California Superior Courts

2017 Language Access Survey Report for LAP Implementation Phase II

August 2017

Prepared for the Judicial Council of California by the

National Center for State Courts

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Executive Summary

i. Introduction

This report was prepared by the National Center for State Courts (NCSC) following a survey of California courts conducted in 2017. The survey, and this report, were designed as a follow-up to update the language access services findings from a prior survey in early 2016. The 2016 survey analysis was provided in the California Superior Courts: 2016 Language Access Survey Report (2016 Survey Report).

The purpose of the 2017 survey was to discern areas of improvement, recent language trends, success of civil expansion, and remaining gaps in services where attention should be focused in the continued implementation of the Strategic Plan for Language Access in the California Courts (Language Access Plan, or LAP). The 2017 survey[1] was complemented by qualitative interviews with a select number of courts of varying size and representing different regions statewide as well as with other stakeholders, including judicial officers, court executive officers, and interpreters.[2] The survey was provided as an online instrument and all superior courts in the state were invited to complete it.

Survey questions requested information regarding:

- Data collection and court users' language requests;
- Interpreter recruitment needs;
- Funding gaps that remain to achieve full expansion;
- Existing use of tools for language access, such as multilingual websites, notices of available services, translation, and signage;
- Language access education and training programs;
- Complaint mechanisms; and
- Use of technology for providing language access.

A total of fifty of the fifty-eight California superior courts (86%) responded, the same response rate (though not necessarily the same participants) as obtained with the 2016 survey. Participating courts represented the California superior court landscape, including courts of

[1] See Appendix 1 for a PDF version of the final survey instrument.
[2] See Appendix 2 for a PDF version of the final qualitative interview questions.

every size (small, small/medium, medium, and large courts)[3] as well as the various regions of California, including urban and rural areas of the state.

ii. Findings and Recommendations

Below are the main findings from the 2017 survey and qualitative interviews listed under each of the areas addressed. Each area also includes a number of recommendations.

Data collection and court users' language requests:

Findings:

- Spanish remains, by a significant margin, the most requested language throughout the state, although there appears to be an increase in requests for services in other languages, particularly in Mandarin, Cantonese, Tagalog, Arabic, and Punjabi.
- Survey responses indicate an increase in the diversity of languages requested in the last year, as well as an overall increase in total language access requests for services in and outside of courtroom proceedings.
- Three-fourths of courts that responded collect data regarding language assistance requests, with the majority collecting information on the language requested and event type. The event type information collected, however, is not consistent across courts; some courts only collect detailed case type data regarding civil case types, while others seem to include details on the types of criminal proceedings as well.
- Only a third of courts appear to track requests for non-interpreter language access services.

Recommendations:

- The Judicial Council should develop clear guidelines regarding the data to be collected, as well as recommendations as to how to collect it. These guidelines will promote consistency and uniformity of these efforts, and the information they provide, throughout the state.
- Data collection and tracking should include interpreter requests in all proceedings, both in the courtroom and for court-ordered, court-operated programs.

[3] For the purposes of this survey, "court size" correlates to information provided by Judicial Council staff and pertains to the following classifications in accordance with court judgeships: small (2-5 judges); small/medium (6-15 judges); medium (16-47 judges); and large (48 or more judges).

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- Data collection should also include requests for non-interpreter language access services such as the need for bilingual staff or translations.
- Data collection should also include unmet needs to assist with the identification of resource gaps and support for future funding requests.

Interpreter recruitment needs:

Findings:

- Recruitment needs are the most significant for Spanish interpreters.
- Some larger courts and/or urban courts are adequately staffed with Spanish interpreters. However, several courts have unfilled vacancies and experience challenges with finding interpreters interested in working for the courts.
- Other languages of significance for recruitment include Punjabi, Tagalog, Cantonese, Mandarin, Arabic, and Vietnamese, in that order. Recruitment needs in Farsi, Korean, and Russian were also reported, though by a smaller number of courts.
- An aging interpreter workforce, low passing rates on the interpreting exams, and compensation rates not commensurate with private industry are all challenges to fulfilling interpreter recruitment needs.
- In order to meet the increasing interpreter workforce needs brought about by civil expansion, courts identified the need for more effective recruitment strategies, training of prospective interpreters, reassessment of credentialing examinations, and consideration of higher compensation rates.

Recommendations:

- The Judicial Council should undertake the recommendations provided by NCSC through a separate deliverable to assist with local and statewide recruitment efforts.
- Recruitment efforts should be supplemented by scheduling and calendaring efficiencies, as well as the possible sharing of interpreters through the use of video remote interpreting (pending findings from the VRI pilot project scheduled to launch in September 2017).
- The Judicial Council should reexamine compensation strategies for court interpreters to better address the compensation gap between the state-approved interpreter rate and the private industry. This may include a reevaluation of the existing rates, marketing of the benefits of court employment, or other strategies.

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Funding gaps that remain to achieve full expansion:

Findings:

- Funding needs vary significantly depending on court size, available interpreter workforce in the area, existing resources, and language diversity in the court's community.
- Most courts report needing additional funding and resources to meet the language access services needs of their LEP users.
- Over 80% of courts need additional funding for technology to provide language access. Signage and translation are also significant areas of need.
- Many courts expressed the need for funding for interpreter coordination and supervision, and for scheduling software to enable more efficient and effective calendaring of interpreters.
- Many participants identified being hindered by the limitations of reimbursement funds, which is understood by many courts to apply only to the reimbursement of direct interpreting services. With civil expansion, increased costs for ancillary services are significant, and courts must provide more services with the same funding.

Recommendations:

- The Judicial Council should continue to seek funding to support ancillary services related to higher numbers of interpreter use. It should also continue to pursue funding for translation, multilingual web resources, technology, signage, and other tools that are critical in enabling continued expansion and ensuring language access services to all court users who require them.

Existing use of tools for language access, such as multilingual websites, notices of available services, translation, and signage:

Findings:

- Sixty percent of courts provide multilingual information on their websites. Courts are evenly split as to whether this information is professionally translated or provided via machine translation only.
- Almost three-fourths of respondents provide a notice of available language access services, an improvement over the 2016 survey results, which indicated that two-thirds of courts provided a notice.

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- Interpreter request forms are the most frequently identified tool for providing language access services, followed by translated self-help information, I-speak cards, and translated handouts.
- Telephonic interpreting services are also commonly used, particularly for points of contact outside the courtroom.
- Eighty percent of courts use the resources posted on the Judicial Council's Language Access Toolkit, with multilingual holiday closure signs being the most popular resource. The *Request for Interpreter (Civil)* (Form INT-300) provided on the Toolkit is also very popular.
- With regard to multilingual signage, survey respondents prioritized security information signage, followed by directional signage. Informational signage to assist interactions between court users and court staff was ranked third in overall importance.
- The vast majority of courts agree that a list of translated signage terms would be of assistance in meeting their multilingual signage needs.

Recommendations:

- The Judicial Council should continue to update the Language Access Toolkit with language access tools and resources, such as the newly-developed signage glossary. The signage glossary includes a number of icons and symbols, as well as font and style guidance, for courts pursuing multilingual signage.

Complaint mechanisms:

Findings:

- The number of courts that have adopted a complaint form and procedure has increased in the last year. However, the percentage is still low at approximately one-third of responding courts.
- Seven courts reported utilizing the model complaint form and associated resources found on the Language Access Toolkit.[4]

[4] A model complaint form and procedures were developed by the LAP Implementation Task Force in September 2016, and were shared with all 58 superior courts and posted on the Language Access Toolkit.

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Recommendations:

- Judicial Council staff may want to obtain more information about why courts, particularly those that report not having a complaint procedure in place, are not using the Judicial Council-provided model form to develop their own complaint form.
- The anticipated adoption of the California Rule of Court, Rule 2.851 (Language Access Complaints) in 2018, will provide more guidance to courts regarding the need to establish a language access complaint form and procedures. Educational initiatives will be needed to assist courts with implementation of the new rule requirements.

<u>Language access education and training programs:</u>

Findings:

- A third of courts have instituted language access training in the last year. This number remains low in spite of LAP Recommendation No. 50, which outlines requirements for language access-related judicial branch training.
- The Judicial Council's completion of training curricula and ability to offer online trainings or trainings via other platforms will likely improve these numbers.

Recommendations:

- The Judicial Council should make available to the courts the various language access training curricula, developed by NCSC and in the process of being adapted by the Judicial Council, for use with court staff, judicial officers, and interpreters.

<u>Use of technology for providing language access:</u>

Findings:

- Courts continue to primarily rely on the use of telephonic interpreting when using technology for language access. Telephonic interpreting is used for courtroom and non-courtroom events, and to a lesser degree, for bilingual (non-interpreting) assistance at courthouse points of contact, such as clerks' offices, self-help centers, for mediation sessions, and others.
- The use of video remote interpreting (VRI) is still very limited, and is likely to remain so until the Judicial Council's VRI pilot project is completed and resulting guidance

and recommendations are issued. (The VRI pilot is scheduled to launch in September 2017, but will not be completed until 2018).[5]

- Most courts expressed a willingness to explore or expand remote interpreting technologies, in particular to address language access needs for languages for which the availability of credentialed interpreters is limited.

Recommendations:

- As was the case with the 2016 survey findings, the evolution of document assembly programs in multiple languages may be helpful as a language access tool.
- The Judicial Council should also share with the courts findings and recommendations from the VRI pilot project so as to provide additional guidance in local courts' exploration of the use of technology for the provision of language services.

iii. Conclusion

California courts continue to make important strides in the provision of language access services and in the implementation of the Language Access Plan. Overall, responses to the 2017 survey indicate improvements in the areas that lend themselves to comparison to the 2016 survey results. Language access services continue to expand across civil cases, with courts being able to address more of the priorities established in Evidence Code § 756. Services outside of courtroom proceedings are also seeing significant improvements, with assistance provided by bilingual staff, multilingual translated resources online and at courthouses, and more effective signage strategies. Language Access Plan implementation is significantly underway across the state.

Courts continue to be hindered by limited resources, both in the form of language service providers, such as interpreters, as well as funding. Increased interpreter recruitment is one of the most critical needs, with courts experiencing difficulties filling vacancies or meeting language requests in more competitive markets with a limited pool of interpreters. Scheduling and calendaring efficiencies, as well as the possible sharing of interpreters through the use of VRI (pending findings from the pilot project that is scheduled to launch in September 2017) will help courts use their existing interpreter resources more efficiently. Funding also continues to be critical, particularly to support ancillary services related to higher numbers of interpreter use

[5] Additional information on the VRI pilot project for spoken languages can be found at http://www.courts.ca.gov/VRI.htm.

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as well as for translation, multilingual web resources, technology, signage, and other tools for language access. These services are essential to enable continued expansion and a guarantee of language access services to all court users who require them.

Continued support by the Judicial Council and the LAP Implementation Task Force, together with consistent monitoring of ongoing efforts in future surveys and expansion updates, will enable the judicial branch to get closer to its goal: the provision of quality language access services to all LEP court users, as provided by the seventy-five LAP recommendations, by the year 2020.

Survey Responses and Analysis

I. Survey Report - Overview

In fiscal year 2015–2016, the National Center for State Courts (NCSC) conducted a survey of California courts to gather information regarding the language services being provided by superior courts throughout the state. The survey was aimed at identifying gaps in language access services and monitoring the implementation of the Language Access Plan. NCSC submitted a report to the Judicial Council analyzing its survey findings in June 2016—the California Superior Courts: 2016 Language Access Survey Report.

In its second contract with NCSC (covering fiscal year 2016–2017), the Judicial Council requested, as Deliverable 3.1.12, a follow-up survey regarding language access services in order to identify areas of improvement, recent language trends, the success of civil expansion, and remaining gaps in services where attention should be focused. The 2017 survey was complemented by qualitative interviews with a select number of courts of varying size and representing different regions statewide, as well as with other stakeholders, including judicial officers, court executive officers, and interpreters. The purpose of the qualitative interviews was to obtain more in-depth and comprehensive information regarding language access services, civil expansion, and Language Access Plan implementation.

As with the 2016 survey, the 2017 survey and qualitative interview questions were designed in collaboration with the Judicial Council staff and with input from the subcommittees of the LAP Implementation Task Force. The survey was provided as an online instrument, and all superior courts in the state were invited to complete it. The survey instrument included seventeen individual questions aimed at obtaining information to allow a comparison with the 2016 survey results to assess the success of LAP implementation in Phase II, as well as to obtain additional information regarding signage needs by courts.

Also consistent with the previous survey, questions were aimed at obtaining information regarding how superior courts throughout the state are implementing the various recommendations laid out in the eight goals of the LAP. To that end, questions requested information regarding:

- Data collection and court users' language requests;
- Interpreter recruitment needs;
- Funding gaps that remain to achieve full expansion;

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- Existing use of tools for language access, such as multilingual websites, notices of available services, translation, and signage;
- Language access education and training programs;
- Complaint mechanisms; and
- Use of technology for providing language access.

The online survey was sent to the presiding judges and court executive officers of the fifty-eight California superior courts on March 3, 2017, with a request to complete the survey by March 24, 2017. The survey response deadline was extended to April 14, 2017 to encourage stronger participation from the courts. At the close of the survey, a total of fifty of the fifty-eight California superior courts (86%) responded, the same response rate (though not necessarily the same participants) as obtained with the 2016 survey.

Participating courts represented the California superior court landscape, including courts of every size (small, small/medium, medium, and large courts) as well as the various regions of California, including urban and rural areas of the state.

Court Size	Number of Responding Courts
Small	16 out of 21
Small/Medium	13 out of 16
Medium	12 out of 12
Large	9 out of 9

Table 1: Number of Courts Responding to the 2017 Survey by Size

Qualitative interviews were conducted with a range of court staff from ten courts, including court Language Access Representatives (LARs), court administrators, judicial officers, and interpreters. Additionally, one freelance interpreter working in several courts was also interviewed.

This report provides summary information and analysis from survey and qualitative interview results. Each survey question response is summarized, highlighting overall findings and noting particular trends or noteworthy results (including by court size or region). Where relevant,

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information gathered from the qualitative interviews is included and discussed, as are findings from, and comparisons with, the 2016 survey results.[6]

[6] As with the 2016 survey, and in accordance with guidelines provided by the Judicial Council, survey and interview responses are provided as summary findings and no responses are attributed to any individual superior court or interview participant.

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II. Survey Questions - Summary Results and Analysis

Question 1: Languages most requested for interpreter services

As was true in the 2016 survey, responses for 2017 correspond with the findings from the *2015 Language Need and Interpreter Use Study*: Spanish continues to be the language for which interpreters are most frequently requested in courts across California, by a large margin. Only one court responded that Spanish represents 25%–50% of their interpreter needs, with the remaining forty-nine courts answering that Spanish constitutes 50%–100% of their interpreter requests, and forty-six of those courts (two more than last year) reporting that Spanish accounts for 75%–100% of their interpreter requests (see Figure 1).

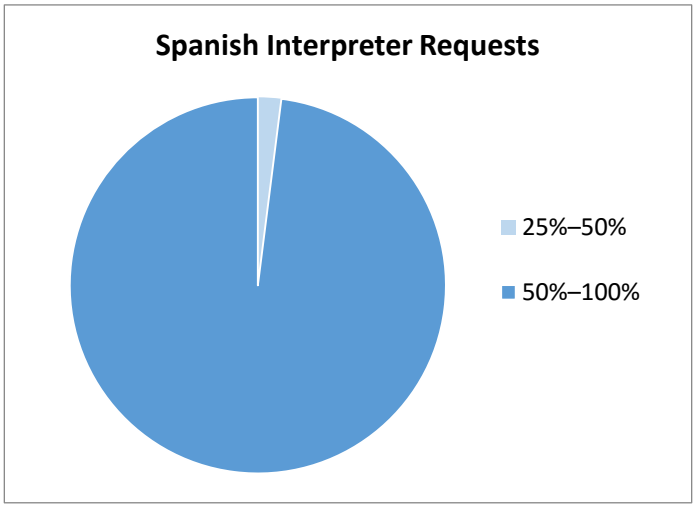

Figure 1: Spanish Interpreter Requests

Unlike last year, where Spanish and Punjabi were the only languages representing more than 50% of requests (with only one court for Punjabi), the results for this year's survey included Mandarin, Cantonese, Tagalog, and Arabic as languages for which some courts experience as much as 50%–75% of interpreter requests. One court, in Region 2, identified Cantonese as representing more than 75% of interpreter requests; that same court, as well as one other, also identified Mandarin as representing 50%–75% of requests.[7] Two courts, also in Region 2, answered that Cantonese comprised 50%–75% of requests; two courts responded that Tagalog requests rose to over 50%; and one court declared that Arabic requests represent more than 50% of all requests.

[7] Data regarding requests for interpreter services in each language is based solely on answers provided by courts to the survey and has not been compared to other data sources. In some cases, court responses across language requests totaled more than 100%.

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This year, three courts (two more than last year) responded that Punjabi is one of the languages for which they receive 50%–75% of interpreter requests. All three courts are in Region 3; two are medium-sized courts and one is a small/medium court. Three other courts, in Regions 2 and 3, reported that Punjabi represents 25%–50% of interpreter requests, with those courts consisting of two medium-sized courts and one small court.

	Small (16 Responding Courts)				Small/Medium (13 Responding Courts)				Medium (12 Responding Courts)				Large (9 Responding Courts)			
	Less than 25%	25%–50%	50%–75%	More than 75%	Less than 25%	25%–50%	50%–75%	More than 75%	Less than 25%	25%–50%	50%–75%	More than 75%	Less than 25%	25%–50%	50%–75%	More than 75%
Spanish			1	15				13		1		11			2	7
Vietnamese	12				10				9	3			7	2		
Korean	10				8				11	1			8	1		
Mandarin	13				9	1			9	2	1		6	2	1	
Farsi	10				9				11	1			9			
Cantonese	12				9		1		9	2	1		6	1		1
Russian	10				9				11	1			6	2		
Tagalog	10				8				10	1	1		8		1	
Arabic	9				10				10	2			8		1	
Punjabi	8	1			9		1		6	2	2		8			

Table 2: Interpreter Requests by Court Size

While the responses from the 2016 survey showed that no courts reported a greater than 25% request rate for Korean, Farsi, or Tagalog, the responses in the 2017 survey results showed one to two courts in the state experiencing between 25% and 50% of requests for these languages. The answers to the "Other" category also demonstrated higher diversity in requested languages from the 2016 survey. As was the case that year, a significant number of courts included American Sign Language (ASL). Hmong and Lao were again also reported by a number of courts

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as belonging in the top ten languages in those courts. More courts reported having a significant number of requests for Latin American indigenous languages, particularly various forms of Mixteco (a family of indigenous languages from Mexico). Other indigenous languages, such as Triqui and Zapateco, also continue to be reported. Other languages that were listed by a higher number of courts in this year's survey included Mien, Japanese, Romanian, and Armenian. Languages making an initial appearance in this year's results included Tongan, Chaldean, Tigrinya, and Albanian.

Qualitative interviews confirmed survey results, and language trends reported corresponded to the summary findings above. Two courts reported increases in Armenian, Mandarin, and Korean, with one of these courts also seeing increases in Arabic and the other seeing an increase in Cantonese. At least two courts reported seeing some new indigenous languages in their counties, which was attributed by interview participants to the changing migration patterns and seasonal work availability, with workers arriving from different locations in Mexico than in prior years. At least one interviewed court reported an increase in Tagalog and Vietnamese requests, but, in the court's estimation, the increase has been due to increased awareness in those communities of the court's language access services, not to population changes in the county.

Comparison highlights:

- Spanish continues to be, by far, the most requested language throughout the state.
- A large percentage of requests are being seen for other languages, namely Mandarin, Cantonese, Tagalog, Arabic, and Punjabi, compared to the 2016 survey.
- There is an increase in the overall diversity of languages reported.
- Migration patterns and availability of seasonal work have resulted in changes in requests for indigenous languages in some counties where there are higher numbers of migrant workers.

Question 2: Change in language access requests—January 1, 2016 to December 31, 2016

Fifty-five percent of courts reported having a change in language access requests between January 1, 2016 and December 31, 2016. By a large majority, the primary reason cited for the change is an increase in interpreter requests, which was reported by 86% of respondents. Half

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of the respondents also marked an "increase in number of languages" as a reason for changes in the last year. Slightly over half of the respondents (52%) cited an increase in the types of language services requested, presumably indicating that these courts have experienced an increase in requests for language services other than interpretation.

With respect to other reasons for the change in language access requests, two courts reported an increase in the interpreter compensation rates for languages having a limited number of interpreters available statewide. One court reported an increase in indigenous languages requested, and another noted an increase in requests for telephone interpretation as a result of expansion of language access services. One medium-sized court clarified that the increase in Punjabi requests was a result of one particular case. Another noted an overall decrease in interpreter requests but increases in some case types that fall within the civil expansion priorities, such as civil harassment and unlawful detainers.

When exploring the reasons for increased language access requests in the qualitative interviews, the majority of courts attributed the increase in requests to civil expansion. As was to be expected given the goals of the Language Access Plan, increased requests are taking place not just for courtroom services, but also for court-operated programs and services such as mediation, self-help centers, and clerks' offices.

In particular, interview participants from counties neighboring larger, more urban centers with significant interpreter needs (and often where many of the interpreters reside) emphasized how this increase in requests has significantly highlighted the need for recruitment of qualified interpreters; these counties expressed difficulty competing against their larger counterparts for the same interpreter workforce. For these courts, assignments can go unfilled until the last minute, and they are often paying rates much higher than the Judicial Council-established half- and full-day rates to secure certified or registered interpreters. As mentioned above, some courts have experienced an increase in certain languages over prior years as a result of greater awareness of the availability of language access services at the courthouse.

Comparison highlights:

- Approximately 20% fewer courts reported experiencing a change in language access requests between January 1, 2016 and December 31, 2016 as compared to the 2016 survey. Given that significant language access policy changes were implemented during the time period covered by the first survey (a five-year period), an initial spike in language access requests would be expected, versus this year, in which civil expansion is

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already significantly underway throughout the state and requests would be expected to have stabilized.

- The majority of reported changes in language access requests, both in the 2016 survey and this current survey, were due to increases in interpreter requests, languages requested, and types of language services requested.
- As was anticipated in the first survey report and analysis from last year, increases in language services requests related to civil expansion and in languages requested continue to occur.

Question 3: Languages with greatest interpreter recruitment need

Eighty-six percent of responding courts marked Spanish as one of the language for which they experience the greatest need for recruitment of new certified interpreters. The six courts that did not report a need for recruitment for Spanish interpreters are large courts and/or urban courts, likely because metropolitan areas of the state, regardless of region, are more likely to have the needed concentrations of Spanish-certified interpreters.

Other languages of significance for recruitment included Punjabi (seventeen courts, or 34% of responses), Tagalog (fifteen courts, or 30% of responses), Cantonese (fourteen courts, or 28% of responses), Mandarin (thirteen courts, or 26% of responses), Arabic (twelve courts, or 24% of responses), and Vietnamese (10 courts, or 20% of responses). Recruitment needs in Farsi, Korean, and Russian were reported by 14%, 10%, and 10% of responding courts, respectively. (See Figure 2 on the following page.)

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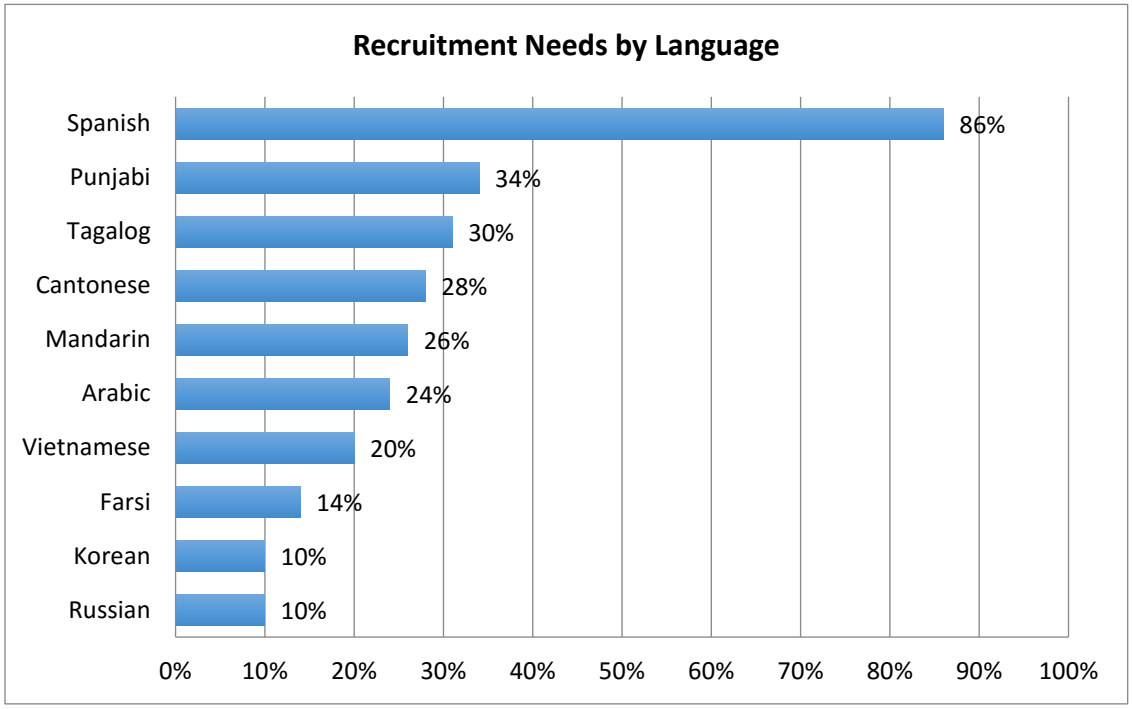

Figure 2: Recruitment Needs by Language

In terms of the regional breakdown for these results, the following trends were observed (see Table 3 for a detailed breakdown by court size):

- For Punjabi, the reported need for recruitment by region/court size, consistent with results reported for Question 1, indicates a strong need in Region 3 and parts of Region 2 as follows**:**
  - One medium court in Region 1
  - Five courts in Region 2 (one large, two medium, and two small/medium)
  - Nine courts in Region 3 (one large, three medium, four small/medium, and one small)
  - Two large courts in Region 4

- The need for recruitment of Tagalog interpreters is particularly strong in Regions 1 and 4, and also fairly strong in Region 2. The recruitment need was reported by courts as follows:
  - Three of the four courts in Region 1 (one large and two medium)
  - Five courts in Region 2 (two large and three medium)
  - Three courts in Region 3 (one medium, one small/medium, and one small)
  - Four large courts in Region 4

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- Also consistent with results from Question 1, there is a significant need for recruitment of Cantonese interpreters in Region 2. The breakdown by region and size was as follows:
  - One medium court in Region 1
  - Seven courts in Region 2 (two large, three medium, two small/medium)
  - Three courts in Region 3 (one large, one medium, one small)
  - Three large courts in Region 4

- The need for recruitment of Mandarin interpreters is also particularly significant in Region 2. The responses indicated the following:
  - No reported need for Region 1
  - Seven courts in Region 2 (two large, two medium, and three small/medium)
  - Four courts in Region 3 (one large, one medium, and two small)
  - Two large courts in Region 4

- For Arabic interpreter recruitment, the stated need by respondents broke down as follows:
  - Two courts in Region 1 (one large and one medium)
  - Four courts in Region 2 (two large and two medium)
  - Two courts in Region 3 (one medium and one small/medium)
  - Four large courts in Region 4

- For Vietnamese, the reported need for recruitment by region/court size was as follows:
  - No reported need for Region 1
  - Four courts in Region 2 (two medium and two small/medium)
  - Four courts in Region 3 (one large, one medium, and two small)
  - Two large courts in Region 4

- The need for Farsi certified interpreters was broken down as:
  - One large court in Region 1
  - Two courts in Region 2 (one medium and one small/medium)
  - Two courts in Region 3 (one small/medium and one small)
  - Two large courts in Region 4

- For Korean certified interpreters, the need for recruitment was reported as:
  - No reported need for Region 1
  - Three courts in Region 2 (one large, one medium, and one small/medium)
  - No reported need in Region 3 (in spite of the large number of courts in this region)
  - Two large courts in Region 4

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- Finally, for Russian interpreters, recruitment needs appeared as:
  - One large court in Region 1
  - One medium court in Region 2
  - Three small/medium courts in Region 3
  - No reported need for Region 4

	Region 1				Region 2				Region 3				Region 4			
	S	S/M	M	L	S	S/M	M	L	S	S/M	M	L	S	S/M	M	L
Punjabi			1			2	2	1	1	4	3	1				2
Tagalog			2	1			3	2	1	1	1					4
Cantonese			1			2	3	2	1		1	1				3
Mandarin						3	2	2	2		1	1				2
Arabic			1	1			2	2		1	1					4
Vietnamese						2	2		2		1	1				2
Farsi				1		1	1		1	1						2
Korean						1	1	1								2
Russian				1			1			3						

Table 3: Recruitment Needs for Most Requested Languages by Court Size per Region

Among the "Other" responses, the most common was Armenian (Western and Eastern), which was cited by four courts in Regions 1, 3, and 4; followed by ASL, which was listed by 2 courts in Regions 3 and 4; and Lao (Regions 3 and 4), Hmong (Region 3), and Romanian (Region 3), which were named by three courts each. Other languages included various indigenous languages (Regions 1 and 2), Japanese (Regions 1 and 4), Mien (Region 3), Portuguese (Region 3), Samoan (Region 4), Tongan (Region 4), and Thai (Region 3).

Interviews with select courts confirmed these findings, as also explained in the analysis for Question 2. More courts are competing for interpreters, staff interpreters cannot meet all of the need created by civil expansion, and independent contractors are negotiating higher rates that challenge a court's ability to secure interpreters. In addition, for certain languages,

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particularly Tagalog, Farsi, and Arabic, the total number of certified interpreters in the state is very small, and interpreters tend to be concentrated in certain counties, making it very difficult for other courts to secure those interpreters when needed. The need for certified Arabic interpreters, for example, was reiterated by interviewed courts located in southern California; while there appears to be a significant number of requests for Arabic assistance in this region, it seems that the shortage reported by these courts is made that much more significant due to the concentration of certified Arabic interpreters in the northern part of the state. Languages for which there are few, if any, qualified interpreters in California (and even in the U.S. at large) present unique challenges. One court with a significant number of requests for indigenous languages is using interpreters located in Mexico. These interpreters are trained and provided for Mexican courts through a nonprofit organization in Mexico that has agreed to work with this particular California court to locate and provide interpreting services in many of these languages via telephone.

An additional reason provided by some courts for their interpreter recruitment challenges is their inability to attract qualified interpreters because of lower salaries offered by the courts, which may not be sufficiently competitive with private interpreting work or not competitive with other courts that may be paying federal rates. Several of the courts interviewed have had open, continuous recruitment of interpreters, particularly in Spanish, and are unable to fill vacancies. During the interview process, one court suggested that the Judicial Council consider a recruitment campaign that focuses on the benefits of a career working for the courts, highlighting how steady employment, together with the many benefits courts can offer (e.g., health and dental insurance, vacation and sick pay, pension plans, etc.), can be quantified to make employment more appealing and profitable than remaining an independent contractor.

Some interviewed courts also reported concerns about filling vacancies created as their current workforce retires. This is consistent with concerns expressed throughout the LAP development and implementation process regarding an aging interpreter profession coupled with very low exam passage rates, a fact that was noted by the majority of interview participants as a particular challenge in the future ability of courts to meet the language access needs of court users. Some of the participating courts noted the need to explore other options, such as tiered placement for interpreters, which would allow near-passers on the oral exam to interpret in certain settings that may be deemed less critical. Other considerations included the creation of more comprehensive education programs and support so bilingual individuals can successfully complete the interpreting examination process.

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One court identified a potentially troubling pattern—given the interpreter shortage, non-credentialed interpreters are also in high demand and are able to negotiate the standard state rate minimums guaranteed for credentialed interpreters. If this continues, the fear expressed by that particular court was that there may be a disincentive for working interpreters to get certified or registered since these interpreters are able to work and stay busy without spending money on exam preparation, risking examination failure, or incurring other professional costs to maintain a credential.

Comparison highlights:

- There were forty-three courts indicating that Spanish-certified interpreters constitute the courts' greatest recruitment needs, an increase of seven courts from the 2016 survey, where thirty-six courts reported the same need.
- The need for Punjabi-certified interpreter recruitment has increased from thirteen courts to seventeen courts.
- The need for Tagalog interpreters has gone up, from eleven courts identifying a need in the 2016 survey to fifteen courts in this year's survey.
- The need for Arabic interpreter recruitment has also gone up, from seven courts identifying a need in the 2016 survey to twelve this year.
- Most notably, the need for Cantonese interpreters has increased from four courts reporting this need in the 2016 survey to thirteen courts.
- The number of courts reporting a need for recruitment of Hmong interpreters has decreased, from ten courts to three.
- A decrease in recruitment needs was also seen for Lao, dropping from seven courts to three.

A comparison of changes in recruitment needs by language, based on 2016 survey results versus 2017 survey results, is shown in Figure 3.

Survey Responses and Analysis

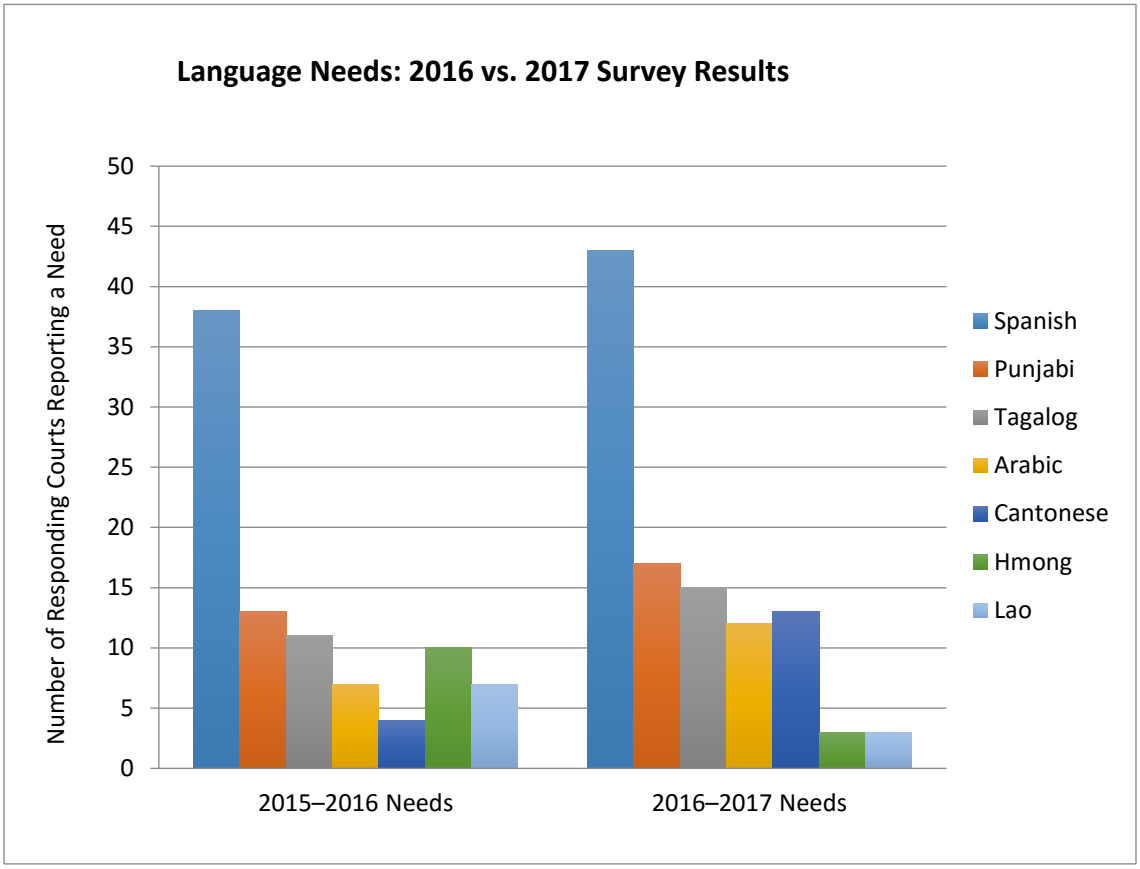

Figure 3: Language Needs: 2016 vs. 2017 Survey Results

Question 4: Estimate of additional resources or funding for FY 2017–2018

This question asked that respondents estimate how much additional funding their court would need for FY 2017–2018 for: (a) full expansion of interpreter services for courtroom proceedings per California Evidence Code § 756; (b) interpreter services in all court-ordered, court-operated programs (other than courtroom proceedings); and (c) other language access expenses (such as translations, interpreter coordination, signage, and equipment). A comparable question was asked in the 2016 survey (Question 5), though, in that version, respondents were not provided any estimate ranges but were instead instructed to enter an amount for each of the three categories.

Survey Responses and Analysis

As was true for the 2016 survey, responses to each of the three sections for Question 4 varied greatly, though all respondents (fifty courts) responded to this question this year, versus forty-five (also out of fifty total respondents) who responded to this question in the 2016 survey. The results of each sub-question are detailed below.

Question 4a: Need for full expansion of interpreter services in courtroom proceedings

With regard to additional funding needed for full expansion of interpreter services in courtroom proceedings, summary responses are provided below and shown in Table 4.

- One large court reported needing more than $5 million for the expansion of interpreter services for courtroom proceedings.
- Of the four courts that reported needing an additional $1 million to $5 million, three courts are large and one court is medium-sized.
- Twelve courts reported needing an additional $150,000 to $500,000 for full expansion of court interpreter services. The size of the courts that reported this need varied: three large courts, five medium courts, three small/medium courts, and one small court.
- Of the ten courts reporting a need for an additional $50,000 to $150,000, two are medium courts, five are small/medium courts, and three are small courts.
- A total of sixteen courts reported needing less than $50,000 for the expansion of interpreter services for courtroom proceedings. The respondents included one large court, two medium courts, two small/medium courts, and eleven small courts.
- Seven courts reported not needing additional funding or resources for expansion of court interpreters in courtroom proceedings. Of the courts that reported no additional funding needs, three are medium-sized courts, three courts are small/medium, and one court is small.

Survey Responses and Analysis

4a. For full expansion of interpreter services for courtroom proceedings in accordance with Evidence Code § 756:	Response Percent	Response Count
Less than $50,000	33%	16
$50,000 - $150,000	20%	10
$150,000 - $500,000	24%	12
$500,000 - $1 million	0%	0
$1 million - $5 million	8%	4
More than $5 million	2%	1
Do not need more funding or resources	14%	7
	answered question	*50*
	skipped question	*0*

Table 4: Additional Funding or Resources Needed Annually for Interpreters in Courtroom Proceedings

Highlights:[8]

- Seven courts explicitly stated having sufficient funding for full expansion.
- One court reported needing over $5 million in additional funding.
- The majority of courts needing $50,000 or less for full expansion are small courts. As is to be expected, larger courts reported higher funding needs.

Question 4b: Need for interpreters in all court-ordered, court-operated programs

For funding and resource estimates for providing interpreters in all court-ordered, court-operated programs (outside of courtroom proceedings), see Table 5. The results reveal that:

- No courts reported needing more than $5 million for interpreters in all court-ordered, court-operated programs.

[8] Given the difficulty of interpreting the 2016 survey results, it is not possible to compare how the amounts reported by courts in the 2016 survey (those that responded with exact amounts) relate to this year's results. Therefore, instead of comparing results from both surveys, this section focuses on the highlights from the 2017 survey.

Survey Responses and Analysis

- The three courts that reported needing $1 million to $5 million are all large courts.
- The one court that reported needing $500,000 to $1 million is a large court.
- Of the four courts reporting a need of $150,000 to $500,000, one court is large and the other three are all small/medium courts.
- Fourteen courts stated that they needed $50,000 to $150,000 for interpreters in all court-ordered, court-operated programs. Of these, two courts are large, six courts are medium, two courts are small/medium, and four courts are small.
- The largest percentage of respondents (twenty courts) noted that they would need less than $50,000 for interpreters in all court-ordered, court-operated programs. Of these twenty courts, one court is large, two courts are medium, seven courts are small/medium, and ten courts are small.
- A total of eight courts reported not needing more funding or resources for interpreters in all court-ordered, court-operated programs. Of these, one court is large, four courts are medium, one court is small/medium, and two courts are small.

4b. For interpreters in all court-ordered, court-operated programs (other than courtroom proceedings, such as for mediation or mandatory settlement conferences, etc.):	Response Percent	Response Count
Less than $50,000	41%	20
$50,000 - $150,000	28%	14
$150,000 - $500,000	8%	4
$500,000 - $1 million	2%	1
$1 million - $5 million	6%	3
More than $5 million	0%	0
Do not need more funding or resources, staff, etc.	16%	8
	answered question	*50*
	skipped question	*0*

Table 5: Additional Funding or Resources Needed Annually for Interpreters in Court-Ordered, Court-Operated Programs

Comparison highlights:

- Of the courts that did respond to the 2016 survey, estimates for small-sized courts ranged from $2,000 to $25,000. Estimates provided by small/medium courts ranged

from $15,000 to $250,000. Medium courts provided a range of $5,000 to $200,000. The few respondents from large courts that answered this question reported a range of $250,000 to $500,000, and one court reported needing an estimated $12+ million in additional annual funding to support interpreters in all court-ordered, court-operated programs.

- This year, no court reported needing more than $5 million. But in the rest of the categories, courts appeared to be indicating a need for higher amounts than in the 2016 survey since four courts identified a need between $500,000 and $5 million versus no courts in these ranges in the 2016 survey.

Question 4c: Need for funding for other language access expenses

Responses to the inquiry for funding and resource estimates for other language access expenses also varied greatly and are reflected in Table 6. Results were as follows:

- No courts reported needing more than $5 million for other language access expenses.
- Two large courts reported needing $1 million to $5 million for other language access expenses.
- Three large courts and one small/medium court reported needing $500,000 to $1 million.
- Of the six courts that reported a need of $150,000 to $500,000, one court is large, three courts are medium, and two courts are small/medium.
- Twelve courts reported needing $50,000 to $150,000 for other language access expenses. Of these courts, three courts are large, four courts are medium, two courts are small/medium, and three courts are small.
- A total of twenty-two courts reported needing less than $50,000, including three medium courts, eight small/medium courts, and eleven small courts.
- Two medium courts and two small courts reported that they do not need more funding or resources for other language access expenses.

Survey Responses and Analysis

4c. For other language access expenses (including translations, interpreter or language service coordination, multilingual signage, or language access–related equipment or technology):	Response Percent	Response Count
Less than $50,000	45%	22
$50,000 - $150,000	24%	12
$150,000 - $500,000	12%	6
$500,000 - $1 million	8%	4
$1 million - $5 million	4%	2
More than $5 million	0%	0
Do not need more funding or resources	8%	4
	answered question	50
	skipped question	0

Table 6: Additional Funding or Resources Needed Annually for Other Language Access Expenses

Several stakeholders that participated in the qualitative interviews identified the need for funding for interpreter coordination and supervision, as well as resources for document translation and multilingual signage. Many participants expressed dissatisfaction with the limitations of the reimbursement fund. They also communicated confusion about whether reimbursement requirements had changed and whether ancillary services (not direct interpreting services) were reimbursable and, if so, to what degree.

Comparison highlights:

- In the 2016 survey, a total of fifteen courts did not provide actual estimates for this question. Small courts estimated expenses for additional language access within a range of $5,000 to $157,000. Small/medium courts provided estimates ranging from $7,000 to $221,000. The respondents from medium courts provided a range of answers from $11,000 to slightly over $300,000. Large courts had a significant range for this sub-question, with respondents providing estimates from $5,000 to $2.5 million.

Survey Responses and Analysis

Question 5: Areas (other than reimbursed interpreter expenses) for which additional funding is needed

Over 80% of responding courts (forty-one courts out of fifty) reported needing additional funding for technological solutions to provide language access services. Following technology, signage (marked by thirty-eight courts) and translation of documents (marked by thirty-seven courts) also appeared as significant areas for additional funding. Other popular areas marked by respondents included web page resources, recruitment of interpreters, and administrative overhead costs, such as court interpreter supervision. See Table 7 for summary results.

5. Please mark the areas for which your court needs additional funding (beyond court interpreter expenses that are reimbursed to courts through the statewide court interpreter reimbursement fund) for LEP services for FY 2017–2018 and thereafter. [Please select all that apply.]	Response Count
Early identification of LEP court users	19
Data collection and cost reporting	20
Coordination of language access services with justice partners	18
Technological solutions (including headsets, wireless equipment, and remote technology equipment)	41
Training	22
Signage throughout the courthouse	38
Translation of documents	37
Web page resources	33
Recruitment efforts: additional bilingual staff	17
Recruitment efforts: additional court interpreters	29
Administrative overhead costs such as court interpreter supervision	23
Other (please specify)	8
answered question	50
skipped question	0

Table 7: Areas for Which Court Needs Additional Funding

Survey Responses and Analysis

In the "Other" category, of the eight courts who provided answers, seven explicitly mentioned interpreter coordination costs, three specified a need for interpreter scheduling software or programs, and one court included a need for funding for bilingual pay for staff and telecommunications and equipment needs.

In addition to being raised in survey responses, as mentioned above, concern about interpreter coordination costs was also raised by the majority of participants in qualitative interviews. The most salient reason given was the effect of civil expansion in overtaxing existing interpreter coordinators, who must schedule a significantly higher number of interpreters for a range of court services, not just courtroom events. Also flagged by these participants were translation costs, whether related to web pages, informational materials, documents, or signage.

Recruitment of bilingual staff seemed to be a low priority for many of the interviewed courts, with a number of respondents having sufficient staff to serve most of their LEP court users. One court, however, reported having difficulty hiring bilingual staff in languages other than Spanish, and identified the need for help from the Judicial Council (with tools such as public service announcements and recruitment ads) in conducting outreach to high schools, community colleges, language departments at educational institutions, etc., in order to attract bilingual employees to work for the court. A common characteristic of the courts reporting satisfaction with their bilingual staffing is that, by and large, their LEP court user population is Spanish-speaking, and they have sufficient Spanish-speaking bilingual staff to meet their needs. Some courts with more diverse populations reported more of a struggle, since their need for bilingual staff who speak a language other than Spanish is much more significant.

Two interviewed courts indicated having moved, or being in the process of moving, to new courthouse buildings. Both courts noted the lack of funding under the courthouse construction projects to ensure new signage would be multilingual, and specifically requested the assistance of the Judicial Council in ensuring that new construction projects take into account LAP signage recommendations with regard to funding allocations. Technology needs were also identified by a number of courts, particularly with regard to equipment upgrades to facilitate use of telephonic interpreting services, interpreter headsets for courtrooms, multilingual website functionality, and assistance with equipment to facilitate video remote interpretation. Additionally, at least one court, in a region of the state with no or very few in-person interpreter training programs, expressed a desire for funding to help provide skill-building classes for existing interpreters and interpreter candidate education programs; the court's LAR already provides some workshops, but resource limitations present a substantial challenge.

Survey Responses and Analysis

Comparison highlights:[9]

- With respect to the categories included in both the 2016 survey and this year's survey for which courts reported needing additional funding, response rates for the 2016 survey were evenly distributed amongst signage, technological solutions, training, early identification of LEP court users, and recruitment efforts of bilingual staff and interpreters.
- This year's survey is partly consistent with those results, with technology and signage being included as top needs. Translation and web resources, ranked as high needs among respondents this year, were not as consistently identified in the 2016 survey.
- As was the case in the 2016 survey, this year's survey respondents also added a need for funding for interpreter coordinators and scheduling services under the "Other" category.

Question 6: Data collection regarding language assistance requests in FY 2015–2016

More than 75% of respondents (thirty-seven courts) reported collecting data regarding the number of language assistance requests received in FY 2015–2016. With regard to the type of data collected, 97% collect information on the language requested. Almost 80% also collect information on the event type. There is less consistency, as shown in Figure 4, with respect to data collection regarding type of interpretation, inability to fill interpreter request, type of non-interpreter language service requested, etc. All the courts that indicated no data collection processes for language assistance requests are in Regions 2 and 3, and they vary in size to include small and medium courts as well as two large courts.

[9] For the 2016 survey, TCTF Program 0150037 (former Program 45.45) funding was the most popular response in terms of additional funding needs. This funding source was not included in this year's survey, so there is no comparison to be made in that regard.

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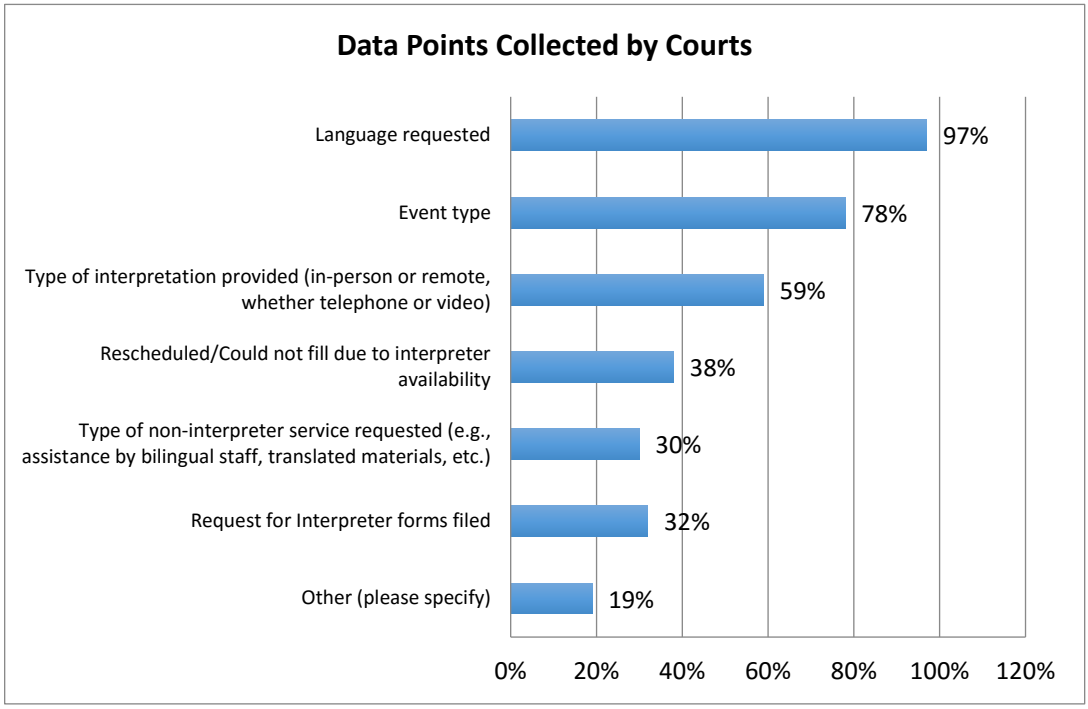

Figure 4: Data Points Collected by Courts

In the "Other" category, respondents clarified some answers. One court specified that they collect data for interpreter requests in civil expansion matters only. This may be true for other courts as well, and subsequent inquiries should probably ask for clarity in this regard, since a comparison between needs in civil versus criminal case types may reveal gaps in services or varying needs and services. Future inquiries could also ask courts to specify if they track requests by case type (criminal, civil, and within civil cases). Another court explained that it collects information from requests submitted to a special email mailbox, and two courts clarified that they collect information on case type, case name, service date, time and location, interpreter name, and interpreter credential status.

As can also be seen from Figure 4, only a third of responding courts track the filing of interpreter request forms. It is possible that the reason for this is that few courts are using written request forms and/or that most requests are verbal or by staff. Eleven courts track the type of non-interpreter service requested, which is an interesting finding. Four of these courts are large courts; the rest of the courts tracking these requests for these services ranged in size, with no discernible trends. Judicial Council staff may want to follow up with courts generally to inquire about what types of non-interpreter requests they track and how, in order to identify

any best practices or models to share with the majority of courts that do not currently track such requests.

Comparison highlights:

- This year's responses show an improvement in data collection by courts. In the 2016 survey, only 50% of respondents reported collecting data regarding the number of LEP court users who seek language assistance. This year, the number was, as stated above, over 75% (twelve additional courts).

Question 7: Multilingual information on court's website

According to survey results, close to 60% of courts (twenty-nine respondents) provide multilingual information on the court's website. Forty percent of courts reported providing information translated by qualified translators, and another 40% reported providing the Google Translate capability only. Twenty-five percent of courts that provide multilingual web information use a combination of qualified translations and machine translation on their sites. It should be noted that the total percentage totals more than 100%, and it appears that one court may have answered this sub-question twice, skewing results slightly.

Several courts participating in qualitative interviews indicated a desire to improve the availability of multilingual information on their websites. Funding seems to be the primary barrier in accomplishing this. Some of the courts that already provide links to the Judicial Council's Online Self Help Center in English and Spanish discussed the need for translating local information to complement the links provided to the statewide bilingual site, particularly pages relevant to local processes such as requesting an interpreter.

Comparison highlights:

- In this year's survey, eight more courts reported providing multilingual information on their websites as compared to the 2016 survey. This represents a positive trend in making all court services more accessible to LEP users. (See Figures 5 and 6 below.)

Survey Responses and Analysis

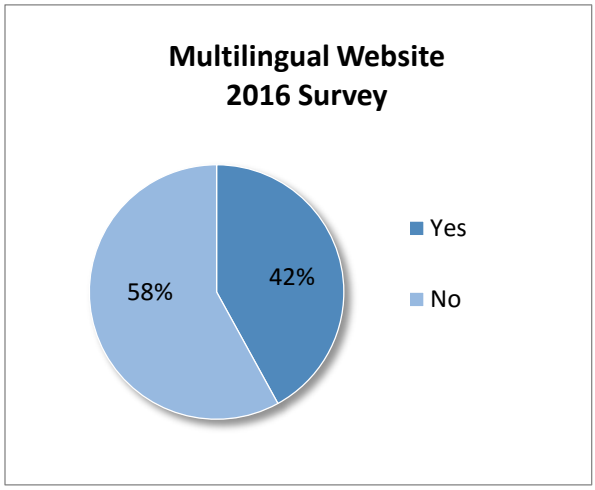

Figure 5: Multilingual Website 2016 Survey

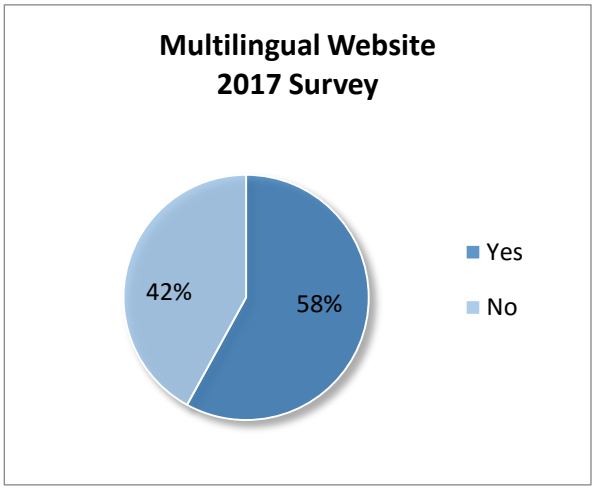

Figure 6: Multilingual Website 2017 Survey

Question 8: Notice of available language access services

Thirty-five respondents provide notices of available language access services for court users, whether as handouts or on the court website. Of these, 51% (18 courts), use the notice approved by the Judicial Council in 2016, and 37% (13 courts) use a notice created by the local court. Four courts reported not using a notice (under Sub-question 8a), even though they reported providing notices under Question 8. It is possible that these courts provide information on available services on the web or with other materials but do not use a formal notice of available services.

Under Sub-question 8b, twenty-two courts that use a notice make it available on the court's website. As illustrated in Figure 7, eight courts reported providing the notice in other languages. This result is surprising since, the Judicial Council-approved notice is translated into the state's top ten languages, and eighteen courts reported using this particular notice, which means that either ten courts are not using the translated versions of the notice, or the survey question was misunderstood by a number of courts. During qualitative interviews with courts, most reported using the Judicial Council notice, including its translations, although at least one court reported that information regarding statewide efforts, including the development and translation of the notice, does not always trickle down to the local courts for use.

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With regard to translation, the courts that reported having translated notices uniformly indicated translation of the notice into Spanish. Courts that reported translating notices into languages other than Spanish reported a variety of languages for the translations. While most of the courts include Mandarin and Cantonese,[10] the other languages vary significantly, and at least three courts include languages that are not in the top ten languages statewide. This fact tends to indicate that those translations were done at the local level, since they are not included in the notice approved and provided by the Judicial Council.

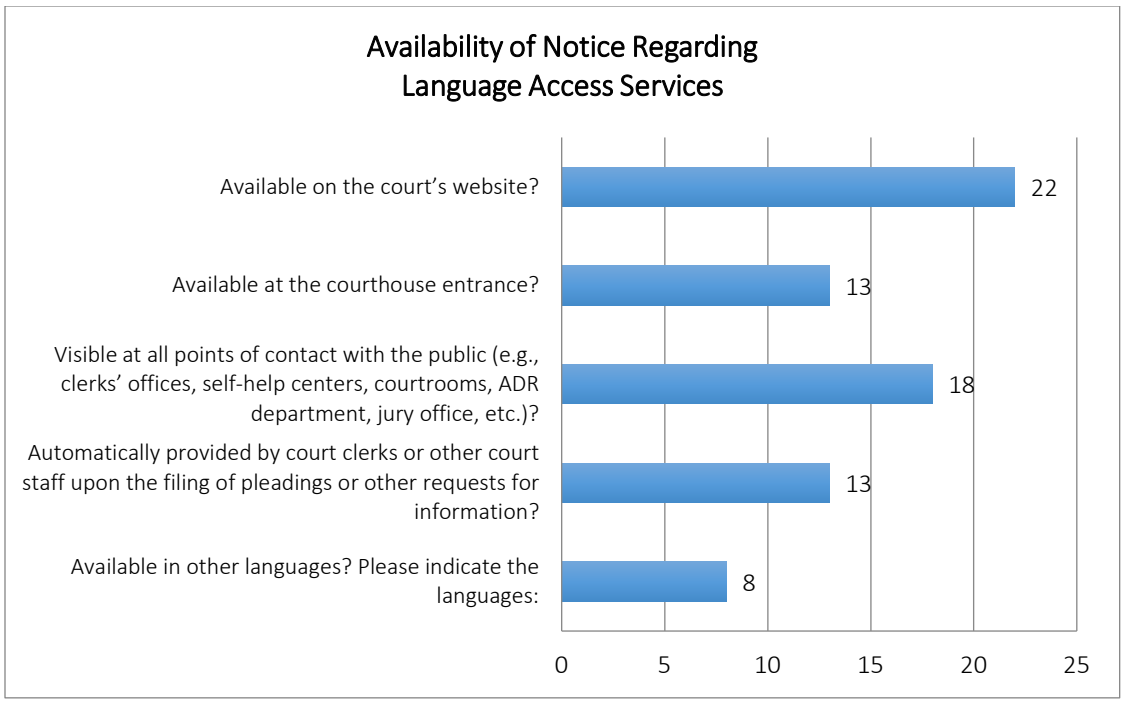

Figure 7: Availability of Notice Regarding Language Access Services

Several of the courts interviewed specifically discussed the Judicial Council-approved notice of available language access services, asking for the ability to further customize it to fit their particular local needs. While a few of the courts use the notice as is, most reported having difficulty adapting it, and expressed a preference for a notice that they could manipulate more easily to reword and restructure to reflect local services. One interviewed stakeholder noted the importance of developing more signage with icons, since some court users are unable to read translated languages. At least two courts referenced enthusiastic support for the

[10] While survey responses indicated Mandarin and Cantonese as separate languages for which the notice is translated, both of those languages have one written form, Chinese.

recommendation made in the Wayfinding and Signage Strategies for Language Access in the California Courts report to include a notice of interpreter availability on electronic docket signs.

Comparison highlights:

- As stated above, thirty-five courts in this survey provide a notice of available language access services. By comparison, in the 2016 survey, thirty courts indicated the same. While an increase of five courts represents an improvement and a move in the right direction, the existence of a translated notice, provided by the Judicial Council, should have resulted in a more notable increase.
- Twenty-two courts post these notices on their website. Per the 2016 survey results, twenty courts indicated that the notices could be found on the court's website.
- Fourteen courts in the 2016 survey reported that the notices were translated. By contrast, only eight courts in this year's survey reported having translated notices (a fact already flagged above as confusing, given the high use of the translated Judicial Council-approved notice). However, the 2017 survey results indicate a greater number of languages into which the notices have been translated than reported in the 2016 survey responses.

Question 9: Tools for the provision of language access services

By far, the most commonly used tool for providing language access services as reported by survey respondents is the interpreter request form, with 88%, or forty-three courts, indicating its use. Translated self-help information, I-speak cards, and translated handouts are the next most common, with slightly over half of respondents indicating their use. Fewer respondents reported having translated web pages, glossaries of legal terms in various languages, and machine translation programs for web pages or other translated written information. Other tools used by respondents include telephonic interpretation services, online multilingual avatar assistance, multilingual instructional videos, Judicial Council-provided information, forms on the Language Access Toolkit, and video remote assistance for ASL court users.

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9. Please indicate any tools your court uses for the provision of language access services to LEP Court users [Please mark all that apply or write in if not included]:	Response Percent	Response Count
Request for Interpreter form	88%	43
I-speak cards at relevant points of contact in the court	55%	27
Glossaries of legal terms in various languages	17%	8
Translated web pages (other than adding the Google Translate capability)	19%	9
Translated handouts	54%	26
Translated self-help information	57%	28
Machine translation programs, such as Google Translate or Microsoft Translator for web pages and/or multilingual written translations	19%	9
Online document assembly programs in other languages	6%	3
Other (please specify)	17%	8
	answered question	49
	skipped question	1

Table 8: Tools Used by Court to Provide Language Access Services.

Interviewed courts provided feedback that reflects the survey findings, although only a few mentioned using an interpreter request form. The majority of interviewed stakeholders appear to use I-speak cards as well as Language Select[11] (a telephonic interpretation service with which the Judicial Council has a master contract). The use of translated forms (both Judicial Council forms and those locally produced by the court), language access service pages in the public and internal (intranet) websites, machine translation programs on the public website, and the multilingual holiday closure signs were also referenced. One interviewed court developed their own formalized internal phone system, whereby a clerk directly contacts the interpreter's office when needing Spanish interpretation services for a court user. That same court also invested in the purchase, for a nominal charge, of mobile phones for their interpreters so that interpreter coordinators could communicate via SMS messaging with interpreters anywhere in the

[11] Language Select was acquired by United Language Group in December 2016. Responding courts and interviewed courts continued to refer to the service as Language Select during the survey process.

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courthouse to promptly and efficiently dispatch them where needed. Another interviewed court reported using kiosks in multiple languages for paying court fees.

Comparison highlights:

- Similar to this year's survey results, more than half of all respondents in the 2016 survey reported having translated materials.
- While nine courts in the 2016 survey indicated that translated materials are available on their websites, it is unclear if this number corresponds with the nine courts this year having translated web pages, since the question in the 2016 survey may have been answered in the affirmative by courts simply linking to a document in another language, which is not the same as a "translated web page."

Question 10: Use of resources on the Language Access Toolkit

A large percentage of courts (80%) reported using the materials and resources posted on the Judicial Council's Language Access Toolkit. Consistent with the findings from the qualitative interviews, the most popular resource on the Toolkit is the multilingual holiday closure signage, used by 85% of responding courts. The *Request for Interpreter (Civil)* (Form INT-300) also appears to be a popular resource, with 60% of courts reporting its use. Other tools used by 50% or more of respondents include I-speak cards, the notice of available language access services, and translated self-help information. See Table 9 for more details.

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10a. If so, which tools has your court used (please select all that apply):	Response Percent	Response Count
Notice of available language access services	52%	21
Multilingual holiday closure sign	85%	34
I-speak cards	57%	23
Request for Interpreter form (Form INT-300)	60%	24
Translated forms	48%	19
Translated self-help information	53%	21
Multilingual continuance form	10%	4
Videos	18%	7
Planning tools such as Translation Protocol, Web Guidance Materials, etc.	15%	6
Other (please specify)	8%	3
	answered question	40
	skipped question	10

Table 9: Tools Available on the Toolkit Most Used by Court to Provide Language Access Services.

Under the "Other" category, two courts included local interpreter request forms, which raises the question about whether those courts have incorporated the Judicial Council's Language Access Toolkit into their intranet and customized it to include local resources, since no local interpreter request forms are currently posted on the Toolkit. One respondent indicated use of the bench cards. Another clarified that they are currently working on customizing several of the listed resources for local use.

When asked about the usability and accessibility of the Language Access Toolkit, a number of interview participants provided positive feedback, though a few hoped for additional resources, particularly with regard to translated information and signage, such as more standardized glossaries in various languages to be used for translation, additional multilingual signage options, and universal icons or symbols. One court in particular suggested additional guidance be included on the Toolkit, in particular related to outreach to justice partners and other agencies, regarding the importance of informing (prospective) court users of their right to language access services and the need to request an interpreter as early in the process as possible.

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Question 11: Most critical need for multilingual signage

Among the identified signage types, a weighted scoring reveals that security information signage is of the highest importance, with twenty-one courts rating it as the highest priority. The second most important type of signage appears to be directional signage to help users navigate to different courthouse locations; fourteen courts listed these signs as having the highest importance. Signage regarding how to work with court staff is a close third, with a significant number of courts rating it as most important. Courtroom dress and conduct signage appears to be the lowest priority of the choices provided in the question.

These results are consistent with qualitative interview findings. As mentioned above, a number of the interviewed courts have opened, or are in the process of opening, new courthouses, and signage is critical. They discussed the need for additional funding or other resources to ensure that signage is adequately addressed and court users are properly directed to their desired point of service at the courthouse as seamlessly as possible. Informational signage about common or frequent court services, such as the availability of fee waivers, traffic amnesty programs, and a clerk's inability to provide legal advice, was also identified by participants as a priority.

Question 12: Usefulness of provision by Judicial Council of translated signage terms on Toolkit

Ninety percent of courts would like to see a list of translated signage terms on the Toolkit in order to meet the court's signage needs. This finding is consistent with the feedback obtained during qualitative interviews, where participants were consistently receptive and supportive of having the Judicial Council provide a signage glossary with uniform content for common courthouse signage, translated into the state's top ten languages. There is no discernible trend with regard to the courts that responded in the negative, except that none of the five courts are large, which may indicate that the need for multilingual signage is lower in smaller courts.

As mentioned above, interviewed courts all responded very positively to the suggestion of a signage glossary translated into the state's top ten languages. The ability of the interviewer to explain and answer questions regarding what the signage glossary could and would provide

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undoubtedly helped obtain uniform and unqualified support, although survey respondents similarly showed support for the project. Some participants were particularly in favor of the Judicial Council developing universally recognized icons or symbols to supplant written words in signage. As noted earlier, the development of icons was particularly important for one interview participant, who stated that some court users may not be able to read.

A glossary of signage terms in multiple languages was recently developed by NCSC and provided to the Judicial Council, including icons for several of the signs, and font and style guides in English and eight additional languages. NCSC recommends that the Judicial Council use its various communication mechanisms with courts, and in particular with court executive officers, presiding judges, and LARs, to publicize the existence and usability of this resource.

Question 13: Complaint form and procedure implementation

A third of responding courts (sixteen courts) have adopted a complaint form and procedure regarding language access service complaints. Of the fifteen courts that responded to the follow-up question, sub-question 13a, seven (44%) indicated that they have used the form and best practices materials provided by the Judicial Council on the Language Access Toolkit. Of the courts that have developed their own complaint form and process, all appear to address the following: failure to provide an interpreter or other language access service, quality of interpretation, quality of assistance provided by bilingual staff, and general language accessibility of court services. Six courts include the ability to complain about the quality of court-provided translations. This lower number may be because a majority of courts do not provide locally-produced translations and, therefore, may not feel equipped or able to address complaints regarding the quality of translations produced at the Judicial Council level.

Comparison highlights:

- Six more courts than last year have developed a complaint form and procedure. This improvement represents progress over the 2016 survey findings; however, given the distinct recommendations in the LAP regarding the need for courts to have available and clearly publicized complaint mechanisms, the ultimate goal is to have a 100% positive response rate for this question.

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Question 14: Technologies used by courts in 2016 for language access services

Consistent with the results of the 2016 survey, the majority of technology use for the provision of language access is currently in the form of telephonic interpreting for courtroom proceedings (82% of respondents, or thirty-seven out of forty-five courts), followed by telephonic interpreting for non-courtroom proceedings (73%, or thirty-two courts). Telephonic assistance by bilingual court staff is also fairly common, with 43% of respondents indicating its use. Other technological uses for language access are not as widely used. Video remote interpreting (VRI) is used by 9% of responding courts for courtroom proceedings and by 2% of courts for non-courtroom proceedings, such as for mediation, self-help centers, and other points of contact. See Figure 8 for summary responses.

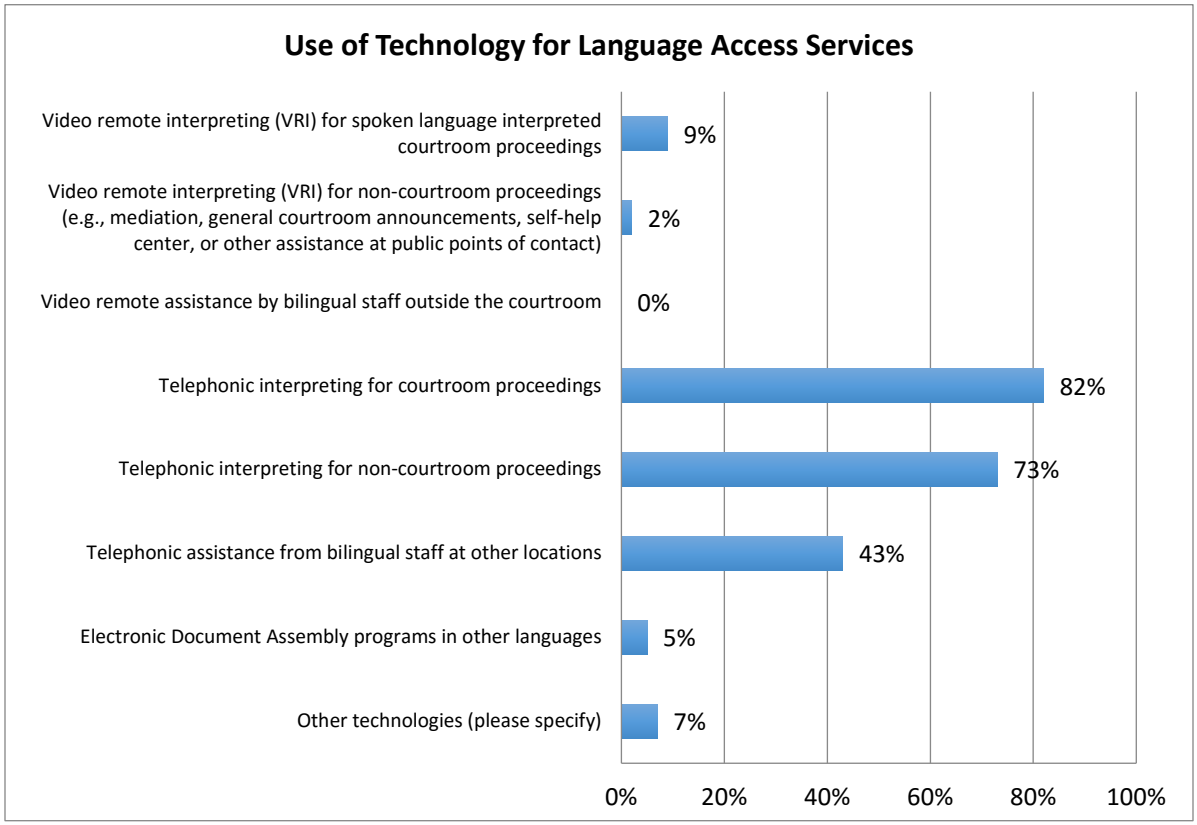

Figure 8: Use of Technology for Language Access Services

The use of electronic document assembly programs in other languages continues to be very low. As was noted in the 2016 survey analysis, multilingual document assembly programs may

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eventually be very useful in the provision of language access by doing away with the need to translate complex and lengthy court forms in favor of shorter, more user-friendly interviews. For now, however, these types of programs do not represent a significant mechanism for addressing language access. Other technologies listed include VRI for ASL events at public counters, cell phones, a multilingual avatar for assistance on webpages, and a portal to request an interpreter in advance.

Discussions with interview participants regarding the use of technology often revolved around the challenges involved in the implementation of VRI. The majority of the interviewed courts were supportive of the use of VRI when appropriate, though some were more cautious in their support, and at least one expressed that, although the court favored the statewide VRI pilot project (scheduled to launch in September 2017, per LAP Recommendation Nos. 12–16) and the continued exploration of the benefits of VRI, it did not have a need for the technology. Telephonic interpretation services are popular, even if many of the participants acknowledged the limitations, particularly with regard to courtroom proceedings.

Two courts currently use video remote technology (without interpretation) to provide access to services from remote locations, including bilingual staff assistance for mediation and self-help services. These courts use commercially available technology that is free or low-cost to provide this service.

Comparison highlights:

- Similar to this year's survey responses, the 2016 survey results also showed telephonic interpreting as the technology used most frequently, both for courtroom and for non-courtroom proceedings. In the 2016 survey and this year's survey, telephonic interpreting services are followed in usage by the use of the telephone to provide bilingual staff assistance.
- The use of VRI has only slightly increased, by one court, although four fewer courts answered this question this year as compared to the 2016 survey.
- One fewer court appears to be using electronic document assembly programs this year, though once again, the lower figure may be a result of smaller participation in answering this question.

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Question 14a: Languages for which remote interpreting may have been provided in 2016

While Spanish makes up the bulk of the remote interpreting services, with 64% of courts indicating the use of remote interpreting (telephone or video) for Spanish interpretation, the rest of the state's top ten languages are fairly evenly split, with Mandarin and Russian being the second and third most popular languages for remote interpreting and the rest of the top ten being used about 20% to 25% of the time.

However, the "Other" category demonstrates that, aside from Spanish, remote technologies seem to be mostly used for languages outside the state's top ten languages. The languages listed by respondents vary greatly, and include languages of lesser diffusion, such as Uzbek, Indonesian, Nepali, Tamil, Dari, Mam, several indigenous languages, Kinyarwanda, and many more. These results are consistent with the information provided during qualitative interviews. Participants consistently presented the same reason for remote technology use: to provide language access services for speakers of languages for which certified or registered interpreters are not readily available in the state.

Question 15: Willingness of court to explore/expand remote interpreting technologies

A significant majority of responding courts, 86%, indicated a willingness to expand technology to provide or improve access to remote interpreting services. Approximately 14 % of courts responded in the negative.

A number of participants in the qualitative interviews declared a willingness to further explore technologies for language access, including video remote interpreting. As described in the analysis for Question 14, courts cautiously supported the exploration and use of VRI. At least one court described some frustration at the inability to use VRI due to interpreter union opposition, clarifying that if they had enough interpreters to meet the need, they would not need to consider VRI as an option. From their perspective, VRI would allow them to provide certified/registered interpreters for situations in which currently, due to shortages, they are forced to provisionally qualify non-credentialed interpreters. Two of the courts interviewed specifically remarked on the potential use of VRI to provide interpreters from Mexico (located in Mexico) for indigenous language speakers in their court, for languages for which no

interpreter can reasonably be found or secured in California. One court noted the specific assistance VRI may lend to the cross-assignment process for interpreters. On the side of concerns regarding VRI implementation, one participant shared a belief that the court's judicial officers and the local private bar would be resistant to the use of VRI due to a firmly held belief that an in-person interpreter is always necessary.

Question 16: Language access training

Slightly more than a third of responding courts (37%, or eighteen courts) have conducted language access-related training in the last year, according to responses. Unfortunately, only two courts answered sub-question 16a, which inquired about the audience for the trainings. One small/medium court specified providing training to all court staff and all new court staff; one medium-sized court clarified having provided training for all staff interpreters.

Language access-related training is one of the recommendations in the LAP (Recommendation No. 50). The LAP provides that the Judicial Council will develop the training curricula and resource manuals so courts may adapt them to local need. While some courts have moved forward with creating this training on their own, it is possible that these low numbers are due to the fact that training curricula, in development by the Judicial Council, has not yet been finalized and shared with local courts throughout the state.

Comparison highlights:

- According to the results of the 2016 survey, thirteen courts (out of fifty respondents) provided language access training to new staff, and seven courts required training for all existing staff. Even fewer (five courts) offered training at least once a year. Because the question was asked differently in 2016, a clear comparison is not appropriate, but it appears that there has been an increase in the number of courts that provide language access training since eighteen courts reported having provided training in the last year.
- In the 2016 survey, a significant number of courts reported plans to institute language access training efforts, but less than half identified plans to make training mandatory or offer it at least once per year. It is possible, as stated above, that while courts are still planning to offer such training, the absence of Judicial Council-provided training curricula to date may have delayed those plans.

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Question 17: Areas for additional resources to be developed and provided by the Judicial Council

As can be seen from Table 10, respondents appeared generally interested in most of the proposed tools for development by the Judicial Council. Most popular are tools related to web page resources, statewide recruitment efforts for court interpreters, and multilingual signage. Other popular tools include a centralized program for document translation, technology (including equipment), and language access training. Tools for early identification of LEP court users and tracking tools for data collection and cost reporting are also fairly popular, with 42% of courts indicating an interest. These results match the feedback obtained from participants in qualitative interviews, with many expressing the need for statewide interpreter recruitment efforts, showing enthusiastic receptivity to multilingual signage samples or glossaries (including consistent support and widespread use of the multilingual holiday closure signage), and indicating interest in a centralized process for document translation by the Judicial Council.

Statewide recruitment efforts for bilingual staff and guidance on the coordination of services with justice partners were the least popular tools or services, according to survey results. Many participating courts interviewed by NCSC staff also did not place great interest on these tools or programs. As described above, interviewees appeared mostly satisfied with the level of bilingual staffing in the court, and did not identify the need for recruitment of bilingual staff as a notable need, particularly in Spanish. With regard to coordination with justice partners, a number of courts seem to have already created internal protocols, formed over the years, that work for their particular organizational structure, justice partner landscape, and needs; therefore, statewide guidance on these issues did not appear to be a priority.

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17. Please indicate the areas in which your court would most like additional tools, services, and/or programs developed and provided by the Judicial Council. [Please select all that apply.]	Response Percent	Response Count
Tools for early identification of LEP court users	42%	21
Tracking tools for data collection and cost reporting	42%	21
Guidance on coordination of language access services with justice partners	34%	17
Technological solutions (including remote technology equipment)	64%	32
Language access-related training	54%	27
Multilingual signage to be used throughout the courthouse	68%	34
Centralized translation of documents	62%	31
Web page resources	70%	35
Statewide recruitment efforts: additional bilingual staff	34%	17
Statewide recruitment efforts: additional court interpreters	70%	35
Other (please specify)	16%	8
	answered question	50
	skipped question	0

Table 10: Usefulness of Additional Tools for the Judicial Council to Develop and Share with Courts.

There are some interesting answers in the "Other" category provided by respondents. Included among them are a few that the Judicial Council is already working on, such as the ability to custom-select languages in which to generate signs and interpreter performance measurement and accountability tools. Other requests for Judicial Council-led efforts included a Judicial Council-driven background screening for all certified and registered interpreters, as part of participation on the Master List, as well as a Judicial Council-led effort to organize all multilingual resources (including signs, forms, videos, etc.) "according to language and court application."[12] Another request, repeated from answers to other questions, included the

[12] While no explanation was provided as to the intent behind the phrase "court application," it is likely the idea referred to organizing resources in terms of their applicability to the various court functions or processes, such as case type, step within the court case, etc.

development of an interpreter program for hiring, scheduling, coordinating, tracking, and paying interpreters.

In addition to suggestions addressed elsewhere in this report, interview participants reiterated many of the same requests submitted through the survey instrument. Ideas consisted of the inclusion of VRI pilot information, recommendations, and suggested equipment guidelines; data collection guidelines, policies, and tools; a cost reporting policy; recruitment best practices; and guidance/statewide support for ongoing performance assessments of interpreters.

III. Additional Findings from Qualitative Interviews

Courts appear to have made significant progress in providing interpreters for civil proceedings under the priorities laid out in Evidence Code § 756. These findings are consistent with data collected by Judicial Council staff as part of its tracking of court progress in providing interpreters in civil cases.[13] Most of the stakeholders interviewed reported the courts' ability to guarantee interpreters through Priority 4, but the majority of interview participants are able to go beyond that. Because of the hesitation of promising a service they cannot later deliver, some were reticent to openly commit to case types lower in priority; but in practice, they are able to, in most situations, provide interpreters in the majority of civil cases, including Family Court Services mediation or child custody recommending counseling.

Courts continue to face resource and funding challenges. The most consistent pressing demand faced by those interviewed is a lack of availability of interpreters (both in terms of the number of qualified interpreters in certain languages and in the willingness by interpreters in more common languages, such as Spanish, to work for the courts) and concern that the situation will not get better in the foreseeable future. Issues with independent contractors requesting rates much higher than the half- and full-day rates provided by the Judicial Council, the inability to fill vacancies, the low interpreting exam passing rate, the competition with neighboring counties for a limited pool of interpreters, and the inability to compete with the private market for qualified interpreters were all cited as grave concerns.

One participating court proposed exploration of a statewide, centralized telephone interpreter service, sponsored or supported by the Judicial Council, whereby courts could make their staff interpreters available to other courts when not otherwise busy providing interpreting services. The suggestion echoes LAP Recommendations No. 17 (creating a pilot program through which certified/registered interpreters would be available to all courts on a short-notice basis to provide remote interpreting services) and No. 30 (policies promoting sharing of bilingual staff and certified/registered interpreters among courts through the use of remote technologies). Others suggested the use of VRI to support a statewide pool of interpreter resources.

One of the topics explored in the qualitative interviews was the utilization and language proficiency testing of bilingual staff. The majority of interviewed stakeholders reported the use

[13] See Judicial Council graphic at http://www.courts.ca.gov/documents/LAP-Court-Progress-Providing-Interpreters-In-Civil-Cases-2016-12.pdf.

of bilingual staff as critical to providing language access services, and findings regarding their recruitment needs are discussed earlier in this report. With regard to the testing of staff to determine language proficiency, court policies and procedures vary. Several courts reported testing in-house through their human resources departments, and one court reported working with the county to provide bilingual testing. Processes differed, with two courts using their staff interpreter to conduct the assessment with a standardized rating rubric (and contracting out to independent interpreters for languages for which the court has no staff interpreters) and two courts using other staff (also bilingual) to conduct the assessment. At least two of these courts reported being in the process of looking for alternatives to handle the proficiency determination externally. One court uses the Oral Proficiency Exam to test their bilingual employees' language proficiency and expressed satisfaction with that method.

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IV. Overall Analysis

As laid out in the introduction, the survey and qualitative interviews addressed a number of areas corresponding to the goals set forth in the Language Access Plan. Below are the main findings from the survey and qualitative interviews under each of the areas addressed:

Data collection and court users' language requests:

- Spanish remains, by a significant margin, the most requested language throughout the state, although there appears to be an increase in requests for services in other languages, particularly in Mandarin, Cantonese, Tagalog, Arabic, and Punjabi.
- Survey responses indicate an increase in the diversity of languages requested in the last year, as well as an overall increase in total language access requests for services in and outside of courtroom proceedings.
- Three-fourths of courts collect data regarding language assistance requests, with the majority collecting information on the language requested and event type. The event type information collected, however, is not consistent across courts; some courts only collect detailed case type data regarding civil case types, while others seem to include details on the types of criminal proceedings as well. Clear guidelines as to what information should be collected, and recommendations as to how to collect the data, may assist courts in collecting information consistently and uniformly throughout the state.
- Only a third of courts appear to track requests for non-interpreter language access services. Improved collection of these requests, including unmet needs, will assist with the identification of resource gaps and support for future funding requests.

Interpreter recruitment needs:

- Recruitment needs are the most significant for Spanish interpreters.
- Other languages of significance for recruitment include Punjabi, Tagalog, Cantonese, Mandarin, Arabic, and Vietnamese, in that order. Recruitment needs in Farsi, Korean, and Russian were reported by 14%, 10%, and 10% of courts, respectively.
- Some larger courts and/or urban courts are adequately staffed with Spanish interpreters. However, several courts have unfilled vacancies and experience challenges with finding interpreters interested in working for the courts.

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- An aging interpreter workforce, low passing rates on the interpreting exams, and compensation rates not commensurate with private industry are all challenges to fulfilling interpreter recruitment needs.
- Courts identified the need for more effective recruitment strategies, training of prospective interpreters, reassessment of credentialing examinations, and consideration of higher compensation rates as necessary to grow the interpreter workforce to meet the increasing need for services brought about by civil expansion.

Funding gaps that remain to achieve full expansion:

- Funding needs vary significantly depending on court size, available interpreter workforce in the area, existing resources, and language diversity in the court's community.
- Most courts report needing additional funding and resources to meet the language access services needs of their LEP users.
- Over 80% of courts need additional funding for technology to provide language access. Signage and translation are also significant areas of need.
- Many courts expressed the need for funding for interpreter coordination and supervision, and for scheduling software to enable more efficient and effective calendaring of interpreters.
- Many participants identified being hindered by the limitations of reimbursement funds, which is understood by many to only allow for reimbursement of direct interpreting services. With civil expansion, increased costs for ancillary services are significant, and courts are forced to provide more services with the same funding.

Existing use of tools for language access, such as multilingual websites, notices of available services, translation, and signage:

- Sixty percent of courts provide multilingual information on their websites. Courts are evenly split as to whether this information is professionally translated or provided via machine translation only.
- Almost three-fourths of respondents provide a notice of available language access services, an improvement over the 2016 survey results, which indicated two-thirds of courts provided a notice.
- Interpreter request forms are the most commonly used tool for providing language access services, followed by translated self-help information, I-speak cards, and translated handouts.

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- Telephonic interpreting services are also commonly used, particularly for points of contact outside the courtroom.
- Eighty percent of courts use the resources posted on the Judicial Council's Language Access Toolkit, with multilingual holiday closure signs being the most popular resource. The *Request for Interpreter* (Civil) (Form INT-300) provided on the Toolkit is also very popular.
- With regard to multilingual signage, responses prioritized security information signage, followed by directional signage. Informational signage to assist interactions between court users and court staff were ranked third in overall importance.
- The vast majority of courts agree that a list of translated signage terms would be of assistance in meeting their multilingual signage needs.

Complaint mechanisms:

- The number of courts that have adopted a complaint form and procedure has increased in the last year. However, the percentage is still low at approximately one-third of responding courts.
- Seven courts reported utilizing the model complaint form and associated resources found on the Language Access Toolkit.[14]
- Judicial Council staff may want to obtain more information about why courts, particularly those that report not having a complaint procedure in place, are not using the Judicial Council-provided form. If the feedback provided indicates that the forms and processes need modification, the Judicial Council should undertake the revision to ensure adoption by courts, or encourage courts to develop their own.

Language access education and training programs:

- A third of courts have instituted language access training in the last year. This number remains low in spite of LAP Recommendation No. 50, which addresses judicial branch training with respect to language access requirements, policies, and procedures.
- The Judicial Council's completion of training curricula and the ability to offer online trainings or trainings via other platforms will likely improve these numbers.

[14] A model complaint form and procedures were developed by the LAP Implementation Task Force in September 2016, and were shared with all 58 superior courts and posted on the Language Access Toolkit.

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Use of technology for providing language access:

- Courts continue to primarily rely on the use of telephonic interpreting when using technology for language access. It is used for courtroom and non-courtroom events, and to a lesser degree, for bilingual (non-interpreting) assistance at courthouse points of contact, such as clerks' offices, self-help centers, for mediation, and others.
- The use of video remote interpreting is still very limited, and is likely to remain so until the Judicial Council's VRI pilot is completed and resulting guidance and recommendations are issued.
- As was the case with the 2016 survey findings, the evolution of document assembly programs in multiple languages may be helpful as a language access tool.
- Most courts expressed a willingness to explore or expand remote interpreting technologies, in particular to address language access needs for languages for which the availability of credentialed interpreters is limited.

V. Conclusion

California courts continue to make important strides in the provision of language access services and in the implementation of the Language Access Plan. Overall, responses to the 2017 survey indicate improvements in the areas that lend themselves to comparison to the 2016 survey results. Language access services continue to expand across civil cases, with courts being able to address more of the priorities established in Evidence Code § 756. Services outside of courtroom proceedings are also seeing significant increases, with help provided by bilingual staff, multilingual translated resources online and at courthouses, and more effective signage strategies. Language Access Plan implementation is significantly underway across the state.

Limited resources, both in the form of funding and language services providers, such as interpreters, continue to hinder courts in their expansion efforts. Interpreter recruitment seems paramount as a priority for courts filling vacancies or needing to meet language requests in more competitive markets, with more courts and private industries vying for the services of a limited pool of interpreters. Recruitment efforts should be supplemented by scheduling and calendaring efficiencies, as well as the possible sharing of interpreters through the use of video remote interpreting (pending findings from the VRI pilot project scheduled to launch in September 2017). Funding to support ancillary services related to higher numbers of interpreter use, as well as for translation, multilingual web resources, technology, signage, and other tools for language access, are also critical to enable continued expansion and a guarantee of language access services to all court users who require them.

Continued support by the Judicial Council and the LAP Implementation Task Force, together with consistent monitoring of ongoing efforts in future surveys and expansion updates, will enable the judicial branch to get closer to its goal: the provision of quality language access services to all LEP court users, as provided by the seventy-five LAP recommendations, by the year 2020.

VI. Next Steps/Recommendations

The 2017 survey and qualitative interview findings suggest a number of steps for the Judicial Council and courts to take in order to continue the successful implementation of the Language Access Plan. Some of these next steps overlap with those recommended in the 2016 Survey Report, as Phase II of LAP implementation continues and Phase III gets underway. The implementation of a tracking tool developed by NCSC as part of this deliverable will assist the branch in tracking and measuring court progress of civil expansion and in addressing several of the next steps proposed below.

As was referenced in the 2016 Survey Report, there should be continued efforts to adequately and consistently track interpreter requests in all proceedings, both in the courtroom and for court-ordered, court-operated programs. Similarly, non-interpreter language access requests, such as bilingual staffing needs and translation requests, should be tracked to properly measure the language access services needs of court users statewide. Any tracking efforts should include unmet needs, to allow the Judicial Council and local courts to identify resource gaps and provide support and justification for increased funding requests. Courts would greatly benefit from clear guidance from the Judicial Council regarding the information that should be collected and how to collect it. A data collection tool or template provided by the Judicial Council would encourage not only the gathering of all relevant data, but a consistent and uniform approach throughout the state.

Interpreter recruitment continues to be a critical area of need. Efforts by Judicial Council staff are focused on addressing interpreter shortages and the need for increased recruitment for interpreters in all of the top ten languages in California. While a number of counties may be sufficiently staffed with Spanish interpreters, Spanish continues to be the language with most significant recruitment needs overall. However, there is also a crucial recruitment need for interpreters in Punjabi, Tagalog, Cantonese, Mandarin, Arabic, and Vietnamese. The Judicial Council should undertake the recommendations provided by NCSC, through a separate deliverable, to assist with local and statewide recruitment efforts. In addition, compensation strategies should be reexamined to determine how to best address the compensation gap between the state-approved interpreter rate and private industry, whether through a reevaluation of the existing rates, marketing of the benefits of court employment, or other strategies.

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Increased funding is also a priority for continued civil expansion. As identified in this report, funding is needed for increased recruitment efforts and improved data collection, as well as for ancillary services, such as interpreter coordination and scheduling, and for the actual provision of interpreter services. Continued development of language access tools and resources such as translated information, multilingual websites, and signage are similarly costly, so future funding requests should ensure the inclusion of these estimated costs if the Language Access Plan is to be fully implemented.

Another important next step is the continued effort to ensure that all courts adopt a complaint process regarding language access services, whether through the adoption of the Judicial Council template or through their own form and procedures. The Judicial Council may consider posting the complaint forms and policies of courts that have adopted their own form and procedures (i.e., that are different from the model complaint form and procedures that were developed by the Task Force) on the Language Access Toolkit, so that local courts may decide if those other processes better fit their needs. In addition, there should be periodic reminders to LARs, court executive officers, and presiding judges of the criticality of having robust complaint policies.

A number of NCSC and Judicial Council projects currently underway or recently completed, both under the 2015-2016 and the current 2016-2017 contracts, can also help the Judicial Council address other gaps identified through the survey process. The various language access training curricula developed by NCSC and in the process of being adapted by the Judicial Council, for example, will serve as important tools for courts to implement system-wide language access training for staff and judicial officers. The VRI pilot project will provide concrete guidance to courts in the exploration of remote technologies to facilitate language access services provision. The signage glossary, which includes a number of icons and symbols, as well as font and style guidance for courts pursuing multilingual signage, will also provide an invaluable tool for courts and should be posted on the Language Access Toolkit as soon as feasible.

Finally, the Judicial Council should continue to track and monitor implementation efforts in the superior courts and the judicial branch as a whole. The tracking tool referenced above will assist staff in tracking progress and identifying areas where additional focus and resources may be needed. As was recommended in the 2016 Survey Report, successful implementation will also require the involvement of all stakeholders in the courts, so information-sharing mechanisms, data-gathering tools, and training efforts should involve court staff at all points of contact with court users as well as justice partners who regularly interact with the court.

Appendices

Appendix 1: Survey Questions

The National Center for State Courts (NCSC), in collaboration with the California Judiciary's Language Access Plan Implementation Task Force (LAPITF), is conducting this survey to learn more about language access expansion efforts in the California superior courts. We anticipate that your responses will also support efforts to seek additional funding for language access services statewide.

The survey should take roughly 30 minutes to complete. A PDF version of all survey questions has also been included as an attachment.

Please complete this survey by Friday, March 24, 2017. Survey results will be transmitted directly to NCSC for analysis and a summary of findings and trends will be provided to Judicial Council staff and the LAPITF. Your individual responses will be confidential. None of the summary findings reported will be directly attributable to any court.

Thank you in advance for your participation.

Survey of California Superior Courts – Language Access Services

1. The languages below represent the ten most interpreted spoken languages statewide, as reported in the 2015 Language Need and Interpreter Use Study. Please mark the estimated percentage of requests for interpreter services in each language in your court for the period of January 1, 2016 to December 31, 2016. [*If other languages make up the top ten requested languages at your court, please specify those languages in the lines marked "Other" below.*]

	More than 75%	50%-75%	25%-50%	Less than 25%
Spanish	○	○	○	○
Vietnamese	○	○	○	○
Korean	○	○	○	○
Mandarin	○	○	○	○
Farsi	○	○	○	○
Cantonese	○	○	○	○
Russian	○	○	○	○
Tagalog	○	○	○	○
Arabic	○	○	○	○
Punjabi	○	○	○	○
Other (please specify)	○	○	○	○
Other (please specify)	○	○	○	○
Other (please specify)	○	○	○	○

Other (please specify)

2. Did your court experience a change in language access requests between January 1, 2016 and December 31, 2016 (e.g., increase or decrease in interpreter requests; significant change in languages for which interpreters are requested; change in types of language services requested, such as more or less requests for translation, bilingual staffing help, telephone interpretation, etc.)?

○ Yes

○ No

2a. If "Yes," please mark all that apply:

- ☐ Increase in interpreter requests
- ☐ Decrease in interpreter requests
- ☐ Increase in the number of languages for which interpreters are requested
- ☐ Decrease in the number of languages for which interpreters are requested
- ☐ Increase in types of language services requested
- ☐ Other (please specify)

3. In what languages does your court have the greatest need for the recruitment of certified and registered interpreters? Please select all that apply.

- [ ] Spanish
- [ ] Vietnamese
- [ ] Korean
- [ ] Mandarin
- [ ] Farsi
- [ ] Cantonese
- [ ] Russian
- [ ] Tagalog
- [ ] Arabic
- [ ] Punjabi
- [ ] Other (please specify)

4. Provide your best estimate of additional resources or funding your court will need for **FY 2017–2018** for the following:

4a. For full expansion of interpreter services for courtroom proceedings in accordance with Evidence Code § 756:

- ( ) Less than $50,000
- ( ) $50,000 - $150,000
- ( ) $150,000 - $500,000
- ( ) $500,000 - $1 million
- ( ) $1 million - $5 million
- ( ) More than $5 million
- ( ) Do not need more funding or resources

4b. For interpreters in all court-ordered, court-operated programs (other than courtroom proceedings, such as for mediation or mandatory settlement conferences, etc.):

- ◯ Less than $50,000
- ◯ $50,000 - $150,000
- ◯ $150,000 - $500,000
- ◯ $500,000 - $1 million
- ◯ $1 million - $5 million
- ◯ More than $5 million
- ◯ Do not need more funding or resources, staff, etc.

4c. For other language access expenses (including translations, interpreter or language service coordination, multilingual signage, or language access–related equipment or technology):

- ◯ Less than $50,000
- ◯ $50,000 - $150,000
- ◯ $150,000 - $500,000
- ◯ $500,000 - $1 million
- ◯ $1 million - $5 million
- ◯ More than $5 million
- ◯ Do not need more funding or resources

5. Please mark the areas for which your court needs additional funding (beyond court interpreter expenses that are reimbursed to courts through the statewide court interpreter reimbursement fund) for LEP services for **FY 2017–2018** and thereafter. Please select all that apply.

- [ ] Early identification of LEP court users
- [ ] Data collection and cost reporting
- [ ] Coordination of language access services with justice partners
- [ ] Technological solutions (including headsets, wireless equipment and remote technology equipment)
- [ ] Training
- [ ] Signage throughout the courthouse
- [ ] Translation of documents
- [ ] Web page resources
- [ ] Recruitment efforts: additional bilingual staff
- [ ] Recruitment efforts: additional court interpreters
- [ ] Administrative overhead costs such as court interpreter supervision
- [ ] Other (please specify)

6. Did your court collect data regarding the number of LEP language assistance requests received in FY 2015–2016?

- ( ) Yes
- ( ) No

6a. If data was collected, please indicate the type of information that was gathered: (please select all that apply)

- ☐ Language requested
- ☐ Event type
- ☐ Type of interpretation provided (in-person or remote, whether telephone or video)
- ☐ Rescheduled/Could not fill due to interpreter availability
- ☐ Type of non-interpreter service requested (e.g., assistance by bilingual staff, translated materials, etc.)
- ☐ Request for interpreter forms filed
- ☐ Other (please specify)

7. Does your court provide multilingual information on your court's website?

- ◯ Yes
- ◯ No

7a. If “Yes,” please mark the appropriate box(es) below:

- ◯ Information is translated by qualified translators.
- ◯ Website provides Google Translate capability only.
- ◯ Information includes a combination of qualified translation and Google Translate capability.

8. Does your court provide (as handouts or on court website) notices of available language access services for court users?

- ◯ Yes
- ◯ No

8a. Does your court use a notice to inform users of available language access services?

- ◯ Yes, we use Judicial Council-approved notice of available language access services
- ◯ Yes, we use a notice created by our court
- ◯ No

8b. If your court uses a notice, is the notice:

- ☐ Available on the court's website?
- ☐ Available at the courthouse entrance?
- ☐ Visible at all points of contact with the public (e.g., clerks' offices, self-help centers, courtrooms, ADR department, jury office, etc.)?
- ☐ Automatically provided by court clerks or other court staff upon the filing of pleadings or other requests for information?
- ☐ Available in other languages? Please indicate the languages:

9. Please indicate any tools your court uses for the provision of language access services to LEP Court users [Please mark all that apply or write in if not included]:

- ☐ Request for interpreter form
- ☐ I-Speak cards at relevant points of contact in the court
- ☐ Glossaries of legal terms in various languages
- ☐ Translated web pages (other than adding the Google Translate capability)
- ☐ Translated handouts
- ☐ Translated self-help information
- ☐ Machine translation programs, such as Google Translate or Microsoft Translator for web pages and/or multilingual written translations
- ☐ Online document assembly programs in other languages
- ☐ Other (please specify)

10. Has your court utilized materials or tools found on the Judicial Council's Language Access Toolkit?

- ○ Yes
- ○ No

10a. If so, which tools has your court used (please select all that apply):

- [ ] Notice of available language access services
- [ ] Multilingual holiday closure sign
- [ ] I-Speak cards
- [ ] Request for Interpreter form (Form INT-300)
- [ ] Translated forms
- [ ] Translated self-help information
- [ ] Multilingual continuance form
- [ ] Videos
- [ ] Planning tools such as Translation Protocol, Web Guidance Materials, etc.
- [ ] Other (please specify)

11. Please rank in order of importance (with 1 being highest importance) your need for signs in multiple languages regarding:

- [ ] Security information
- [ ] Appropriate courtroom dress and conduct
- [ ] Working with court/clerk staff
- [ ] Directions to different places in the courthouse

12. Would a list of translated signage terms available on the Judicial Council's Language Access Tool Kit be of assistance to staff in meeting your court's signage needs?

- ◯ Yes
- ◯ No

13. Has your court adopted a complaint form and implemented a complaint procedure for filing complaints about interpreter services and/or other language access services?

- ◯ Yes
- ◯ No

13a. If "Yes," has your court utilized the complaint form and best practices and materials or tools found on the Judicial Council's Language Access Toolkit?

- ◯ Yes
- ◯ No

13b. If your court is using its own complaint form and process, please indicate the areas covered in the complaint process (Please select all that apply):

- ☐ Failure to provide an interpreter or other language access service
- ☐ Quality of interpretation
- ☐ Quality of assistance provided by bilingual staff person
- ☐ Quality of court-provided translations
- ☐ General language accessibility of court services

14. Please indicate whether your court has used any of the following technologies over the last year (between January 1, 2016 and December 31, 2016) to provide language access (Please select all that apply):

- ☐ Video remote interpreting (VRI) for spoken language interpreted courtroom proceedings
- ☐ Video remote interpreting (VRI) for non-courtroom proceedings (e.g., mediation, general courtroom announcements, self-help center or other assistance at public points of contact)
- ☐ Video remote assistance by bilingual staff outside the courtroom
- ☐ Telephonic interpreting for courtroom proceedings
- ☐ Telephonic interpreting for non-courtroom proceedings
- ☐ Telephonic assistance from bilingual staff at other locations
- ☐ Electronic Document Assembly programs in other languages
- ☐ Other technologies (please specify)

14a. If your court provided remote interpreting services (video or telephone) between January 1, 2016 and December 31, 2016, please note the languages for which it was used (select all that apply):

- ☐ Spanish
- ☐ Vietnamese
- ☐ Korean
- ☐ Mandarin
- ☐ Farsi
- ☐ Cantonese
- ☐ Russian
- ☐ Tagalog
- ☐ Arabic
- ☐ Punjabi
- ☐ American Sign Language
- ☐ Other (please specify)

15. Would your court be willing to explore or expand technology to provide or improve access to remote interpreting services?

- ◯ Yes
- ◯ No

16. Has your court conducted any language-access related training over the last year?

- ◯ Yes
- ◯ No

16a. If "Yes," please select all that apply:

- ◯ Training for all court staff
- ◯ Training for all new court staff
- ◯ Training for all judicial officers
- ◯ Training for new judicial officers
- ◯ Training for staff interpreters
- ◯ Other (please specify)

17. Please indicate the areas in which your court would most like additional tools, services, and/or programs developed and provided by the Judicial Council. [Please select all that apply.]

- ☐ Tools for early identification of LEP court users
- ☐ Tracking tools for data collection and cost reporting
- ☐ Guidance on coordination of language access services with justice partners
- ☐ Technological solutions (including remote technology equipment)
- ☐ Language access related training
- ☐ Multilingual signage to be used throughout the courthouse
- ☐ Centralized translation of documents
- ☐ Web page resources
- ☐ Statewide recruitment efforts: additional bilingual staff
- ☐ Statewide recruitment efforts: additional court interpreters
- ☐ Other (please specify)

18. Please fill out the following:

Date:

Name:

Title:

Courthouse:

Contact Information:

* County/Region:

Appendices

Appendix 2: Qualitative Interview Questions

Qualitative Interview Questions

1. Has your court seen any changes in language services needed (either overall services or specific language trends) over the last year?

2. Please describe your court's efforts to expand language access following the enactment of AB 1657/Evidence Code § 756.
    a. What services and programs do you provide now that you did not previously provide?
    b. Have you had to stop providing services in any areas that are not prioritized under §756?
    c. How has this changed in the last year, since the last survey?

3. Please describe any challenges your court is currently facing with regard to providing language access services (funding, interpreter resources, etc.).
    a. Has this changed in the last year?

4. Has your need for recruitment in certain languages changed since civil expansion?
    a. If so, please describe how civil expansion has resulted in an increased need for these languages?

5. Please indicate the non-criminal case types (e.g., unlawful detainer, civil harassment, actions to terminate parental rights, guardianship matters) in which you provide court interpreters to LEP court users at no cost for in-courtroom proceedings.
    a. Are these services provided in all languages? Please describe.
    b. Has the provision of interpreters in these case types changed over the last year?
    c. What are your greatest gaps with regard to civil coverage?
    d. Are gaps in coverage caused by a lack of access to qualified interpreters, or are there other reasons?
    e. Would the use (or expanded use) of technological solutions (video remote interpreting or telephonic interpreting) help your court with expansion efforts?

6. Please indicate the out-of-courtroom court locations or programs (e.g., clerk's office, self-help center, family court services mediation, jury office) in which you provide interpreters or other language access services at no cost to LEP court users.
    a. Are these services provided for all languages? Please describe.
    b. Has this changed in the last year?

7. Please provide information on the types of tools used by the court to provide language services (e.g., I-Speak cards, translated materials, glossaries, document assembly programs in languages other than English).
    a. Do you find these materials helpful? If so, in what way(s)?
    b. Has the Language Access Toolkit helped you locate these materials?
    c. What tools or resources would you like to see added to the toolkit?

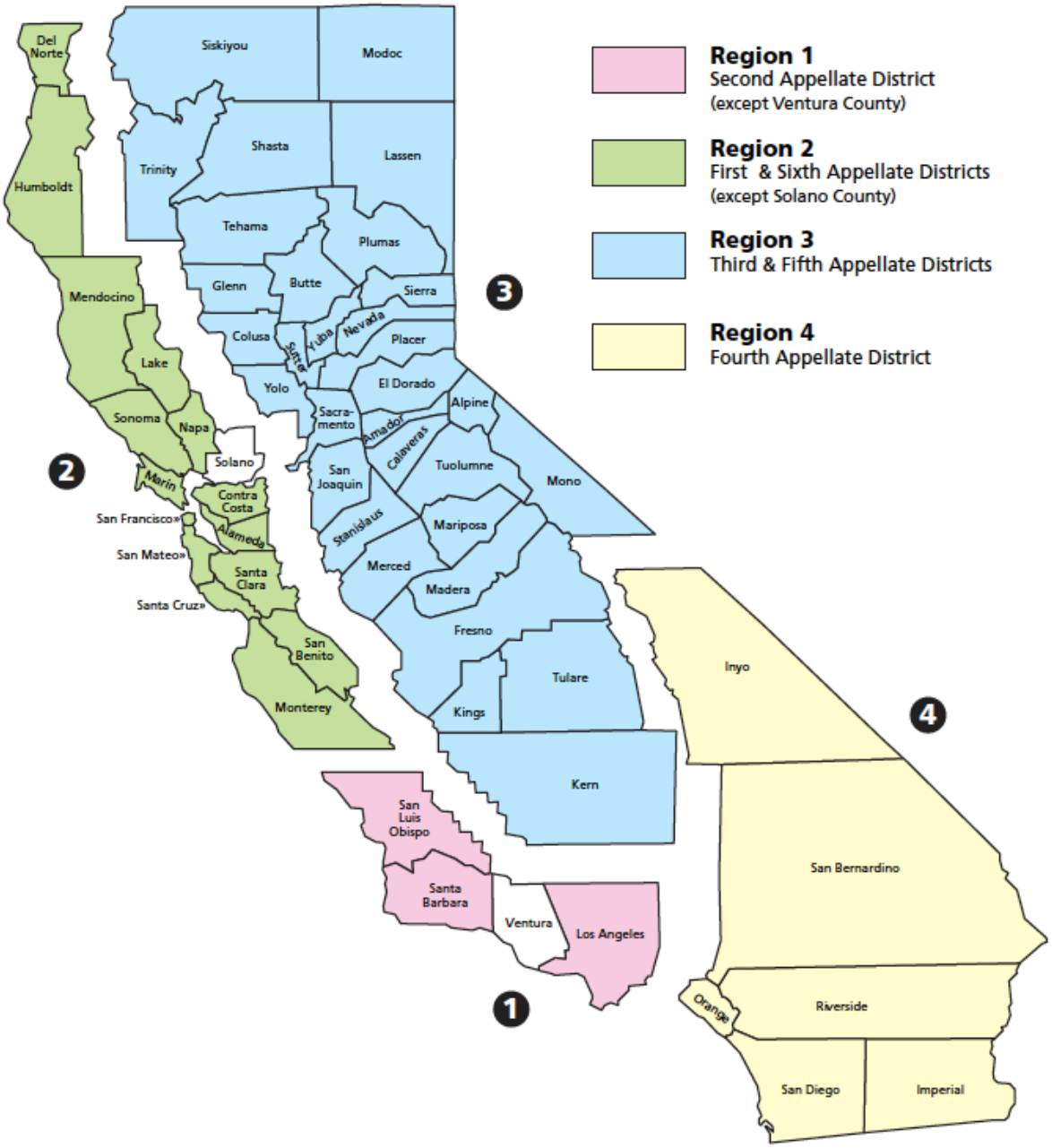
8. Are there any signs in your court that you would like to have in more than one language? Please explain.

9. Does your court utilize bilingual staff or other bilingual specialists in any manner? If so, please describe.
    a. Has this changed in the last year?
    b. How does your court determine the level of proficiency or ability of bilingual staff?
    c. Has your court changed the manner in which language proficiency of bilingual staff or the designation of bilingual staff are determined?

10. Please describe your court's use of technology to provide language access services (telephone or video remote services, document assembly programs, videos or audio messaging).
    a. Has this changed in the last year?

11. Please share any concerns your court may have with regard to expanding technology for the provision of language access services (funding, capability, training needs, court staff or judicial preferences for in-person services, etc.)
    a. Have any of these concerns changed in the last year?

12. What statewide services (policies, pilot programs, tools, materials, etc.) provided by the Judicial Council would be most helpful to your court in providing language access services?

Appendices

Appendix 3: Bargaining Regions