

# Advisory Committee on Providing Access and Fairness

# MINUTES OF OPEN MEETING

April 20,2023 12:15-1:15 p.m. Via Zoom

**Advisory Body** Hon. Kevin Brazile, Hon. Victor Rodriguez, Hon. Mark Cullers,

Members Present: Hon. Judith K. Dulcich, Ana Maria Garcia, Hon. Amy K. Guerra,

Janet Hudec, Hon. Victoria Kolakowski, Hon. Sunil R. Kulkarni, Shirley Luo, Hon. Elizabeth Macias Nina Magno, Hon. Lia Martin, Kemi Mustapha, Julie Paik, Andrea Pella, Michael Powell, Fariba R.

Soroosh, Hon. Terry Truong.

**Advisory Body** Hon. Sue Alexander (Ret.), Morgan Baxter, Hon. Manuel

**Members Absent:** Covarrubias, Hon. Mary Greenwood, Hon. Clare Keithley, Hon.

Richard Y. Lee, Lawrence Meyer, Twila White.

Others Present: Hon. Audra Ibarra, Hon. Bentrish Satarzadeh, Hon. Maureen

Hallahan, Charlene Depner, Greg Tanaka, Cristina Resendiz-

Johnson, Amanda Morris, Lisa Chavez, Douglas Denton, Elizabeth

Tam-Helmuth, Irene Balajadia, Aviva Simon, Diana Glick.

# OPEN MEETING

# Call to Order and Roll Call

The chair called the meeting to order at 12:15 p.m.

## **Approval of Minutes**

The advisory body reviewed and approved the minutes of the February 16, 2023, Advisory Committee on Providing Access and Fairness open session meeting. Motion to approve by Judge Martin and seconded by Janet Hudec Second. The motion carried.

#### DISCUSSION AND POSSIBLE ACTION ITEMS (ITEMS 1-3)

#### Item 1

## **Update on the 2023 Annual Agenda (No Action Required)**

Presenter: Hon. Kevin C. Brazile, Judge of the Superior Court, County of Los Angeles, and Cochair of the Advisory Committee on Providing Access and Fairness

On April 12, 2023, the Executive and Planning Committee held its meeting to review all the advisory body annual agendas. Judge Brazile attended the meeting with Greg Tanaka on behalf

of PAF. The PAF 2023 annual agenda was unanimously approved. It will be made available and posted online very shortly.

#### Item 2

# **Language Access Subcommittee Update (No Action Required)**

Presenter: Hon. Victor A. Rodriguez, Associate Justice of the Court of Appeal, First Appellate District, Division Three and Co-chair of the Advisory Committee on Providing Access and Fairness

Justice Rodriguez gave the committee an update on the language access subcommittee pending projects, including the cycle 5 signage and technology grant deadline. The language access subcommittee with have its next meeting on April 25, 2023, via zoom.

#### Item 3

# Requirements for New American Sign Language (ASL) Court Interpreters (No Action Required)

Presenter: Douglas Denton, Principal Manager, Language Access Services

Douglas Denton presented on a new proposal that is currently open for comment re: new requirements for American Sign Language (ASL) court interpreters. Currently the legal (SC:L) is the only credential recognized by the Judicial Council for ASL court interpreters. The registry of interpreters for the deaf stopped testing for the SC:L, effective January 1, 2016. The proposal that is open for comment offers a solution to this problem, to recognize the Texas Board of Evaluation of Interpreters (BEI) certification for ASL court interpreters through reciprocity for CA. The proposal is open for comment until May 26, 2023.

#### Item 4

# **Update on the 2021 Judicial Diversity Summit Recommendations and Referrals from the Executive and Planning Committee (No Action Required)**

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

Cristina updated the committee that on March 3, 2023, the Executive and Planning Committee, via a memo, referred to PAF 3 of the Summit recommendations for consideration. One of the continued activities we have focused on is organizing and convening educational sessions around the state for attorneys from underrepresented communities to learn about the judicial appointment and elections process. A presentation of one of these educational sessions is to take place during CLA's annual meeting/conference, September 21-23, 2023, in San Diego CA.

#### Item 5

# Welcome to Aviva Simon, New Office of Governmental Affairs Liaison to PAF (No Action Required)

Presenter: Hon. Victor A. Rodriguez, Associate Justice of the Court of Appeal, First Appellate District, Division Three and Co-chair of the Advisory Committee on Providing Access and Fairness

Justice Rodriguez gave the committee an introduction to Aviva Simon, providing a brief history of her work.

#### ADJOURNMENT

Adjourn to closed session.

# CLOSED SESSION

# **Approval of Minutes**

The committee approved the closed portion minutes of the October 20, 2022 Advisory Committee on Providing Access and Fairness meeting. Motion to approve by Judge Martin, seconded by Judge Kolakowski. There was no discussion, no modification, no abstentions. Motion carried.

## ADJOURNMENT

There being no further business, the meeting was adjourned at 12:45 p.m.

Approved by the advisory body on enter date.



# Judicial Council of California

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# REPORT TO THE JUDICIAL COUNCIL

Item No. 23-116
For business meeting on: September 21, 2023

#### Title

Language Access Plan: Proposed Allocations for Signage and Technology Grant Program, Cycle 5, Fiscal Year 2023–24

Rules, Forms, Standards, or Statutes Affected None

#### Recommended by

Advisory Committee on Providing Access and Fairness Hon. Kevin C. Brazile, Cochair Hon. Victor A. Rodriguez, Cochair

Language Access Subcommittee Hon. Victor A. Rodriguez, Chair

Information Technology Advisory
Committee

Hon. Sheila F. Hanson, Chair Hon. Louis R. Mauro, Vice-Chair

## **Agenda Item Type**

Action Required

#### **Effective Date**

September 21, 2023

## **Date of Report**

June 9, 2023

#### Contact

Douglas G. Denton, Principal Manager Language Access Services Program 415-865-7870 douglas.denton@jud.ca.gov

Irene Balajadia, Senior Analyst Language Access Implementation Unit 415-865-8833 irene.balajadia@jud.ca.gov

# **Executive Summary**

The Budget Act of 2018 (Stats. 2018, ch. 29) included \$2.55 million in ongoing funding for language access signage and technology infrastructure support and equipment needs for the trial courts and the Judicial Council. The council approved a grant program to disburse this funding to the trial courts on an annual basis. For Cycle 5 (fiscal year 2023–24), 13 courts applied for signage and technology needs. All requested court projects can be funded, and remaining funding will also support 4 additional courts that applied for grants under different but related grant opportunities. The Advisory Committee on Providing Access and Fairness and the

Information Technology Advisory Committee recommend approving the proposed grant award recommendations to expand language access for court users.

## Recommendation

The Advisory Committee on Providing Access and Fairness and the Information Technology Advisory Committee recommend that the Judicial Council, effective September 21, 2023:

- 1. Approve the proposed allocations for the Language Access Signage and Technology Grant Program for fiscal year 2023–24; and
- 2. Direct Language Access Services staff to work with Branch Accounting and Procurement to draft and execute intra-branch agreements with each awarded court.

The proposed allocations and summary of the requests for funding are included as Attachment A.

## **Relevant Previous Council Action**

In January 2015, the Judicial Council adopted the *Strategic Plan for Language Access in the California Courts*. The plan provides recommendations, guidance, and a consistent statewide approach to ensure language access for all of California's approximately 7 million limited-English-proficient (LEP) residents and potential court users.

On September 24, 2019, the Judicial Council adopted a process for language access signage and technology grants and directed Language Access Services staff to solicit and review grant applications and develop recommendations for review and approval by the Advisory Committee on Providing Access and Fairness, the Information Technology Advisory Committee, and the Judicial Council. Grants are also approved by the Technology Committee.

This is the fifth year of the Language Access Signage and Technology Grant Program (Cycle 5). Most recently, in December 2022, for Cycle 4 (FY 2022–23), the council approved grants to all 19 trial courts that applied for signage and technology and 7 additional courts that applied for grants under different but related grant opportunities.<sup>2</sup> All funding from Cycle 4 under the \$2.35 million annual allocation, was distributed to courts.

## Analysis/Rationale

To support judicial branch language access expansion efforts, the Budget Act of 2018 included ongoing funding of \$1 million per year for language access signage and \$1.55 million per year for language access technology infrastructure support and equipment needs. Of the \$1.55 million

<sup>&</sup>lt;sup>1</sup> See Judicial Council of Cal., Advisory Com. Rep., *Language Access Plan: Signage and Technology Grants* (Sept. 9, 2019), https://jcc.legistar.com/View.ashx?M=F&ID=7675626&GUID=F2CCA714-356A-41B7-82B5-05C058CE0D6E.

<sup>&</sup>lt;sup>2</sup> See Judicial Council of Cal., Advisory Com. Rep., *Language Access Plan: Signage and Technology Grant Program, Fiscal Year 2022–23: Requests and Proposed Allocations* (Nov. 10, 2022), https://jcc.legistar.com/View.ashx?M=F&ID=11462752&GUID=24564058-70C0-4A36-8581-BC27E26D9D97

for technology, \$200,000 is dedicated to the Judicial Council for upgrades to the online Language Access Toolkit and other council language access infrastructure support (such as translation costs for statewide forms, web content, and other multilingual resources for LEP court users). The amount available to trial courts for technology is, therefore, \$1.35 million each year. Trial courts may apply for the \$2.35 million available for grants each year.

Under the Language Access Signage and Technology Grant Program, courts can apply for up to \$200,000 for signage projects and up to \$270,000 for technology projects, unless total requests are under the annual allocation for each category (in which case, larger amounts may be recommended and approved by the council for grants to expend funding).

The goals of the Language Access Signage and Technology Grant Program follow:

- Support courts with the development of multilingual signage to help LEP court users to navigate the courthouse.
- Assist courts that may need equipment or software that will facilitate communication with LEP court users and the courts.
- Allocate funds to as many trial courts as possible within the given budget to support language access signage and technology initiatives.
- Fund enhancements that provide LEP court users with greater access to the courts and to information in their language.
- Encourage courts to establish for grant funding an ongoing plan that coordinates with other facilities planning and/or with planned or ongoing technology initiatives that support language access as a core service of the court.

On March 21, 2023, a memorandum was released by Judicial Council Information Technology to courts on how to request funding for various technology grant opportunities on a single platform. The deadline for courts to apply was April 21, 2023.

Judicial Council staff coordinated the review of Cycle 5 Language Access Signage and Technology (S&T) Grant requests with the other technology funding requests (Information Technology Modernization Fund Program (ITMF), Jury Management Systems Grant (JMS), and Model Self-Help Grant (MSH)) to ensure that no court would receive duplicate funding for the same project. For related projects, staff also confirmed with the courts that their projects would benefit LEP court users.

For Cycle 5, 13 courts applied for signage and technology needs. All requested court projects can be funded, and remaining funding will also support 4 additional courts that applied for grants under different but related grant opportunities.<sup>3</sup>

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<sup>&</sup>lt;sup>3</sup> The four courts that applied for related projects under other grant opportunities are: Fresno and Tulare for signage-related projects and Butte and Mariposa for technology-related projects.

For signage, the Superior Court of San Francisco County requested \$225,00 for a signage project, which was over the maximum application amount for signage (\$200,000). Since the court also applied for the same project under the MSH grant, both grant programs agreed to split the funding with S&T to cover \$162,470, with the remainder of \$62,530 to be covered by MSH. When tabulating the signage-related projects across all the grant opportunities, there was remaining funding of \$576,433 in the signage category.

During Cycle 4, Budget Services confirmed it is allowable for remaining funding from the signage category to go towards related technology category projects (and vice versa), as long as the project benefits LEP court users. For Cycle 5, this approach results in a proposed allocation of \$423,567 for signage projects, and \$1,926,433 for technology projects, which will allocate the entire \$2.35 million.

For technology, project requests exceeded the available S&T technology funding of \$1.35 million because Santa Clara requested \$1.25 million for a video remote project. The court also requested \$15,000 for interpreter hardware. Staff recommend funding Santa Clara court over the maximum application amount for their technology projects (for a total award of \$501,941), because Santa Clara did not apply for other funding sources to support these projects.

Although their related project requests also exceeded available S&T funding, staff recommends to fund Butte and San Francisco up to the application maximum of \$270,000, because these courts will have the opportunity to supplement this funding through other branch and local funding grants/programs. The approach will allow awards to 17 courts, which represent the northern, southern, and central regions of the state. The proposed awards for courts are summarized in the table below.

# Proposed Allocations: Signage and Technology Grant Program, Cycle 5 (FY 2023-24)

Trial Court Name	Signage Award	Technology Award	Total Proposed Award
Butte	0	270,000.00	270,000.00
Contra Costa	0	141,537.52	141,537.52
Fresno	19,700.00	0	19,700.00
Kings	0	15,500.00	15,500.00
Madera	0	23,468.40	23,468.40
Mariposa	0	65,745.99	65,745.99
Orange	0	230,150.00	230,150.00
Sacramento	11,850.00	0	11,850.00
San Benito	6,630.20	0	6,630.20
San Diego	85,000.00	17,500.00	102,500.00
San Francisco	162,470.00	270,000.00	432,470.00
San Mateo	3,000.00	15,230.00	18,230.00

Santa Clara	0	501,941.42	501,941.42
Santa Cruz	12,380.00	0	12,380.00
Tulare	122,536.84	0	122,536.84
Ventura	0	203,359.63	203,359.63
Yolo	0	172,000.00	172,000.00
	\$423,567.04	\$1,926,432.96	\$2,350,000.00

# Signage Grant Projects

The table below summarizes the number of project requests by signage grant priority.

Priority #	Signage Grant Project	Courts Applied
1	Translation of Signage	1
2	Court Websites & Wayfinding Translations	2
3	Multilingual Wayfinding Strategies	7
4	Multilingual Non-electronic Signage	
5	Automated Queue-Management System	0

# **Technology Grant Projects**

The table below summarizes the number of project requests by technology grant priority.

Priority #	Technology Grant Project	Courts Applied			
1	Telephonic/Video Remote Solutions	5			
2	2 Interpreter Equipment				
3	Scheduling or Other Software	0			
4	Multilingual Videos	1			
5	Audiovisual Systems Upgrade	3			
6	Multilingual Kiosks	2			

For a detailed explanation of all the grant projects, see Attachment A.

# **Policy implications**

Under the grant program, courts can apply for funding for audio or video remote solutions, including video remote interpreting (VRI), if permitted by their memorandums of understanding and any other agreements between court administration and court employees or independent contractors. All courts, including courts that participate in the grant program and request funding

for VRI equipment, will be asked to follow the council's updated VRI guidelines for spoken language-interpreted events.<sup>4</sup>

#### **Comments**

The proposed allocations are to be reviewed and approved by the Advisory Committee on Providing Access and Fairness on June 15, the Information Technology Advisory Committee on July 19, and the Technology Committee on August 14, 2023.

#### Alternatives considered

The goal of the S&T grants is to fully allocate funds to as many trial courts as possible within the given budget to support language access signage and technology initiatives. For signage and technology projects that were submitted under different but related grant opportunities, staff confirmed with the courts that all the projects would benefit LEP court users.

# **Fiscal and Operational Impacts**

Funding assists courts with language access signage and technology initiatives. Because funding is ongoing for the trial courts, individual courts are encouraged to establish an ongoing plan for grant funding that coordinates with other facilities or technology initiatives planned or underway in their court to support language access.

Judicial Council staff has clarified with Branch Accounting and Procurement and Facilities staff that courts may use grant funding for facilities modification costs that directly relate to the purpose of the grant, for signage or technology, as long as the anticipated facility modification costs are built into the total grant amount.

All courts that submitted S&T requests for Cycle 5, FY 2023–24, will be notified as to whether they will receive funding. Intra-branch agreements for the signage and technology grant requests that are funded are expected to be delivered to the court executive officers for signatory approval and returned to the Judicial Council in November 2023. If the reimbursement request and invoices to support the requested reimbursement amount are not received by June 30, 2025, grant funding for the cost of the project will be unavailable for reimbursement to the awarded court.

## **Attachments and Links**

1. Attachment A: Signage and Technology Grant Program, FY 2023–24: Proposed Allocations

<sup>&</sup>lt;sup>4</sup> See Judicial Council of Cal., Recommended Guidelines and Minimum Specifications for Video Remote Interpreting (VRI) for Spoken Language—Interpreted Events (May 21, 2021), www.courts.ca.gov/documents/vri-guidelines.pdf.

# Attachment A: Signage and Technology Grant Program, FY 2023–24: Proposed Allocations (Signage)

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#	Trial Court Name	SIGNAGE Project Description(s):	TOTAL SIGNAGE Requested	PROPOSED SIGNAGE Awards
1	Fresno*	Courthouse Docket Screens - Signage Priority 3: Multilingual Wayfinding Strategies	19,700.00	19,700.00
2	Sacramento	Language Access Signage and Technology Multilingual Signage - Signage Priority 1: Translation of Signage	11,850.00	11,850.00
3	San Benito*	Electronic Board Display for Judicial Calendar Assignments - Signage Priority 3: Multilingual Wayfinding Strategies*	3,430.20	3,430.20
		Informational Signs & Flowcharts & Bulletin Board - Signage Priority 5: Multilingual Non-electronic Signage	3,200.00	3,200.00
4	San Diego*	Court User Directional Kiosks - Signage Priority 3: Multilingual Wayfinding Strategies*	35,000.00	35,000.00
		Signage and Wayfinding - Signage Priority 3: Multilingual Wayfinding Strategies	50,000.00	50,000.00
5	San Francisco**	Self-Represented Litigants WayFinder Project – Phase III Program Development - Signage Priority 3: Multilingual Wayfinding Strategies	225,000.00	162,470.00
6	San Mateo	Multilingual Online Wayfinding - Signage Priority 2: Court Websites & Wayfinding Translations	3,000.00	3,000.00
7	Santa Cruz	Electronic Display Addition - Signage Priority 2: Court Websites & Wayfinding Translations	12,380.00	12,380.00
8	Tulare*	Electronic Docket Display and Courthouse Signage Refresh - Signage Priority 3: Multilingual Wayfinding Strategies	122,536.84	122,536.84
			\$486,097.04	\$423,567.04

<sup>\*</sup> Court applied for ITMF grant but S&T can fund

Funding amount for signage projects under S&T grant only
Funding amount for signage projects under other grant opportunities
Total
\$242,900.00
\$180,667.04

Remaining signage funding (out of \$1M available) \$576,432.96

<sup>\*\*</sup> Court also applied for MSH grant - MSH to cover \$62,530

# Signage and Technology Grant Program, FY 2023–24: Proposed Allocations (Technology)

#	Trial Court Name	TECHNOLOGY Project Description(s):	TOTAL TECHNOLOGY Requested	PROPOSED TECHNOLOGY Awards
1	Butte*	Audiovisual Upgrades - <b>Technology Priority 5: Audiovisual Systems Upgrade</b>	2,267,196.00	270,000.00
2	Contra Costa	Multilingual Wayfinding Kiosks - <b>Technology Priority 6: Multilingual Kiosks</b>	141,537.52	141,537.52
3	Kings	Juror Educational Orientation Video - <b>Technology Priority 4:</b> Multilingual Videos	15,500.00	15,500.00
4	Madera*	Court Phone Tree Translation - Technology Priority 1: Telephonic/Video Remote Solutions	3,168.64	3,168.64
		Interpreter - Integrated Technology - Technology Priority 2: Interpreter Equipment	19,043.28	19,043.28
		Traffic Department Kiosk Check In - <b>Technology Priority 6</b> : Multilingual Kiosks*	1,256.48	1,256.48
5	Mariposa*	Lower Courtroom Remote Appearance - Technology Priority 1: Telephonic/Video Remote Solutions	65,745.99	65,745.99
6	Orange	Video Remote Interpreting Equipment - <b>Technology Priority 2:</b> Interpreter Equipment	230,150.00	230,150.00
7	San Diego	Interpreter Audio Equipment- <b>Technology Priority 2: Interpreter Equipment</b>	17,500.00	17,500.00
8	San Francisco**	Interpreter Equipment-Listen Talk Transceivers - <b>Technology Priority 2: Interpreter Equipment</b>	30,000.00	30,000.00
		Remote Jury Selection Management - Technology Priority  1: Telephonic/Video Remote Solutions**	1,061,000.00	240,000.00
9	San Mateo	Video Remote Interpreting Implementation Project - <b>Technology Priority 2: Interpreter Equipment</b>	9,230.00	9,230.00
		Voice to Text Expansion Project - <b>Technology Priority 2</b> : Interpreter Equipment	6,000.00	6,000.00
10	Santa Clara	Interpreter Hardware - <b>Technology Priority 2: Interpreter Equipment</b>	15,000.00	15,000.00
		Video Remote Interpretation - Technology Priority 1: Telephonic/Video Remote Solutions	1,250,000.00	486,941.42
11	Ventura Interpreting Transceiver / Receiver Equipment - Technology Priority 2: Interpreter Equipment		16,587.00	16,587.00
		Courtroom Video Upgrades for Remote Proceedings - Technology Priority 5: Audiovisual Systems Upgrade	181,142.63	181,142.63
		Video Remote Interpreting Solutions - Technology Priority 1: Telephonic/Video Remote Solutions	5,630.00	5,630.00
12	Yolo	Courtroom AV Upgrade (for remote appearances) - <b>Technology Priority 5: Audiovisual Systems Upgrade</b>	172,000.00	172,000.00
		Court applied for ITME grant but S&T can fund	\$5,507,687.54	1,926,432.96

<sup>\*</sup> Court applied for ITMF grant but S&T can fund \*\* Court applied for JMS grant but S&T can fund

# Signage and Technology Grant Program, FY 2023–24: Proposed Allocations (Technology)

Funding amount for tech projects applied under S&T grant only

Available funding for tech projects applied under ITMF/JMS grants

\$3,738.15

Additional amount available for this purpose from signage category

Total allocation for technology projects

\$1,346,261.85

\$3,738.15

# Signage and Technology Grant Program, FY 2023–24: Proposed Allocations (Summary)

#	Trial Court Name	Funded in FY 2019- 2020	Funded in FY 2020- 2021	Funded in FY 2021- 2022	Funded in FY 2022- 2023	Funded in FY 2023- 2024	SIGNAGE AWARD	TECHNOLOGY AWARD	TOTAL PROPOSED AWARDS
1	Butte	Yes	No	No	Yes	Yes		270,000.00	270,000.00
2	Contra Costa	No	No	No	No	Yes		141,537.52	141,537.52
3	Fresno	Yes	Yes	No	No	Yes	19,700.00		19,700.00
4	Kings	Yes	Yes	No	Yes	Yes		15,500.00	15,500.00
5	Madera	Yes	Yes	Yes	Yes	Yes		23,468.40	23,468.40
6	Mariposa	No	No	No	No	Yes		65,745.99	65,745.99
7	Orange	Yes	No	Yes	Yes	Yes		230,150.00	230,150.00
8	Sacramento	Yes	Yes	Yes	Yes	Yes	11,850.00		11,850.00
9	San Benito	No	No	No	Yes	Yes	6,630.20		6,630.20
10	San Diego	No	Yes	No	Yes	Yes	85,000.00	17,500.00	102,500.00
11	San Francisco	Yes	No	No	Yes	Yes	162,470.00	270,000.00	432,470.00
12	San Mateo	Yes	Yes	Yes	Yes	Yes	3,000.00	15,230.00	18,230.00
13	Santa Clara	Yes	Yes	Yes	No	Yes		501,941.42	501,941.42
14	Santa Cruz	Yes	Yes	Yes	Yes	Yes	12,380.00		12,380.00
15	Tulare	No	No	Yes	No	Yes	122,536.84		122,536.84
16	Ventura	No	Yes	No	Yes	Yes		203,359.63	203,359.63
17	Yolo	No	Yes	Yes	Yes	Yes		172,000.00	172,000.00
	-						\$ 423,567.04	\$ 1,926,432.96	\$ 2,350,000.00