

Court Interpreters Advisory Panel- DRAFT
Annual Agenda—2017

I. ADVISORY BODY INFORMATION

Chair:	Hon. Brian McCabe
Vice Chair:	Mr. Shawn Landry
Staff:	Ms. Sonia Sierra Wolf, Lead Staff, Court Interpreters Advisory Panel Ms. Anne Marx, Lead Staff, Language Access Subcommittee Ms. Olivia Lawrence, Principal Manager, Court Operations Services
<p>Advisory Body's Charge: Consistent with the general responsibilities of advisory bodies generally under rule 10.34, the Court Interpreters Advisory Panel (CIAP) makes recommendations to the Judicial Council on the following two topics:</p> <ol style="list-style-type: none">1. Interpreter use and need in court proceedings<ol style="list-style-type: none">a. Including: Review and make recommendations to the Judicial Council on the findings of the Language Need and Interpreter Use study in court proceedings, conducted by the Judicial Council every five years under Government Code section 68563.2. Certification, registration, renewal of certification and registration, testing, recruiting, training, continuing education, and professional conduct of interpreters. <p style="text-align: right;"><i>(Government Code §68561-68565 and California Rule of Court 10.51)</i></p>	

Advisory Body’s Membership: 11 Member Panel – Rule of Court 10.51 provides that the Court Interpreters Advisory Panel will consist of 11 members, a majority of whom must be court interpreters. The panel must include the following categories:

- One appellate court justice;
- Two trial court judges;
- Two court administrators, including at least one trial court executive officer;
- Four certified or registered court interpreters working as employees in the trial courts, one from each of the four regions established by Government Code section 71807; and
- Two certified or registered court interpreters in a language other than Spanish, each working either in a trial court as an independent contractor or in an educational institution.

The Chief Justice may also appoint nonmember advisors to assist panel. Currently, CIAP membership includes four advisory non-voting positions, each offering a perspective not represented by the voting members:

- A representative of those who serve the deaf and hard of hearing community;
- A representative of court users of interpreter services, such as a public defender, legal aid attorney, or other public advocate;
- A representative familiar with the hands-on supervision of day-to-day court interpreter operations; and
- A representative with legal experience within the court. (In the past, this position has been filled by a representative in the field of interpreter education.)

Subcommittees/Working Groups: *[List the names of each subgroup/working group, including groups made up exclusively of advisory body members and joint groups with other advisory bodies, and provide additional information about the subgroups/working groups in Section IV below. To request approval for the creation of a new subgroup/working group, include “new” before the name of the proposed subgroup/working group and describe its purpose and membership in section IV below.¹]*

1. Professional Standards and Ethics (Established 1999 under name of *Interpreter Standards and Procedures*)
2. Language Access Subcommittee (approved 2013)

In addition, CIAP is collaborating with the following subcommittee from the Language Access Plan Implementation Task Force (LAPITF):

3. The Budget and LAP Monitoring Subcommittee (collaboration on project #1)

¹ California Rules of Court, rule 10.30 (c) allows an advisory body to form subgroups, composed entirely of current members of the advisory body, to carry out the body's duties, subject to available resources, with the approval of its oversight committee.

Advisory Body's Key Objectives for 2017:

1. Develop Court Interpreter post-credential discipline process: Continuation
2. Revise Rule of Court 2.893 *Use of Noncertified and Nonregistered Spoken Language Interpreters* and Applicable Forms: Continuation
3. Develop Limited English Proficient Party waiver of court appointed interpreter services
4. Update *Guidelines for Approval of Certification Programs for Interpreters for Deaf and Hard of Hearing Persons*
5. Update *Recommended Guidelines for the Use of Deaf Intermediary Interpreters*
6. Develop a policy for de-designation of certified languages

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II. ADVISORY BODY PROJECTS

#	Project ²	Priority ³	Specifications	Completion Date/Status	Describe End Product/Outcome of Activity
1	<p><u>Develop Court Interpreter Post-Credential Discipline Process:</u> Continue work on developing a comprehensive proposal and for a post-credential discipline procedures. The proposal will outline a process through which the quality and accuracy of an interpreter’s skills and adherence to ethical requirements can be fairly reviewed. Proposal will include recommended modifications to existing Rule of Court 2.891 and possibly Rule of Court 2.890, and/or new rules, in addition to the recommended guidelines and procedures. Recommendation may also</p>	1	<p><u>Judicial Council Direction:</u> <u>GC §68562 (d)</u> The Judicial Council shall adopt standards and requirements for interpreter proficiency, continuing education, certification renewal, and discipline. The Judicial Council shall adopt standards of professional conduct for court interpreters.</p> <p><u>GC§68564 (g)</u> The Judicial Council shall establish a procedure for Judicial Council and local court review of each court interpreter's skills and for reporting to the certification entity the results of the review.</p> <p><u>Judicial Branch Strategic Plan Goal IV:</u> Quality of Justice and Service to the Public</p>	<p><u>Anticipated Completion Date:</u> <u>January, 2019</u></p> <p>This work is ongoing from prior year.</p> <p>It may be possible to complete initial proposal drafts by the end of 2017, with review and revisions in 2018, and a potential implementation date of early 2019. However, this project will involve extensive work across subject matter areas, in addition to engagement of stakeholders and</p>	<p>A comprehensive <i>post-credential discipline process</i> proposal for review and consideration by the Judicial Council. Proposal is anticipated to include: Revised Rules of Court and/or new Rules of Court; policies and procedures; and, may include proposed legislation as needed. Proposal will include a forecast and analysis of projected costs of implementation and funding needs. A</p>

² All proposed projects for the year must be included on the Annual Agenda. If a project implements policy or is a program, identify it as *implementation* or a *program* in the project description and attach the Judicial Council authorization/assignment or prior approved Annual Agenda to this Annual Agenda.

³ For non-rules and forms projects, select priority level 1 (must be done) or 2 (should be done). For rules and forms proposals, select one of the following priority levels: 1(a) Urgently needed to conform to the law; 1(b) Urgently needed to respond to a recent change in the law; 1(c) Adoption or amendment of rules or forms by a specified date required by statute or council decision; 1(d) Provides significant cost savings and efficiencies, generates significant revenue, or avoids a significant loss of revenue; 1(e) Urgently needed to remedy a problem that is causing significant cost or inconvenience to the courts or the public; 1(f) Otherwise urgent and necessary, such as a proposal that would mitigate exposure to immediate or severe financial or legal risk; 2(a) Useful, but not necessary, to implement statutory changes; 2(b) Helpful in otherwise advancing Judicial Council goals and objectives.

#	Project ²	Priority ³	Specifications	Completion Date/Status	Describe End Product/Outcome of Activity
	<p>include proposed legislation as appropriate.</p> <p>The approach will be complaint based, initiated at the local court level. Procedures will ensure due process, including an appeal and review process, and will comport with all laws and be informed by labor agreements. The proposal will outline criteria and clear standards that establish grounds for a disciplinary process. It is anticipated that the proposal will outline graduated sanctions up to, and including, the permanent revocation of an interpreters' certified or registered status, warranting removal from the Master List.</p> <p>Funding: Costs of implementing this process may be substantial. The proposal will include an analysis of likely costs, as well as additional staffing needs likely to be necessary to implement the proposal.</p>		<p>Supports Operational Objective 2: Promote public trust and confidence by establishing and maintaining high standards of professionalism and ethics.</p> <p>Origin of Project: The origin for this project is embodied in existing Government Code GC §68562 (d) and GC§68564 (f), and Rule of Court 2.891.</p> <p>On January 22, 2015, the Judicial Council adopted the Strategic Plan for Language Access in the California Courts (LAP) recommendation #64:</p> <p>Complaints regarding court interpreters: <i>The Judicial Council, together with stakeholders, will develop a process by which the quality and accuracy of an interpreter's skills and adherence to ethical requirements can be reviewed. This process will allow for appropriate remedial action, where required, to ensure certified and registered interpreters meet all qualification standards. Development</i></p>	<p>forecasting a firm date for implementation is difficult.</p>	<p>recommendation will be included of an entity outside the Judicial Branch (for example: Office of Administrative Hearings) to be involved in the proposed procedures.</p>

#	Project ²	Priority ³	Specifications	Completion Date/Status	Describe End Product/Outcome of Activity
	<p>Note: This project takes into account the requirements established by GC§71811 Trial Court Interpreter Employment and Labor Relations Act, and regional Memoranda of Understanding.</p> <p>Text of Rule 2.891 <i>Periodic review of court interpreter skills and professional conduct</i> <i>Each trial court must establish a procedure for biennial, or more frequent, review of the performance and skills of each court interpreter certified under Government Code section 68560 et seq. The court may designate a review panel, which must include at least one person qualified in the interpreter's language. The review procedure may include interviews, observations of courtroom performance, rating forms, and other evaluation techniques.</i></p>		<p><i>of the process should include determination of whether California Rule of Court 2.891 (regarding periodic review of court interpreter skills and professional conduct) should be amended, repealed, or remain in place. Once the review process is created, information regarding how it can be initiated must be clearly communicated to court staff, judicial officers, attorneys, and in plain language to court users (e.g., LEP persons and justice partners).</i></p> <p>It is anticipated the proposal will include a recommendation of an entity outside the judicial branch to be involved in certain processes surrounding complaint review, assessment of sanctions, and due process hearings, to the degree allowed by the Judicial Branch Contracting Manual.</p> <p>Resources:</p> <ul style="list-style-type: none"> • Legal Services Office and RUPRO staff (not assigned); • LAPITF Budget and LAP Monitoring Subcommittee (has 		

#	Project ²	Priority ₃	Specifications	Completion Date/Status	Describe End Product/Outcome of Activity
	<p><i>Rule 2.891 amended and renumbered effective January 1, 2007; adopted as rule 984 effective July 1, 1979; previously amended effective January 1, 1996.</i></p> <p><u>Subcommittee: Professional Standards and Ethics</u></p>		<p>developed a statewide model complaint form and process);</p> <ul style="list-style-type: none"> • Communicate with and seek input from the Court Executives Advisory Committee (CEAC) regarding the development of appropriate review processes, procedures and tools; • Human Resource professionals in local courts (including court interpreter regional bargaining unit chairs) and within the Judicial Council staff; • Contractual services of NCSC to provide recommendations on interpreter assessment approaches and disciplinary procedures; • Input from CFI and Independent Interpreter Associations through public meetings and public comment once draft procedures are ready for public comments; and, • Additional stakeholders as appropriate for consultative purposes. 		

#	Project ²	Priority ₃	Specifications	Completion Date/Status	Describe End Product/Outcome of Activity
2	<p><u>Revise Rule of Court 2.893 Use of Noncertified and Nonregistered Spoken Language Interpreters and applicable forms</u></p> <p>Continue the comprehensive evaluation of existing Rule of Court 2.893 and applicable interpreter forms.</p> <p>Determine if Rule of Court 2.893 requires amendments; consider the possible scope of amendments and updates to current forms; and, consider development of additional forms, and make recommendations accordingly.</p> <p><u>Subcommittee: Language Access</u></p>	1(c)	<p><u>Judicial Council Direction:</u></p> <p>GC §68561 requires the use of certified and registered spoken language interpreters and outlines the process for provisional qualification of a noncertified /nonregistered spoken language interpreter. Effective January 1, 2015, legislative changes expanded the information required on the record and expanded the court’s authority to provide court interpreters in civil proceedings.</p> <p><u>Judicial Branch Strategic Plan</u></p> <p><u>Goal I:</u> Access, Fairness, and Diversity</p> <p><u>Operational Objective 5:</u> Increase qualified interpreter services in mandated court proceedings and seek to expand services to additional court venues; increase the availability of language-assistance services to all court users.</p> <p><u>Origin of Project:</u></p> <p>AB 1657: Interpreters in Civil Proceedings (Stats. 2014, ch.721; effective January 1, 2015)</p>	<p><u>Anticipated completion date: December 2017</u></p> <p><u>Effective date January 1, 2018.</u></p> <p>This work is ongoing from prior year.</p> <p>CIAP has completed its initial proposed revisions to Rule 2.893, regarding appointment of noncertified interpreters, INT-100, the instructions to related forms, INT-110, regarding qualifications of provisional interpreters, and the new INT-140, regarding temporary interpreters. As of March, 2017, these items are in the RUPRO public comment process. It is anticipated final changes and proposals</p>	<p>Provide the Judicial Council with recommendations on amendments to Rule of Court 2.893 and corresponding Judicial Council INT forms and instructions.</p>

#	Project ²	Priority ₃	Specifications	Completion Date/Status	Describe End Product/Outcome of Activity
			<p>Authorizes courts to provide interpreters to all parties in civil matters, regardless of income, and sets forth a priority order when courts do not have sufficient resources to provide interpreters for all LEP court users.</p> <p>AB 2370 (Stats. 2014, ch. 424; effective January 1, 2015) expanded upon the previous GC 68561 by requiring that certain statements be made on the record whenever an interpreter interprets in a court proceeding, including statements that confirm that the court is following the procedures for provisional qualification.</p> <p><u>LAP Recommendations:</u></p> <p>#9: Provisional qualification requirements; #19: Verifying credentials of interpreters; #69 Procedures and guidelines for good cause, and #70 Amend rule of court for appointment of interpreters in civil proceedings. (Refers to Rule of Court 2.893)</p>	<p>will be complete by the end of 2017 and will be effective January 1, 2018.</p> <p>CIAP's work includes only a partial review of INT-120, Court administration responsibilities to document unavailability of a certified or registered court interpreter. The subject matter has been referred to CEAC for further review and possible action.</p>	

#	Project ²	Priority ³	Specifications	Completion Date/Status	Describe End Product/Outcome of Activity
			<p>Resources: CEAC (Re: INT-120: not confirmed), TCPJAC, Regional Bargaining Unit Chairs, Court Subject Matter Experts, Legal Services, Human Resources Labor Relations Unit, Language Access Plan Implementation Task Force.</p>		
3	<p><u>Develop Limited English Proficient Party Waiver of Court Appointed Interpreter Services</u></p> <p>Develop a policy and process, per LAP recommendation #75, for an LEP litigant’s right to waive the services of a court appointed interpreter; including whether a corresponding Rule of Court is needed in order to implement the recommended policy.</p> <p><u>Subcommittee: Language Access</u></p>	2 (b)	<p><u>Judicial Branch Strategic Plan</u></p> <p><u>Goal I:</u> Access, Fairness, and Diversity</p> <p><u>Operational Objective 1:</u> Ensure that all court users are treated with dignity, respect and concern for their rights and cultural backgrounds, without bias or appearance of bias, and are given the opportunity to be heard.</p> <p><u>Origin of Project: LAP Recommendation #75:</u></p> <p>Policy regarding waiver of interpreter. The Implementation Task Force will develop a policy addressing an LEP court user’s request of a waiver of the services of an interpreter. The policy will identify standards to ensure that any waiver is knowing, intelligent, and voluntary; is made after the person has</p>	<p><u>Completion date unknown.</u></p> <p>Work may commence late 2017, contingent upon the completion of full review of revised Rule 2.893 and corresponding INT forms and staff availability.</p>	<p>Policy and process as specified in LAP recommendation #75, with a corresponding standardized waiver form. A new Rule of Court, if required, to implement the policy and process for requesting a waiver of a court interpreters services.</p>

#	Project ²	Priority ₃	Specifications	Completion Date/Status	Describe End Product/Outcome of Activity
			<p>consulted with counsel; and is approved by the appropriate judicial officer, exercising his or her discretion. The policy will address any other factors necessary to ensure the waiver is appropriate, including: determining whether an interpreter is necessary to ensure the waiver is made knowingly; ensuring that the waiver is entered on the record, or in writing if there is no official record of the proceedings; and requiring that a party may request at any time, or the court may make on its own motion, an order vacating the waiver and appointing an interpreter for all further proceedings. The policy shall reflect the expectation that waivers will rarely be invoked in light of access to free interpreter services and the Implementation Task Force will track waiver usage to assist in identifying any necessary changes to policy.</p> <p><u>Resources:</u></p> <ul style="list-style-type: none"> • Legal Services Office and RUPRO staff (not assigned) 		

#	Project ²	Priority ³	Specifications	Completion Date/Status	Describe End Product/Outcome of Activity
4	<p><u>Update Guidelines for Approval of Certification Programs for Interpreters for Deaf and Hard of Hearing Persons</u></p> <p>California will be reviewing options for testing ASL-related court interpreters and the Language Access Subcommittee will review options and may recommend or provide input on an approach to staff. A review and modification of the underlying ASL Court interpreter testing related guidelines must be done concurrently with the plan being developed. Changes to the underlying guidelines must be recommended to the Judicial Council for approval.</p> <p><u>Subcommittee: Language Access</u></p>	2(b)	<p><u>Judicial Council Direction:</u> <u>Judicial Branch Strategic Plan</u> <u>Goal I:</u> Access, Fairness, and Diversity</p> <p><u>Origin of Project:</u></p> <p>The Registry of Interpreters for the Deaf (RID) is the approved testing entity for American Sign Language court interpreter testing for the state of California. In August 2015, RID stopped testing for legal interpreters. Further, certain changes in testing accommodations (provided by RID prior to stopping testing) requires a review of our underlying testing guidelines, when resources are available. There is no obvious and available solution for testing ASL interpreters. Additionally, subcommittee input will be required to recommend any changes to the underlying testing guidelines.</p>	<p><u>Work may begin late 2017.</u></p> <p>Completion date unknown.</p>	<p>Updated <i>Guidelines for Approval of Certification Programs for Interpreters for Deaf and Hard of Hearing Persons.</i></p> <p>Identification of a new way of evaluating American Sign Language Interpreters, which may include the need for exam development.</p>
5	<p><u>Update Recommended Guidelines for the Use of Deaf Intermediary Interpreters</u></p>	2(b)	<p><u>Judicial Council Direction:</u> <u>Judicial Branch Strategic Plan</u></p>	<p><u>Start date unknown, completion date unknown.</u></p>	<p>Updated <i>Recommended Guidelines on the Use</i></p>

#	Project ²	Priority ³	Specifications	Completion Date/Status	Describe End Product/Outcome of Activity
	<p>Updating these guidelines may also require a change to the underlying ASL court interpreter testing related guidelines for consistency. The DI Guidelines would be reviewed by the entire CIAP panel. Changes to the testing related guidelines would need to be recommended to the Judicial Council.</p> <p><u>Subcommittee: Language Access</u></p>		<p><u>Goal I:</u> Access, Fairness, and Diversity</p> <p><u>Origin of Project:</u></p> <p>California began accepting applications for a new category of interpreter: the Enrolled Deaf interpreter. This change requires an updating of the <i>Recommended Guidelines on the Use of Deaf Intermediary Interpreters</i> (DI Guidelines). This may also require a change to the underlying ASL court interpreter testing related guidelines.</p>		<p><i>of Deaf Intermediary Interpreters.</i></p> <p>Also requires updated guidelines on ASL testing entities.</p>
6	<p><u>Develop a policy for de-designation of languages</u></p> <p>Re-consider development and recommend the Judicial Council adopt a policy on the de-designation of previously designated languages whose use in the courts has declined.</p> <p><u>Subcommittee: To Be Determined</u></p>	2(b)	<p><u>Judicial Council Direction:</u></p> <p>Strategic Plan Goal: Goal I – Access, Fairness & Diversity</p> <p>Operational Plan Objective 2: Identify and eliminate barrier to court access at all levels of service; ensure interactions with the court are understandable, convenient and perceived as fair.</p>	<p><u>Start date unknown, completion date unknown.</u></p> <p>In 2015 CIAP considered this issue and declined to take action at that time, and decided to reconsider recommending a de-designation policy for adoption by the Judicial Council in 2016.</p>	<p>Recommend to the Judicial Council a comprehensive policy for de-designation of a language, and delegate future authority to the Administrative Director to de-designate a language.</p> <p>Administrative Director currently has delegation of authority</p>

#	Project ²	Priority ₃	Specifications	Completion Date/Status	Describe End Product/Outcome of Activity
			<p>Origin of Project: A result of the recommendation made in the 2015 Language Need and Interpreter Use Study.</p>	<p>This topic was not addressed in 2016, yet remains important.</p>	<p>to designate a language.</p>

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III. STATUS OF 2016 PROJECTS:

#	Project	Completion Date/Status
1.	<p>Continue to research, develop and recommend method and means by which a biennial periodic review on court interpreter skills can be fairly and consistently assessed throughout the courts. (Rule of Court 2.891)</p> <p>Consideration will be given to include in the revised rule that courts may still recommend and initiate a review process of performance skills and abilities.</p> <p>Determine criteria and clear standards that establish grounds for a disciplinary process to include remedial actions up to and including the permanent revocation of an interpreters' certified or registered status, warranting removal from the Master List; including a comprehensive review and appeal procedure, as per LAP Recommendation #64.</p> <p>Funding: An analysis of costs will need to be undertaken, as well as determining additional staffing needs necessary to implement revised and or new rule(s) of court, remedial action procedures, including proposed legislation costs.</p> <p><i>Note: This project takes into account the requirements established by GC§71811 Trial Court Interpreter Employment and Labor Relations Act, and regional Memoranda of Understanding.</i></p>	<p>On-going: During 2016, the subcommittee continued to build upon progress made in 2015 on this important and complex project. This work will continue in 2017, see 2017 Annual Agenda Project 1, Develop Court Interpreter Post-Credential Discipline Process: Continuation” in Section II, Advisory Body Projects.</p>
2.	<p>A comprehensive evaluation of existing Rule of Court 2.893, <i>Appointment of noncertified interpreters in criminal cases and juvenile delinquency proceedings</i>, and other rules related to court interpreters and Judicial Council INT forms and instructions, and recommend any appropriate revisions to the current forms and Rule of Court.</p>	<p>On-going: This work will continue in 2017, see 2017 Annual Agenda Project 2, Revise Rule 2.893 <i>Use of Noncertified and Nonregistered Spoken Language Interpreters</i> and applicable forms: continuation, in Section II, Advisory Body Projects.</p>

#	Project	Completion Date/Status
	Determine if Rule of Court 2.893 requires amendments, and consider the possible scope of amendments, and make recommendations accordingly.	
3.	Develop a policy and process, per LAP recommendation #75, for an LEP litigant's right to waive the services of a court appointed interpreter; including whether a corresponding Rule of Court is needed in order to implement the recommended policy.	Not yet begun. This work will carry over to 2017, see 2017 Annual Agenda Project 3, Develop Limited English Proficient Party Waiver of Court Appointed Interpreter Services, in Section II, Advisory Body Projects.
4.	Consultative Only- from 2015 Annual Agenda: Consult with Information Technology Advisory Committee, the Language Access Implementation Task Force Technological Solutions Subcommittee and/or Judicial Council Technology Committee in the execution of a Video Remote Interpreting pilot project for spoken languages.	No request for consultation was made.
5.	Develop and recommend a policy on the de-designation of previously designated languages whose use in the courts has declined.	No action taken in 2016. Carrying over to 2017, see 2017 Annual Agenda Project 6, Develop a Policy for De-designation of Languages, in Section II Advisory Body Projects.
	Update on Annual Agenda 2015 item: Request for Interpreter in Civil Action form.	Work Complete, Effective July 1, 2016 New Rule of Court 2.895, Requests for an interpreter was adopted, and form INT-300, Request for an interpreter (civil), was adopted as a model rule with automatic rollover to an optional form at a future date.

IV. Subcommittees/Working Groups – Detail

Subcommittees/Working Groups:

Subcommittee or working group name: Professional Standards and Ethics

Purpose of subgroup or working group: Determine criteria and clear standards that establish grounds for a disciplinary process to include remedial actions up to and including the permanent revocation of an interpreter’s certified or registered status, warranting removal from the Master List; and including a comprehensive review and appeal procedure.

Number of advisory body members on the subgroup or working group: 7 members (includes 1 advisory member)

Number and description of additional members: One non-CIAP member approved by E&P: Steve Cascioppo; Assistant Court Executive Officer, Superior Court of San Diego County.

Date formed: 1999

Number of meetings or how often the subgroup or working group meets: Every four to six weeks (once in person with entire CIAP Body)

Ongoing or date work is expected to be completed: Fall 2017.

Subcommittee or working group name: Language Access

Purpose of subgroup or working group: Conduct comprehensive evaluation of existing Rules of Court 2.893, and Judicial Council INT forms, and continue development of form(s), rule and process for requesting interpreters in civil actions. Recommend appropriate revisions to the current rules and forms. Develop form and rule, if required, for litigants to waive the services of a court appointed interpreter.

Number of advisory body members on the subgroup or working group: 6 members

Number and description of additional members (not on this advisory body): N/A

Date formed: 2013

Number of meetings or how often the subgroup or working group meets: 8-15 times per year (once in person with entire CIAP Body)

Ongoing or date work is expected to be completed: Rule 2.893 and forms work December 2017; remainder of projects, December 2018.

Note: CIAP will provide consultation as required:

Consult with the Information Technology Advisory Committee and Technological Solutions Subcommittee (subcommittee of LAP Implementation Task Force) on Video Remote Technology.

- *Request ability to have subcommittees meet in person (in addition to the once a year full panel meeting) due to the complex nature of the projects in question. (will elaborate)*



JUDICIAL COUNCIL OF CALIFORNIA

COURT INTERPRETERS
ADVISORY PANEL

www.courts.ca.gov/ciap.htm
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COURT INTERPRETERS ADVISORY PANEL

MINUTES OF OPEN MEETING

October 20, 2016

12:15 -1:15 p.m.

Teleconference

Advisory Body Members Present: Hon. Brian L. McCabe, Chair, Mr. Shawn Landry, Vice-Chair, Hon. Steven K. Austin, Ms. Claritza Callaci, Hon. Manuel J. Covarrubias, Ms. Janet Hudec, Ms. Lisa McNaughton, Ms. Ivette Peña, Hon. Rebecca Riley, Ms. Katherine Williams

Advisory Body Members Absent: Hon. Andrea Hoch, Mr. Jaeis Chon, Ms. Ramona Crossley Mr. Hector Gonzalez, Mr. Bao Luu, Ms. Maureen Keffer

Others Present: Hon. Rebecca Riley; Ms. Marta Selvi, Ms. Carmen Benbrook, Mr. Douglas Denton, Ms. Carmen Castro-Rojas, Ms. Debbie Chong, Mr. Jarrett Chin, Mr. Steven Crooks, Mr. Scott Gardner, Mr. Justin McBride, Ms. Angeline O'Donnell, Ms. Catharine Price, Ms. Anne Marx, Ms. Kathy Scher, Ms. Sonia Sierra Wolf

OPEN MEETING

Call to Order and Roll Call

Hon. Steven K. Austin called the meeting to order at 12:15 p.m.

After acknowledging the members leaving the panel, effective October 31, 2016, staff was asked to take roll call.

Following roll, the recently appointed and new chair of CIAP, the Hon. Brian McCabe (Judge McCabe) was introduced.

Introduction

After introducing himself, Judge McCabe introduced the new CIAP members (effective, November 1, 2016) and introduced Shawn Landry, the new vice-chair for CIAP.

(Note: Meeting minutes for the prior June 20, 2016 meeting were approved via action by email on August 23, 2016)

DISCUSSION AND ACTION ITEMS (ITEMS 1-2)

Item 1: Rule 2.893, Appointment of noncertified interpreters in criminal cases and juvenile delinquency proceedings. Interpreter (INT) forms 110, *Qualifications of a noncertified or*

nonregistered spoken language interpreter, and INT 140, Temporary use of a noncertified or registered interpreters

Description of Item Discussed: The Language Access Subcommittee presented the revised rule 2.893, the updated INT 110, and the newly developed INT 140 for review and discussion. The discussion resulted in some modifications to the text that did not affect the intent of the content. The discussion allowed for clarifications as to when each form was to be utilized. The INT 110 includes the addition of parameters that encourage provisionally qualified interpreters to seek a pathway towards certification or registration and provided questions to better evaluate qualifications to interpret in the courts. INT 140 is utilized for brief routine matters and is utilized for only one event. Rule of Court 2.893 provides updated language that underscores the changes and requires the courts to abide by the updated provisions.

Action taken: The following three motions were seconded and as there was a quorum present. All three motions passed unanimously.

1. Called for a motion to approve Rule of Court 2.893 to proceed for circulation for public comment.
2. Called for a motion to approve INT form 110 to proceed for circulation for public comment.
3. Called for a motion to approve INT form 140 to proceed for circulation for public comment.

Note: Subsequent to the October 20, 2016 CIAP meeting

On January 13, 2017, the Language Access Subcommittee voted to recommend that CIAP review the following newly revised items for submission to RUPRO for the upcoming public comment cycle, replacing the versions previously submitted. The revised versions reviewed for approval are as follows:

1. Proposed revised Rule of Court 2.893, *Appointment of Noncertified or Nonregistered interpreters in Court Proceedings*;
2. Proposed revised INT FORM 110- *Qualifications of a Noncertified or Nonregistered Spoken Language Interpreter*;
3. Proposed new INT FORM 140- *Temporary Use of a Noncertified or Nonregistered Spoken Language Interpreter*; and
4. Proposed revised INT Form 100-INFO- *Procedures and Guidelines to Appoint a Noncertified or Nonregistered Interpreter as either Provisionally Qualified or Temporary*

Structural changes were suggested to Rule 2.893, over the prior version, for greater ease of understanding and use. Of the three forms, only the INT 100 required significant structural changes to effectuate CIAP's original intent and bring the form in line with the revised rule 2.893.

Notice of CIAP Action by email was posted on January 18, 2017; no public comment was submitted. On January 23, 2017 CIAP voted via email to approve that the above the four items go before the Judicial Council for inclusion in the earliest upcoming public comment cycle.

Item 2- Court Interpreter Program Updates

Catharine Price provided an update on the activities of the Court Interpreters Program, the Professional Standards and Ethics program. Also, discussion was had regarding the best dates for the in person meeting, usually held in late spring.

A D J O U R N M E N T

There being no further business, the meeting was adjourned at 1:12 p.m.

Approved by the advisory body on enter date.



JUDICIAL COUNCIL OF CALIFORNIA

COURT INTERPRETERS
ADVISORY PANEL

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COURT INTERPRETERS ADVISORY PANEL OPEN MEETING AGENDA

Open to the Public (Cal. Rules of Court, rule 10.75(c)(1))
THIS MEETING IS BEING CONDUCTED BY ELECTRONIC MEANS
THIS MEETING IS BEING RECORDED

Date: Thursday, January 26, 2017
Time: 12:15 p.m. to 1:30 p.m.
Public Call-in Number: 1-877-820-7831 access code – 9142677

Meeting materials will be posted on the advisory body web page on the California Courts website at least three business days before the meeting.

Agenda items are numbered for identification purposes only and will not necessarily be considered in the indicated order.

I. OPEN MEETING (CAL. RULES OF COURT, RULE 10.75(C)(1))

Call to Order and Roll Call

Welcome and Introduction

Welcome members and introduction of the meetings objectives

Approval of Minutes

Approve minutes of the October 20, 2016 Court Interpreters Advisory Panel meeting.

II. PUBLIC COMMENT (CAL. RULES OF COURT, RULE 10.75(K)(2))

Written Comment

In accordance with California Rules of Court, rule 10.75(k)(1), written comments pertaining to any agenda item of a regularly noticed open meeting can be submitted up to one complete business day before the meeting. For this specific meeting, comments should be e-mailed to ciap@jud.ca.gov or mailed or delivered to, Judicial Council of California, Court Interpreters Program, 455 Golden Gate Ave, San Francisco, California, 94102, attention: Sonia Sierra Wolf. Only written comments received by Wednesday, January 25, 2017 by 12:15 p.m. will be provided to advisory body members prior to the start of the meeting.

III. DISCUSSION AND REVIEW (NO ACTION REQUIRED)

Item I – Discuss and review of the 2017 Draft Annual Agenda

Subject Matter

The draft 2017 Annual Agenda will be reviewed and discussed.

Presenter(s): Subcommittee Chairs/Staff

IV. INFORMATION ONLY ITEMS (NO ACTION REQUIRED)

Info 1 –Other Updates

If time permits the staff will provide updates on recent CIP activities.

Presenter(s)/Facilitator(s): various

V. ADJOURNMENT

Adjourn