

Chart of Recommended Changes to Compliance

Current Requirements(old): <https://www.courts.ca.gov/documents/CIP-2013-Compliance-Requirements.pdf>

Changes to the *Compliance Requirements for Certified Court and Registered Interpreters* included a redesign and presentation of content and includes the following:

- Requirements are reorganized for ease of use and clarity for both interpreters and providers of continuing education activities
- Document title references that the requirements also pertain to education providers
- Provide a clear distinction between interpreter requirements and requirements for education providers and/or interpreters teaching an education activity
- Table of contents expanded with clear headings and sub-headings to more easily access needed information
- Introduction added with an expanded purpose statement and definition of education
- *Summary Chart of Annual Renewal Requirements* incorporated at the beginning of the document
- Appendix added with list of recommended professional assignments
- Removed redundant information or information not relevant to credentialed interpreters (section on how to become an interpreter removed)
- Reduced wordiness where needed
- Provider requirements are more clearly delineated

The following are changes recommended to the compliance requirements and approved by the Professional Standards and Ethics Subcommittee in March and April of 2019. CIAP approval required.

Page in Updated Compliance Requirements	CIAP recommends that:
NA	<p>Effective September 2019 (compliance period ending December 31, 2019) interpreters are longer required to submit hard copies of documentation, and will attest under the penalty of perjury, to completion of all compliance requirements and may be subject to an audit.</p> <p>Note: Payment will still be made via check or money order for this coming compliance cycle and mailed in. Copy of form included in handouts.</p>
<p>Page 7</p> <p>3.0 Court Interpreter Minimum Continuing Education Requirements</p>	<p>Minimum Continuing Legal Education (MCLE) offered by the California State Bar be approved for Court Interpreter Minimum Continuing Education (CIMCE) without the interpreter needing to submit an application.</p> <p>Text will now read: Continuing education activities must have an assigned CIMCE number granted by:</p> <ul style="list-style-type: none"> ▪ The Judicial Council of California, Court Interpreters Program; or

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	<p>CIAP recommends that:</p> <ul style="list-style-type: none"> ▪ Other U.S. state courts or U.S Administrative Office of the Courts; or an assigned Minimum Continuing Education (MCLE) number granted by ▪ The California State Bar.
Same as above	<p>(related to above action):</p> <p>CIMCE numbers granted by other U.S. state courts or U.S. Administrative Office of the Courts are approved for CIMCE without the interpreter needing to submit an application.</p> <p>Note: Interpreters are required to maintain records for five years.</p>
<p>Page 9</p> <p>3.4 Activities Not CIP Approved for CIMCE</p>	<p>The following bolded courses are to be added to the list of non-CIMCE approved activities:</p> <ol style="list-style-type: none"> 1. Rating candidates for any state, federal, or Consortium for Language Access in the Courts court interpreter exam 2. Developing any state, federal, or consortium court interpreter exam, or exam development for any profession 3. Attending classes in person, or via distance learning that provide instruction on how to take and pass any state or federal court certification and/or registered court exam. 4. Attending classes in person or via distance learning classes that provide instruction on how to take and pass any professional exam, and/or prepare one for any professional certification, licensing or credentialing exam 5. Attending courses on brand development, marketing, running or building a business, or engaging in marketing or consulting activities 6. Performing self-directed research or publishing 7. Attending courses primarily based on works of fiction (novels, movies, podcasts)

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	<p>8. Completing the same CIMCE-approved activity more than once within the same compliance period</p> <p>9. Time spent doing homework.</p> <p>10. Attending or conducting activities unrelated to continuing education requirements</p> <p>Following clause added after #10</p> <p>CIMCE credit is not guaranteed for participation in activities, such as interpreter vacations or conferences offered in a foreign country. Foreign travel per se, is not CIMCE eligible.</p>
<p>Page 18 11.0 Professional Conference and Interpreter Vacations</p>	<p>Recommend that interpreter vacation applications or conferences held outside the US only be approved if submitted by the vacation/conference provider (and subsequently approved by CIP)</p> <p>Note: Attendees are not guaranteed approval if they submit an application for attending an interpreter vacation or conference.</p>
<p>Page 13 6.0 Inactive Status</p>	<p>CIP no longer accepts retroactive annual renewal fees from inactive interpreters, they are to be paid during the annual renewal cycle.</p> <p>Note: Inactive interpreters pay a reduced annual renewal fee during the standard compliance cycle. Fee is \$50 (half the regular fee).</p> <p>Text currently reads in the old requirements: Retroactive payment for the period of inactive status may be accepted and must be received before active status is regained.</p>
<p>NA</p>	<p>References to the Court Interpreters Advisory Panel (CIAP) be removed which indicate that CIAP is consulting with ongoing CIP work regarding: exemptions to the 40 hour professional assignments; consulting on all denied CIMCE applications; on CIMCE courses deemed not relevant; and reviewing approved courses every quarter, with the understanding that in some cases consultation with the CIAP chair and/or legal services may be required in those instances where needed or requested?</p>

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Page in Updated Compliance Requirements	CIAP recommends that:
	<p>Current text in old requirements reads as follows: (deleted section lined out)</p> <p>2.7.3 Registered interpreters who cannot complete 40 court-related professional interpreting assignments because of a limited need for their languages by the courts may be eligible for an exemption. Exemptions are granted by the Judicial Council in consultation with the Court Interpreters Advisory Panel on a case-by-case basis.</p> <p>7.1 If a question of relevancy or content arises, the Judicial Council will consult with members of the Court Interpreters Advisory Panel to resolve the issue.</p> <p>7.7 Each quarter, the Judicial Council may provide the Court Interpreters Advisory Panel with a list of newly approved courses for its review and comment.</p>
<p>10</p> <p>3.5 Computation of CIMCE Credit</p>	<p>The maximum allowed CIMCE hours granted per day to go from 6 hours to 8 hours, at the discretion of CIP</p> <p>Note: Provided that appropriate breaks or meals included in the agenda/ syllabus. Courts have often asked for more than the 6-hour maximum as well as conferences that have evening sessions.</p> <p>Text will now read:</p> <p>The maximum CIMCE credit approved per day is generally 6 hours. Credit may be awarded for up to 8 hours per day at the discretion of CIP for conferences or other educational activities.</p>
<p>For expanded list of Professional Assignments</p> <p>Appendix B Page 22</p> <p>Meeting materials includes list of Professional Assignments</p>	<p>That professional assignments be expanded to include additional those professional assignments as listed in Appendix B, as recommended by the subcommittee.</p> <p>Note: The subcommittee greatly expanded the list to include other types of interpreting assignments and other court related assignments. Previously what was listed was:</p> <p>Each day of a multiday trial counts as a separate assignment. Other examples of court-related assignments include depositions, deposition preparation sessions, administrative hearings, workmen’s compensation hearings, in-custody interviews, proffer (exchange of information) sessions, witness conferences, probation department encounters, and mediation or arbitration sessions.</p>

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The following are possible points for future consideration

- Late Fees (\$50) and Reinstatement Fee (\$250) review these fees which are assessed for non-compliance. How do they compare with other states? (Research required)
- Should we shorten the compliance cycle? (Currently Sep-June, with late fees starting in Jan thru the last day in March) Reinstatement is \$250 Apr- June.
- Should we reassess the penalties and consequences? Is it efficient?
- Should we drop the \$100 enrollment fee for newly credentialed interpreters to encourage coming onto the Master List? (What is the motivation to enroll on the Master List, you pay annual renewal fees soon after)
- Should interpreters have to fulfill a determined number of ethics courses every two years? (2 hours? 3 hours?) What if JC provided on-line course?
- Other issues that that the sub-committee may identify?

Appendix B: List of Professional Assignments

Government Code 68562(d) provides, in part, that “[t]he Judicial Council shall adopt standards and requirements for interpreter proficiency, continuing education, certification renewal, and discipline.”

To maintain proficiency in the duties required of a court interpreter, and to meet compliance requirements, California certified court and registered interpreters are to complete 40 professional assignments every two years. (See section 4.1, *Waiver to Professional Interpreting Assignments Requirement*)

A *professional assignment* is an interpreting event that involves a legal case or other structured interaction between a limited-English-proficient (LEP) individual and a third party and that requires professional or technical interpretation in person, by video, or telephonically.

Examples of interpreting events include:²¹

1. Any federal, state, tribal, or administrative court proceedings, within or outside California,²² where:
 - a. Interpreters seeking approval of professional assignments performed outside the United States must retain and submit appropriate documentation, if requested, reflecting that they interpreted into (or from) English; and
 - b. Administrative court proceedings include immigration court proceedings, Social Security Administration and similar federal agency hearings, and California administrative agency proceedings such as those involving workers’ compensation, Office of Administrative Hearings, Department of Industrial Relations, Unemployment Insurance Appeals Board, and Department of Motor Vehicles;
2. Court-ordered or court-operated services, where LEP court users ordered to participate require interpreter services to access the service, including family court services orientation, rehabilitation services (anger management, substance abuse), and court-ordered traffic school;
3. Interactions between counsel and LEP clients/defendants to litigate a legal case, including:
 - a. Depositions and deposition preparation sessions where the LEP client is present,
 - b. Case preparation sessions with attorneys (with the LEP client present),
 - c. In-custody interviews (also known as “jail house” interviews),

²¹ Please contact the Court Interpreters Program at courtinterpreters@jud.ca.gov for any questions regarding professional assignments.

²² Each day of a multiday trial counts as one professional assignment.

- d. Mediation sessions or arbitration hearings,
 - e. Settlement conferences,
 - f. Probation department interviews,
 - g. Witness conferences, and
 - h. Psychiatric or other medical evaluations;
- 4. Self-help center services and training; and
 - 5. Professional conferences (interpreting services for speaker presentations, workshops, or panels).

All interpreters must retain documentation verifying the completion of 40 professional assignments for five years and submit it to the Court Interpreters Program, if requested.

DRAFT



Continuing Education and Professional Assignment Compliance Form for California Certified and Registered Court Interpreters

Interpreter Name: _____

Address: _____

City: _____

State: _____

Email: _____

Primary ph# _____

Other ph# _____

Badge Number: _____

I declare under penalty of perjury, under the laws of the State of California that the following is true and correct

For the compliance period ending December 31, 2019:

I have completed thirty (30) hours of Court Interpreter Program approved continuing education activities as per the *Compliance Requirements for Certified Court and Registered Interpreters*

I have completed forty (40) court-related or other qualifying professional interpreting assignments as per the *Compliance Requirements for Certified Court and Registered Interpreters*

Today's Date: _____

Print Name

Signature

I understand the Judicial Council of California's Court Interpreters Program has the right to conduct an audit and that I must maintain records verifying that I have completed all compliance requirement for five (5) years. Failure to provide documentation as requested could result in the imposition of sanctions up to and including suspension or revocation of my interpreting credential.

I have read and understand the *Compliance Requirements for Certified Court and Registered Interpreters* (add link when new ones posted)

Please retain a copy of this form for your records; form must be received by the last business day in December to avoid late fees.