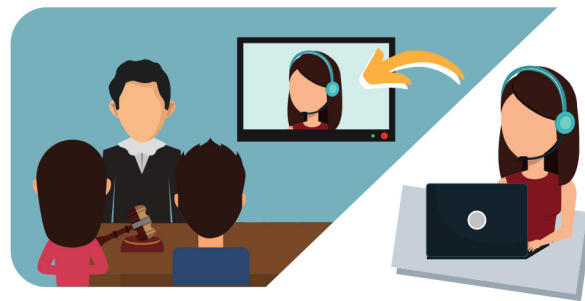




Video Remote Interpreting Implementation Tip Sheet: Benefits and Limitations for Domestic Violence and Sexual Assault Survivors with Limited English Proficiency

What is Video Remote Interpreting?

Virtual Remote Interpreting (VRI) is a method of interpreting in which the interpreter provides interpreting service to one location from a remote workstation utilizing an integrated network of audio and video technology. The remote workstation could be a centralized location or an individual home or business setting. VRI offers courts, prosecutors, and service providers the ability to serve individuals with limited English proficiency (LEP), including domestic violence survivors, when a qualified in-person interpreter is not available. VRI is most effective for short proceedings or for interactions that otherwise might need to be postponed due to the lack of an available interpreter, such as arraignments, traffic tickets, and ex parte protection orders. It also may be the better option for more extended proceedings when the VRI interpreter is more highly qualified than an available in-person interpreter. In a 2017 survey of state court language access coordinators, 26 states reported using VRI for some types of proceedings. However, only a few states have reported using VRI for domestic violence and sexual assault cases; they include Alaska, Arizona, California, Florida, and Kentucky.



Benefits of VRI

VRI offers several potential benefits for providing full and meaningful access to justice for all LEP individuals;

- Increased access to qualified interpreters, especially for languages with few qualified interpreters in state or nationally.
- Improved access to qualified interpreters in remote and rural locations.
- Prompt interpretation services, which can reduce wait times, postponements, and dismissals of cases.
- Provides visual cues for interpreters, judges, or parties.
- Reduced costs for interpreter travel.

Potential Uses of VRI Outside the Courtroom

- ▶ **Obtaining Temporary Protection Orders:** LEP survivors may face additional challenges in getting to the courthouse or other locations to file a petition. Waiting or returning when an in-person interpreter is available could place them in greater danger or deter them from getting an order. Additionally, the survivor's community may be small, and the survivor may know the in-person interpreter.
- ▶ **Receiving Services from Victim Advocates and Legal Services Providers:** VRI enables prompt access to an interpreter for completing protection order petitions and safety planning. Potential concerns LEP survivors may have about using VRI can be reduced by the support of the victim advocate. Legal services organizations often must turn away LEP survivors because they lack the capacity or budget to provide in-person interpreters, so VRI could increase access to legal services.
- ▶ **Prosecutors' Offices:** Communications with victim witness advocates early in and throughout the prosecution of the case could improve access to services and increase participation in the case. VRI could be used for all types of cases and reduce costs of interpreters in general.
- ▶ **Video Arraignments/First Appearances for Defendants:** VRI can capitalize on current use of videoconferencing procedures. Victims can come to court without fear of having to encounter the defendant.



Cautions for Using VRI in Domestic Violence and Sexual Assault Cases

Although VRI offers many potential advantages for ensuring meaningful language access in courts and justice-related services, it poses some concerns for use with LEP survivors. Some of these concerns also apply generally to the qualifications and training of interpreters in domestic violence, whether they are remote or in-person, and to the use of telephonic interpretation. Considerations that should be taken into account when implementing VRI for domestic violence and sexual assault cases include:



- Impersonal nature of video remote interpreting for survivors who have experienced trauma (in comparison with an in-person interpreter).
- Pertinent local cultural information may be lost when using video remote interpreters.
- Incompatibility with the needs of the Deaf community (e.g., technical limitations and constraints on visual field, lack of supporting context for communication, two-dimensional with VRI vs. three-dimensional in-person communication).
- Lack of privacy and confidentiality when the remote interpreter is not working in a confidential setting.
- Inadequate attention to trauma-informed approaches.
- Need for quality assurance measures and effective feedback processes.

Needs Assessment

Courts, prosecutors, and service providers considering implementation of VRI should first conduct a needs assessment. The assessment should include the following elements:

- Current business processes and specific business cases to be addressed by VRI (e.g., will business processes support VRI; is the proposed use appropriate for VRI?).
- Technology requirements/needs (e.g., bandwidth needed; reliability of communications; comfort with audio vs. video for remote interpreting).
- Analysis of court rules and governance that would impact VRI.
- Sustainability of funds to support equipment and hardware/infrastructure needs.
- Facilities capacity (e.g., storage needs, acoustics, logistical and space considerations).
- Pool of available remote interpreters and access to them.
- Opportunities for VRI training for court staff and interpreters.
- Change management (e.g., building support for changes required for VRI).

VRI Implementation Resources

Several resources are now available for courts and others considering implementing VRI. A good starting place is the [VRI Resource Center](#), which is a collection of resources developed by state courts and members of the Council of Language Access Coordinators. The VRI Resource Center includes a national interpreter database; information about VRI vendors for remote interpreters and hardware and software, a guide for estimating broadband needs, and a glossary of technical terms; interpreter support protocols; and court resources, including video demonstrations of VRI usage, VRI online trainings for Interpreters, bench cards, and tip sheets.

Other resources available from the National Center for State Courts website include the [NCSC Language Access Services Section](#), [Remote Interpreting Guide for Courts, Court Staff, and Justice Partners \(Council of Language Access Coordinators\)](#), and [CALLED TO ACTION: 5 Years of Improving Language Access in the State Courts Access to Justice for Limited English Proficient Litigants \(2012 – 2017\)](#).

Several states have developed guides, bench cards, and other VRI resources, which other jurisdictions can consider for guidance and for adaptation. Examples of these resources include:

- ▶ [CALIFORNIA JUDICIAL BRANCH: Recommended Guidelines for Video Remote Interpreting \(VRI\) for Spoken Language-Interpreted Events March 15, 2019](#)
- ▶ [California Judicial Branch: Technological Options for Providing and Sharing Court Language Access Services Outside the Courtroom](#)
- ▶ [Minnesota Judicial Branch—Bench Card: Video Remote Interpreting in the Courtroom \(ASL\)](#)
- ▶ [Expectations of Video Remote Interpreters Interpreting for the Alaska Court System](#)
- ▶ [17th Judicial Circuit Court of Illinois Remote Interpreting Interpreter Protocol](#)

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