

JUDICIAL COUNCIL OF CALIFORNIA

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INVITATION TO COMMENT

SPR18-30

Title	Action Requested
Court Interpreters: California Court Interpreter Credential Review Procedures	Review and submit comments by June 9, 2018
Proposed Rules, Forms, Standards, or Statutes	Proposed Effective Date
Repeal and adopt Cal. Rules of Court, rule 2.891; adopt <i>California Court Interpreter Credential Review Procedures</i>	January 1, 2019
Proposed by	Contact
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Executive Summary and Origin

To implement Recommendation 64 in the *Strategic Plan for Language Access in the California Courts* adopted by the Judicial Council in January 2015, and to fulfill the legislative mandate to adopt standards and requirements for interpreter discipline, the Court Interpreters Advisory Panel proposes to (1) repeal California Rules of Court, rule 2.891, on periodic review of court interpreter skills and professional conduct, and adopt new rule 2.891; and (2) adopt the *California Court Interpreter Credential Review Procedures*. The new rule of court directs the courts to the credential review procedures, which establish a process for the Judicial Council, as the court interpreter credentialing body, through Legal Services office staff, to review allegations of professional misconduct or malfeasance against a California certified or registered court interpreter. Any adjudications would be conducted by the California Office of Administrative Hearings.

Background

The Judicial Council has yet to establish court interpreter discipline procedures at the state credentialing level. With the adoption of the *Strategic Plan for Language Access in the California Courts*, and to comply with the Judicial Council's legislative mandate, it became imperative to put procedures in place that address allegations in the form of a written complaint against a spoken-language, California certified or registered court interpreter that may rise to the level of initiating a review of the court interpreter's credential, which licenses an interpreter to

The proposals have not been approved by the Judicial Council and are not intended to represent the views of the council, its Rules and Projects Committee, or its Policy Coordination and Liaison Committee. These proposals are circulated for comment purposes only.

interpret in California. The results of the credential review may require sanctions against an interpreter's credential, up to and including revocation of the credential, and removal from the *Judicial Council's Master List of Certified and Registered Court Interpreters*, (Master List).¹

The Court Interpreters Advisory Panel (CIAP) is charged, under rule 10.51 of the California Rules of Court,² with making recommendations to the council on: interpreter use and need for interpreters in court proceedings; and certification, registration, renewal of certification and registration, testing, recruitment, training, continuing education, and professional conduct of interpreters. CIAP's Professional Standards and Ethics Subcommittee undertook LAP Recommendation 64, *Complaints regarding court interpreters*, which states:

The Judicial Council, together with stakeholders, will develop a process by which the quality and accuracy of an interpreter's skills and adherence to ethical requirements can be reviewed. This process will allow for appropriate remedial action, where required, to ensure certified and registered interpreters meet all qualification standards. Development of the process should include determination of whether California Rule of Court 2.891 (regarding periodic review of court interpreter skills and professional conduct) should be amended, repealed, or remain in place. Once the review process is created, information regarding how it can be initiated must be clearly communicated to court staff, judicial officers, attorneys, and in plain language to court users (e.g., [limited English proficient (LEP)] persons and justice partners).

A court's decision to either terminate a contract or dismiss an employee for violation of rule 2.890, *Professional conduct for interpreters*, which establishes the ethical canons for court interpreters, or termination for acts of malfeasance, does not affect a court interpreter's credential and standing on the Master List. This allows a court interpreter to continue on the Master List, as the court interpreter remains credentialed and is able to accept other interpreting assignments. Rule 2.890 was adopted effective January 1999 and provides the legal authority and foundation for disciplinary procedures as legislatively mandated in Government Code section 68562(d), which provides, "The Judicial Council shall adopt standards and requirements for interpreter proficiency, continuing education, certification renewal, and discipline. The Judicial Council shall adopt standards of professional conduct for court interpreters."

To comply with Recommendation 64 in the LAP, CIAP's Professional Standards and Ethics Subcommittee developed a complaint-based credential review process.

¹ The only way an interpreter currently risks losing his or her credential to interpret in the California courts is for nonpayment of the annual fee, or failure to complete continuing education and professional assignment requirements: <http://www.courts.ca.gov/23507.htm>.

² http://www.courts.ca.gov/cms/rules/index.cfm?title=ten&linkid=rule10_51

Research found that all other state courts that have disciplinary procedures in place, and professional organizations, including the California Court Reporters Board, California State Bar, and Registry for Interpreters of the Deaf, share one common characteristic: disciplinary procedures result from the initiation of a complaint.

In addition, it was found that rule 2.891, which calls for local courts to conduct a biennial review of a court interpreter's interpreting skills—including both employees and independent contractors—needed to be repealed and replaced to account for realistic conditions that have impeded the courts' ability to comply with the rule as written.

The Proposal

The Court Interpreters Advisory Panel proposes repeal and adoption of rule 2.891, and adoption of the *California Court Interpreter Credential Review Procedures*.

Rule 2.891

As currently written, rule 2.891 requires the courts to conduct a biennial review of the skill level and performance of both employee and independent contractor interpreters. Trial courts have been unable to conduct such evaluations because:

- With over 150 languages interpreted in the California courts and with more than 1,850 court interpreters on the Master List,³ it is extremely difficult to establish a consistent set of standards and guidelines against which to fairly evaluate interpreter services.
- Trial courts generally lack the resources and expertise to conduct such evaluations even if there were a clear set of guidelines and standards.
- An evaluation of interpreting requires an extremely detailed and expansive understanding of the language itself, as well as the technical, legal, and procedural skills involved in interpreting in a court environment.
- Trial courts lack access to third-party linguistic experts who have the command of court practices and terminology necessary to conduct the required evaluation.

As a result of these difficulties, evaluations of employee interpreters have been generally limited to compliance with local personnel policies and collective bargaining agreements for employee interpreters and contractual agreements for contract interpreters.

Proposed rule 2.891, Request for court interpreter credential review

The proposed rule is intended to address the challenges faced by trial courts in complying with the current version of rule 2.891 by offering a realistic replacement that conforms to best practices and procedures in other professions and state court systems. In addition, the rule change recognizes the distinction between the obligation of the credentialing body to ensure interpreters abide by professional conduct and those of the employer to ensure employee interpreters follow workplace policies. Specifically, the replacement rule:

³ There are currently 858 court employees on the Master List.

- Reiterates the Judicial Council’s authority to review complaints against a court interpreter;
- Authorizes the implementation of the Judicial Council’s *California Court Interpreter Credential Review Procedures*, a new set of procedures designed to provide a standardized process for investigating and addressing interpreter performance issues as they relate to interpreter licensure; and
- Specifies that trial court authority remains unchanged as it pertains to each court’s local human resource procedures, collective bargaining agreements, or contractual agreements with independent contractors.

California Court Interpreter Credential Review Procedures

The lack of a credential review process has been a source of frustration not only for the courts, but for the LEP community, as well as for the vast majority of interpreters who preserve and maintain the integrity of the profession. The proposed procedures focus on conduct that impacts the status of an interpreter’s credential and are procedures that will address the very few allegations that may rise to the level of requiring an investigation and possible hearing.

As more fully described in the *California Court Interpreter Credential Review Procedures*, allegations in the form of a written complaint, known as a request for a credential review, filed with the Judicial Council, will be reviewed and assessed by Legal Services staff. If warranted, an investigation will be conducted by the Legal Services office or its designees. The Legal Services office will provide written notice to the interpreter who is the subject of the request for review.

At the conclusion of the investigation, if it is determined that grounds for disciplinary action exist, Legal Services staff will prepare a charging document and serve it on the interpreter. The interpreter has the opportunity to request a resolution prior to Legal Services submitting the charging document to the California Office of Administrative Hearings, where an administrative law judge shall serve as the hearing officer. Any decision rendered by the administrative law judge may be reviewed and confirmed by a three-member panel from CIAP. The panel must include a certified or registered court interpreter member of CIAP. Requests for a credential review may also be resolved prior to the issuance of a charging document.

The credential review process does not preclude the courts from receiving complaints, conducting investigations, and taking corrective action against those employee interpreters who violate rules, policies, procedures, and/or collective bargaining agreement provisions applicable to the courts. The credential review process supplements local court actions and:

- Promotes integrity and respect for the profession;
- Aligns court interpreters with the majority of other professions and state courts;
- Provides meaningful access to justice and promotes public trust and confidence in the courts;
- Fulfills the Judicial Council’s mandate under Government Code section 68562 (g); and
- Allows for due process.

Alternatives Considered

CIAP evaluated incorporating specific review and licensure action procedures in a new rule of court. Members determined that such procedures require a simple process for easy updating and modification to meet changing circumstances and requirements over time, which would be difficult to do with a rule. As support for this conclusion, CIAP found that guidelines and procedures for reviewing interpreters' licenses used by other state courts were also not contained in a fixed rule of court. For these reasons, the proposed rule addresses the policy issues of assigning authority to establish and carry out the necessary review procedures while separating the procedures themselves into a separate and more easily updated document.

Implementation Requirements, Costs, and Operational Impacts

Prior to implementation, a comprehensive communication rollout will be implemented that will include operational guidance materials for court leadership, Judicial Council staff, and court personnel.

The estimated costs for those credential reviews that require an investigation and or hearing, as found in these procedures, is entirely dependent on the number of requests for credential reviews received, the number that rise to the level of requiring an investigation, the length and complexity of an investigation, attorney fees, and, if required, the costs associated with hearings that will be conducted by the California Office of Administrative Hearings. The current estimate for 10 hearings is: \$184,000 to \$359,000. CIAP will evaluate these costs after a full year of implementation.

Request for Specific Comments

In addition to comments on the proposal as a whole, the advisory committee is interested in comments on the following:

- Does the proposal appropriately address the stated purpose?
- Are there other grounds for disciplinary action not addressed in the procedures?

The advisory committee also seeks comments from *courts* on the following cost and implementation matters:

- Would the proposal provide cost savings? If so please quantify.
- What would the implementation requirements be for courts? For example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems.
- Would three and a half months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?
- How well would this proposal work in courts of different sizes?

Attachments and Links

1. Cal. Rules of Court, rule 2.891, at page 7
2. Attachment A: *California Court Interpreters Credential Review Procedures*
3. Link B: Cal. Rules of Court, rule 2.890,
http://www.courts.ca.gov/cms/rules/index.cfm?title=two&linkid=rule2_890
4. Link C: *Strategic Plan for Language Access in the California Courts*,
<http://www.courts.ca.gov/languageaccess.htm>

Rule 2.891 of the California Rules of Court would be repealed and adopted, effective January 1, 2019, to read:

1 Title 2. Trial Court Rules

2
3 Division 6. Appointments by the Court or Agreement of the Parties

4
5 Chapter 4. Court Interpreters

6
7
8 ~~Rule 2.891. Periodic review of Request for court interpreter skills and professional~~
9 ~~conduct credential review~~

10
11 ~~Each trial court must establish a procedure for biennial, or more frequent, review of the~~
12 ~~performance and skills of each court interpreter certified under Government Code section~~
13 ~~68560 et seq. The court may designate a review panel, which must include at least one~~
14 ~~person qualified in the interpreter's language. The review procedure may include~~
15 ~~interviews, observations of courtroom performance, rating forms, and other evaluation~~
16 ~~techniques.~~

17
18 Certified and registered court interpreters are credentialed by the Judicial Council under
19 Government Code section 68562. The council, as the credentialing body, has authority to
20 review a credentialed interpreter's performance, skills, and adherence to the professional
21 conduct requirements of rule 2.890, and to impose discipline on interpreters.

22
23 **(a) Purpose**

24
25 This rule clarifies the council's authority to adopt disciplinary procedures and to
26 conduct a credential review as set out in the *California Court Interpreter Review*
27 *Procedures.*

28
29 **(b) Application**

30
31 Under the *California Court Interpreter Credential Review Procedures*, all court
32 interpreters certified or registered by the council may be subject to a credential
33 review process after a request for a credential review alleging professional
34 misconduct or malfeasance. Nothing in this rule prevents an individual California
35 court from conducting its own review of, and disciplinary process for, interpreter
36 employees under the court's collective bargaining agreements, personnel policies,
37 rules, and procedures, or, for interpreter contractors, under the court's contracting
38 and general administrative policies and procedures.

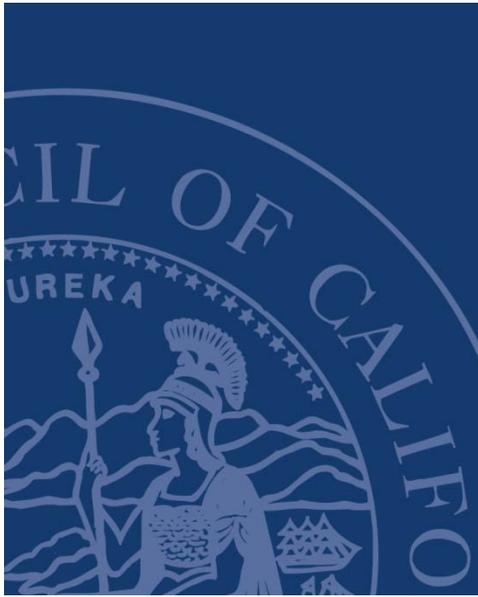
1 **(c) Procedure**
2

3 (1) On a request made to the council by any person, local court, or other entity
4 for the review of an interpreter’s credential for alleged professional
5 misconduct or malfeasance by an interpreter credentialed by the council, the
6 council will respond in accordance with procedures stated in the *California*
7 *Court Interpreter Credential Review Procedures.*
8

9 (2) On request by the council in relation to allegations under investigation under
10 the *California Court Interpreter Credential Review Procedures*, a California
11 court is required to forward information to the council regarding a complaint
12 or allegation of professional misconduct by a certified or registered court
13 interpreter.
14

15 **(d) Disciplinary action imposed**
16

17 The appropriateness of disciplinary action and the degree of discipline to be
18 imposed must depend on factors such as the seriousness of the violation, the intent
19 of the interpreter, whether there is a pattern of improper activity, and the effect of
20 the improper activity on others or on the judicial system.
21



California Court Interpreter Credential Review Procedures

EFFECTIVE JANUARY 1, 2019



JUDICIAL COUNCIL
OF CALIFORNIA

COURT INTERPRETERS
ADVISORY PANEL

Table of Contents

A.	Purpose.....	1
B.	Jurisdiction	1
C.	Grounds for Disciplinary Action.....	2
D.	Statute of Limitations.....	2
E.	Submitting a Request for Review.....	2
F.	Assessment of a Request for Review	3
G.	Investigation of a Request for Review and Issuance of Charging Document.....	3
H.	Resolution without Issuance of a Charging Document	4
I.	Representation of Judicial Council in Disciplinary Hearings	5
J.	Right to Representation	5
K.	Administrative Law Judge	5
L.	Proceedings before the Administrative Law Judge.....	5
M.	Discipline.....	6
N.	Notification of Discipline	6
O.	Appeals	7
P.	Reinstatement.....	7
Q.	Confidentiality.....	7

California Court Interpreter Credential Review Procedures

A. Purpose

Court interpreters play a critical role in facilitating accurate communications between the court and limited-English-proficient users. In performing that crucial function, court interpreters are governed by the professional conduct provisions of rule 2.890 of the California Rules of Court.¹ The Judicial Council of California adopts these credential review procedures in accordance with Government Code section 68562(d), which provides: “The Judicial Council shall adopt standards and requirements for interpreter proficiency, continuing education, certification renewal, and discipline. The Judicial Council shall adopt standards of professional conduct for court interpreters.”

These procedures reinforce the professional standards for certified and registered court interpreters by:

- (1) Establishing a process for the Judicial Council, under its authority to issue court interpreter credentials, to review allegations of professional misconduct or malfeasance against certified and registered court interpreters;
- (2) Defining the due process protections and procedures governing the credential review process;
- (3) Seeing that California certified and registered court interpreters meet and maintain minimum professional standards of practice; and
- (4) Safeguarding the quality and integrity of credentialed court interpreters in California.

Nothing in these procedures will preclude a superior court—consistent with the court’s applicable memoranda of understanding, personnel policies, and/or local rules—from receiving and investigating complaints, conducting investigations, and taking the necessary disciplinary or corrective action against interpreter employees or contractors who violate a court’s rules, policies, and procedures.

B. Jurisdiction

Every certified or registered spoken-language interpreter on the Judicial Council’s Master List of Certified and Registered Court Interpreters (Master List) is subject to these procedures.² Jurisdiction over an interpreter to enforce and act under these procedures exists regardless of whether the interpreter resides in California.

¹ *Professional Standards and Ethics for California Court Interpreters*, published by the Judicial Council, is based largely on the principles and requirements set forth in rule 2.890 of the California Rules of Court. The manual is available at www.courts.ca.gov/documents/CIP-Ethics-Manual.pdf.

² American Sign Language interpreters are credentialed by the Registry of Interpreters for the Deaf (RID). Information about filing a request for review of an RID-certified interpreter is found at www.rid.org/ethics/file-a-complaint/.

California Court Interpreter Credential Review Procedures

C. Grounds for Disciplinary Action

As the entity responsible for issuing credentials to court interpreters in California, the Judicial Council may discipline any certified or registered court interpreter. The grounds for disciplinary action include:

- (1) Violation of rule 2.890 of the California Rules of Court;
- (2) Gross incompetence;
- (3) Deliberate misrepresentation of a certified or registered court interpreter credential, including failure to notify relevant parties of a suspension or revocation of a court interpreter credential;
- (4) Knowing and reckless disclosure of confidential or privileged information obtained while serving in an official capacity;
- (5) Fraud, dishonesty, or corruption related to the functions and duties of a court interpreter;
- (6) Conviction of a felony or misdemeanor;
- (7) Violation of California or federal law, including discrimination and harassment laws;
- (8) False or deceptive advertising after receipt of notification to discontinue; and
- (9) Violation of duties imposed by these rules.

D. Statute of Limitations

Complaints submitted to the Judicial Council more than 90 days after the alleged misconduct will be rejected as untimely.

E. Submitting a Request for Review³

Any person or entity may submit a request for a credential review to the Judicial Council regarding a spoken-language interpreter who is a California certified or registered court interpreter and enrolled on the Master List. The request for review:

- (1) Must be submitted using the *Request for Court Interpreter Credential Review* form available on the “Court Interpreters Program” webpage of the California Courts website at [\[insert path once form available\]](#).
- (2) Must be signed under penalty of perjury.
- (3) May be submitted in person, sent by e-mail, or mailed to:

³ Consistent with the procedures outlined in rule 2.851 of the California Rules of Court, any person or entity may submit a language access services complaint to a local court using the language access services complaint form available on the local court’s website.

California Court Interpreter Credential Review Procedures

Court Interpreters Program
Judicial Council of California
455 Golden Gate Avenue
San Francisco, CA 94102-3688
[will supply dedicated e-mail address]

- (4) Must include a detailed description of the alleged misconduct including, if known or available, the date, time, location, name of interpreter, the interpreter's badge number, the case file number of the proceeding interpreted, the names and contact information of any potential witnesses, and any documents or evidence that support the allegations.
- (5) May be submitted anonymously, but no acknowledgment or notice of any action taken will be received.

F. Assessment of a Request for Review

Within 30 days of receipt of the request for review, designated Judicial Council staff will assess the request for review and determine whether it is complete, meets jurisdictional requirements, and provides sufficient factual allegations that, if true, would constitute grounds for discipline.

- (1) If the request for review does not meet these requirements, it will be rejected and the petitioner will be notified; or
- (2) If the request for review meets the requirements, council staff will provide written notice to the interpreter who is the subject of the request for review. The notice will contain a summary of the allegation(s), the date the allegation(s) took place, and the case file number of the case interpreted, if available. The notice must be sent within 45 days of the receipt of the request for review by the council staff; or
- (3) If the interpreter whose conduct is the subject of the request for review is being prosecuted or for other good cause, council staff may defer assessment of the request for review. Council staff will notify the petitioner and the subject interpreter of the deferral, the reasons for the deferral, and its anticipated duration, if known.

G. Investigation of a Request for Review and Issuance of Charging Document

Investigations of requests for review that proceed under section F, subdivision (2), will be conducted by the Judicial Council's Legal Services office, or its designees.

- (1) The investigation may include but is not limited to:
 - (a) Interviewing the petitioner, interpreter, witnesses, and other relevant persons. If the interpreter chooses not to respond, the investigation may continue without the interpreter's participation;
 - (b) Reviewing records, documents, case files, and other materials;

California Court Interpreter Credential Review Procedures

- (c) Requesting information from the interpreter and other relevant parties. The interpreter must respond to all inquiries within 30 days of receipt of the notice of the inquiry. If the interpreter chooses not to respond, the investigation may continue without the interpreter's participation; and
 - (d) Consulting with a subject matter expert on the duties and requirements to serve as a court interpreter.
- (2) At the conclusion of the investigation, if Legal Services staff determines that grounds for discipline exist, they will prepare a charging document that includes the evidentiary basis for their conclusions and serve it on the interpreter.
 - (3) The interpreter may request a hearing to contest the charges after engaging in good faith dispute resolution efforts as set out in section G, subdivision (4). To request a hearing, the interpreter must serve a Notice of Defense to the Judicial Council's Legal Services office within 30 days of service of the charging document. Failure to timely serve a Notice of Defense by the deadline will result in the adoption of the findings.
 - (4) Prior to requesting a hearing, the interpreter and Legal Services staff must engage in good faith dispute resolution efforts. If they are unable to resolve the charges, the case will proceed to hearing.

H. Resolution without Issuance of a Charging Document

With the approval of Judicial Council staff, a request for review may be resolved before the issuance of a charging document.

- (1) A request for review may be resolved by:
 - (a) Voluntary withdrawal of the request for review by the petitioner before the issuance of the charging document;
 - (b) Voluntary surrender of the interpreting credential by the interpreter and removal of the interpreter from the Master List; or
 - (c) A settlement agreement that is signed by the interpreter and the council's Administrative Director or his or her designee. Approval from the Administrative Director or his or her designee constitutes a final decision and is not subject to further review.
- (2) Voluntary surrender of the interpreting credential requires the interpreter to provide the council's Legal Services office with written notice of the interpreter's voluntary surrender of the interpreting credential. Upon submission of the written notice to Legal Services, any disciplinary proceedings will terminate. The request for review and the disciplinary proceedings may be reviewed in the event the interpreter seeks to reinstate his or her credential.

California Court Interpreter Credential Review Procedures

- (3) Information about resolutions may be posted on the “Court Interpreters Program” webpage consistent with the rules regarding public disclosure.

I. Representation of Judicial Council in Disciplinary Hearings

Attorneys in the Judicial Council’s Legal Services office or their designees will prosecute the allegations in the charging document on behalf of the council on all matters identified under these procedures, and perform other duties as required by these procedures, including representing the council in disciplinary hearings.

J. Right to Representation

An interpreter may be represented by counsel under these procedures at the interpreter’s expense.

K. Administrative Law Judge

An administrative law judge from the California Office of Administrative Hearings will serve as the hearing officer for all relevant proceedings identified under these procedures and perform other duties as required by these procedures.

L. Proceedings before the Administrative Law Judge

The administrative law judge may do any of the following:

- (1) Set a hearing to review the charging document in accordance with the following requirements:
 - (a) Hearings will be governed by the Administrative Procedure Act (Gov. Code, § 11340 et seq.);
 - (b) Hearings must be reported or recorded and must be private and confidential, except upon request of the interpreter facing the allegation of misconduct; and
 - (c) The petitioner and interpreter must be given 30 days’ notice of the scheduled hearing. Each party will be able to testify under oath, present evidence, call witnesses, and may be represented by an attorney, at his or her expense.
- (2) Request additional evidence from the petitioner, witnesses, and other relevant sources.
- (3) Request additional evidence from the interpreter.
- (4) Upon making a determination regarding the allegation of misconduct in the charging document, the administrative law judge may:
 - (a) Dismiss the charging document, in whole or in part;
 - (b) Determine that the allegation warrants disciplinary action, based on a clear and convincing evidentiary standard; and

California Court Interpreter Credential Review Procedures

- (c) Identify the specific disciplinary action to be taken.
- (5) Any decision made by the administrative law judge under subdivision (4) may be reviewed and confirmed by a review authority, composed of three members representing the Court Interpreters Advisory Panel.⁴

M. Discipline

- (1) The specific disciplinary action and degree of discipline to be imposed must include consideration of aggravating and mitigating circumstances including but not limited to:
 - (a) The intent of the interpreter;
 - (b) The gravity and impact of the harm to the petitioner, the court, or judicial processes; and
 - (c) The interpreter's history of prior discipline, including any pattern of improper conduct.
- (2) Discipline may include but is not limited to one or more of the following:
 - (a) Revocation of certified or registered status that is permanent or of specified duration;
 - (b) Suspension of certified or registered status for a specified period of time after which the interpreter must make a written request to the council for reinstatement of his or her credential;
 - (c) Probation for a fixed period of two years or less during which time the interpreter must meet the probationary terms as defined by the review authority;
 - (d) Requirement that specific education courses be taken;
 - (e) Public or private reprimand on record; and
 - (f) Requirement that the court interpreter take the credential examinations in place at the time discipline is imposed.

N. Notification of Discipline

- (1) The Judicial Council must notify the petitioner, the interpreter, and all relevant courts within 30 days of any disciplinary action taken.
- (2) The council may post information about disciplinary sanctions on the "Court Interpreters Program" webpage consistent with the rules governing public disclosure.

⁴ One member of the three-member review authority must be a certified or registered court interpreter member of the Judicial Council's Court Interpreters Advisory Panel.

California Court Interpreter Credential Review Procedures

O. Appeals

The interpreter may appeal the review authority's decision as authorized by Government Code section 11523 of the Administrative Procedure Act (Gov. Code, § 11370 et seq.).

P. Reinstatement

An interpreter whose court interpreter credential has been suspended or revoked may apply in writing to the Judicial Council for reinstatement within the time established in the disciplinary order. The council will have sole discretion in determining whether the conditions for reinstatement have been satisfied.

Q. Confidentiality

All requests for review, evidence collected, and investigations must be confidential, except when a final decision to impose a disciplinary action is reached. In those limited circumstances, the final decision, the grounds for the disciplinary action, and the facts cited to support the final decision must be accessible to the public.

For the purposes of this section, a final decision occurs in accordance with section L, after the expiration of the deadline to file an appeal, or, upon a decision in accordance with section O. Publicly accessible information may be posted on the Judicial Council's "Court Interpreters Program" webpage, or may be made available through a public records request to the Judicial Council under Government Code section 68106.2 and rule 10.500 et seq. of the California Rules of Court.