

Chief's Column – November 2024
The Honorable Luis F. Calderon
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NOT Getting Lost in Translation: Interpreting Services in the Ninth Judicial Circuit

The fabric of America is a tapestry made up of people with different cultures, beliefs, and religions. Florida is a prime example of this. In fact, Orlando is one of the fastest-growing cities in America¹. However, quick growth can strain resources, especially limited government resources. When you combine quick growth, multicultural communities with limited English proficiency, and finite resources, challenges arise. As we embrace these communities and their members, we accept the responsibility of providing them with access to justice.

Language creates a substantial barrier for many of our residents, and the courts have a responsibility to provide due process. Rule 2.560 of the Rules of General Practice and Judicial Administration requires, in many circumstances, that an interpreter be appointed. Currently, pursuant to that rule, the court provides interpreters for Criminal (misdemeanor and felony), Dependency, Juvenile Delinquency, Domestic Violence, and certain Domestic Relations proceedings.

In the Ninth Circuit, there is a large demand for interpreter services, as we have one of the largest Spanish-speaking populations in the state. Spanish is just one of many languages in high demand. Requests for Portuguese, Creole, and Vietnamese interpreters are also substantial. There are also requests for less common languages, many of which are only spoken in remote parts of the world. For those languages, referred to as languages of lesser diffusion (LLDs), the interpreter's office must find a qualified interpreter in accordance with Rule 2.560; A search that is often difficult and time-consuming. These interpreters may reside out of state, or even out of the country, presenting financial obstacles. To address this, the Ninth leverages Virtual Remote Interpreting (VRI) and video-teleconferencing to provide quality interpreting services at a fraction of the cost by eliminating travel and lodging expenses, which can become substantial. So how do we deal with these demands? Enter the interpreting department. These integral members of our court system, who are often heard but seldom seen, keep the wheels of justice turning.

The interpreting department, comprising of a manager, an assistant supervising court interpreter, and 10 Spanish staff interpreters, is tasked with coordinating coverage for all proceedings requiring an interpreter. Our interpreter services department is so big, and the demand for their services is so high, that we have a designated "Interpreter Judge." On any given day, our interpreters must

¹ US News & World Report: [25 Fastest-Growing Places in the U.S. in 2024-2025 | U.S. News \(usnews.com\)](https://www.usnews.com/story/news/2024/11/25/fastest-growing-places-us-2024-2025)

provide services for 70-95 different court proceedings. A herculean task, one might say, but this is where the Ninth has used innovation to maximize its resources.

Years ago, the Ninth Circuit implemented a VRI system and has continued to improve upon it. Currently, our VRI is an integrated system where, from a computer terminal, the interpreter can connect directly to the courtroom, view the participants, and, through a headset, communicate directly with the person needing interpreting services, as well as the judge, attorneys, and parties involved—all while transitioning seamlessly back and forth virtually, without needing to be in the courtroom. The sound emanates from the courtroom's audio without the interpreter even being seen. In certain circumstances, the interpreter may appear by video, if this is required for a particular hearing. This eliminates the downtime of traveling to and from different courtrooms or between courthouses, or even sitting in the courtroom waiting for cases to be called. From a simple touchpad on the judge's bench, the court can access in real time a Spanish Interpreter for a proceeding on demand. Scheduling conflicts do arise when we have more trials and hearings than our staff interpreters can cover. In those circumstances, I, as the Interpreting Judge, will set a priority list for the coverage of cases.

The interpreting department has its eyes looking toward the future and is always looking for ways to further innovate. We have several projects in the works to further expand the use of remote interpreting and recognize that the Courts at some point may seek to expand the types of proceedings requiring the provision of interpreting services. When that expansion occurs, we will have to use our resources more efficiently, and while technology assists greatly, quality interpreters are the most important piece of the puzzle. We are fortunate here in the Ninth Circuit to have the best interpreting staff, a talented group with decades of experience. We rely on their knowledge and expertise, not just in the courtroom, but in identifying and retaining other talented interpreters to serve our court system. At the Ninth, we take pride in ensuring that language is not a barrier for citizens accessing the courts.