

**JUDICIAL COUNCIL OF CALIFORNIA
ADMINISTRATIVE OFFICE OF THE COURTS**

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Report

TO: Members of the Judicial Council

FROM: Court Interpreters Advisory Panel
Hon. Kathleen E. O’Leary, Chair
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DATE: July 25, 2008

SUBJECT: Court Interpreters: Testing and Fee Policies (Action Required)

Issue Statement

Government Code section 68562(f) mandates that the Judicial Council set and charge fees for the renewal of court interpreter certification, and Government Code section 68562 mandates that the council set a variety of standards related to court interpreter certification. This proposal is recommending an increase in the renewal fees for both certified and registered interpreters. The proposal also contains recommendations from the June 12, 2008, meeting of the council’s Court Interpreters Advisory Panel (CIAP) for revised test retake policies relating to the court interpreter testing program. Lastly, the proposal requests delegation of authority to the Administrative Director of the Courts to set the number of court interpreter exam administrations within a given year, test retake policies, and the annual interpreter certification and registration renewal fees, in order to relieve the council of the necessity of deliberating these operational aspects of the program.

Recommendation

The Court Interpreters Advisory Panel recommends that the Judicial Council approve the following policy recommendations for immediate action:

1. Raise and equalize the annual renewal fee for certified and registered court interpreters (currently set at \$85 and \$50, respectively) to \$100 effective immediately.
2. Allow court interpreter certification test candidates who have passed the certified written exam to take the oral exam up to four times with no time restrictions on when the four attempts to pass occur. Require court interpreter certification test candidates who have not passed the certified oral exam after four attempts to begin the entire

testing process again. This policy would go into effect beginning January 1, 2009. Preexisting test candidates who are in their 48-month test-retaking window as of December 31, 2008, will be allowed four attempts to pass the oral exam after January 1, 2009. (The 48-month window will no longer apply under the new policy.) After January 1, 2009, require preexisting test candidates who do not pass the oral exam within four attempts to begin the entire testing process again.

3. Delegate authority to the Administrative Director of the Courts to set retake policies for court interpreter certification and registration examinations, effective immediately.
4. Delegate authority to the Administrative Director of the Courts to determine the number of test administrations per year for court interpreter certification and registration examinations, effective immediately.
5. Delegate authority to the Administrative Director of the Courts to determine the annual renewal fee that court interpreters pay to renew their certification and registration. The Administrative Director of the Courts shall set the fee based on an analysis of the market rate other peer organizations charge for the renewal of professional certifications, effective immediately.

Rationale for Recommendation

Fees

The current renewal process for court interpreters requires interpreters to submit updated contact information annually and documentation of having satisfied their continuing professional education requirements every other year. This information is used to maintain the AOC's master list of certified and registered California court interpreters. In addition to submitting contact information annually and documentation of their professional education every other year, currently certified California court interpreters pay an \$85 annual renewal fee and registered California court interpreters pay a \$50 annual renewal fee. Annual renewal fees are deposited into the Court Interpreter Fund, which is used to reimburse individual courts' court interpreter costs.

The annual renewal fees for certified and registered California court interpreters have not increased in 14 years. The processing of annual renewal paperwork for both certified and registered court interpreters requires the same amount of staff time and effort. A survey of peer organizations reveals California court interpreter renewal fees are lower than most peer organizations, with the exception of certain local paralegal associations. The California State Personnel Board has charged a \$100 renewal fee for both administrative hearing interpreters and medical interpreters for several years.

Retake policies

Currently, once court interpreter test candidates pass the written exam, they have 48 months to take and pass the oral exam. Candidates have been able to take the oral exam as many times as it is offered within their 48-month eligibility period.

The current 48-month policy results in candidates repeatedly taking the oral exam during the four-year period. Currently candidates may take the exam every time it is administered, and often do so without taking the necessary time to improve their skills. This can lead to overexposure to the test content since some candidates take the same exam multiple times within a short time frame. Under the new policy recommendation, candidates will not feel pressured to pass the oral exam within a limited eligibility window, as there will be no time limitation within which to make their four attempts. This will allow them to take more time to adequately prepare for the subsequent attempts.

Additionally, this recommendation will allow for more flexibility in test administration, since candidates will not be adversely affected if fewer test cycles are desired or needed by the AOC because of budgetary limitations or a change in test administrators.

Delegation of authority

The Administrative Office of the Courts (AOC) generally handles operational-level decisions about court interpreter certification without Judicial Council review. Delegating authority to the Administrative Director of the Courts to set retake policy for court interpreter certification and registration examinations will allow the AOC to administer this operational aspect of the interpreter testing program.

Likewise, delegating authority to the Administrative Director of the Courts to determine the number of test administrations per year for court interpreter certification and registration will provide the AOC with greater flexibility to administer this operational aspect of the testing program in response to current needs.

Additionally, delegating authority to the Administrative Director of the Courts to set the annual renewal fee that court interpreters pay to renew their certification and registration will allow the AOC to administer this aspect of the court interpreters program in accordance with a competitive statewide market rate for certification renewals.

Comments From Interested Parties

Neither the Court Interpreters Advisory Panel nor the Court Interpreters Program solicited or received comments on these recommendations from outside parties. The Court Interpreters Advisory Panel includes the perspectives of the court interpreters who serve on the panel in all of its decisions.

Implementation Requirements and Costs

Recommendations have no implementation costs other than the minor administrative costs of notifying interpreters of the new annual renewal fees and test retake policy.