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IN THE SUPREME COURT OF THE STATE OF NEW MEXICO

May 5, 2017

NO. 17-8500-006

**IN THE MATTER OF THE
APPROVAL OF QUALIFICATIONS
FOR SIGN LANGUAGE INTERPRETERS**

ORDER

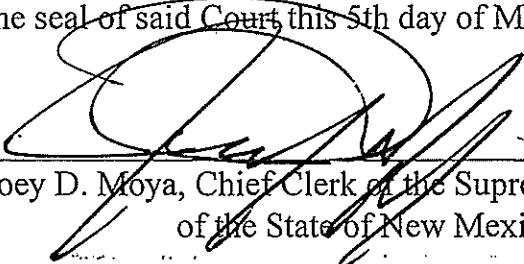
WHEREAS, this matter came on for consideration upon recommendation of the New Mexico Language Access Advisory Committee to adopt revised qualification requirements for sign language interpreters, and the Court having considered the recommendation and being otherwise sufficiently advised, Chief Justice Charles W. Daniels, Justice Petra Jimenez Maes, Justice Edward L. Chávez, Justice Barbara J. Vigil, and Justice Judith K. Nakamura concurring;

NOW, THEREFORE, IT IS ORDERED that the recommendation of the New Mexico Language Access Advisory Committee to adopt revised qualification requirements for sign language interpreters is APPROVED, effective March 1, 2017.

IT IS SO ORDERED.

WITNESS, Honorable Charles W. Daniels, Chief Justice of the Supreme Court of the State of New Mexico, and the seal of said Court this 5th day of May, 2017.

(SEAL)



Joey D. Moya, Chief Clerk of the Supreme Court
of the State of New Mexico

Administrative Office of the Courts

Supreme Court of New Mexico

Arthur W. Pepin, Director
Paula Cousefo-Findikoglu, Program Manager



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April 10, 2017

Chief Justice Charles Daniels
New Mexico Supreme Court
237 Don Gaspar
Santa Fe, NM 87501

Language Access Services - Language Access Advisory Committee
Qualification of Sign Language Interpreters

Dear Justice Daniels and Supreme Court Justices,

I am enclosing a proposal regarding revised qualification requirements for sign language interpreters (hearing). The NM Language Access Advisory Committee recommends this proposal.

The revisions are necessary because Registry of Interpreters for the Deaf, Inc. (RID) has established a moratorium on awarding its Specialist Certificate: Legal (SC:L). We have corresponded with RID and they have confirmed that they have no plans to alter or address this shortfall that now confronts us.

Three tiers of sign language interpreters work in the New Mexico courts:

- 1) Certified: Legal Apprentice. This category is unaffected.
- 2) Certified: Legal Qualified. Previously required to pass the SC:L written test. Would now be required to pass the National Center for State Courts written test for court interpreters that is regularly administered by the NM AOC.
- 3) Certified: Legal Specialist. Previously required to hold the SC:L. Would now have the option of holding the Texas Board of Evaluation of Interpreters (BEI) Court Interpreter Certification.

RID continues to recognize, and the NM AOC will continue to recognize, the SC:L for those who obtained it prior to the moratorium.

Proposal objectives:

- Continue to qualify ASL (hearing) interpreters to work in the NM State Courts

- Continue to recognize the SC:L for those who obtained it prior to the moratorium
- Qualify ASL interpreters through the BEI Court Interpreter Certification as an alternative to the SC:L
- Open the NM AOC written test (also used by BEI as their written test) to ASL interpreters. Upon passing, furnish documentation that ASL interpreters can provide to BEI as proof of eligibility to take the BEI performance exam
- Increase the pool of certified ASL court interpreters in the state of NM to keep pace with current and future needs

The NM AOC is currently unable to qualify sign language interpreters and has a pressing need to do so. Due to the urgency of resolving this matter, we are asking for your approval of this proposal.

Sincerely,



Paula Couselo-Findikoglu
Senior Statewide Program Manager
Language Access Services
NM Center for Language Access
New Mexico Administrative Office of the Courts

Attachments:

1. Proposed revised qualifications for Sign Language Interpreters.

Proposed Requirements for Hearing Interpreters

These requirements were revised in March 2017 in light of the Registry of Interpreters for the Deaf (RID) establishing a moratorium on awarding its Specialist Certificate: Legal (SC:L). New qualification options as of March 2017 have been added to the existing requirements in bold/italics.

Certified: Legal Specialist:

RID Generalist Certification • Specialist Certificate: Legal (SC:L) **or Board of Evaluation of Interpreters (BEI) Court Interpreter Certification** • BA degree or RID's Alternative Pathway • NM Community License • Introduction to NM Courts Seminar & AOC Orientation • 2.0 Legal CEUs in each 4-year RID CMP cycle • Background Check • **Maintain and comply with (BEI) Court Interpreter Certification and CEU requirements (if holding BEI Court Interpreter Certification)** • 3 professional references

Certified: Legally Qualified:

RID Generalist Certification • Pass SC:L Written Test **or Texas Department of Assistive and Rehabilitative Services (DARS) Office for Deaf and Hard of Hearing Services (DHHS)-approved court interpreter written test*** • BA degree or RID's Alternative Pathway • NM Community License • Introduction to NM Courts Seminar & AOC Orientation • **20-hour in-court observation, supervised work and/or mentoring** • 2.0 Legal CEUs in each 4-year RID CMP cycle • Background Check • 3 professional references

Certified: Legal Apprentice

RID Generalist Certification • NM Community License • BA degree or RID's Alternative Pathway • Introduction to NM Courts Seminar & AOC Orientation • 2.0 Legal CEUs in each 4-year RID CMP cycle • Background Check • 3 professional references

* The court interpreter written examination that New Mexico currently administers is approved by the Texas Department of Assistive and Rehabilitative Services (DARS) Office for Deaf and Hard of Hearing Services (DHHS). Texas requires a minimum passing grade of 80% on the written examination before a candidate can be considered for the Court Performance Test.

A description of the written examination is available here:

http://www.ncsc.org/~media/Files/PDF/Services%20and%20Experts/Areas%20of%20expertise/Language%20Access/Written%20and%20Oral/2014%20January_Written%20Exam%20Overview%201%2029%2014.ashx

Examination dates are available here:

<http://www.nmcenterforlanguageaccess.org/cms/en/calendar/class-schedule>

Passing this exam at 80% or above does not automatically make a candidate eligible to take the BEI Court Performance Test. Candidates interested in pursuing BEI's Court Interpreter Certification must additionally comply with BEI's requirements for testing/certification. (See relevant extracts from the Texas Rule at the end of this document).

Candidates must show proof of having passed the court interpreter written examination in NM when applying for BEI's Court Interpreter Certification. Once eligibility is established, DHHS is able to coordinate a testing date in Austin, TX for the Court Performance Test.

See: <https://hhs.texas.gov/laws-regulations/handbooks/board-evaluation-interpreters/chapter-4-court-interpreter-certification/4-4-applying-court-interpreter-certification/4-4-2-applying-a-court-interpreter-performance-test>

BEI Court Interpreter Certification Eligibility Requirements

RULE §109.315 Qualifications and Requirements for Court Certificate

(a) An applicant who is hearing must meet the following qualifications to become a Board for Evaluation of Interpreters (BEI)-certified court interpreter:

(1) hold at least one BEI certificate at Level III, IV, V, IIIi, IVi, Vi, Advanced, Master, or Oral: Comprehensive; or hold certification from Registry of Interpreters for the Deaf (RID) with a Comprehensive Skills Certificate, Certificate of Interpretation/Certificate of Transliteration, Reverse Skills Certificate, Certified Deaf Interpreter, or Master Comprehensive Skills Certificate, or National Interpreter Certification Advanced or National Interpreter Certification Master;

(2) pass the DARS DHHS-approved court interpreter written test, which may only be taken by applicants who hold one of the certificates listed in paragraph (1) of this subsection; and

(3) pass the court performance test, which may only be taken by applicants who have passed the court interpreter written test.

(c) An applicant must provide DARS DHHS with documentary proof that the applicant meets the requirements for testing and for certification.