



# JUDICIAL COUNCIL OF CALIFORNIA

COURT INTERPRETERS  
ADVISORY PANEL

[www.courts.ca.gov/ciap.htm](http://www.courts.ca.gov/ciap.htm)  
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## COURT INTERPRETERS ADVISORY PANEL

### MINUTES OF OPEN MEETING

January 23, 2019

12:15 -1:30 p.m.

Teleconference

**Advisory Body Members Present:** Hon. Brian L. McCabe, Chair, Mr. Shawn C. Landry, Vice-Chair, Hon. Yolanda Orozco, Hon. Ann C. Moorman, Mr. Gurinder Aujla, Ms. Carmen Benbrook, Ms. Claritza Callaci, Ms. Katherine Chambers, Mr. Hany Farag, Mr. Hector Gonzalez, Jr., Ms. Sharmen Gragirena Lewis, Ms. Marta Selvi

**Advisory Body Members Absent:** Hon. Janet Gaard (Liaison to CIAP), Ms. Regina Coronado, Ms. Ivette Pena, Ms. Tara Potterveld

**Judicial Council Staff Present:** Mr. Bob Lowney, Mr. John Larson, Ms. Claudia Ortega, Ms. Carmen Castro-Rojas, Mr. Matthew Clark, Ms. Edith Reyes, Ms. Sonia Sierra Wolf, Ms. Elizabeth Tam-Helmuth

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

#### I. Call to Order and Roll Call

The chair called the meeting to order at 12:15p.m and staff was asked to take roll.

#### II. Opening Remarks

The chair provided an overview of the meeting goals and welcomed CIAP's three new members to CIAP. Members were reminded that:

- CIAP is one of the standing advisory committees established by rule of court to make recommendations and offer policy alternatives to the Judicial Council, and to improve the administration of justice within a designated area of focus.
- CIAP's work is driven by the annual agenda process and all advisory bodies are required to present to their Annual Agenda work plans to their respective oversight committee. The Executive and Planning Committee provides oversight for CIAP's projects.
- CIAP works at a policy level, and the Annual Agenda provides a roadmap for the work to be undertaken now and into 2020.
- Revisions to the Annual Agenda are due to the oversight committee by Jan. 25, 2019. Staff will have an initial meeting to discuss the Annual Agenda during the

first week of February with the council's executive office. The chairs will present the final Annual Agenda to the Executive and Planning Committee on March 14, 2019, for final approval.

**Annual Agenda Projects:**

No new projects were added to the 2019 Annual Agenda; they are a continuation of projects not completed or yet to be addressed. It is an ambitious agenda and staffing resources will determine the feasibility of completing the work. The projects are as follows:

1. Develop a policy and process for the LEP litigants' right to waive the services of a court appointed interpreter and assess if a corresponding rule of court is needed to implement the waiver policy.
2. Review and Update the Compliance Requirements for Certified Court and Registered Court Interpreters.
3. Post Credential Skills Assessment Research and Recommended Protocols.
4. Update Guidelines for Approval of Certification Programs for Interpreters for Deaf and Hard of Hearing Persons.
5. Recommended Guidelines for Use of Deaf Intermediary Interpreters.

**III. Delegation of Authority to the Administrative Director (AD) to de-designate a certified language in the future (Action Required)**

Legal opinion concluded that the criteria used to designate a language for certification, is the same criteria that can be used to de-designate a language. However, legal opinion determined that the Judicial Council's October 2000 delegation that delegated authority specifically for the AD "to designate additional languages" (Judicial Council of Cal., minutes (Oct. 27, 2000)), and the history underlying this council action contains no suggestion that a broader delegation (to de-designate a language) was intended.

Staff provided a presentation outlining the criteria for designation of a language. The criteria are based on Government Code 68562 (a) which reads:

*The Judicial Council shall designate the languages for which certification programs shall be established under subdivision (b). The language designations shall be based on (1) the courts' needs as determined by the language and interpreter use and need studies under Section 68563, (2) the language needs of non-English-speaking persons in the courts, and (3) other information the Judicial Council deems relevant.*

- CIAP is mandated under GC 68563 to make recommendations to the council on the findings of the language need and interpreter use study conducted every five years.
- The study recommends languages that may be considered for designation based on use in the courts, identified trends and other data and leads to subsequent language certification.
- The study also recommends languages whose overall use has fallen in the courts, and may be considered for de-designation, therefore no longer meeting the criteria as a certified language.

Following discussion, CIAP agreed that the same criteria used to designate a language for certification can be used to de-designate a previously certified language. It was noted that any interpreters who were certified court interpreters in a language that is subsequently de-designated would retain their status as certified court interpreters.

CIAP took action to:

Recommend the Judicial Council delegate authority to the Administrative Director to de-designate certified languages in the future, based on the same criteria currently used to designate a language for certification. A vote was taken and unanimously passed.

Staff will submit a report on behalf of CIAP to the Judicial Council recommending the council delegate authority to the Administrative Director to de-designate languages in the future for consideration at the May 2019 council meeting. (Note: this report will be on the July 2019 council agenda)

#### **IV. Staff Updates**

##### **Court Interpreter Data Collection System (CIDCS) Enhancements**

CIDCS serves as the statewide court interpreter profile management system and is used to collect and maintain data on interpreter usage in the courts. The development of the interpreter web portal is the most significant modification to CIDCS. The portal will allow interpreters to access their profiles through a password protected website where they can:

- Update profiles (contact information, assignment availability, name change, change of status, etc.)
- Directly enter Daily Activity Log (DAL) information into CIDCS.
- Choose to pay annual renewal fees on-line with a credit card.
- Sign electronically or continue to, via mail, attest, under penalty of perjury that they have completed their compliance requirements.
- The Judicial Council will retain the authority to audit a small percentage of interpreters to verify compliance.

##### **Bilingual Interpreting Exam**

The bilingual interpreting exam will be administered between, March 19-21, 2019. CIP is working collaboratively with National Center for State Courts to introduce a modular structure. The new structure will allow several iterations of the four testing components to be interchanged, thereby reducing over-exposure of exams and also insuring less of a chance of two people having the exact same exam at the same time during an exam administration.

##### **Nominations and Adjournment**

Nominations for openings on CIAP for terms commencing on September 14, 2019, will be announced in early February. Staff will provide more information closer to the date.

The chair thanked everyone and informed CIAP members that the next meeting will be in person, and is anticipated to be scheduled in May. Staff will send an email to find the best date for everyone to attend. The meeting was adjourned at 1:15pm.

Approved: April 29, 2019