



JUDICIAL COUNCIL OF CALIFORNIA

COURT INTERPRETERS
ADVISORY PANEL

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COURT INTERPRETERS ADVISORY PANEL (CIAP)

MINUTES OF OPEN MEETING

November 20, 2019

12:15 -1:15 p.m.

Teleconference

Advisory Body Members Present: Hon. Brian L. McCabe, Chair, Mr. Hector Gonzalez, Vice-Chair, Hon. Teresa P. Magno, Mr. Gurinder Aujla, Ms. Claritza Callaci, Ms. Regina Coronado, Ms. Jennifer Dela Cruz, Mr. Hany Farag, Ms. Sharmen Gragirena Lewis, Ms. Carol Palacio, Ms. Mary Ann Ramirez, Ms. Violet Romero, Mr. Chris Ruhl, Ms. Tara Potterveld

Liaisons Present Hon. Anne Moorman, Dr. Cindy Van Schooten

Judicial Council Staff Present: Ms. Charlene Depner, Mr. Don Will, Mr. Douglas Denton, Ms. Claudia Ortega, Ms. Irene Balajadia, Ms. Edith Reyes, Ms. Elizabeth Tam-Helmuth, Mr. Juan Palomares, Ms. Anne Marx, Ms. Valeria DaSilva-Sasser

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

I. Call to Order, Roll Call and Opening Remarks

The chair called the meeting to order at 12:15 p.m. He announced that Mr. Hector Gonzalez will serve as vice-chair. The chair also introduced the newly appointed CIAP members, with terms commencing on September 15, 2019:

- Hon. Teresa P. Magno, Judge, Superior Court of Los Angeles County
- Mr. Chris Ruhl, Court Executive Officer, Superior Court of Monterey County
- Ms. Carol Palacio, Certified Court Interpreter, Superior Court of San Mateo County
- Ms. Violet Romero, Certified Court Interpreter, Superior Court of San Bernardino County
- Ms. Jennifer Dela Cruz, Interpreter Services Manager, Superior Court of San Bernardino County (advisory member)
- Ms. Mary Ann Ramirez, Court Operations Supervisor, Superior Court of San Diego County (advisory member)

The chair announced that the following members agreed to serve as chairs for CIAP's two subcommittees:

- Language Access Subcommittee: Judge Magno

- Professional Standards and Ethics Subcommittee (Co-chairs): Mr. Ruhl and Ms. Ramirez

The chair provided the following updates concerning Language Access Services staff:

- Mr. Douglas Denton was recently promoted to Principal Manager, Language Access Services (LAS). In his new capacity, Mr. Denton will have oversight over the Language Access Implementation unit (LAI) and the Court Interpreters Program (CIP).
- Mr. Juan Palomares joined CIP as an Associate Analyst. His responsibilities will include assisting with oversight of the testing program, assisting with management of the contract with the vendor that administers interpreting exams, and assessing the testing program and making recommendations for improvement.

II. Meeting Goals and Annual Agenda Process

The goal of the meeting is to review the draft 2020 CIAP Annual Agenda, which outlines the proposed projects that CIAP will undertake. The members discussed the following proposed projects:

1. Support for Implementation of Revised Rule 2.891 (Skills Assessment Process)

As the next step following the implementation of the *California Court Interpreter Credential Review Procedures*, the Professional Standards and Ethics Subcommittee will review the available research conducted and make recommendations of the best methods and procedures towards implementing a legally defensible diagnostic process to assess an interpreter's ability to interpret, if a complaint alleging gross incompetence is lodged against the interpreter, and the complaint is deemed to have merit.

2. Develop a Policy for Limited English Proficient (LEP) Persons to Waive a Court Appointed Interpreter

As per recommendation #75 in the *Strategic Plan for Language Access in the California Courts*, the Language Access Subcommittee will undertake this project. The subcommittee will propose a new rule of court and the creation of any necessary forms. Projected to go into effect January 2022.

Some members raised questions regarding the need for a process to waive a court appointed interpreter. These concerns were addressed by the chairs. Although interpreters are not frequently waived, a waiver will afford due process rights for litigants, similar to a litigants' ability to waive their rights to an attorney. It was also pointed out that the waiver is one of the recommendations of the strategic plan that CIAP is directed to fulfill. The subcommittee will consider all perspectives in order to make informed recommendations to CIAP.

3. Review the 2020 Legislatively Mandated Language Need and Interpreter Use Study

LAI staff is in the process of finalizing this study, which the Judicial Council is legislatively mandated to produce every five years. CIAP will review the study's key findings and recommendations during the next scheduled meeting. CIAP will be asked to approve the report being provided to the council with a recommendation that the council submit the study, as required, to the Governor and Legislature.

4. Assess the Performance of the Interpreter Credentialing Exams

This project stems from CIAP's May 8, 2019 in-person meeting. The key objectives from the meeting provided a foundation for this project, which includes suggestions and recommendations to increase the number of qualified candidates who take the exams. The assessment will include recommendations on how to increase the passage rates and the pool of qualified interpreters in high demand languages.

5. Review Rule of Court 10.51, Court Interpreters Advisory Panel

For several years, CIAP has not succeeded in recruiting candidates for the appellate court justice position. The committee will review rule 10.51 of the California Rules of Court if following the next advisory committee nominations cycle will consider recommending amendments to rule 10.51 to effectuate changes to the panel's membership composition.

Some members asked for clarification as to why the project concerning development of a national credentialing program for American Sign Language (ASL) interpreters was not included as a project on the 2020 Annual Agenda. Members also conveyed the need for a national credentialing program for ASL interpreters. Staff conveyed that at this time CIP is not in the position to effectively work on this project as staff resources are currently limited. Staff reported that the National Center for State Courts is producing a feasibility study that addresses all anticipated one-time and ongoing fiscal and administrative costs associated with development and maintenance of an ASL credentialing process.

III. Subcommittee Assignments

Due to time constraints, the members were informed that CIP staff would poll them regarding which subcommittee they would like to serve on over the next year. The current members on the Professional Standards and Ethics Subcommittee were encouraged to remain on this subcommittee to provide continuity and historical perspective.

IV. Closing Remarks/Adjournment

The chair thanked everyone for their participation. He announced that the in-person meeting in San Francisco is anticipated to be scheduled for March or April.

There being no further business, the meeting was adjourned at 1:15 p.m.

Minutes approved by Advisory Panel: March 10, 2020