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**Judicial Council of California**

ADMINISTRATIVE OFFICE OF THE COURTS

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OF THE COURTS (SAC)

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*Chief Justice of California*  
*Chair of the Judicial Council*

WILLIAM C. VICKREY  
*Administrative Director of the Courts*

RONALD G. OVERHOLT  
*Chief Deputy Director*

February 28, 2007

Ms. Diane F. Boyer-Vine  
Legislative Counsel  
State of California  
State Capitol, Suite 3021  
Sacramento, California 95814

Mr. Michael C. Genest  
Director, Department of Finance  
State Capitol, Room 1145  
Sacramento, California 95814

Mr. Gregory P. Schmidt  
Secretary of the Senate  
State Capitol, Room 400  
Sacramento, California 95814

Mr. E. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California 95814

Re: Annual Report of Trial Court Interpreters Program Expenditures for Fiscal Year 2005–2006

Dear Ms. Boyer-Vine, Mr. Genest, Mr. Schmidt, and Mr. Wilson:

Enclosed is the Judicial Council report required pursuant to item 0250-101-0932, provision 4 of the Budget Act of 2005 (Stats. 2005, ch. 38) on trial court interpreter expenditures for fiscal year 2005–2006.

February 28, 2007

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If you have any questions related to this report, please contact Kenneth L. Kann, Director, Executive Office Programs Division, at 415-865-7661.

Sincerely,

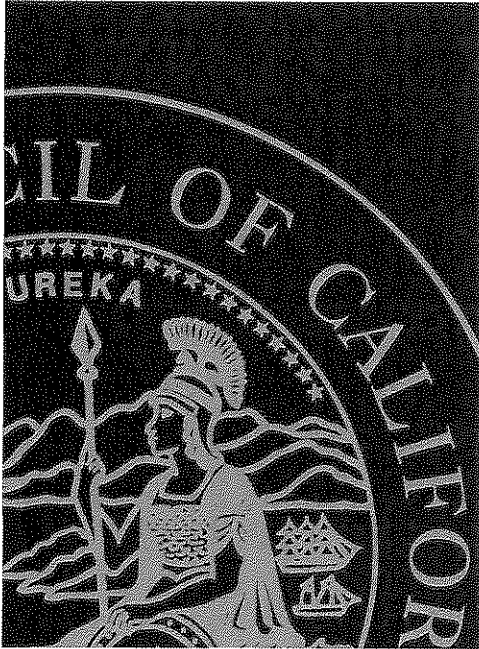
A handwritten signature in black ink, appearing to read "W. Vickrey", with a long horizontal line extending to the right from the end of the signature.

William C. Vickrey  
Administrative Director of the Courts

WCV/LS/MG

Enclosure

cc: Members of the Judicial Council  
Kathleen T. Howard, Director, Office of Governmental Affairs  
Judicial Administration Library (2 copies)



# **Trial Court Interpreters Program Expenditure Report for Fiscal Year 2005–2006**

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REPORT TO THE LEGISLATURE  
February 2007



JUDICIAL COUNCIL  
OF CALIFORNIA

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ADMINISTRATIVE OFFICE  
OF THE COURTS

## **I. Mandate**

Item 0250-101-0932, provision 4 of the Budget Act of 2005 (Stats. 2005, ch. 38) provides that “[t]he Judicial Council shall report to the Legislature and Director of the Department of Finance annually regarding expenditures from this schedule.” In fulfillment of that provision, this report details expenditures from the Trial Court Trust Fund (TCTF), schedule program 45.45,<sup>1</sup> Court Interpreters.

## **II. Funding**

The act appropriated \$72.233 million from the TCTF for court interpreters for fiscal year 2005–2006. This included an increase of \$4.498 million or 6.44 percent over the prior year’s baseline of \$67.735 million. The increase was calculated by the Department of Finance using the State Appropriations Limit (SAL) formula. The Judicial Council then allocated additional baseline and one-time funds to the program. First, it made a technical correction that slightly reduced the SAL increase to \$4.362 million. However, in anticipation of even greater costs of full benefits for the first year of collective bargaining, it increased baseline funding by \$10.633 million from other discretionary SAL funding, bringing the baseline total to \$82.730 million. Then, to ensure sufficient funds for the first year, the AOC allocated an additional one-time funding of \$5.5 million, bringing the total fiscal year 2005–2006 allocation to \$88.230 million. The total amount was available to pay for expenditures on qualifying line items.<sup>2</sup>

Qualifying line items are limited to four basic types of expenditures:

Contract court interpreters and their per diem, including travel;

Staff interpreters (those employed by the trial courts), benefits, and their travel;

Court interpreter coordinators (limited by item 0250-101-0932, provision 4 of the act, to one personnel year (PY) each in counties of the 1st through 15th classes, 0.5 PY each in counties of the 16th through 31st classes, and 0.25 PY each in counties of the 32nd through the 58th classes); and

Four court interpreter supervisor positions: two in Los Angeles County, one in Orange County, and one in San Diego County that were funded by a fiscal year 2003–2004 budget change proposal in support of Senate Bill 371. These are the only positions funded under program 45.45 that include funding for standard operating expenses and equipment (OE&E).

The Judicial Council does not currently reimburse trial courts for the cost of supervisors, administrative overhead, or any OE&E, except for the contractual services, travel, and standard complement items noted above in items a, b, and d, respectively. Trial courts must

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<sup>1</sup> Formerly program 45, under organization code 0450. Fiscal year 2005–2006 is the first year of the organization and program numbering change.

<sup>2</sup> Qualifying line items are limited to those within personal services, contractual interpreter services, and travel. All other line items, such as training, electronic data processing services, equipment, etc. may be reported by the court but are not considered for reimbursement from this program.

absorb all other OE&E expenditures and, except as noted, all supervisory expenditures associated with converting contract interpreters to employees of the court.

### **III. Methodology**

Court interpreter funding is pooled in a statewide account and allocated to the trial courts on a reimbursement basis. Trial courts report their expenditures in their Quarterly Financial Statements (QFS) and are then reimbursed for their allowable expenditures, to the extent that funding is available. Attachment 1 provides a summary, by trial court, of the major reimbursable categories, as stated in items a through d, above.

In addition to their QFS submissions, each trial court reports its nonallowable personal services costs along with grants and reimbursements that offset some of its otherwise qualifying expenditures. The difference between those amounts and the court's total gross expenditures on the qualifying line items equals the total net allowable reimbursement allocated to each court under program 45.45 funding.

Allocation payments are made monthly to the trial courts based on estimated year-end projections from the most recent four quarters of the QFS. At the end of the year, adjustments are made to increase or decrease final allocations to align total payments with actual net allowable expenditures. For fiscal year 2005–2006, all courts received full reimbursement of their net allowable costs.

### **IV. Expenditures**

The Judicial Council established statewide standards for contract interpreter pay and authorized increases in the amount paid for full-day and half-day interpreting, effective January 1, 1999. Two additional increases were authorized and made effective on July 1, 1999, and July 1, 2000. Certified and registered interpreters are currently paid 32.5 percent more for a full day of interpreting than they were when the Judicial Council first established statewide standards for interpreter pay in January 1999. Certified and registered interpreters are paid \$265 for a full day and \$147 for a half day. Noncertified and nonregistered interpreters are paid \$175 for a full day and \$92 for a half day<sup>3</sup>.

A significant change to the provision of interpreter services was the enactment of SB 371 in 2002 (Stats. 2002, ch. 1047), which required trial courts to establish staff interpreter positions and offer employment to qualified contract interpreters, under prescribed conditions. As a result, trial courts began hiring contract interpreters as staff interpreters.

Total gross expenditures reported for all allowable costs are \$78.625 million. Adjustments to this amount included an increase of \$50,000 to provide for supervisor OE&E for the four courts identified in item d above, and a reduction of \$873,296 in interpreter coordinator costs

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<sup>3</sup> In comparison, current federal rates are \$355 full day/\$192 half day for certified interpreters, and \$171 full day/\$92 half day for noncertified.

that were above the limit, as explained in item c. The total was further reduced by \$1.924 million in court reimbursements and grants from other funding sources. Combined, these adjustments constituted a reduction of \$2.747 million, resulting in a net statewide allowable expenditure of \$75.878 million<sup>4</sup> for program 45.45:

\$78,625,000 Gross court expenditures  
 + 50,000 Court supervisory OE&E  
 - 873,296 Court coordinator costs above limit  
 - 1,924,000 Court reimbursements and grants  
 \$ 75,877,704 Net statewide allowable expenditures

Table 1 illustrates the significant shift in expenditures from contract per diems to staff salaries and benefits since enactment of SB 371. The table highlights the gross costs just for salaries, benefits, and contractor per diems.

**Table 1. Shift From Contract to Staff Interpreters**

	FY 02-03	FY 03-04	FY 04-05	FY 05-06
Gross Staff Salaries	4,118,601	34,729,477	38,956,263	44,380,894
Gross Benefits	114,129	3,087,417	3,831,914	13,823,265
Contract Per Diems	57,873,346	25,095,414	20,568,476	18,551,651
<b>Total</b>	<b>62,106,076</b>	<b>62,912,308</b>	<b>63,356,653</b>	<b>76,755,810</b>

Gross Sal. & Ben.	6.82%	60.11%	67.54%	75.83%
Contract	93.18%	39.89%	32.46%	24.17%
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>

For fiscal years 2003-2004 and 2004-2005, benefits for the newly created positions were limited to workers' compensation, unemployment insurance, and OASDI. However, for fiscal year 2005-2006 and beyond, full benefits were secured through the collective bargaining process. As a result, benefit costs increased sharply for fiscal year 2005-2006, as can be seen in table 2 below, which expresses in percent the year-to-year change in line item expenditures.

**Table 2. Percent Change in Expenditures**

	FY 02-03 to FY 03-04	FY 03-04 to FY 04-05	FY 04-05 to FY 05-06
Gross Staff Salaries	743.23%	12.17%	13.92%
Gross Benefits	2605.20%	24.11%	260.74%
Contract Per Diems	-56.64%	-22.01%	-9.81%

<sup>4</sup> This amount equals the net statewide program total reported on attachment I, under, "Net Adjusted Allowable Expenditures Not Reimbursed by Other Funds."

In addition to full benefits, in fiscal year 2005–2006, labor unions bargained for salary increases through the normal negotiation process. Agreements varied by court and most were implemented sometime during the course of the year. The annualized cost of these increases, as well as any subsequently negotiated increases, will be seen in fiscal year 2006–2007.

## **V. Conclusion**

While the \$72.233 million appropriated in the act was insufficient to cover the \$75.878 million in net allowable program expenditures, the difference was more than offset by the Judicial Council’s additional \$16.133 million allocation for court interpreters. However, sufficient funding for future years is not guaranteed. Costs are expected to continue to rise as both salaries and benefits for staff interpreters are now eligible for labor negotiation and as contract interpreters seek an increase in the daily rate. The demand for interpreter services is also expected to increase as the state’s limited-English-speaking population continues to grow.

In addition to these anticipated increases in interpreter costs and in demand for services, future program costs will significantly increase if the scope of legally mandated interpreter services is expanded to include civil matters. As noted, under current law court-provided interpreters are assigned in criminal, misdemeanor, and juvenile dependency cases. However, the Judicial Council is working with the Governor, the Legislature, and stakeholders to expand the legal right of court-provided interpreters for all civil proceedings, to ensure that every person has meaningful access to justice, regardless of their fluency in English. The AOC is working to estimate the cost of this expansion and will present its findings to policymakers later in the year.

Attachment 1  
Fiscal Year 2005-2006  
Court Interpreters  
Program 45.45  
Year-End Expenditures Report\*

Court	Staff Interpreter and Coordinator Salaries	Staff Interpreter and Coordinator Benefits	Total Staff Salaries & Benefits	Staff Interpreter Work at Other Courts	Total Per Diem All Contractor Types	Staff Interpreter Travel	Contract Interpreter Travel	Total All Travel	Total Gross Expenditures of All Allowable Line Items	Adjustment for Supervisor OE&E*	Less Adjustment for Coordinator Expenditures in Excess of Cap	Expenditures as Adjusted for OE&E and Excess Coordinator Cap	Less Reimbursed Grants	Reimbursed Staff Interpreter Work at Other Courts	Net Adjusted Allowable Expenditures Not Reimbursed by Other Funds
Alameda	1,338,066	501,462	1,839,529	-	689,862	1,997	52,155	54,152	2,583,542	-	-	2,583,542	(19,538)	-	2,564,004
Alpine	-	-	-	-	3,602	-	279	279	3,881	-	-	3,881	-	-	3,881
Amador	-	-	-	-	18,727	-	2,241	2,241	20,968	-	-	20,968	-	-	20,968
Butte	20,140	6,264	26,404	-	80,215	-	50,406	50,406	157,025	-	-	157,025	(17,203)	-	139,822
Calaveras	3,121	1,540	4,660	-	6,787	-	1,484	1,534	12,981	-	-	12,981	-	-	12,981
Colusa	5,540	3,005	8,545	-	71,110	-	10,260	10,260	89,915	-	-	89,915	-	-	89,915
Contra Costa	382,871	134,259	517,131	9,114	512,635	793	36,570	37,364	1,076,244	-	-	1,076,244	(53,063)	-	1,023,181
Del Norte	2,778	902	3,680	-	86,377	-	12,111	12,111	26,855	-	-	26,855	(1,511)	-	25,344
El Dorado	53,584	19,571	73,155	-	140,600	945	20,588	21,534	171,644	-	-	171,644	(3,000)	-	168,644
Fresno	1,866,995	456,778	2,323,773	-	86,657	2,254	19,118	19,118	2,285,906	(4,483)	-	2,281,424	(11,594)	-	2,269,829
Glenn	8,612	4,516	13,128	-	55,260	-	16,485	16,739	118,904	-	-	118,904	(17,745)	-	101,159
Humboldt	-	-	-	-	162,113	136	81,551	81,688	548,572	-	-	548,572	(27,355)	-	521,217
Imperial	226,220	78,551	304,771	-	10,102	-	3,294	3,294	13,693	-	-	13,693	(408)	-	13,285
Inyo	863,756	419,967	1,283,723	165	403,768	969	51,235	52,205	1,739,860	-	-	1,739,860	(14,274)	-	1,725,586
Kern	63,211	12,459	75,670	-	118,356	27	9,027	9,054	203,079	-	-	203,079	(2,220)	-	200,859
Kings	4,972	582	5,554	-	48,295	360	14,843	15,203	69,052	-	-	69,052	(5,564)	-	63,488
Lake	15,694	5,208	20,902	-	15,001	-	10,455	10,455	46,358	-	-	46,358	-	-	46,358
Lassen	20,116,907	6,663,629	26,780,537	-	4,352,856	87,614	150,991	238,605	31,371,997	25,000	(187)	31,396,997	(894,718)	-	30,502,279
Los Angeles	291,895	78,416	370,311	-	45,120	415	5,391	5,806	421,237	-	-	421,237	(25,005)	-	396,232
Madera	291,895	78,416	370,311	-	119,318	-	8,660	8,660	463,878	-	-	463,878	(5,822)	-	458,056
Marin	260,716	74,240	334,956	944	7,357	-	14,950	14,950	222,806	-	-	222,806	-	-	222,806
Mariposa	69,461	29,373	98,834	-	109,006	15	22,304	22,351	620,805	-	-	620,805	(20,289)	-	600,515
Mendocino	223,254	58,202	281,456	-	318,997	47	151	151	4,160	-	-	4,160	-	-	4,160
Merced	-	-	-	-	4,009	-	7,372	7,372	36,357	-	-	36,357	-	-	36,357
Modoc	26,332	2,259	28,591	-	394	-	61,883	61,883	743,145	-	-	743,145	(32,339)	-	710,806
Monro	166,954	53,627	220,581	-	460,681	-	12,694	12,699	338,396	-	-	338,396	-	-	338,396
Monterey	157,013	64,894	221,907	-	103,690	4	5,589	5,589	83,082	-	-	83,082	(14,925)	-	68,156
Napa	21,477	14,163	35,640	-	41,853	-	45,059	45,059	6,716,353	12,500	(57,927)	6,670,926	(204,083)	-	6,466,833
Nevada	3,821,912	995,778	4,817,690	14,798	1,825,137	13,669	32,269	32,269	384,138	-	-	384,138	(3,397)	-	380,741
Orange	-	-	-	-	351,870	-	2,854	2,854	25,291	-	-	25,291	(92)	-	25,199
Placer	-	-	-	-	740,170	885	108,002	108,887	2,476,033	-	-	2,476,033	(85,171)	-	2,390,862
Plumas	1,287,026	339,351	1,626,377	-	851,452	18,940	71,666	90,607	2,736,087	-	-	2,736,087	(88,708)	-	2,647,379
Riverside	1,484,097	309,931	1,794,028	-	90,231	-	11,843	11,843	106,527	-	-	106,527	-	-	106,527
Sacramento	2,297,615	699,570	2,997,185	-	443,096	-	144,021	144,021	3,596,144	-	-	3,596,144	(73,479)	-	3,522,665
San Benito	1,130,544	1,130,544	2,261,088	-	605,201	12,882	12,106	12,882	4,817,687	12,500	-	4,817,687	(183,294)	-	4,634,393
San Bernardino	3,056,560	1,448,000	4,504,560	-	659,371	-	41,268	41,268	1,824,153	-	-	1,824,153	(53,163)	-	1,770,990
San Diego	1,008,338	144,800	1,153,138	-	5,672	4,689	41,268	45,957	1,052,945	-	-	1,052,945	(8,739)	-	1,044,206
San Francisco	457,050	138,722	595,772	-	238,155	1,048	25,395	26,443	250,028	-	-	250,028	(6,762)	-	243,266
San Joaquin	579,593	165,045	744,638	-	463,908	-	8,269	8,269	1,241,559	-	-	1,241,559	(68,809)	-	1,172,750
San Luis Obispo	403,809	105,035	508,844	-	368,285	-	30,853	30,853	907,982	-	-	907,982	(17,090)	-	890,892
San Mateo	1,541,126	340,609	1,881,735	-	858,689	-	62,195	62,195	2,810,847	-	-	2,810,847	(164,204)	-	2,646,643
Santa Barbara	318,404	78,289	396,693	-	233,977	1,391	35,922	37,313	670,362	-	-	670,362	(5,515)	-	664,847
Santa Clara	10,348	828	11,176	-	1,041	526	24,369	24,915	117,161	-	-	117,161	-	-	117,161
Santa Cruz	-	-	-	-	1,041	-	363	363	1,404	-	-	1,404	(314)	-	1,090
Shasta	11,381	6,312	17,693	-	42,985	-	24,542	24,542	85,219	-	-	85,219	-	-	85,219
Sierra	116,858	47,895	164,753	-	233,608	-	16,980	16,980	415,340	-	-	415,340	(9,948)	-	405,392
Siskiyou	508,949	181,771	690,720	-	390,937	3,056	36,041	39,096	1,120,753	-	-	1,120,753	(1,826)	-	1,118,927
Solano	320,125	79,062	399,187	-	22,236	71	22,460	22,531	581,754	-	-	581,754	(9,000)	-	572,754
Sonoma	89,487	25,623	115,109	-	52,908	-	11,628	11,628	180,450	-	-	180,450	(11,705)	-	168,745
Stanislaus	-	-	-	-	805	-	-	-	-	-	-	-	-	-	-
Sutter	-	-	-	-	805	-	-	-	-	-	-	-	-	-	-

\*Compiled by the Administrative Office of the Courts, Court Interpreters Program.  
\*\*Supervisor Operating Expenses and Equipment is provided to Los Angeles, Orange, and San Diego pursuant to an FY 2002-2003 BCP for support of SB 371.



Fiscal Year 2005-2006  
 Court Interpreters  
 Program 45.45  
 Year-End Expenditures Report\*

Attachment 1

Court	Staff Interpreter and Coordinator Salaries	Staff Interpreter and Coordinator Benefits	Total Staff Salaries & Benefits	Staff Interpreter Work at Other Courts	Total Per Diem All Contractor Types	Staff Interpreter Travel	Contract Interpreter Travel	Total All Travel	Total Gross Expenditures of All Allowable Line Items	Adjustment for Supervisor OE&E*	Less Adjustment for Coordinator Excess of Cap	Expenditures as Adjusted for OE&E and Excess Coordinator Cap	Less Reimbursed Grants	Reimbursed Staff Interpreter Work at Other Courts	Net Adjusted Allowable Expenditures Not Reimbursed by Other Funds
Tehama	80,849	13,918	94,767	1,877	27,731	365	6,109	6,473	130,849	-	-	130,849	-	-	130,849
Trinity	3,834	1,743	5,577	-	-	-	-	-	5,577	-	-	5,577	-	-	5,577
Tulare	487,170	128,906	616,076	1,987	328,231	1,384	24,244	25,608	969,902	-	-	969,902	(44,930)	-	924,972
Tuolumne	13,934	7,560	21,494	-	9,131	-	4,590	4,590	35,216	(779)	(779)	34,436	-	-	34,436
Ventura	398,344	156,121	554,465	6,054	642,051	900	37,374	38,274	1,240,845	(26,291)	(26,291)	1,214,553	(13,122)	-	1,201,431
Yolo	90,983	29,292	120,254	356	278,324	142	45,950	46,093	445,027	(30,234)	(30,234)	414,793	(39,367)	-	375,426
Yuba	37,473	11,679	49,151	-	30,250	31	6,896	6,927	86,328	(28,436)	(28,436)	57,892	(2,646)	-	55,246
Total	44,426,614	13,826,838	58,253,452	85,304	18,551,651	187,429	1,567,346	1,734,775	78,625,182	50,000	(873,296)	77,801,885	(1,902,178)	(21,772)	75,877,935

\*Compiled by the Administrative Office of the Courts, Court Interpreters Program.  
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