

Resolution 6 In Support of the Consortium for Language Access in the Courts

WHEREAS, the Conference of Chief Justices and the Conference of State Court Administrators (COSCA) recognize that the work of the Consortium for Language Access in the Courts (Consortium) greatly advances the efforts of member states and territories to provide due process and access to justice for Limited English Proficiency (LEP) individuals; and

WHEREAS, the COSCA White Paper entitled Court Interpretation: Fundamental to Access to Justice, adopted by the Conference of Chief Justices in January 2008 and by COSCA in November 2007, supports the need to assure the future sustainability of the Consortium; and

WHEREAS, current Consortium revenue is insufficient to sustain the Consortium's critical work to ensure the viability of its interpreter certification examinations;

NOW, THEREFORE, BE IT RESOLVED that the Conference of Chief Justices and the Conference of State Court Administrators:

(1) Support the modification of the current member states' supplemental fee structure and adopt a structure similar to that used for setting National Center for State Courts (NCSC) state assessments, which includes a base amount of \$5,000 and a multiplier of 2.25 for every 1,000 LEP persons in that state (based on the 2000 Census and updated with each subsequent decennial census) effective through 2012. It is understood that, given the current fiscal climate and the need for advance planning for budgets, member states may need to implement incrementally the increased fee. Non-member states are encouraged to join the Consortium for Language Access in the Courts in order to access the Consortium's resources and to enhance national efforts to establish nationwide competency standards;

(2) Urge the establishment of an ongoing discussion with the United States Department of Justice (DOJ), in conjunction with NCSC, regarding the Presidential Executive Order 13166 implementing Title VI of the Civil Rights Act of 1964 and the DOJ's compliance reviews in furtherance of that order;

(3) Endorse the passage of S. 1329, State Court Interpreter Grant Program, (the Kohl bill) or similar legislation to provide funding for state court interpreter services and declare passage of such legislation as one of the highest legislative priorities of the Conferences; and urge all state courts that receive funding through the Kohl bill or similar legislation to commit a portion of that funding to support the work of the Consortium, and

(4) Seek funding to support a summit with national leaders, including members of the Conference of Chief Justices, the Conference of State Court Administrators, the Consortium for Language Access in the Courts, the Department of Justice, and other interested groups to address language access and immigration issues affecting state courts.

Adopted as proposed by the CCJ/COSCA Access, Fairness and Public Trust Committee at the 2010 Annual Meeting on July 28, 2010.

