



JUDICIAL COUNCIL OF CALIFORNIA

COURT INTERPRETERS
ADVISORY PANEL

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COURT INTERPRETERS ADVISORY PANEL (CIAP)

MINUTES OF OPEN MEETING

March 10, 2020

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, Mr. Hany Farag, Ms. Sharmen Gragirena Lewis, Ms. Carol Palacio, Ms. Mary Ann Ramirez, Mr. Chris Ruhl, Ms. Tara Potterveld, Dr. Cindy Van Schooten (Liaison)
Advisory Body Members Absent:	Ms. Jennifer Dela Cruz, Ms. Violet Romero, Hon. Ann C. Moorman (Liaison)
Judicial Council Staff Present:	Ms. Charlene Depner, Mr. Douglas Denton, Ms. Claudia Ortega, Ms. Irene Balajadia, Ms. Debbie Chong, Mr. Matthew Clark, Ms. Danielle McCurry, Ms. Edith Reyes, Ms. Elizabeth Tam-Helmuth, Ms. Valeria DaSilva-Sasser, Ms. Sonia Sierra Wolf

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

I. Call to Order, Roll Call, and Approval of Meeting Minutes

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

A motion was made to approve, as submitted, the minutes of the meeting of the Court Interpreters Advisory Panel (CIAP) on November 20, 2019; the motion was seconded. The minutes were approved.

II. Opening Remarks and Meeting Goals

The chair provided the goal of the meeting which was to review the findings in the *2020 Language Need and Interpreter Use Study*. The study is conducted every five years in accordance with Government Code § 68563, directing the Judicial Council to conduct a study of language need and interpreter use in the trial courts.

CIAP, under rule of court 10.51, is charged by the Judicial Council to review the study and its findings. CIAP voting members, after hearing the presentation of the findings, will vote to recommend the council approve the report for submission to the Governor and Legislature.

CIAP's vice-chair added that the study makes high level recommendations for consideration by the committee, and provides a foundational document for CIAP's projects, some of which are currently addressed in the annual agenda. The report also

provides suggestions and insights to help meet language access needs in the courts, including suggestions for interpreter recruitment and the current testing program.

The vice-chair introduced the report's primary authors Mr. Douglas Denton, Principal Manager, Language Access Services, and Mr. Matthew Clark, Analyst, Language Access Services Program. They provided a presentation highlighting key findings and recommendations as well as comprehensive data and analysis on interpreter use in the courts.

III. 2020 Report: Key Findings, Challenges and Recommendations

Key Findings:

- California's superior courts reported over 4.4 million interpretations for the four-year study period of FY 2014–15 through FY 2017–18.
- Criminal cases are the main driver of interpretation volume (around 75 percent). Criminal case interpretations numbered approximately 3.3 million for the study period.
- Spanish is, by far, the most interpreted language in courtroom proceedings, accounting for 91.36 percent of the overall interpreter volume for the study period.
- Vietnamese was the second most-interpreted language, accounting for 1.47 percent of overall volume for the state during the same period. No other language accounted for more than 1 percent of interpretations.
- The top ten most commonly interpreted languages for the study period are (in order of prevalence) Spanish, Vietnamese, American Sign Language, Mandarin, Cantonese, Korean, Punjabi, Russian, Arabic, and Farsi.
- The top twelve languages include Tagalog and Hmong.
- Interpretations in civil case types increased by over 40 percent.

Challenges to provision of full interpreter services:

- Insufficient numbers of qualified interpreters, particularly in other than Spanish languages.
- Limited funding to reimburse courts for interpreter services,
- Too few applicants for interpreter training coupled with outdated interpreter recruitment efforts.
- No credentialing process for certification as an American Sign Language (ASL) court interpreter.

Opportunities for consideration and review by CIAP to help meet these challenges:

- The exploration of a tiered-approach for court interpreter credential status, which will allow near-passers of the exam to have a journey-level or administrative credential status.

- Undertake more modern and effective recruitment and informational efforts, including the use of social media and more direct help by the Judicial Council's Court Interpreters Program for courts that need to fill empty interpreter positions.
- Ongoing efforts by California and other states to identify potential opportunities for a recommended credentialing process as an ASL interpreter.
- The appropriate use of technology for language access to provide services in more languages and in a more cost-effective manner.

Summary of Recommendations

- The Judicial Council should retain the certification classification of the top ten most frequently interpreted languages for this study period (listed in order of prevalence): Spanish, Vietnamese, American Sign Language, Mandarin, Cantonese, Korean, Punjabi, Russian, Arabic, and Farsi. This report makes no other recommendations regarding other languages to be designated for certification.
- The Judicial Council should continue to monitor the use of Hmong for possible future consideration for certification.

(It was noted that any consideration of future certification of a language would require implementing a grace period policy to allow currently registered interpreters to prepare for certification once a Bilingual Interpreting Exam was developed or identified for use. The National Center for State Courts may have an exam in Hmong, and if so, would provide a cost-effective means if CIAP, in the future, approved Hmong to be designated as a certified language. It was also noted that a member of the Hmong community could address CIAP at a future meeting)

- The Judicial Council should explore and develop a recommended credentialing process for certification as a California ASL court interpreter.

IV. Discussion and Concerns

Some of the questions regarded the collection of data and how to better capture missing elements, such as interpreter conferences outside the courtroom, or average length of hearings. As the daily activity logs are the main source for gathering data, and data collection is dependent on uniformity of data entered, it would be difficult to capture the high level of specificity required. However, improvements to how data is reported and collected is important and improvements will be taken into consideration.

A few members were concerned about the inclusion in the opportunities suggested in the report of exploring introducing a tiered approach in future testing, which would allow a lower cut score for coming into the courts for example, as beginning or journey level interpreters. This could allow for the opportunity to advance to higher tiers.

Some of the concerns expressed was the low pass rate of those sitting for the Bilingual Interpreting Exam, due to insufficient places to receive adequate training and preparation; lack of expertise as there are no pre-requisites for who may sit for exam; and, lack of

adequate compensation, which has resulted in loss of qualified interpreters employed by the courts.

The panel members concerns were addressed; the chairs assured the members that opportunities in the report were avenues of discussion and exploration by CIAP. Courts have expressed the need to increase the pool of interpreters, and the tiered approach was a consideration voiced by courts at the May 8, 2019 CIAP in-person meeting.

The recommendations and opportunities provide CIAP, an opportunity to really explore both benefits and drawbacks.

V. Action Taken to Recommend Report be Submitted to the Council

Following the discussion, the chair called for a motion to recommend the council adopt the report and submit it to the Governor Legislature. The motion was seconded, and a vote was taken and confirmed by a voice vote. There were nine out of ten voting members present. The result of vote was: Seven members in favor; and two members opposed. (For the record, one non-voting advisory member voiced opposition). The motion passed.

VI. Closing Remarks and Adjournment

Members were also reminded of the current open period to submit advisory body nominations, and to make travel plans for the upcoming CIAP in-person meeting.

There being no further business the meeting was adjourned at 1:18 pm.

Approved: June 10, 2020