

MARCH 2017

LANGUAGE ACCESS METRICS REPORT



JUDICIAL COUNCIL OF CALIFORNIA
LANGUAGE ACCESS PLAN IMPLEMENTATION TASK FORCE

In January 2015, the Judicial Council adopted the *Strategic Plan for Language Access in the California Courts*. The Language Access Plan (LAP) provides recommendations, guidance, and a consistent statewide approach to ensure language access throughout the courts.

The Language Access Plan Implementation Task Force (Task Force), chaired by California Supreme Court Justice Mariano-Florentino Cuéllar, advises the Judicial Council on implementation of the LAP’s 75 recommendations.

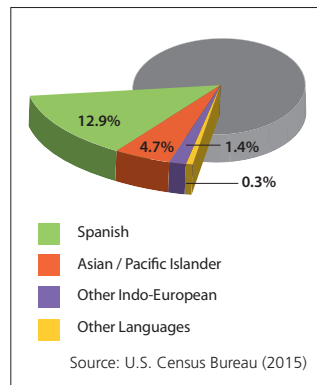
The California courts have made significant progress since the adoption of the LAP. This report summarizes California data, including statewide efforts to make comprehensive language access a reality in the courts.

Language Access in California

Language access allows limited-English-proficient (LEP) individuals access to a wide range of services. As defined by the U.S. Department of Justice, LEP individuals are persons who do not speak English as their primary language and who may have a limited ability to read, write, speak, or understand English.

In California, the most diverse state in the country:

- Over 200 languages are spoken;
- 44% of households speak a language other than English;
- Nearly 7 million speak English “less than very well”; and
- 19% of Californians cannot access the court system without language help.



Language Access Implementation

Of the LAP’s 75 recommendations:

- **47 are Phase 1**, meaning implementation should begin in 2015;
- **23 are Phase 2**, meaning implementation should begin by 2016–2017; and
- **5 are Phase 3**, meaning implementation should be completed by 2020.

The Task Force maintains regular progress reports to show the implementation status of all 75 LAP recommendations:

<http://www.courts.ca.gov/LAP.htm>.

2015		2016		2017		2018	
<p>January The LAP is adopted by the Judicial Council, and Evidence Code section 756 becomes law (clarifying that courts should provide interpreters in civil matters).</p>	<p>December The <i>Language Access Toolkit</i> launches on the California Courts website.</p>	<p>January All 58 courts identify a Language Access Representative.</p>	<p>May 5 LAP recommendations are completed.</p>	<p>January 14 recommendations are completed; several more in progress.</p>	<p>March Task Force 3-year mark.</p>	<p>March The LAP Implementation Task Force is formed by Chief Justice Tani G. Cantil-Sakuye.</p>	

Civil Expansion

Effective January 1, 2015, Evidence Code section 756 has expanded the case types in which the courts can and should provide interpreters to LEP parties to include civil, and includes a specific order of case type priority in the event that a court does not have sufficient resources to provide interpreters in all civil case types.

Over the past two years, the California courts have made significant progress to provide interpreters in civil case types following the priority order dictated by statute (as set forth in the priority chart shown below).

Court Progress in Providing Interpreters in Civil Cases	September 2015	December 2016
Expansion into all 8 priority levels (Priority Levels 1–8)	9 courts	47 courts*
Expansion into 5 or more priority levels (subset of Priorities 1–8)	28 courts**	6 courts
Expansion into 1 to 4 levels (subset of Priorities 1–8)	9 courts	3 courts
No response	12 courts***	2 courts

* As of December 2016, 47 of 56 responding courts indicated that they were able to provide interpreters under all eight priorities (Priorities 1–8). The languages provided, and the estimated interpreter coverage for each priority, vary by court. Recent information gathered regarding each court’s estimated coverage will help the Judicial Council with funding and other targeted efforts designed to help all 58 courts reach full expansion.

** In 2015, these 28 courts indicated that they provided interpreters in civil case types following the priority order dictated by statute.

*** In 2015, only one medium-sized court reported that they had not started expansion into civil proceedings (as of 9/30/2015).

Priority levels are as follows:

Priority 1: *Domestic violence, civil harassment where fees are waived (Code Civ. Proc., § 527.6(x)), elder abuse (physical abuse or neglect)*

Priority 2: *Unlawful detainer*

Priority 3: *Termination of parental rights*

Priority 4: *Conservatorship, guardianship*

Priority 5: *Sole legal or physical custody, visitation*

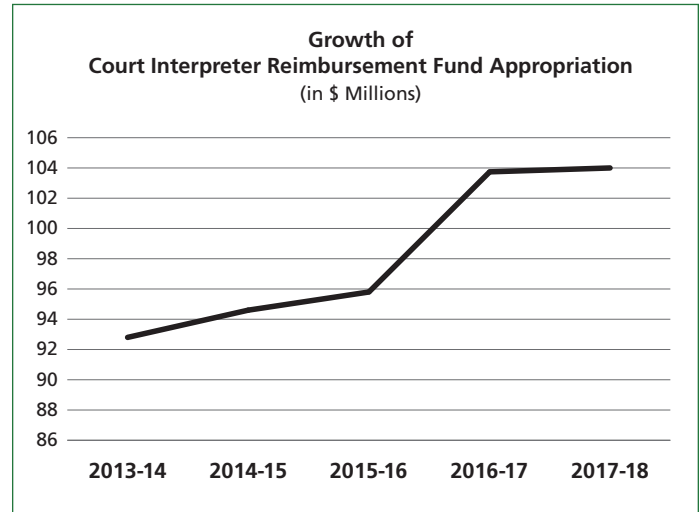
Priority 6: *Other elder abuse, other civil harassment*

Priority 7: *Other family law*

Priority 8: *Other civil*

Growth of Court Interpreter Reimbursement Fund

- In 2016, to support court interpreter expenses and expansion efforts, Governor Jerry Brown included an additional ongoing \$7 million for the expansion of interpreters in civil proceedings.
- For fiscal year (FY) 2016–2017, the total appropriation for the statewide court interpreter reimbursement fund is \$103,458,000.



- Beginning in 2017, the Phoenix Financial System is collecting language access data that is not covered under the Court Interpreter Reimbursement Fund (also known as Trial Court Trust Fund 0150037). This will allow the Judicial Council to track cost information for noninterpreter costs, including translations, interpreter or language services coordination (including supervision costs), bilingual pay differentials for bilingual staff, multilingual signage, web and communications, training, and technology and equipment.

Court Interpreter Pool

- There are currently over 1,900 certified and registered court interpreters on the Judicial Council's Master List, by far the largest court interpreter workforce in the nation.
- The Master List (<http://www.courts.ca.gov/35273.htm>) allows courts and members of the public to search for court-certified, registered, and enrolled interpreters who are in good standing with the Judicial Council.
- Interpreters included on the Master List have passed the required exams and officially applied with the Judicial Council. (Application requirements include submitting an application to the Judicial Council, paying an annual fee of \$100, and taking the online "Orientation to Working in the California Courts" course.)
- There are currently 1,691 certified court interpreters, and 229 registered court interpreters.

Table 1

Number of Certified Court Interpreters for California's Top 10 Most Frequently Interpreted Languages (as of February 2017)*

Spanish	1,373
Vietnamese	53
Korean	60
American Sign Language	55
Mandarin	66
Farsi	1
Cantonese	29
Russian	39
Tagalog	4
Arabic	8
Punjabi	3

* The top 10 languages shown in this table are from the *2015 Language Need and Interpreter Use Study*. The Judicial Council will review applicable data sources for development of the *2020 Language Need and Interpreter Use Study*. The study identifies language need and interpreter use in the California trial courts and is required by the Legislature to be produced every five years under Government Code section 68563.

- The following table shows recent passers of the bilingual interpreting exam to qualify as a certified or registered interpreter.

Table 2: Recent Passers of the Bilingual Interpreting Exams

Language	2015	2016
Spanish	45	47
Vietnamese	3	4
Mandarin	2	4
Cantonese	2	
Farsi		1
Russian	2	1
Eastern Armenian	1	2
Punjabi	1	
Total	56	59

Interpreter Usage

The Judicial Council's Office of Court Research (OCR) prepares interpreter usage reports each quarter for the courts.

Consistent with the direction of the Judicial Council, OCR works directly with the courts to collect interpreter usage data in previously mandated case types, domestic violence case types, and the newly expanded civil case types. The reports are based on data entered in the Court Interpreter Data Collection System (CIDCS), or provided by courts from their own internal systems.

- 1,520,878 statewide interpretations for FY 2014–2015*;
- Total interpretations in Spanish were approximately 1.4 million;
- Total other-than-Spanish interpretations were approximately 126,000;
- 42.8% of the total interpretations took place in Los Angeles County; and
- San Bernardino County was the second largest, with 7.1% of the total interpretations.

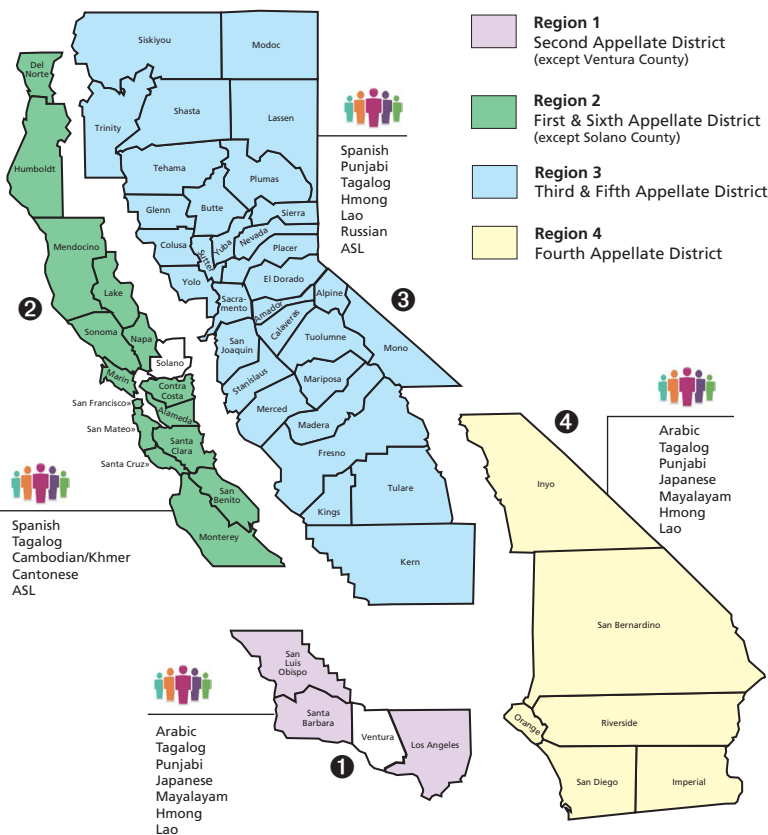
* Note: The statewide court interpreter usage summary for FY 2015–2016 is currently being tabulated. Highlights from the FY 2015–2016 summary will be included in the next metrics report.

Identified Current Interpreter Needs

In 2016, the National Center for State Courts (NCSC) conducted a statewide language access survey of the courts to gather information on current language services provided, trends in local court language needs, and any innovative programs, practices, or strategies utilized to meet local language access needs. The resulting 2016 *Language Access Survey Report on the California Superior Courts* identified the top languages for which recruitment of new certified or registered interpreters are needed from the four court interpreter bargaining regions (see graphic below). A follow-up language access survey will be conducted by NCSC in March 2017.

Efforts are underway for the Judicial Council to develop a statewide recruitment initiative in order to increase the pool of qualified interpreters and bilingual staff, and to assist near-passers of the bilingual interpreting exam.

Interpreter languages needed by region (as of 2016):



Web Analytics

The following are the number of page views to the Language Access and Court Interpreters Program webpages for January 1 to December 31, 2016:

- 107,146 page views for the Court Interpreters Program webpage;
- 12,280 page views for the Judicial Council Language Access webpage; and
- 3,309 page views for the Judicial Council Language Access Toolkit.

Resource Links

Judicial Council of California

<http://www.courts.ca.gov>

Strategic Plan for Language Access in the California Courts

http://www.courts.ca.gov/documents/CLASP_report_060514.pdf

Language Access

<http://www.courts.ca.gov/languageaccess.htm>

Language Access Plan Implementation Task Force

<http://www.courts.ca.gov/LAP.htm>

Language Access Toolkit

<http://www.courts.ca.gov/lap-toolkit-courts.htm>

Court Interpreters Program

<http://www.courts.ca.gov/programs-interpreters.htm>

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