



IN NEBRASKA COURTS

The right interpretation

From 1990 to 2010, Nebraska saw the number of its residents with limited English proficiency rise from 22,000 to 76,000.

That rate of increase, 245 percent, was greater than in all but five other states.

That has presented Nebraska's courts with a major challenge. Interpreter services are needed when court participants lack an ability in English.

How many times were interpreters needed in Nebraska courts and probation proceedings from mid-2011 to mid-2012? More than 20,500 times.

For those cases, interpreters across the state handled 39 spoken languages and American Sign Language.

Here's how Nebraska Supreme Court Chief Justice Michael Heavican illustrated the situation last month in his State of the Judiciary address: "During the past six months, Czech interpreters were provided in Sidney; interpreters skilled in the African languages of Dinka and Somali were provided in Grand Island; Mandarin Chinese interpreters were provided in Valentine, Fremont, O'Neill and Kearney.

"Interpreters skilled in K'iche, a Guatemalan language, were provided in Fremont, Hartington, Schuyler, Columbus, Madison and Grand Island; and American Sign interpreters were provided in Center, Scottsbluff and Ord. Spanish-language interpreters are regularly provided across the state."

Those limited-English speakers, Heavican said, "come before our courts as victims, witnesses, defendants and parents of juveniles."

Fairness and justice require that court proceedings include adequate communication. That's why Nebraska has had a law since 2000 requiring that interpreters be provided as needed in court.

Since that time, the court system — under the leadership of the Nebraska Supreme Court — has made impressive strides in building its interpretation capabilities and setting high standards and efficient procedures.

Although challenges still remain, Nebraska's progress has allowed the state to avoid federal intervention that's occurred in other states where too little

attention was paid to the issue.

The Nebraska Supreme Court took a key step in 2003 when it established a credentialing program by which interpreters could be certified as meeting the highest levels of expertise.

The court system currently spends \$1.3 million annually on interpretation services and has 31 state-certified Spanish interpreters, says Sheryl Connolly, trial court services director for the Administrative Office of the Court.

Nebraska courts also can draw on the help of six certified interpreters for American Sign Language, one for Mandarin Chinese and one for Russian. In addition, the courts are helped by 47 registered interpreters. The challenge is "tremendous," Connolly notes, in trying to have enough interpreters on hand and via remote technology.

"The Supreme Court has done a phenomenal job" on this issue, says State Sen. John Harms of Scottsbluff, one of several state leaders who has become involved with the issue. "It's really changed how the system works."

Given that most of the interpreters are in Nebraska's metropolitan areas, Connolly notes, the court system uses a variety of technologies, including videoconferencing, to provide services across the state.

Harms notes that the need for interpreters also "covers every phase of government" in Nebraska, including social services and law enforcement.

During fiscal 2011-12, about 88 percent of the court interpreter cases statewide — more than 18,000 cases — involved Spanish. Additional languages included Arabic (520 cases), Nuer, a Sudanese language (434), Vietnamese (383), Somali (154), Kurdish (111), French (69), Russian (56) and Bosnian (47).

Nebraska's juvenile courts used interpreters in 4,428 instances, and probation officers called on their help in 1,795 instances.

Nebraskans can be proud of the proactive steps the state's court system has taken on this issue. The state is right to see that justice, regardless of the language barriers, is provided for all its residents.