



Judicial Council of California

Advisory Committee on Providing
Access & Fairness

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ADVISORY COMMITTEE ON PROVIDING ACCESS AND FAIRNESS

MINUTES OF OPEN MEETING

February 15, 2024

12:15 - 1:15 p.m.

Zoom

Advisory Body Members Present: Hon. Kevin Brazile (Cochair), Hon. Victor Rodriguez (Cochair), Hon. Jose S. Castillo, Hon. Thomas Delaney, Hon. Judith Dulcich, Hon. Rebekah Evenson, Ms. Ana Maria Garcia, Hon. Amy Guerra, Ms. Janet Hudec, Hon. Clare Keithley, Hon. Sunil Kulkarni, Hon. Cynthia Loo, Hon. Elizabeth Macias, Ms. Nina Magno, Hon. Lia Martin, Ms. Kemi Mustapha, Ms. Julie Paik, Ms. Andrea Pella, Mr. Michael Powell, Hon. Michael Rhoads, Ms. Fariba Soroosh, Hon. Laura Walton, Mr. Mitchell Wunsh.

Advisory Body Members Absent: Ms. Morgan Baxter, Hon. Victoria Kolakowski, Hon. Richard Lee, Ms. Shirley Luo, Mr. Lawrence Meyer, Hon. Terry Truong, Ms. Twila White.

Others Present: Ms. Irene Balajadia, Mr. Douglas Denton, Ms. Elizabeth Tam-Helmuth, Hon. Audra Ibarra, Hon. Jacqueline Jackson, Ms. Amanda Morris, Ms. Cristina Resendiz-Johnson, Ms. Kristine Custodio Suero, Mr. Gregory Tanaka.

OPEN MEETING

Call to Order and Roll Call

The chair called the meeting to order at 12:15 and took roll call.

Approval of Minutes

The advisory body reviewed and approved the minutes of the October 19, 2023, Advisory Committee on Providing Access and Fairness meeting.

Motion to approve by Judge Kevin Brazile, seconded by Judge Judith Dulcich. Justice Jose Casillo, Judge Thomas Delaney, and Ms. Ana Maria Garcia abstained from voting. The motion carries.

DISCUSSION AND ACTION ITEMS (ITEMS 1-3)

Item 1

2024 Judicial Council Advisory Body and Education Committee Nominations Period Now Open

Presenter: Ms. Cristina Resendiz-Johnson, Attorney, Center for Families, Children & the Courts

Cristina Resendiz-Johnson briefed committee members on the 2024 committee nomination period and provided directions on how to submit nominations for consideration. Members whose terms expire this year will receive a reminder email after the meeting.

Item 2

Update on New Pathway for Certifying American Sign Language Interpreters

Presenter: Mr. Douglas G. Denton, Principal Manager, Language Access Services

Douglas Denton updated the committee on new Pathway for Certifying American Sign Language Interpreters. The proposal allows sign language interpreters who are certified for legal interpretation in Texas to offer services in California. This addresses an important access to justice issue for hard of hearing persons.

Item 3

Addressing Implicit Bias in Jury Service

Presenter: Mr. Stephen Michael Tow, Senior Analyst, Jury Improvement Program Lead Staff

The committee was presented with an overview of the Jury Improvement Program, specifically addressing the issue of implicit bias in jury service. With a timeline of recent action spanning from 2018 to present, lead staff Stephen Tow provided committee members with a summary of their research and data as well as links to all current and proposed anti-bias materials for jurors.

A D J O U R N M E N T

There being no further business, the meeting was adjourned at 12:41 p.m.

Approved by the advisory body on enter date.

California Court Interpreter Workforce Pilot Program, 2024



Introduction

California is currently experiencing a shortage of credentialed court interpreters in the state's most frequently interpreted languages. To address this issue, the 2023 Budget Act created the California Court Interpreter Workforce Pilot Program and dedicated \$6.8 million for the pilot. The pilot's objective is to increase the number of applicants eligible for employment with the courts as credentialed court interpreters. The pilot will meet this objective by providing training recommendations and reimbursement of participants' training costs and up to three examination fees so they can pass the required interpreter certification exams during the pilot. In return, pilot participants must agree up front to work in the California courts for at least three years after they successfully pass all required exams and enroll with the Judicial Council as a court interpreter. The pilot will be administered by the Judicial Council's Language Access Services Program in the Center for Families, Children & the Courts, with input and collaboration from participating courts, court Language Access Representatives, the employee organization representing court interpreter employees, trade associations representing independent court interpreters, and the Court Interpreters Advisory Panel.

Program Description

Pending council approval, the pilot program will begin in May 2024, and run through June 30, 2029. Participants who successfully complete pilot program requirements, pass all required exams, and enroll with the Judicial Council will be eligible for employment with the court.

The pilot program will provide recommendations to participants for training and will reimburse participants for training expenses and up to three exam fees. The reimbursement maximum will allow an average of 100 pilot participants per year to be reimbursed an average of \$8,000 per year in training and examination costs (actual amounts will depend on the number of pilot participants chosen each year). The program will reimburse expenses for the following:

- Costs of training and coursework
- Up to three interpreting exam fees per applicant during the pilot program

In addition to reimbursement for training and exam fees, the program will provide an offer of employment with participating courts, subject to available funding and open positions.

Initially, the program will include Los Angeles Superior Court and at least three other superior courts to be determined. All superior courts will be invited to apply. Up to ten applicants will be selected per court, per year, during the pilot. The emphasis of the program will be on certified spoken languages or American Sign Language for which there is the greatest demand for interpreters. However, other languages will be considered based on demonstrated court need.

All applicants must pass a background check prior to participating in the pilot, and again upon completion of the program, prior to receiving an employment offer from a participating court. Continued participation in the program is contingent upon individuals demonstrating active and continuing progress toward obtaining certification.

Pilot program participants must agree up front to commit to a study plan and work in the courts for at least three years after they successfully pass all required exams and enroll with the Judicial Council. Participants must remain employed with the court for a minimum of three years to avoid having to pay back costs. The court may waive, at its discretion, repayment of costs of training and exam fees if a participant leaves court employment prior to the end of three years due to a significant personal hardship, or other similar reason.

Program Participants

The pilot courts are to be Los Angeles Superior Court and at least three other superior courts. Applications from interested courts will be reviewed by council staff and prioritized as follows:

- Designated major languages (top four for the county) and number of interpreter vacancies/interpreters needed.
- Other certified languages not included in the four major designated languages for the county and number of interpreter vacancies/interpreters needed.
- Registered languages based on demonstrated court need and number of interpreter vacancies/interpreters needed.
- Regional and court size considerations to ensure statewide participation.
- Court awareness of promising interpreter candidates that will be recommended by the court for participation in the pilot.

Once languages and courts are established, pilot participants may apply and be selected based on their likelihood of completing the program, passing all required exams, and the needs of the participating courts. Courts will be actively involved in the pilot participant selection process.

Pilot participants will be given priority if they fall into one of the following categories:

Participant	Description
Near Passer	Individuals who are already in the process of becoming a certified language interpreter and who need additional support to pass the Bilingual Interpreting Exam (BIE).
Bilingual Court Staff or Equivalent	Bilingual court clerks or other bilingual staff, including provisionally qualified interpreters currently working in the courts, or other similarly skilled individuals, such as interpreters in other fields, aspiring to obtain a court interpreting credential

Participant	Description
American Sign Language (ASL)	ASL interpreters with generalist ASL credentials who wish to study and pass the Texas Board for Evaluation of Interpreters (BEI) court interpreter certification, which is now accepted by the Judicial Council for work in the California courts.
Registered Language	Candidates seeking an interpreting credential for a registered spoken language that is designated in the pilot.

Prerequisites

- Applicants must pass a background check as part of the application process.
- Applicants must also have a high level of fluency in English and their target interpreting language to be considered for the program.
- Applicants who have already taken and passed the Written Exam must have enough remaining validity on their scores or they will have to retake the Written Exam as part of the pilot. Written Exam scores are valid for six years or four attempts at the BIE, whichever comes first.

Potential applicants will also be encouraged, but not required, to take the Oral Proficiency Exam (OPE) in English (if necessary) and their target interpreting language(s) for a self-assessment of their degree of fluency. Applicants for certified languages should bear in mind that a rating of “Advanced” or higher is required for a registered language interpreting credential. All pilot program participants are expected to continuously strive to improve their level of fluency in all working languages, as this is one of the critical success factors for a professional interpreter in any language. Applicants wanting to be a certified interpreter will not be reimbursed for OPE exam fees if it is taken for self-assessment of fluency.

Proposed Timeline

Participants will be grouped into cohorts. Each cohort will have two years to complete the required training and pass all required exams, except for the final cohort which will have 18 months. Applications for the program will be processed and reviewed beginning in July; each new cohort will begin in January. Participants who do not complete the program in two years may reapply, except for the final cohort of the pilot. Sample timeline below:

Activity	Timeframe (Cycle repeats for each cohort)
Court and language selection	April – June
Applications submitted and reviewed; Applicants notified	July – December
Program begins – Year 1/Year 2	January
First progress report due – Year 1/Year 2	June
Second progress report due – Year 1/Year 2	December
All training complete and all exams passed	No later than December of Year 2

Participants will be grouped into cohorts as follows:

Program Activities	Program Cycle - Timeline			
	Cycle 1	Cycle 2	Cycle 3	Cycle 4
Court and language selection	April to June 2024	April to June 2025	April to June 2026	April to June 2027
Candidates apply and are chosen	July to December 2024	July to December 2025	July to December 2026	July to December 2027
Candidate begins in pilot program	January 2025	January 2026	January 2027	January 2028
Progress reports	Due every six months	Due every six months	Due every six months	Due every six months
Candidates must pass all required examinations	No later than December 2026	No later than December 2027	No later than December 2028	No later than June 2029 (last cohort has 18 months)

Expectations of Pilot Participants

Pilot participants are expected to demonstrate consistent, measurable progress toward the goal of obtaining certification, and are expected to complete the pilot program in two years or less. Participants will be required to submit a progress report to the Judicial Council every six months detailing courses taken, self-directed activities outside of formal coursework, exams taken, exam scores, and a self-evaluation of their progress. Progress reports will be shared with the participating court. Participants who do not demonstrate consistent progress toward becoming certified (or registered) will be removed from the program. Participants who do not complete the program and obtain an interpreting credential in two years may reapply to be able to continue, except for the final cohort.

Participants are expected to work in the courts for at least three years after completing the pilot program, passing all required exams, and enrolling with the Judicial Council. Participants who leave court employment prior to three years, depending on the circumstances, may be asked to repay any monies received during the pilot for training and exam costs.

Expectations of Participating Courts

Participating courts will be expected to take an active role in supporting the program participants as they work toward becoming certified. This support may take different forms, to be determined by the court; for example, mentoring, shadowing other interpreters, on-the-job training, providing training or reading materials or suggestions for self-directed study, communicating to pilot program participants about training or volunteer opportunities, etc. Specific responsibilities

and expectations for court personnel during the pilot program will be shared, with their ongoing input and collaboration, as program processes and procedures are developed.

Judicial Council Role in the Pilot

The Judicial Council will be responsible for overall administration of the program, management of budget, fee reimbursement, collection of monies owed by participants who leave the program or are asked to leave, etc. The Judicial Council will also provide a recommended training plan, as well as a list of resources. The training plan and resource list will be updated yearly and during the life of the pilot. The Judicial Council will receive, process and screen applications, and will assist courts as needed with selecting applicants. The Judicial Council will provide notifications to participants and program communications as necessary. The Judicial Council will also receive and evaluate progress reports from participants prior to issuing reimbursement for training and exam fees and will share these progress reports with participating courts.

Recommended Training & Exam Preparation

The knowledge and experience required to be a successful court interpreter comes from many sources. The Judicial Council has drafted a detailed training plan outline, with required and recommended courses and topics for formal training, as well as recommendations for self-directed, year-round study. Participants will be expected to continuously prepare and study and take training throughout the entire two-year program, even after they have taken exams while waiting for results. The list below is a representative sample of topics for study and exam preparation. The list is not intended to be exhaustive. The training plan outline for the pilot program will continually evolve and be refined with court and stakeholder input.

Required courses and topics include:

<input type="checkbox"/>	Introduction to Court Interpreting & Fundamentals of Legal Interpreting
<input type="checkbox"/>	California/U.S. Law for Court Interpreters (vocabulary building & court procedures) <ul style="list-style-type: none"> ○ Criminal & Civil Procedure ○ Family Law ○ Small Claims & Working with Self-Represented Litigants
<input type="checkbox"/>	Medical Terminology for Court Interpreters
<input type="checkbox"/>	Public Speaking, Presentation Skills & Diction for Interpreters
<input type="checkbox"/>	Introduction to Simultaneous Interpreting for Legal Proceedings <ul style="list-style-type: none"> ○ Arraignment Calendar ○ Interpreting at the Defense table
<input type="checkbox"/>	Sight Translation: Foreign Language to English & English to Foreign Language <ul style="list-style-type: none"> ○ Legal Documents – birth certificate, coroner’s report, police report, deposition transcript ○ General Documents – sentencing letter, other documentary evidence (receipts, bills, bank statements, text messages, emails)
<input type="checkbox"/>	Introduction to Consecutive Interpreting <ul style="list-style-type: none"> ○ Witness Stand – Lay Witness

	○ Administrative Hearings & Depositions
<input type="checkbox"/>	Consecutive Note Taking & Memory Building/Improvement
<input type="checkbox"/>	Advanced Simultaneous Interpreting for Legal Proceedings <ul style="list-style-type: none"> ○ Jury Instructions ○ Expert Witness Testimony – police, ballistics, forensics, pathologist
<input type="checkbox"/>	Remote Interpreting: VRI, Technologies, Ethical Challenges
<input type="checkbox"/>	Interpreting Skills Building Training (aka “Near-Passer” Training) offered by Judicial Council

Recommended course topics include:

<input type="checkbox"/>	Court Interpreting Profession
<input type="checkbox"/>	Interpreting and Translating Organization
<input type="checkbox"/>	Law and Court Procedures
<input type="checkbox"/>	Medical Terminology for Interpreters

Recommended self-directed exam preparation activities:

<input type="checkbox"/>	Courtroom observation
<input type="checkbox"/>	Volunteer interpreting
<input type="checkbox"/>	Reading in all working languages to build vocabulary – specialized and general
<input type="checkbox"/>	Language immersion in target language (for non-native speakers)

Training courses and materials for interpreter study and exam preparation come from many sources as well. They can come from formal academic programs or from private companies. They can be delivered in person, via instructor led courses, online instructor led courses or self-study materials. More detailed references for training programs, self-study materials, etc. are provided in the training plan outline that will be provided to pilot participants.

Required Certification Exams for Spoken Language

Credential	Exams	Passing Score
Certified Language Interpreter	Written Exam	80%
	Bilingual Interpreting Exam in target language	70% in all four sections in one sitting
Registered Language Interpreter	Written Exam	80%
	OPE English	Advanced or higher
	OPE in target language	Advanced or higher

ASL Court Interpreters

Currently, California does not offer a certification exam for ASL court interpreters. However, effective January 1, 2024, the Judicial Council approved the Texas Office of Deaf and Hard of Hearing Services (DHHS) Board for Evaluation of Interpreters (BEI) as an approved testing entity for American Sign Language (ASL) court interpreter certification. ASL interpreters who hold generalist credentials but do not yet hold the Texas BEI Court Interpreter Certification (CIC) and wish to be considered certified in California must study for the Texas BEI CIC and travel to Austin, Texas, at their own expense, to take the required examination(s). More information is provided in a [*Bulletin for Interpreters on the Texas ASL Court Interpreter Certification*](#).

Currently, the draft training plan outline contains recommendations for study and preparation for ASL court interpreters, as well as a list of resources, formal academic training, and degree programs to assist persons interested in taking and passing the Texas BEI court interpreter certification under the pilot.

Application Process

Language Access Services will develop an application for courts to apply for Cycle 1 in Spring 2024. Staff will also promote the pilot program at the bimonthly meetings of the Language Access Representatives to encourage applications from courts.

Once courts are chosen and languages identified for Cycle 1, application materials for interested interpreter candidates to apply to the pilot program will be posted to the [Language Access Services](#) web page in July 2024. Staff will also conduct outreach to ensure that potential interpreter candidates are aware of the pilot program and to encourage applications.