

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Appropriations Committee February 23, 2023

**CLEMENTS:** My name is Rob Clements. I'm from Elmwood. I represent Legislative District 2. I serve as Chair of this committee. We'll start off by having members do self-introductions starting at my far right.

**ERDMAN:** I'm Steve Erdman, District 47.

**LIPPINCOTT:** Loren Lippincott, District. 34.

**DOVER:** Robert Dover, District 19.

**DORN:** Myron Dorn, District 30.

**CLEMENTS:** We may have other senators who come and go during the hearing because they have bills in other committees to present. Assisting the committee today is Tamara Hunt, our committee clerk. To my left is our fiscal analyst, Kenny Boggs. And our page today is Kate from Kansas, a UNL student. And Malcolm will be-- Malcolm is looking for chairs. We'll try to provide some more chairs for you [INAUDIBLE] out there. At the entrance, you'll find green testifier sheets on the table. If you're planning to testify today, please fill out a green testifier sheet and hand it to the committee clerk when you come up to testify. If you will not be testifying but want to go on record as having a position on a bill being heard today, there are white sign-in sheets at the entrance where you may leave your name and related information. These sign-in sheets will become exhibits in the permanent record after today's hearing. To better facilitate today's proceeding, I ask that you abide by the following procedures. Please silence your cell phones. For bills, the order of testimony will be introducer, proponents, opponents, neutral, and closing. When we hear testimony regarding agencies, we will first hear from a representative of the agency. Then we will hear testimony from anyone who wishes to speak on the agency's budget request. When you come to testify, spell your first and last name for the record before you testify. Be concise. We request that you limit your testimony to five minutes or less. Written materials may be distributed to committee members as exhibits only while testimony is being offered. Hand them to the page for distribution when you come up to testify. If you have written testimony but do not have 12 copies, please raise your hand now so the page can make copies for you. With that, we'll begin today's hearing with Agency 5, Supreme Court. Welcome.

**[AGENCY HEARING]**

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**CLEMENTS:** There other-- other testifiers regarding Commission on Law Enforcement and Criminal Justice? Saying none, do we have any position comments? Seeing none, that will conclude Agency 78 and we will open the hearing for LB176. Senator Dungan, welcome.

**DUNGAN:** Good afternoon, almost said good morning. Time flies fast. Good afternoon, Chair Clements and members of the Appropriations Committee. I'm Senator George Dungan, G-e-o-r-g-e D-u-n-g-a-n. I represent the good people of northeast Lincoln in Legislative District 26. Today I'm introducing LB176. LB176 is a bill that appropriates an additional \$600,000 to the Supreme Court from the General Fund for fiscal years '23-24, and then again in '24-25. This additional funding will go to the Supreme Court Agency 5 Program 34 to increase payments for interpreter services for the deaf and hard of hearing, as well as those that are unable to communicate in the English language. Court interpreters have not seen a pay increase since the early 2000s. I believe they've not had a pay increase since 2004. This lack of pay has resulted in many interpreters turning to private practice instead of taking cases within our judicial system. When we can't get an interpreter, cases get rescheduled, needlessly extending proceedings at great cost to the state. Just earlier this week, Chief Justice Heavican in his State of the Judiciary, spoke about the importance of court interpreters, stating, quote, Our contract interpreters are hopeful this body will fund an increase in their daily rates this year, end quote. And that's exactly what LB176 would do if enacted. There are plenty of experts here to testify in favor of this bill, from interpreters to court officials and members of the Supreme Court or people who work for the Supreme Court. I want to take a minute to talk a little bit about my own personal experience. For those who don't know and I've talked about it before, but I'll reiterate, I served as a public defender for nearly a decade. Many of my clients were folks who were not English speakers. And I've worked with people who are deaf or hard of hearing as well as nonoriginal English speakers. The court interpreters that I worked with were, to put it frankly, incredible. The court interpreters are overworked and underpaid and we see it every single day. Vast majorities of clients who don't speak English are in all sorts of different courtrooms, and so the interpreters are bouncing from floor to floor, courtroom to courtroom. And when you see how hard they work and the efforts they're putting into it, it's frankly pretty incredible. We have an obligation and a duty, statutory obligation, to make sure that our courts are accessible to those who don't speak English. It's literally something that we must do. And so it's essential to make sure we have court interpreters. In my time as a public defender, I watched some of our

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incredible court interpreters leave the courthouse and move into the private sector. I applaud them for doing that. Obviously, I think it's fantastic they're doing what they have to do. But one of the main reasons they did that was because they simply weren't getting paid enough to remain working for the actual language access services with the courts. My clients oftentimes saw cases continued not just for a few days, but for months, because the court interpreter was overworked and unable to come to Courtroom 22 where that person had a docket call and maybe was going to have that case resolved. Literally, I've seen cases that would have been resolved that day get continued for 90 days and even longer, again, at great cost to the state. So to me, this is a really good return on investments. It's fulfilling an actual statutory obligation that we have to make sure that our people who are in the court system have access to that court system, and it simply is just the right thing to do. You're going to hear from a number of people after me who are court interpreters and they can tell you their personal stories. But I just know from my working with them at the public defender's office that they are superheroes who do incredible work and need to be getting compensated for that. Not having had a pay raise since the early 2000s is incredibly problematic, and they definitely work for every penny they're getting. And I think you're going to hear that from them. So happy to answer any questions you folks might have. And I would urge your consideration of LB176.

**CLEMENTS:** Any questions? Seeing none, thank you for your testimony. We now invite proponents for LB176 to come forward. The first proponent.

**KELLY VARGUEZ:** Good afternoon. My name is Kelly Varguez, K-e-l-l-y V-a-r-g-u-e-z, and I am one of Nebraska's court-certified Spanish interpreters. In 2007 or so, I left my profession as a public school Spanish teacher because I had two small kids and couldn't figure out how to balance daycare costs with workload and-- and everything. And I found my way in 2009 to court interpreting, and I was overjoyed. I was relieved to find a profession that checked all my boxes for me. It was challenging. It had flexible scheduling. I could use the language skills that I'd worked very hard to develop, and it was well-paid enough that I could figure out daycare for my small kids. And the more I offered my services in court, the more inspired I was to learn how much leadership Nebraska had shown at a national level in the early 2000 by establishing a rigorous certification program and requirements and by offering what was at that time very competitive wages that attracted talented individuals to our profession. And over my years in the courts, I've really been fortunate not only to work with wonderful public defenders, prosecuting attorneys, judges, court staff and members of the community who need language access services, but also

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with a-- an amazing cohort of very qualified interpreters, some of whom were refugees when they came here and they worked their way into a profession like interpreting; some of whom as children were asked to-- were-- were unfairly asked to interpret for their own parents in some of the most heartbreaking or tense or frightening situations that we can imagine. And-- and Nebraska has shown leadership in saying that that's not good enough for us in our court system. We're not going to let that happen. We need qualified, talented, neutral parties to provide these language access services. But over my 12 years working in the state courts, I have seen personally how as our wage-- wages have stagnated, numbers of new interpreters joining our ranks is dwindling. The last time we welcomed a new certified interpreter of any language to our roster was in 2016. And in 2009 when I was certified, there were at least three other people certified at the same time. So the numbers have really dropped as our wage-- wages have stagnated. And I think that is directly related to how much our purchasing power has fallen over these 19 years that we've gone without any kind of a rate increase. And I think that LB176 is very much worthy of your support. My colleagues and I do the type of work that-- that allows Nebraska courts to provide the access to justice that we are so committed to. And I do not want to see a program that has meant so much to me personally and that does such good work for our state languish. So I very much request your support of LB176 and would be happy to answer any questions.

**CLEMENTS:** Questions? Senator Dorn.

**DORN:** Thank you, Senator Clements, and thank you for being here.

**KELLY VARGUEZ:** Thank you.

**DORN:** Do you know approximately, maybe somebody else can answer it later, approximately how many interpreters there are in the group or whatever?

**KELLY VARGUEZ:** On our roster. I believe when we initiated the process this year of rate increases, we had a working roster of approximately 40 individuals.

**DORN:** Are they on there-- they're not all full time then. They're part time or as needed or how does that work?

**KELLY VARGUEZ:** Only three Spanish interpreters statewide are full-time Nebraska state employees. The rest of us are all freelance contractors, and so we are called in as needed. Many of the courts in

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more rural parts of the state have dedicated days where they bring interpreters in for a full day in order to efficiently use the funding and the court time. In Douglas County where the volume is higher, there are approximately four to five Spanish interpreters only in the building every day. And weekly, we have a number of interpreters of other languages, such as languages of the Sudan, of Myanmar, the Middle East present also interpreting. And this also covers ASL so we have interpreters present for the deaf and hard of hearing. And of that group of people that I work personally with at the Spanish group, I've seen almost, I would guess, about 40 percent of my colleagues move on to different things just since shortly prior to COVID, looking for full-time employment and just no longer available to serve the courts.

**CLEMENTS:** Senator Lippincott.

**LIPPINCOTT:** Thank you, sir. Do you get paid per hour? Per case? How does that work? And how much is that? Is it graduated pay? And then also, what are the qualifications? Do you have to take a written test, an oral test? How does that work?

**KELLY VARGUEZ:** The way that this works for-- for all interpreters was whether we achieved certification or not is that we are brought in on an as-needed basis for a two-hour minimum block of time. And we cover the-- the maximum number of cases that we're able to cover in that amount of time. So we're paid \$50 an hour and we're guaranteed a minimum of two hours time paid and we cover whatever number cases are needed that we're available for in that time to-- and then our registered colleagues who aren't certified yet earn, I believe, \$35 an hour for each hour and they're guaranteed the two hours. To become certified-- to become registered or certified, you are asked to pass a written exam that tests ethics, knowledge of the court system, and high register English vocabulary. And from there, you move on to an oral exam that tests your ability to interpret simultaneously, which is what you'll see ASL interpreters often do hearing-- hearing spoken language and signing as they hear it. We do the same thing with spoken language. Consecutive is used for testimony, so-- so that we don't have too many voices going at once. There's a test-- testify-- someone testifies, there's a pause within the interpretation. Cite translation is the third mode we're tested in and that's when you read a document in one language and you translate it out loud in real time into your other working language.

**CLEMENTS:** Any other questions? Senator Dover.

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**DOVER:** So, you said there's full time and there's contracted.

**KELLY VARGUEZ:** Yes.

**DOVER:** And the full-time are employees of--

**KELLY VARGUEZ:** Of the state of Nebraska, to my understanding.

**DOVER:** Are they part of the union?

**KELLY VARGUEZ:** Not that I know of.

**DOVER:** That's all the questions I have. Thank you.

**KELLY VARGUEZ:** Thank you.

**CLEMENTS:** Are you-- do you receive any travel/mileage expenses?

**KELLY VARGUEZ:** There is a travel allowance and it's-- it's, I believe, 80 percent of the hourly fee. So it is-- it's a smaller amount than we are-- we make hourly. And it's only if the events that you're called to interpret lasts longer than the two-hour minimum. And we do-- we do get paid mileage at the government-approved rate. But most of those 40 individuals that I mentioned, from that amount of money, we're, you know, we're paying insurance and, you know, just taxes, we reduce from that all of that stuff. So we don't take home clean that amount of money. And-- and on top of it, it's not that we're working 40 hours a week at that rate. Because of the way the courts work, it wouldn't be efficient to have 44 interpreters paid, you know, 40 hours a week at that rate.

**CLEMENTS:** Did you say 80 percent of the hourly rate?

**KELLY VARGUEZ:** Is travel time--

**CLEMENTS:** Travel.

**KELLY VARGUEZ:** --currently.

**CLEMENTS:** What's the-- what's the federal mileage?

**KELLY VARGUEZ:** I believe right now it's something like 62 cents a mile.

**CLEMENTS:** Yes

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**KELLY VARGUEZ:** Some of my colleagues that travel more might be able to--

**CLEMENTS:** Thank you.

**KELLY VARGUEZ:** --let me know.

**CLEMENTS:** Seeing no other questions, thank you for your testimony.

**KELLY VARGUEZ:** Thank you.

**CLEMENTS:** Other proponents for LB176.

**MARIA ARRIAGA:** Hello again. My name is Maria Arriaga. Oh, thank you. Thank you for your time. My name is Maria Arriaga, M-a-r-i-a, Arriaga, A-r-r-i-a-g-a, and I'm the executive director of the Nebraska Latino-American Commission. I'm testifying in favor of LB176. And I want to thank Senator Dungan for introducing this legislation. As you might know, the cost of living around the world has increased considerably and this country obviously not an exception. And everything, as it commonly says out there, everything goes up except the salaries. So the needs continue. We have to adjust to the expenses that we are facing. And obviously if the salary doesn't change, it's-- it's a struggle every time and bring us a detriment in the quality of life, obviously. So let's talk now about the importance of having a qualified personnel to be able to interpret the different variants of the language, especially in an area as important as Supreme Court. Many people simply don't understand how complex language can really be until they are confronted with the task of having to move something important from one language to another. I can say from my own experience that it's a very complicated task, especially when it comes to situations in which definitely-- definitive sentence is at stake. It's incredibly easy for important nuances and a lot of true meaning to get lost in translation if you don't know-- if you don't have the services of a qualified interpreter. Quality becomes even more important if you work in a field like medicine or in this case law that requires a working understanding of a specialized terminology and complex subject matter. Many times it is believed that interpreting is a matter of how being able to understand other language and being able to speak it to make it one's self understood, but really interpreting implies giving a real and strict meaning of the phrase in a completely different language with either structural, grammatical, syntactic, terminological, phonetical, and even cultural way. For example, an interpreter from English to Spanish and vice versa has to know the different regionalisms and idioms that all the variants of the Spanish

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have. It is not the same Spanish from Spain; it is not the same Spanish from Mexico; it's not from Chile; and even is not the same Spanish as we spoke here in United States where there are already subcultures that are expressed in Spanglish. So in short, language isn't it-- and the interpretation, it's an endless study which is complex and must be valued as such. I personally know how difficult it is to retain a staff currently with so much competition outside that offers better salaries. Of course, I understand the need to look for better options, but at the same time I'm very concerned that the quality of these services might be diminished due to lack of personnel or lack of qualified personnel. I believe that a job like this should be recognized with corresponding increases accordingly to the current situation in the country and according to the cost of living. I stress the preponderance of this matter, and I urge you to advance this bill to the General File. If you have any questions, I'm happy to answer.

**CLEMENTS:** Any questions from the committee? Seeing none, thank you for your testimony.

**MARIA ARRIAGA:** Thank you.

**CLEMENTS:** Are there additional proponents for LB176? Welcome.

**VLADIMIR BAZAN:** Good afternoon, members of the Appropriation Committee. My name is Vladimir Bazan, V-l-a-d-i-m-i-r B-a-z-a-n. I am a certified court interpreter, Spanish court interpreter in the state of Nebraska. And I have been providing services for the state since 2012. I am one of about 30 certified interpreters in the state at the state level. I am one of five interpreters who are certified at the federal level. And I share those numbers with you just to give you an idea of how difficult it is to do what we do and to get it-- to get certified what we do. We are not just individuals who happen to be bilingual. We are true professionals and we play a vital role in the court's mission to guarantee equal access to everyone in Nebraska. We are recognized as officers of the court and we follow a professional code of ethics. So we are requesting your support today to guarantee that we receive a just compensation just like all professionals should. I am also a former interpreter coordinator for the state of Nebraska. Before you were asking questions about full-time interpreters. I used to be a full-time interpreter for the state. For about eight years, I was in charge of arranging interpreters for the courts and probation-- probation offices throughout the state, the last four in Lancaster County. I also participated in yearly orientations, which are designed to recruit new court interpreters. So if you want to be certified, if you want to be a court interpreter,



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you have to attend orientation. Year after year, I became aware of the increasing difficulty to secure interpreters and the increase in demand for those services. The demand for interpreters in the private sector was also a constant challenge for me as a coordinator, since I was well aware that we could not offer rates that would be competitive enough to persuade interpreters to accept jobs in the state courts. Sadly, I also witnessed the reduction in both numbers and quality of candidates who wanted to become court interpreters. Eventually, I myself had to leave what was-- once it was my dream job, in order to avoid the stress, cost of having to secure interpreters all the time, and also to offer my services in the private sector, which was so competitive and still is. Nebraska is one of the pioneers in the country in guaranteeing equal access to justice through the use of professional interpreters. Securing the funds necessary to guarantee just compensation for the state court interpreters is vital to guarantee access to justice to every individual in our state and solidify Nebraska's commitment to bring equality before the law. Thank you very much.

**CLEMENTS:** Are there questions? Seeing none, thank you for your testimony. Additional proponents for LB176?

**CONSTANZA MEIER:** Good afternoon, members of the committee. My name is Constanza Meier, M-e-i-e-r. I am a certified Spanish interpreter. I have been interpreting certified since 2001. It is the second year that the state offered this certification. LB176 focuses on increasing pay for contract court interpreters. This is an access to justice issue. It is a fundamental right. Language access is equal justice access. Our communities are becoming increasingly diverse, which means there is an increased need for interpreters in the courts of all languages. We are integral to justice. Interpretation is a skill and it should not be assumed that any bilingual person can be an interpreter. The proof of that is that we have not been able to certify any Spanish interpreters since 2014. Unfortunately, we are underpaid and we have not received a pay increase in 18 years. I don't know many people who would stay at the same job without a rate increase for 18 years. Like all professionals, we deserve just compensation. A pay increase is long overdue. A pay increase would also help attract and retain qualified interpreters to serve this crucial role in our justice system. Thank you for your time.

**CLEMENTS:** Any questions? Senator Dover.

**DOVER:** So what would be a current wage for an interpreter?

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**CONSTANZA MEIER:** Well, we-- we formed the Interpret Advocacy Committee and we are requesting \$85 an hour for certified and \$60 an hour for registered which is people who have gone through the orientation, have passed the written English proficiency exam, and have passed 50 percent on the oral exam.

**CLEMENTS:** Would you spell your first name, please?

**CONSTANZA MEIER:** C-o-n-s-t-a-n-z-a.

**CLEMENTS:** Thank you.

**CONSTANZA MEIER:** Thank you.

**CLEMENTS:** Are there other questions? Seeing none, thank you for your testimony. Additional proponents for LB176.

**FRANKIE MacGREGOR:** Good afternoon, Chairman Clements and members of the committee. My name is Frankie MacGregor, F-r-a-n-k-i-e M-a-c-G-r-e-g-o-r. I'm a certified Spanish interpreter in the state of Nebraska. I have been certified and working in Nebraska courts since 2009. However, last year I found that I was no longer able to meet the costs of self-employment and managing a household, and I got a part-time job until January this year. I was able to take another position as a full-time Spanish interpreter with Immigration Court, where the pay is higher. I'm given a three-hour minimum, and I'm guaranteed a 3 percent pay increase annually. I would gladly return to the state of Nebraska if I could make ends meet with that pay. And besides my own experience, I'm wondering if the committee would allow me to share a letter that was hand-delivered to us from a judge this week.

**CLEMENTS:** Yes, you may.

**FRANKIE MacGREGOR:** Thank you. This is from Judge Geoffrey C. Hall, District Court Judge-- Judge of Dodge County, Sixth Judicial District. Dated February 21, 2023, addressed to the Nebraska Unicameral Appropriations Committee, RE Support of LB176. Dear Chairman and Members of the Committee, Please consider this letter my support of LB176 introduced by Senator Dungan. In my experience as a district judge, I have found our court-certified interpreters to be an extremely valuable part of the legal process here in Nebraska. Unfortunately, these dedicated individuals are underpaid and have not received a pay increase in over two decades. In the District Court of Dodge County, we have a growing need for qualified interpreters to help individuals navigate the court system. I believe that a pay

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increase is long overdue and will help attract and retain qualified interpreters to serve in this crucial role. Sincerely, Geoffrey C. Hall.

**CLEMENTS:** Thank you. Are there questions from the committee? Senator Dover.

**DOVER:** What's the current rate, excuse me, what is the rate you're currently being paid in your new position?

**FRANKIE MacGREGOR:** \$53.96.

**DOVER:** Does that include any other benefits or--

**FRANKIE MacGREGOR:** No.

**DOVER:** --travel?

**FRANKIE MacGREGOR:** For travel, I would get an extra hour of pay every day.

**CLEMENTS:** Any other questions? Seeing none, thank you for your testimony. Additional proponents for LB176? Welcome.

**DALE TAYLOR:** Good afternoon, Chairman, members of the Appropriations Committee. My name is Dale Taylor, D-a-l-e T-a-y-l-o-r. I may be one of the earliest ones certified in the state. I came in 2000 here to the state of Nebraska, up from Mexico, and I went into the Madison County Courthouse at that time because there was someone in front of the window. We're needing some interpretation and there was nobody back that could answer their questions or could know what they were even wanting to do. So I stepped in and said, hey, can I help you? And so I did. And they said, would you help us more because we have those situations all the time? So I said, sure, I'd love to. So that was what started my-- my career in court interpreting. That was back in 2001. In 2002, I began to do it more full time. And it was in 2005 when I was certified as a court interpreter. I was one of the earlier ones because of the certification that was proposed. Now, before that time, there was no certification process. And so, as has been mentioned by a previous colleague here, Nebraska was very-- a forerunner in some of that process of certifying, getting people that were actually working in the courts were qualified for that position and were actually able to do a job that was worthy of the courts. Since that time, nothing-- well, at that time there was a wage established. It was considered quite meager. And-- and then in 2004 or 2005, I believe it went to the current rate. And that is what we've

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been working at, at that time. I concur with my other colleagues with regards to the fact that it no longer sustains us as interpreters. In fact, on the private level, I am able to-- to charge other companies, other attorneys privately, \$100 an hour for my services. There are other colleagues of mine in other places that charge more than that, \$110, \$115. And so those are the wages that we can actually charge on the private sector doing this private contract work. One of the challenges that we have is because as a professional interpreter, because it is only as you are needed. If I don't generate enough income through my professional interpreting to support the family, then I am obligated to find a job that will. And so I may look at the public sector where I can work then a regular 40-hour work-- workweek and earn the money that I need to support my family. And so there is that need to be able to not only provide enough service, enough, you know, enough work, but then to make it worthwhile, where that I can then out of my pay, can pay for health and for-- for my taxes and for childcare if that's possible or if that's needed and so forth. And so when you consider that being the, not a net, then there are obviously then there's a lot that comes off the top. And so I am here just to say personally myself, I have turned down many opportunities to work in the courts because I have a better paying gig on the private sector. Obviously, it's a matter of economics. Why take a \$50 an hour job and work when I could actually earn \$100? So it's just a matter of dollars and cents in some ways for us. And the problem is, is that if it doesn't get raised, then we're going to have a harder and harder time to secure interpreters. In fact, right now, basically I do it because I have-- I take pity on my coworkers because they're overworked or because they can't find anybody. And so they'll call me and say, hey, Dale, I really need you right now because there's nobody taking this thing and-- and we're stuck. And so I say, OK, fine. And then I'll-- I'll-- I'll take a job. But that's just the-- the-- the brass tacks I guess. I just wanted to give that personal opinion and support of that. Thank you.

**CLEMENTS:** Any questions from the committee? Seeing none, thank you, Mr. Taylor.

**DALE TAYLOR:** Thank you, Your Honor.

**CLEMENTS:** Are there other proponents for LB176? Welcome.

**LUNA TSANG-SAHS:** Thank you. Good afternoon. My name is Luna Tsang-Sahs, which is L-u-n-a T-s-a-n-g-S-a-h-s and I'm a registered Nebraska court interpreter. And this is my freelance job and I started back in 2002. And when I attended orientation, in order to be the

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Nebraska court interpreter, you have to attend orientation and also as has been mentioned, you have to pass the written test and also the oral exam. And back then, you don't need to pay anything to be getting to the orientation. And also regarding to the-- well, you've got to do the written test. You don't have to pay anything unless you fail. Then you have to pay for the second test, and the oral test, you have to pay for it. And then, as I said, that I was-- it was back in 2002 and is back in 2000-- I think like back in 2015 or something like that actually [INAUDIBLE] back to couple-- several-- a couple of years ago and I had been working as a court interpreters and-- but this just my part-time job because it's needed in my language. I've got a mastery of my language. I'm one of the Mandarin interpreters and I'm the only Cantonese court interpreter. And for that and because the-- as Senator Dungan mentioned earlier, that it's not easy to be a court interpreter because Nebraska required a high level. And I take another-- I have to keep on updating and keep on the training and stuff. And you have to, of course, you have to use your own expense. It's not for the pay rate. And since 2002, actually, I didn't see any raise at all. So it's 2023 now and over 20 years, not even a one dime. That is kind of upsetting, but it's kind of hard to do it and especially when it's like is needed-- as needed. And a lot of times we're being called like the very last minute or maybe within a very short time notice. And also when we get to the courtroom and we don't know which courtroom that we're going to, and they always change courtroom at last minute also. And they don't inform, they don't have communication, and they don't let us know. So when we got there, we were like doing like a scavenger hunt, trying to go through all the places, all the courtroom, find out which one it is and it is frustrating. And when you get there and you find out that-- that you're late already and then the case is already done. And I believe in everybody have a fair trial. And because of that and people who doesn't speak English and should have a fair trial, too, and that's what the court interpreter is for. So-- and it just-- it just a little bit frustrating. But like I said, we do have minimum pay for two hours. And-- but for my understanding in the federal level and is because only over two hours, then you can get extra interpreters for help. And being an interpreter as even training in our intention training mentioned that that if you have a-- if you're bilingual doesn't mean that you can be an interpreter. You have to be trained and be professional, ethical. So because of that is not easy to be one. And so, yeah, that's all I have to say I guess. Thank you.

**CLEMENTS:** OK, very good. Any questions? Seeing none, thank you for your testimony.

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**LUNA TSANG-SAHS:** Thank you.

**CLEMENTS:** Other proponents for LB176, please come forward. Welcome.

**RAUL ESCOBAR:** Thank you. My name is Raul Escobar. I'm a certified Spanish interpreter. I was the interpreter coordinator, and in-house interpreter here in Lancaster County for ten years.

**CLEMENTS:** Would you spell your name, please?

**RAUL ESCOBAR:** Yes. Sorry. Raul, R-a-u-l, Escobar, E-s-c-o-b-a-r.

**CLEMENTS:** Thank you.

**RAUL ESCOBAR:** Sorry about my voice. I interpret all day long, and it just kind of goes away after a while.

**CLEMENTS:** Would you start over, please?

**RAUL ESCOBAR:** Sure.

**CLEMENTS:** All right.

**RAUL ESCOBAR:** I'm a certified Spanish interpreter through the Nebraska Supreme Court. I started interpreting in the courts in '98-99. At that time, I was working for NEBHELP, which is now Nelnet, I believe. They were very lenient with me. They used to let me come and go as I pleased. So I started interpreting because I don't know how they-- the courts found out that I was bilingual. So they called and said, can you come help us out? I said, I don't know anything about court language. I don't know that I can, but I'll come look. So when I went to the Lancaster County Court, there was an old gentleman who had been interpreting for many years. He kind of took me under his wing, got a bunch of dictionaries, boned up on stuff, and I started interpreting. In 2000, they formalized-- Nebraska formalized the certification process. And I actually didn't pass that exam into-- until 2007. It is a very difficult exam and it should be. Right? People's lives could be at stake. Some of my colleagues were certified earlier than that. They'd been working there for a while, so I was working as a registered interpreter at the time. In 2007 when I passed the exam, Nebraska was, or Lancaster County was, looking for an in-house interpreter and coordinator. So I applied for that and got that job, and I did that until 2017. At that time, we used over 41 languages in the courts across Nebraska, pretty diverse state actually. When I decided to go freelance in 2017, just for family reasons, moved to Seward, Nebraska. I live outside Seward, and I regularly cover about

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seven different counties that I travel to with the expense on, you know, wear and tear on your car, self-employment taxes, the harder you work, the more they seem to take from you. I'm a taxpayer, so I'm not here to propose that you raise this on the backs of taxpayers. I am a taxpayer. I do believe that we need this-- this raise. We haven't had any new interpreters in seven years. It's not an easy job. Not just anybody can walk in and do it. You do need experience. You need-- you need to gain your experience in court. You need kind of a baptism by fire. You put in all the information in your head. When you're under stress, it comes out and you have to practice. So it is very important, I believe, although a small cog in the wheel of justice, but it is a very important one. We are part of the rubber that hits the road. I work with judges, probation officers, and we get the job done. When I'm not there, they literally can't get the job done. Recently here, we've been having difficulty finding interpreters for trials. It takes at least two interpreters to do a trial, switching every 30 minutes to avoid fatigue. It's very difficult to do that. We've actually lost five interpreters, some to health, some moved out of state, some have moved on to other jobs. So we really need the help. I think better pay will go a long way to attract the talent that we need. I know that being a rural state, we are compared to the rural states around us and say, well, we're paying better than they are. But the truth of the matter is and the true factor that should determine whether you make this appropriation is how do we attract the talent that we need to do a good job in court? How do we provide that equality before the law? I think it should be-- that should be the factor that you consider rather than what is being paid now. Fifty dollars an hour, two-hour minimum sounds really good; \$40 an hour for travel time and then the mileage rate at the federal rate. But the more I travel, the more I spend on my car and repairs. Gas is kind of crazy right now. And-- and just the wear and tear on you. I enjoy what I do. Otherwise, I wouldn't do it. I go to seven different counties, sometimes even farther afield than that. And I-- I wouldn't change it. I love working with judges. I love helping them administer justice. So I hope that you will support this bill. Thank you.

**CLEMENTS:** Thank you for your testimony. Any questions? Seeing none, thank you. Other proponents for LB176?

**CADEN TAIT:** Everyone, members of the committee, my name is Caden Tait, C-a-d-e-n T-a-i-t. I'm here to testify as a proponent of the appropriations bill, LB176. I'm here not just as an interpreter who's been certified for almost ten years, I'm also here as a businessman and a family man. So during my time as an interpreter, my family has grown to four kids and I've had to work all that time supporting them.

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And my business costs have also gone up. I have a website with hosting services, payroll taxes, professional fees, rent, and all the things that a business needs to function. Meanwhile, the wages haven't risen since I got here. And I'm kind of a test case of what's happening in the courts because during my time as an interpreter, I've gradually moved to doing less work for the state of Nebraska and more work for private companies and also now working for the state of Colorado. I'm still a resident of the state of Nebraska, but over the past about a year and a half, I got certified or I received reciprocal certification in Colorado, and I've started working more for them. And now at this point, my work comes about 30 to 40 percent from that state, simply because of economics. With a family of four, my wife stays at home, we homeschool and I need to be able to pay the bills. And even though the hourly wage might look the same or similar between here and Colorado, Colorado being \$55 an hour; here being \$50 an hour, the de facto pay is very different. Because there, it's a de facto half day/full day rate that we're scheduled for whereas here it's the two-hour minimum, which is kept to in almost all cases except for trials. Because of that, my wife and I are also considering and have been considering moving to Colorado and starting a life there. It has made more and more sense for us and for me to be traveling less, taking more work for Colorado. And that'll be a great loss to the more rural counties of Nebraska, which I serve. There are only a few of us certified Spanish interpreters who are willing to travel to places sometimes hundreds of miles away, which is what I do. Living in Omaha, I travel up north all the way to the border with South Dakota and Dakota City in Iowa. I travel out west all the way to Lexington, Nebraska, which, as most of you will know, is very far away; Grand Island out to Lincoln. And it-- with many kids at home and a lot of needs, it just isn't feasible to be gone as much as I'm gone. But with the wage increase, it would definitely change the economic dynamics that I have to balance in my life and in my business. With that, I can take any of your questions. Thank you.

**CLEMENTS:** Any questions? Senator Dorn.

**DORN:** Thank you, Senator Clements. Thank you for coming here. So Colorado guarantees you then a half day when you're out there in court?

**CADEN TAIT:** Not by statute, but the coordination is such that the de facto scheduling is half day/full day. So even though by statute they have an hourly rate, the scheduling is half day/full day.



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**DORN:** Half day/full day. And when you're in Nebraska, you're working for a court system, then they only schedule you two hours and it may go longer. Or what-- how does that factor?

**CADEN TAIT:** For the most part, unless it's a trial which you are slated for a couple of days, which also might get canceled at the last second and you don't get paid for, they try to keep to the two-hour minimum as best as they can for economic efficiency and for efficiency of the courts. Whereas in Colorado, even though there may be a lot more idle time, they need to secure interpreters. And so they-- they do so because the economics are such that interpreters in the districts that do half day/full day rate will prefer those districts as I do.

**DORN:** Thank you.

**CLEMENTS:** Any other questions? Seeing none, thank you, Mr. Tait.

**CADEN TAIT:** Thank you.

**CLEMENTS:** Other proponents for LB176. Welcome.

**YURIDIA IGBOKWE:** Hello. My name is Yuridia Igbokwe. It's spelled Y-u-r-i-d-i-a, Igbokwe, I-g-b-o-k-w-e, very simple. I'm here as-- as an advocate for the interpreters. I'm the CEO of Lincua Academy. It's a language consulting agency. I provide interpreters for mainly lawyers and nonprofit organization, which is private sector, not just for Spanish, but Somali, Nepali, Russian, anything that they need. And for the interpreter, the reason that I'm here is because my husband and I, we have a law office and we mainly practice immigration and criminal, just a little bit of everything. And I was the coordinator for the interpreters. And I realize, wow, just because you're bilingual doesn't mean you are an interpreter. In-- in fact, I call the interpreters superhero because it's what they do is just amazing. And I noticed that when I built the language consulting agency, a lot of the interpreters that they will go to court, they will quit because they say, well, they don't pay me enough. I mean, I'm not going to drive just for \$50 an hour when they can pay me \$150 an hour. And it's very clear. And-- but a lot of them, they-- they do love going to court. They-- they like the public service. They like being officer, an officer of the court. And when I go to court and, you know, I provide my own interpreters for the lawyers-- and then the court has their own interpreters, right? They're not the same-- I notice that they work really hard. First, of course, first, well, they-- we-- we couldn't start the cases, and I'm sure you know because-- public

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defender. The case doesn't start without the interpreter. And the interpreter has to come first before all the cases. And they're going to like all the floors, all over the place in two languages. I only tried that once at the office and I was so exhausted. I almost passed out. I said, I can't do this. I don't know how you guys do. You're like superheroes. And it's very, very, very sad to hear that in 18 years it hasn't changed. These are professionals with high-level skills. I even took the test one time thinking I can do it and I failed. And I have taken even the ELSA and the pretest. So this is something that requires a lot of experience and it's something that you learn it in court. And I don't think it's fair that in 18 years it hasn't changed. And-- and another thing is that it's-- I know it's budget. I'm a businesswoman and so I understand that part. But they're not doing 40 hours a week either. So even if you extend it to \$80, it's in my view, it's still low, but you know, it's better than \$50. And that's one of the reasons that I'm here, just to speak on behalf of the interpreters. And as a Nebraska resident, the iss-- it needs to happen. It's time to happen. That's it.

**CLEMENTS:** Any questions? Seeing none, thank you for your testimony.

**YURIDIA IGBOKWE:** Thank you.

**CLEMENTS:** Additional proponents for LB176.

**THOMAS FENNEL:** Hello. My name is Thomas Fennell, T-h-o-m-a-s F-e-n-n-e-l-l. And I just briefly want to mention something that hasn't come up. I'm also a member of the board of the Nebraska Association of Translators and Interpreters, and Chair of the Advocacy Committee. Speaking personally, I'm a Russian translator and I did not go into interpreting specifically because I could make more money translating. I'm now with the change in the Russian area, looking very strongly at interpreting, and at my age, it's a very daunting perspective to-- to make that shift. Whereas when I came back to Nebraska in 2007, after having lived in Russia for a long time, if the rates had been higher, it would have been more attractive anyhow. The thing that I want to say besides my personal story is that we have to remember that it's not just a matter of defendants' rights here and providing access to justice for defendants. It's also witness testimony, the victims of crimes, and prosecutors also need things to be translated very-- and interpreted very accurately. The last thing anybody wants is a court overturned because a specific piece of evidence was not interpreted and not described correctly in court. So that's all I'd like to say.

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**CLEMENTS:** Very good. Thank you, sir. Other proponents for LB176. Seeing none, are there opponents?

**COREY STEEL:** Proponent.

**CLEMENTS:** Are you a proponent?

**COREY STEEL:** I was just letting the interpreters.

**CLEMENTS:** All right. Welcome.

**COREY STEEL:** Thank you. Chairman Clements, members of the Appropriation Committee, my name is Corey Steel, C-o-r-e-y S-t-e-e-l, and I am the Nebraska State Court Administrator for the Administrative Office of the Courts and Probation. Thank you today for-- thank you to Senator Dungan today for introducing LB176 and for the time the committee has spent listening to all of our certified contract interpreters for the state system. I'm going to go a little off script and-- and my testimony is here. The one thing I do want to say is it is a statutory provision in statute, Nebraska Revised Statute 25-2401, "It is hereby declared to be the policy of this state that the constitutional rights of persons unable to communicate the English language cannot be fully protected unless interpreters are available to assist such persons in legal proceedings." So it is a statutory obligation by us in the court system to have interpreters and to have interpreters across the whole state for all proceedings that we-- that take place. In 2011, the state of Nebraska was under a DOJ investigation for not providing high-quality, high-level interpretation for not only our court system, but I also want this committee to understand all probation services as well. We must provide interpretation for all probation-based services as well to include now with the Office of Public Guardian as well. Anybody under supervision or care and custody with the state judicial branch must have interpretation if they're doing a presentence investigation, supervision, classes that we perform, all of those functions that we do with probation. Also with the interactions with public guardian with their wards, if they have somebody that is a non-English speaker or needs interpretation through sign, we must provide those services. In your packet I've handed out, you've heard testimony to the Language Access Program. After that DOJ investigation in 2011, we created the Language Access Program, which really refined and honed what we do in Nebraska. As you heard Mr. Escobar testify to that he started there were really no standards. He came, somebody in the court system kind of helped him through that. We created a commission that really set the standards for what interpretation consists of for the judicial

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branch. It talks about the statutes that are there, the program overview, the priorities, and what have you. The second handout that I have for you is-- and there has been a lot of questions from this committee regarding the rates and what the current rates are for our interpreters. So you will see there's three-- three different rates structures for us currently: certified, provisionally certified, and noncertified interpreters, and those rates are there as well. You've also heard testimony about we have some noncertified interpreters and the provisionally or certified interpreters. That exam is difficult. It's a national exam that the National Center for State Courts has instituted and we have taken that exam and that's the exam that pretty much all states use to certify, particularly Spanish. They're coming up and creating other languages. But at this time, it's predominantly in Spanish that we get that certification in and then those rates that-- that go with that. One thing that we have done is over the years we have done this on several occasions since I've been Court Administrator now for nine years, is we have done studies to see what is the going rate for interpreter services in the state court systems. Obviously, you've heard a lot about the federal system and what have you. And I'd be here to tell you, too, if I could get federal rate for the work that I do, I would want that as well. We know the feds pay higher in everything that the federal government does. We know that. We understand that. But what we've done is we've taken a look at state court systems across the United States, particularly in the Midwest, and the going rate for those. I have those as well. If-- if the committee would like me to-- to share what the going rates are from other states, I can do that. We continue to improve the work that we do.

**CLEMENTS:** Yes, I think-- yes, we would like that. You can provide that to us.

**COREY STEEL:** I have them handwritten. What I can do if the committee would like, I could have them typed up and give them to you. Or I can just on the record, give you what some of those rates are for the Midwest states and then provide a written copy.

**CLEMENTS:** For the record, what-- let's have you email those to the committee.

**COREY STEEL:** I can do that.

**CLEMENTS:** To the clerk.

**COREY STEEL:** I can do that.

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**CLEMENTS:** The clerk will forward to us.

**COREY STEEL:** Not a problem. Not a problem. And so those are the things that we've continued to do with the Court Administrator's office. It's been three times since I've been the administrator that we have taken a look both nationally and Midwest at what the going rate is for interpreter services and then also the two-hour versus the half a day and what takes place there. So those are the things that we have done within our office as well to continue to look at what we can and can't pay based on our budgetary allotment for interpreter services. Since I have been here with the Court Administrator Office, we started with a five-- \$500,000 budget for interpreter services. This year we are over \$1.8 million and I know it's going to-- for-- for fiscal year 2022 and I know this year will be a lot more. We're in about a 7 to 9 percent growth based on interpreter services across the state. We not only use certified interpreters in the state, we also have to contract for interpreters outside of the state as well and fly them in and pay for that. So that's all rolled into that interpreter services. As you heard, trials, we have to have two interpreters, those types of things. So I'd be happy-- my time's up. I'd be happy to answer any questions any committee member may have.

**CLEMENTS:** Senator Dorn.

**DORN:** Thank you, Senator Clements. And thank you for being here, Mr. Steel. So-- and that was-- that was one of my questions through this whole process. We started way back when at approximately \$500,000 in the budget; this year you say 1.8 or whatever. Is that based on, I mean, since the rate itself hasn't gone up, I'm assuming then that that's based on volume or need?

**COREY STEEL:** Correct. There's been a growing need every year of interpreter services. You've heard interpreters talk about 40--some different languages across the state. A few years back, we were at 53 languages. I think this year we were at 47, 48 different languages across the state. We also with the trials, the fact that we're having to bring in more certified interpreters for different dialects, different languages is an added cost. I just approved just this past week to bring in two interpreters, one from Minnesota, one from California, for a trial in a court on a child custody matter. I think it was a termination of parental rights, and the family spoke a specific dialect of a specific village, and the cost of that was over 60-- \$6,500 to fly them in, pay their rate, hotel, food, all of those things. So that's the growing trend that we continue to see. And we continue to see more and more in our court systems.

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**DORN:** And I'll get back to the \$50 an hour. That's basically-- that's been a court decision to leave it at the \$50 an hour or why I guess the bill here is to increase it by so much or whatever.

**COREY STEEL:** Correct.

**DORN:** So the dollars just don't allow it or why hasn't over time over these 20 years basically we've been-- why haven't we increased it, I guess? Who makes that decision?

**COREY STEEL:** So it is a Supreme Court rule that has set the rates for interpreter services. And so it is not statutorily provision of what the service rate should be. And I met with Senator Dungan and we've had this discussion. He agrees that it should be statutorily a statute that this-- that-- that says here's what you shall pay a contractor in the judicial branch. But the Supreme Court, all three of those times that we've done studies, those have gone to the Supreme Court at the request of an interpreter group to assess the new rates. And the court at this point in time, based on looking at what's taken place in the Midwest, have said that at this point in time there would not be an increase.

**DORN:** Because we're meeting, basically meeting what the general, our general Midwest rate is, we're meeting that you're saying.

**COREY STEEL:** Correct. We're meeting it in some areas. We're exceeding it in some areas. In some areas, we're a little behind.

**DORN:** So when does that-- and I don't know what the study does, but the study now we're hearing from some of these that the private people are paying more, so then--

**COREY STEEL:** Correct. Correct. Private always pays more than state, Senator. You know that.

**DORN:** I know that. Yeah. When it gets at too much that you can't find staff, I guess that staff you've been able to adequately staff at this point in time.

**COREY STEEL:** At this point in time, we are able to staff. There's always an adequate piece of whereas, whereas the need for more. You also heard the stringent requirements of the exam and the course that takes place, and that sometimes as well is a barrier to getting more people certified. We have on average 10 to 15 individuals about once a year that go through the coursework and take the exam. But the exam is difficult and it should be, as you heard it should be, because they're

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interpreting in court. This is termination of parental rights. This is trials. This is all of those things, you know, that-- that it should be stringent so that we are holding that standard to that level, which also makes it difficult as well.

**DORN:** Thank you for coming in. Thank you for asking-- answering questions.

**COREY STEEL:** Absolutely.

**CLEMENTS:** Senator Dover.

**DOVER:** When was the last time a study was done?

**COREY STEEL:** We just did this study again this fall.

**DOVER:** OK.

**COREY STEEL:** And those were-- those will be the numbers that I'll provide the committee in a-- in a written document.

**DOVER:** Thank you.

**CLEMENTS:** Senator Armendariz.

**ARMENDARIZ:** Thank you, Senator. So you said that your budget is currently \$1.8 million-plus.

**COREY STEEL:** Correct. Fiscal year 2022 was \$1.8 million. Those are our expenditures for interpreter services.

**ARMENDARIZ:** Would you be able to give us a breakdown of where those dollars went: hourly wages, travel, mileage?

**COREY STEEL:** Yes.

**ARMENDARIZ:** All of those different items.

**COREY STEEL:** Yes.

**ARMENDARIZ:** OK. I appreciate it.

**CLEMENTS:** I have a question. Are we talking just district courts or also county courts involved in [INAUDIBLE]

**COREY STEEL:** Any court proceeding, Senator. So separate juvenile courts, county courts, district courts, Workers' compensation Court,

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any court. Court of Appeals, Supreme Court if there needed to be an interpreter. But there's not testimony, obviously, in those courts as it's attorneys that put on evidence. But it's any court that we would provide and then any service for probation and Office of Public Guardian as well. So anybody on probation that does not speak English, there is an interpreter during their probation, during their meetings, during any coursework that the take-- that they take as far as we do cognitive behavioral groups, anything like that, if there needs to be translation, interpreter services, excuse me, then we would provide that.

**CLEMENTS:** And in county court, the state's paying for the interpreter?

**COREY STEEL:** We pay the state for all the courts.

**CLEMENTS:** For all of them. All right.

**COREY STEEL:** Correct.

**CLEMENTS:** Senator Lippincott.

**LIPPINCOTT:** Couple of questions. Number one, do interpreters also interpret, fill out forms, translate forms? Lots of paperwork goes back and forth in courtrooms. Do they do that? Also your-- how many vacancies do you have? How many applicants do you have? And are any of the applicants not qualified due to no criminal record, misdemeanor, felonies, or any type?

**COREY STEEL:** OK, bear with me while I try to answer all three of your questions. OK. First question was--

**LIPPINCOTT:** Forms.

**COREY STEEL:** --forms. We do have-- we do pay for translation of forms on our website. And then in our court systems, we typically have almost all of our forms translated into Spanish, and then we're working towards other languages as we can. So we do some translation. I think some of the interpreters will tell you interpretation is different than translation. And so when you translate a form, it is a little bit different. So we do have individuals we go to for translation of forms. Yes. The second is as far as these are not employees. We do not have openings. We do not ad-- advertise, so to speak. This is not a state position. These are contracted interpreters. They are-- they are a private entity and they are, in essence, agreeing to interpret for the court system on a-- on a-- it's not a per se where we have an individual contract with each and every



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interpreter, but it's not an open position. We do have four state positions that are interpreter coordinators in Douglas County, in Sarpy County, in Lancaster County, and in Hall County. Those four positions are state employees. They're employees of ours, and they're in the courthouse. They're in the courthouse. They not only coordinate, one is just a straight coordinator where she coordinates all of Lancaster County and several other counties, the coordination of all the need for the interpreters. So the court system calls and says we have a case, we need an interpreter in this language, and then they find the interpreter and schedule that interpreter. We have three others that also not only do the coordination, but then also do the interpretation within the courthouse, not all the interpretation, but they do interpretation as well.

**LIPPINCOTT:** Criminal record.

**COREY STEEL:** Criminal record. So yes. So when somebody goes through the certification process, we do scrutinize criminal record. And we have in the past, after somebody has gone through the process and we do a background check on-- on interpreters, there is a background check. We've had to deny somebody based on a felony conviction of a drug offense in another state. So we have had to do that and all interpreters have gone through that process. So we vet them as they come in. So as they go do the, do the coursework, take the exam, before they are given that certification there is a background check.

**LIPPINCOTT:** Thank you, sir.

**CLEMENTS:** Senator Armendariz.

**ARMENDARIZ:** Thank you. So the certification exam, is that public, available to the public? And if not, would you make it available to this committee?

**COREY STEEL:** The exam itself?

**ARMENDARIZ:** Yeah.

**COREY STEEL:** I can get you an example of the exam, yes, that's taken.

**ARMENDARIZ:** OK. Thanks.

**CLEMENTS:** You can provide that to the clerk.

**COREY STEEL:** Absolutely.

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**CLEMENTS:** Any other questions? Seeing none, thank you, Mr. Steel.

**COREY STEEL:** Thank you very much.

**CLEMENTS:** Are there other proponents for LB176? Seeing none, are there opponents regarding LB176? Seeing none, is there anyone here in the neutral position? Seeing none, Senator Dungan, you may close.

**DUNGAN:** Thank you, Chair Clements, and thank you to the committee. I want to say thank you as well to all the testifiers that came in today. I think it's really important for everyone to hear the individual stories here. I think they touched on a number of things that were vital for what we're talking about. I want to address a couple of the questions that came up briefly and make just a couple of more points. But I'll try not-- I'll try to be brief. First of all, I want to highlight that this does have a specific influence and I think a benefit to rural areas. I think oftentimes we see rural areas disproportionately impacted by the lack of interpreters, especially in court circuits where you're traveling from county to county. You know, we've talked a lot about the rates that people get paid for driving. That becomes really arduous and burdensome when you're spending more of your day in your car than you are actually in the courtroom. And so this increase in pay, I do think, would have a true benefit to areas in rural or courts in rural areas. I also just want to highlight again for my personal experience the talent that goes into this. It cannot be understated. And that's not just to say that it's difficult to interpret, but I think we often forget some of the idioms we use and how legalese works. You all, I'm sure, can tell that I talk very fast. These poor people have to keep up with that, and that's really frustrating. In addition to that, when I'm in a trial where we're talking to a client, if I say, for example, we're just going to ask for a continuance and kick this down the road a ways, that's a pretty difficult thing to interpret, to make it accurate. And so those kind of things get brought up in trials and in conversations. And so I just want to highlight again, we're talking about really niche and specific work that we're doing here, and there's actually interpreters in the room today that I didn't know were going to be here that I've worked with in court before, who do simultaneous translation, which is also a whole, you know, different skill set where you're talking and they're talking at the same time, whispering into the client's ear, keeping up with what you're saying quickly in legalese and using idioms. And so it really is a thing that I think is we're getting what we're paying for. And I think that's really important to note. To your question,

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Senator Lippincott, about the forms, I think Mr. Steel did a very good job of differentiating interpreters from translators. But again, in the courtrooms, it can get pretty crazy. There's oftentimes motions that I have to have a client sign that I'm walking out in the hallway and reading it to the client through an interpreter, and they have to keep up with that and then answer questions through the interpreter as the client is signing the motion in the hallway or something like that. So even though they're not necessarily translating the form, they are having to interpret what's in the form and sort of get across the message of that. So that's important, I think, too. I also specifically want to thank Mr. Steel for being here. One of the things that-- that he mentioned that I think is important to note, we're not talking about statutorily setting a rate. We've heard a lot about \$50 an hour, \$80 an hour. I believe there absolutely should be an increase. And in the conversations I've had, both with the courts as well as the interpreters, we kind of know what those rates are going to look like. But we're not asking the committee here to pass a bill that says thou shalt pay X amount for the interpreters. The court's obviously done a lot of work and a lot of studies to figure out what those rates would be. All we're asking for is that appropriation to go to the Supreme Court. And one last clarification, and I think this is to your question, Chair Clements, it's not just to the Supreme Court for interpretation. They're just the office that runs all of the different services. And so, again, I think Mr. Steel did a fantastic job of outlining the different services that these interpreters go to. It's all levels. So happy to answer any additional questions, but I think it's very vital that we work on this now to make sure that we keep these interpreters. As we've heard, we're losing them, and I think we're going to be at a crisis point soon if we don't try to keep people working with our interpreter services. So thank you for your consideration.

**CLEMENTS:** Senator.

**DORN:** Thank you, Senator Clements. And thank you, Senator Dungan, for being here. I should have asked Corey Steel when he was here. Are they ever allowed to do, I call it, now we have in some of the court systems, they have the, I call it the tele or the Zoom-type meeting, are interpreters allowed to do that or? OK, he's shaking his head yes.

**DUNGAN:** Yeah, yes. And so obviously, courts changed a lot during the pandemic and we shifted to sort of a hybrid model for quite some time where you're doing Zoom court, interpreters are logging on there. That's made it easier I know for certain rare dialects, for example, to be utilized. I could go into great detail about the time I did a

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two-day long hearing with Romanian interpreters via phone because we couldn't find any in the state, and that was a whole ordeal. But yeah, they do work through Zoom, but it's always better to have people there in person. I think, you know, when we're doing-- dealing with these intricate things, talking about legalese, idioms. And I think like Mr. Escobar highlighted, you know, we're talking about people's lives and really serious circumstances. So they try to be there in person. But yes, they can utilize teleservices if need to.

**DORN:** Thank you.

**CLEMENTS:** Any other questions? Seeing none, thank you, Senator Dungan.

**DUNGAN:** Thank you, Chair Clements.

**CLEMENTS:** We have position comments on LB176. We had 23 proponents, no opponents, no neutral. That concludes LB176. We will move on to LB508. Senator Conrad. Welcome, Senator.

**CONRAD:** Hello. Good afternoon, friends. My name is Danielle Conrad. It's D-a-n-i-e-l-l-e, Conrad, C-o-n-r-a-d. I'm here today representing the "Fightin'" 46th Legislative District of north Lincoln. And it's a pleasure to be back in front of the Appropriations Committee. But my goodness, the setting has changed a bit in this-- this temporary assignment that you have. You have a little bit more elbow room, though, so maybe that's not a bad thing. But I am pleased today to introduce LB508. And I'll-- what this measure would do is it would appropriate \$2 million over two fiscal years to the Supreme Court for the Office of Dispute Resolution to support and increase funding to the Supreme Court for improved mediation centers. So I wanted to provide just a quick background for how I got the idea for this legislation. So last summer I attended a CLE, continuing legal education, course that the Bar Association put on in Lincoln. It was called "Lawyers and Leaders." And in the afternoon session they had a very well attended learning opportunity with many judges from different levels: county, district, and Supreme Court judges there with a lot of stakeholders in the legal community. And they were talking about caseloads and they were talking about access and administration to justice. And we were talking about problem solving courts and other sort of mechanisms that our state had available to-- thank you-- ensure access to justice for our citizens and to balance judicial resources and efficiency. And one of the issues that popped up was from the judges' perspective, and I'm kind of generalizing or paraphrasing here, was just how valuable the mediation centers were across the state for family law issues, for juvenile justice issues,

for small claims court issues, things of that nature, and how that really helps citizens to get good outcomes for the legal issues they were facing and how it helped to reduce the court caseload in some regards or streamline or refine issues before it got to the court for final disposition. So it was just a very compelling discussion and it really stayed in my head and in my heart. And after the election, I reached out to the Supreme Court and just said, hey, I attended this great learning opportunity. This issue popped up. It seemed to have great resonance across the political spectrum, across the state. Is there anything that we can do to try and get some more resources to our existing mediation centers now that we have a little bit of breathing room from a fiscal perspective? And so Corey Steel and the Supreme Court and their team were really generous in helping me to take that kind of general idea and put it together in terms of kind of a plan that would best meet their needs to expand, to maintain and then expand services. So that's how the-- the bill came together. And just so that you know, this-- the Office of Dispute Resolution and I passed out two materials, one just kind of general bullets and talking point. The other is more of a two- or three-page article from a recent Bar Association magazine that kind of details the history of the mediation centers and alternative dispute resolution issues in Nebraska. So this structure has really been on the books since the early '90s. Actually, my predecessor, Senator Landis, helped to bring forward the legislation that helped to provide the initial infrastructure for the mediation centers across Nebraska. And it's a really smart system. Nebraska is not the only state that has a system like this in place. I think we're one of about a handful of states that have a system like this in place. But what we have seen is that the need for these services has really outpaced the funding that they have available through a variety of different revenue streams. And it's also important to note that they don't turn anybody away because of a lack of ability to pay. So I-- I just wanted to kind of put this history before you, let you know that they provide services in really every corner of Nebraska. And it really is, I think, related to the core function at the judiciary and helps to address a lot of real-life issues that are facing Nebraskans, whether it's, you know, coming up with those parenting plans and people are going through a dissolution or whether it's dealing with juvenile justice issues for young offenders and maybe helping them get set on the right track with restorative practices or those small claims type issues that pop up too. Those are, I think, some of the-- the biggest issues that pop up, but they really provide a lot of different services. So I'm happy to answer questions, also happy to defer to the experts behind me. Yes.

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**CLEMENTS:** Senator Armendariz.

**ARMENDARIZ:** Hi.

**CONRAD:** Hi.

**ARMENDARIZ:** Thank you, Senator Clements. Thanks for being here, Senator.

**CONRAD:** Yes, hi.

**ARMENDARIZ:** What is the current budget for this?

**CONRAD:** Yeah.

**ARMENDARIZ:** I can-- I can follow that up while you're looking.

**CONRAD:** Sure.

**ARMENDARIZ:** But what do they expect to accomplish with an additional million dollars?

**CONRAD:** Yes. That's-- I don't know exactly what their current budget is, but hopefully some folks behind me might know. And if not, I can look it up in the meantime before the closing. But I know that their thinking was they have about, I think, \$45,000 or so to speak, under kind of their existing revenue streams or structures for each of the six centers. So they were thinking the additional million would provide \$150,000 instead of \$45,000 to each of those six centers. And then it would have about \$100,000 for administration and mediation training, kind of at the-- at the umbrella kind of at the top lines for it free to the centers if that's helpful.

**ARMENDARIZ:** Yes.

**CONRAD:** Yeah.

**CLEMENTS:** Senator Erdman.

**ARMENDARIZ:** Is there-- I'm sorry.

**CONRAD:** No, that's OK.

**ARMENDARIZ:** Is there like a big waiting list or a set amount of court cases that could go to this instead that they have calculated and-- and kind of given the numbers behind the support for the ask--

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**CONRAD:** Yeah. So--

**ARMENDARIZ:** --that we could be seeing so many more?

**CONRAD:** I think that's exactly right. So if you look at the little bullet point sheet that I handed out, you can see that like, for example, back in fiscal year 2003, their case volume was at about 1,200 cases. And then this last year, they were up to 4,300 cases. And so I think that what we're seeing is a real significant and fast rise in terms of the number of cases that they're dealing with there. Now they do get, you know, some resources from filing fees and from state appropriations otherwise. But when I opened this conversation with the court, Senator Armendariz, I asked them what would be the right number and what would be the right way to structure the appropriation request to do the most good. Because I was just thinking, you know, I don't know \$1,000,000 per center or something like that to maybe help get an infusion of cash to help them train more people or deal with backlog or-- or maintain their existing good work. And they went back to all of the centers and they said, we feel like this would be the best way to structure an ask to do the most good based on our caseloads and our needs. So that's kind of how we got to that number was based on feedback from the centers.

**ARMENDARIZ:** And one more question.

**CONRAD:** Yeah.

**ARMENDARIZ:** How much money do you expect to save moving those to a mediation center as opposed to a court?

**CONRAD:** Yeah, that's a good question. I mean, I don't think that we will be in the business of winding down any court operations anytime soon. In fact, I think we'll probably continue to see an expansion thereof. For example, you might see that Senator Aguilar actually has a bill on the agenda about growing the footprint in his area for some more judicial resources. But what I-- so I don't think we'll probably be saving any amount in terms of judicial resources that we can, like, see a budget reduction or a staff reduction in the existing judicial kind of structure. But what I do think we'll see by making this advance investment and expansion is just those cases will receive, I think, more attention and better outcomes before they're just kind of dumped into the court system, so to speak. By having more resources with the mediation centers, it helps to resolve some of those preliminary issues. It helps to identify potential alternatives. It just takes a little pres-- [RECORDER MALFUNCTION]

