of release on bail), or advise parties of their rights.

The forms will be translated by a professional translator, tested for readability and revised accordingly before being promulgated.

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