



Commonwealth of Massachusetts
Office of the State Auditor
Suzanne M. Bump

Making government work better

Official Audit Report – Issued August 12, 2021

Executive Office of the Trial Court—Office of Court Interpreter Services

For the period November 15, 2019 through October 31, 2020





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Making government work better

August 12, 2021

Sybil Martin, PhD, Director of Support Services
Trial Court Support Services Department
Executive Office of the Trial Court
2 Center Plaza, Ninth Floor
Boston, MA 02108

Dear Dr. Martin:

I am pleased to provide this performance audit of the Office of Court Interpreter Services within the Executive Office of the Trial Court. This report details the audit objectives, scope, and methodology for the audit period, November 15, 2019 through October 31, 2020. My audit staff discussed the contents of this report with management of the agency, whose comments are reflected in this report.

I would also like to express my appreciation to the Office of Court Interpreter Services for the cooperation and assistance provided to my staff during the audit.

Sincerely,

A handwritten signature in blue ink, appearing to read "SMBump".

Suzanne M. Bump
Auditor of the Commonwealth

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EXECUTIVE SUMMARY

In accordance with Section 12 of Chapter 11 of the Massachusetts General Laws, the Office of the State Auditor has conducted a performance audit of the Office of Court Interpreter Services (OCIS) within the Executive Office of the Trial Court for the period November 15, 2019 through October 31, 2020. When performing our test of hiring of interpreters, we extended our audit period back through April 1, 2018 to obtain a sufficient population to reasonably conclude on the audit objective. In this performance audit, we examined OCIS's compliance with Section 9.01 of the 2009 *Standards and Procedures of the Office of Court Interpreter Services* regarding interpreter scheduling and Sections 5.02 and 5.03a–5.03e of the same document regarding the hiring of qualified interpreters.

Our audit revealed no significant instances of noncompliance by OCIS that must be reported under generally accepted government auditing standards.

OVERVIEW OF AUDITED ENTITY

The Office of Court Interpreter Services (OCIS) within the Executive Office of the Trial Court was created on December 23, 1986 through Chapter 221C of the Massachusetts General Laws. According to its website,

[OCIS] was established on the premise that all people in the state, regardless of their literacy or English proficiency, have the right to equal access to the courts and to justice, and have the right to access all of the services and programs provided in court facilities. [OCIS] recruits, screens, and certifies and/or qualifies spoken language interpreters who provide interpretation services for court proceedings and related functions to make sure people have linguistic access at every step of the court process.

The document *Standards and Procedures of the Office of Court Interpreter Services* was developed by the Committee for the Administration of Interpreters for the Trial Court and adopted through an order from the Chief Justice of the Trial Court on October 30, 2009. It states,

*Through this new edition of the **Standards and Procedures of the Office of Court Interpreter Services**, we seek to maximize the efficiency, quality, and uniformity of the Trial Court's utilization of court interpreter services and to encourage the broadest use of court interpreters throughout the Trial Court.*

To provide equal language access to the Massachusetts court system, OCIS is responsible for scheduling interpreters to all requesting courts and providing linguistic services to all court users and departments. Annually, OCIS provides more than 90,000 interpretations in over 113 languages. According to OCIS's website, the most commonly requested language is Spanish (representing two-thirds of all requests), followed by Portuguese, Haitian Creole, Cape Verdean Creole, Vietnamese, Arabic, Mandarin, American Sign Language, Russian, Cantonese, and Khmer. OCIS coordinates the services of approximately 175 interpreters, 40 of whom are full-time staff interpreters and 135 of whom are per-diem interpreters, to meet the requests of the courts. To be a staff or per-diem interpreter, a person must complete a rigorous screening process, an introductory orientation, and a mentoring program that is overseen by OCIS. OCIS is located on the ninth floor at 2 Center Plaza in Boston.

OCIS has contracted with the software company Schedule Source to provide an interpreter scheduling system to streamline the scheduling of spoken language and American Sign Language interpreters. OCIS launched the system, known as TeamWork, on November 12, 2019. According to a request for proposals issued by the state Office of Court Management, TeamWork enables OCIS scheduling personnel "to

consistently and reliably fulfill interpreter requests using a comprehensive, easy-to-use scheduling tool,” and it facilitates billing and payments for per-diem interpreters. Before TeamWork, OCIS relied on Microsoft Access and Google Docs to schedule interpretations and communicate schedules to staff and per-diem interpreters.

On January 20, 2021, the Chief Justice of the Trial Court promulgated the *Standards and Procedures of the Office of Language Access*. This document officially changed OCIS’s name to “Office of Language Access.”

AUDIT OBJECTIVES, SCOPE, AND METHODOLOGY

In accordance with Section 12 of Chapter 11 of the Massachusetts General Laws, the Office of the State Auditor has conducted a performance audit of certain activities of the Office of Court Interpreter Services (OCIS) within the Executive Office of the Trial Court for the period November 15, 2019 through October 31, 2020. When performing our test of hiring of interpreters, we extended our audit period back through April 1, 2018 to obtain a sufficient population to reasonably conclude on the audit objective.

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our conclusions based on our audit objectives.

Below is a list of our audit objectives, indicating each question we intended our audit to answer and the conclusion we reached regarding each objective.

Objective	Conclusion
1. Does OCIS use staff interpreters more than per-diem interpreters for court assignments in accordance with Section 9.01 of the 2009 <i>Standards and Procedures of the Office of Court Interpreter Services</i> regarding location and availability?	Yes
2. Does OCIS recruit qualified court interpreters who represent the language interpreter requests of the courts and the recipients of the interpretation in accordance with Sections 5.02 and 5.03a–5.03e of the 2009 <i>Standards and Procedures of the Office of Court Interpreter Services</i> ?	Yes ¹

To achieve our audit objectives, we gained an understanding of the internal controls we determined to be relevant to the objectives by reviewing agency policies and procedures, as well as making inquiries and observations. In addition, we performed the following procedures to obtain sufficient, appropriate evidence to address our audit objectives.

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1. While conducting audit testing for this objective, we noted some instances where documentation was not complete. Specifically, we tested 8 attributes for each of the 18 court interpreters selected for testing, for a total of 144 attributes. Of the 144 attributes tested, OCIS did not provide documentation for 14, which we deemed immaterial. Overall, we concluded that OCIS was substantially compliant with the requirements, and we discussed documentation observations with the auditee during the audit.

Scheduling of Interpreters

For scheduling of interpreters, we obtained TeamWork scheduling and invoice data, staff location data, staff interpreter salary data from fiscal years 2020 and 2021, and the “State and Local Government” section of the June 2020 *Employer Costs for Employee Compensation* document from the United States Department of Labor’s Bureau of Labor Statistics. We performed a detailed analysis of all 40 staff interpreters employed by OCIS, using TeamWork scheduling data to determine whether OCIS complied with Section 9.01 of the 2009 *Standards and Procedures of the Office of Court Interpreter Services* for the scheduling of interpreters. We determined whether staff interpreters were used more than per-diem interpreters at the staff interpreters’ assigned court locations.

Hiring of Qualified Interpreters

For hiring of qualified interpreters, we obtained lists of staff interpreters with hire dates and per-diem interpreters with active vendor code² dates. To obtain a sufficient population to reasonably conclude on the audit objective, we extended the audit period back through April 1, 2018. We tested 100% of the population of interpreters hired in the audit period. The population consisted of 9 staff interpreters and 9 per-diem interpreters, for a total population of 18 interpreters. For each interpreter, we obtained evidence (including applications, screening examination results, and emails) and verified OCIS’s compliance with Sections 5.02 and 5.03a–5.03e of the 2009 *Standards and Procedures of the Office of Court Interpreter Services*. The minimum requirements of Section 5.02 are a four-year degree, verifiable references, and a native-level mastery of both English and a foreign language. In addition, Sections 5.03a–5.03e require interpreters to complete a screening questionnaire and an interview, pass a screening examination and a criminal record check, and participate in introductory training and a mentoring program.

Data Reliability Assessment

We tested certain general information technology controls, including access controls, security training, personnel screening, and account management, over the TeamWork system to determine the reliability of the data therein.

2. Per-diem interpreters are considered vendors rather than employees. Each one is assigned an active vendor code to process payments for completed shifts.

In addition, for the list of scheduled interpretations extracted from TeamWork, we ran data integrity tests to identify missing data, data outside our audit period, and duplicate data. We also performed trace testing³ to and from MassCourts⁴ data to confirm accuracy and completeness. For the interpreter invoice list extracted from TeamWork, we ran data integrity tests to identify missing data and data outside our audit period and performed trace testing to and from data in the Massachusetts Management Accounting and Reporting System⁵ (MMARS) to confirm accuracy and completeness. For the lists of staff interpreters with hire dates and per-diem interpreters with active vendor code dates, we ran data integrity tests to identify missing data and performed trace testing to and from electronic MMARS data to confirm accuracy and completeness.

We determined that the data were sufficiently reliable for the purposes of our audit work.

Conclusion

Our audit revealed no significant instances of noncompliance that must be reported under generally accepted government auditing standards.

3. This is an audit technique in which transactions are followed to and from the source.

4. MassCourts is the Trial Court's case management system.

5. MMARS is the official accounting system for Commonwealth business.