

# COURT INTERPRETERS ADVISORY PANEL

# MINUTES OF OPEN MEETING

April 23, 2024 12:15 p.m. – 1:30 p.m. Virtual

Advisory Body Hon. Brian L. McCabe (Chair), Mr. Hector Gonzalez, Jr. (Vice-Chair), Ms.

Members Present: Shirley Luo, Ms. Mary Ma, Ms. M. Luisa McEwen, Mr. José Navarrete, Mr. Tam

"Tyler" T. Nguyen

**Advisory Body** Ms. Angie Birchfield, Mr. Mark Crossley, Ms. Jennifer De La Cruz, Mr. Hany **Members Absent:** Farag, Hon. Michael P. Pulos, Ms. Anabel Z. Romero, Hon. Maurice Sanchez

Others Present: Hon. Jaqueline Jackson (Liaison), Mr. Douglas Denton, Ms. Claudia Ortega, Mr.

Ray Mata

### **OPEN MEETING**

# Call to Order and Roll Call

The chair called the meeting to order at 12:15 p.m. and Mr. Ray Mata took roll call.

# **Approval of Minutes**

The advisory body reviewed and approved as submitted the minutes of the December 13, 2023, Court Interpreters Advisory Panel (CIAP) meeting.

# **Public Comment**

The public did not relay any public comment prior to the meeting.

# DISCUSSION AND ACTION ITEMS (ITEMS 1-3)

# Item 1

# Compliance Requirements for Certified Court and Registered Interpreters (Action Required)

Ms. Claudia Ortega gave a presentation to CIAP asking them to consider potential recommendations to modify the annual court interpreter renewal and compliance process so that it is more efficient, clear to interpreters, and in alignment with operational improvements. Claudia also discussed potential updates to the *Compliance Requirements for Certified Court and Registered Interpreters* so that it incorporates modifications to the compliance process.

**Action:** Members suggested the idea of possibly giving CIMCE credits for community service. The voting members of CIAP unanimously voted to approve the potential recommendations to the compliance requirements and staff will prepare a revised compliance document for CIAP review and approval at a future meeting.

### Item 2

# Professional Standards and Ethics for California Court Interpreters (Discussion Item)

Mr. Ray Mata gave a presentation concerning the committee's project to consider potential updates to the *Professional Standards and Ethics for California Court Interpreters*. The document informs interpreters of their professional and ethical responsibilities and was last updated in 2013. Updates will include new sections on ethics for remote interpreting and social media. The CIAP Professional Standards and Ethics subcommittee will meet to commence work on this project.

The members had no questions concerning the presentation.

# Item 3

# California Court Interpreter Workforce Pilot Program, 2024 (Discussion Item)

Members of CIAP received an overview of the proposed California Court Interpreter Workforce Pilot Program to address the shortage of credentialed court interpreters in the state.

Members proposed the idea that a statewide interpreter mentorship program could assist Judicial Council Language Access Services in obtaining more interpreters.

# ADJOURNMENT

There being no further business, the meeting was adjourned at 1:30 p.m.

Approved by the advisory body on enter date.



# Judicial Council of California

455 Golden Gate Avenue · San Francisco, California 94102-3688 www.courts.ca.gov

# REPORT TO THE JUDICIAL COUNCIL

Item No.: 24-XXX

For business meeting on November 14-15, 2024

### Title

Court Interpreters: Designation of Languages for Certified or Registered Status

Rules, Forms, Standards, or Statutes Affected  $N\boldsymbol{A}$ 

# Recommended by

Hon. Brian L. McCabe, Chair Mr. Hector Gonzalez, Vice-Chair Court Interpreters Advisory Panel

# **Agenda Item Type**

Action Required

### **Effective Date**

January 1, 2025

# **Date of Report**

August 7, 2024

# Contact

Douglas G. Denton, Principal Manager 415-865-7870, douglas.denton@jud.ca.gov

# **Executive Summary**

The Court Interpreters Advisory Panel (CIAP) recommends that the Judicial Council change the certified status designation of Armenian (Western), Japanese, and Khmer (Cambodian) to registered status due to low interpreting language usage, low testing demand, and the court interpreter testing program not having examinations to administer for the certified status or being unable to administer the examination due to insufficient rater availability. Interpreters who are currently certified in California in these languages would retain their certified status for as long as they remain in good standing with the council. Aspiring interpreters in these languages would be able to take the Written Examination in English and the Oral Proficiency Examination in English along with the target language to become registered interpreters, which would expand the court interpreter pool.

# Recommendation

CIAP recommends that the Judicial Council, effective January 1, 2025:

1. Change the certified status designation of Armenian (Western), Japanese, and Khmer (Cambodian) to registered status due to low interpreting language usage, low testing demand, and the testing program not having examinations or sufficient raters to administer for

certified status. Interpreters who are currently certified in California in these languages would retain their certified status for as long as they remain in good standing with the council.

2. Continue monitoring the language usage of Hmong (registered) and Portuguese (certified). At this time, the recommendation is to keep the designation status of these languages the same.

# **Relevant Previous Council Action**

Government Code section 68562 provides that the council shall designate the languages for which certification programs shall be established. The council or Administrative Director has periodically updated the list of certified languages. Most recently, in November 2010, based on the recommendations of the 2010 Language Need and Interpreter Use Study, and under a delegation of authority from the council, the Administrative Director approved a CIAP recommendation to designate Farsi as a language for certification.<sup>1</sup>

# Analysis/Rationale

The California judicial branch designates 15 major non-English languages as certified for spoken language interpretation. Only interpreters who pass the Bilingual Interpreter Exam (BIE) for spoken language and fulfill the corresponding Judicial Council requirements are referred to as *certified* interpreters. Interpreters of other spoken languages for which there is no state-certifying exam are required to pass the Written Exam and Oral Proficiency Exam (OPE) in both English and their non-English language, if available, and fulfill the corresponding Judicial Council requirements to become a *registered* interpreter.

The 15 certified spoken languages for court interpreters (see Link A) in California are:

- Arabic (Egyptian/Levantine)
- Armenian (Eastern)
- Armenian (Western)\*
- Cantonese
- Farsi (Persian)
- Filipino (Tagalog)
- Japanese\*
- Khmer (Cambodian)

- Korean
- Mandarin
- Portuguese
- Punjabi (India)
- Russian
- Spanish
- Vietnamese

<sup>\*</sup> The BIE is not available for this language.

<sup>&</sup>lt;sup>1</sup> The 2020 Language Need and Interpreter Use Study recommended that the Judicial Council should continue to monitor the usage of Hmong for possible future designation as a certified language. The 2015 Study recommended that Japanese and Portuguese be considered for de-designation, but those languages have remained certified.

Although they are certified languages, the council has not been able to test for Armenian (Western) or Japanese for several years due to a lack of a certifying examination.<sup>2</sup> The number of interpreters for those languages has therefore remained stagnant or decreased. And since 2019, the council has not been able to test for Khmer (Cambodian), another certified language, because of insufficient raters in that language. Raters for the languages for which there is an NCSC oral examination are recruited, trained, and managed by NCSC.

The chart below shows the top languages by usage for fiscal year 2022–23 and whether there is a BIE or OPE available for the language. California's certified languages are in blue.

Chart: 2022-23 Language Usage by Number of Interpretations and Rank for California

Language and Number of	Rank	Number of	BIE Available	OPE Available
Credentialed Interpreters		Interpretations		
Spanish (1,318)	1	592,408	Yes	Yes
Mandarin (84)	2	12,650	Yes	Yes
Vietnamese (56)	3	9,931	Yes	Yes
ASL (40)	4	5,473	Texas BEI	NA
Cantonese (27)	5	5,431	Yes	Yes
Punjabi (India) (3)	6	3,992	Yes	Yes
Arabic (8)	7	3,880	Yes	Yes
Korean (56)	8	3,770	Yes	Yes
Farsi (Persian) (12)	9	2,982	Yes	Yes (Persian)
Armenian (Eastern) (16)	10	2,795	Yes	Yes (Armenian)
Russian (44)	11	2,735	Yes	Yes
Filipino (Tagalog) (6)	12	2,379	Yes	Yes
Armenian (Western) (3)	13	2,294	No	Yes (Armenian)
Hmong (8)	14	1,257	Yes (NCSC)	Yes
Romanian (7)	15	1,238	No	Yes
Hindi (25)	16	1,237	No	Yes
Mixteco (3)	17	1,171	No	No
Portuguese (6)	18	1,076	Yes	Yes
Mam (0) <sup>3</sup>	19	1,003	No	No
Dari (23)	20	984	No	Yes

\_

<sup>&</sup>lt;sup>2</sup> The National Center for State Courts (NCSC) maintains a list of oral examinations ready for administration. See <a href="https://www.ncsc.org/\_data/assets/pdf\_file/0019/74512/Oral\_Exam\_Ready\_for\_Administration-August-2023.pdf">https://www.ncsc.org/\_data/assets/pdf\_file/0019/74512/Oral\_Exam\_Ready\_for\_Administration-August-2023.pdf</a>. The council also maintains its own BIE exams (that meet NCSC requirements) for Spanish, Armenian (Eastern), Farsi (Persian), and Punjabi (Indian). Neither California nor NCSC currently has a certification examination for Armenian (Western) or Japanese.

<sup>&</sup>lt;sup>3</sup> Mam is a Mayan language spoken by the Mam people, who are indigenous to the highlands of western Guatemala and eastern Chiapas, Mexico. There are currently no registered interpreters in Mam, but courts use provisionally qualified, non-registered relay interpreters (who interpret between Spanish and Mam) to assist limited English proficient court users who speak Mam.

Language and Number of	Rank	Number of	BIE Available	OPE Available
Credentialed Interpreters		Interpretations		
Mixteco-Bajo (2)	21	905	No	No
Mixteco-Alto (2)	22	882	No	No
Lao (15)	23	852	Yes (NCSC)	Yes
Khmer (Cambodian) (8)	24	760	Yes	Yes (Cambodian)
Japanese (8)	NA	481	No	Yes

CIAP discussed several benefits of the recommendation to reclassify Armenian (Western) Japanese, and Khmer (Cambodian) as registered, including:

- People who want to become interpreters in these languages will now have a pathway;
- The recommendations will expand the pool of interpreters, which benefits courts and litigants; and
- The program will not have to create California-only examinations for these languages, which are expensive and time-consuming to develop and pilot.

CIAP also determined that it would be advisable to continue monitoring the language usage of Hmong (registered) and Portuguese (certified). At this time, the recommendation is to keep the designation status of these languages the same.

# **Policy implications**

Interpreters who are currently certified in Armenian (Western), Japanese, and Khmer (Cambodian) would retain their certified status if these languages are reclassified to registered status for as long as they remain in good standing with the council. Aspiring interpreters will be able to take the Written Examination in English and the OPE in English and the target language—which are administered year-round in several locations across the state—to become registered interpreters.

# Comments

This proposal circulated from April 23 to June 4, 2024. Two comments were received, from the Superior Courts of Orange and Ventura. Orange agreed with the proposal and asked if there would be a hiring or usage preference between certified or registered interpreters in Armenian (Western), Japanese, Khmer (Cambodian), once these changes go into effect. To allow flexibility for courts, the committee recommends that there be no preference in hiring order or whether courts must first use a certified or registered interpreter in Armenian (Western), Japanese, or Khmer (Cambodian). Ventura agreed with the proposal but asked if Armenian (Eastern) could also become a registered language, due to difficulty in finding certified interpreters in this language. The committee does not recommend making Armenian (Eastern) a registered language currently because this language is ranked among the top 10 most used languages in the state (see Chart above). Additionally, there is a Bilingual Interpreting Examination (BIE) available for this language. The court may provisionally qualify interpreters as needed in Armenian (Eastern) if a certified interpreter is not available.

## Alternatives considered

Staff cannot identify alternatives to the proposed recommendations. Under the current designation of spoken languages, the Court Interpreters Program is unable to add interpreters for the Armenian (Western), Japanese, or Khmer (Cambodian) languages due to the lack of an examination or insufficient pool of raters. This limitation has essentially removed any pathway for aspiring interpreters to become credentialed, and it has restricted the interpreter pool for these languages as the council has no mechanism to enroll and add them to the Judicial Council's Master List of Certified Court and Registered Interpreters (see Link B).

# **Fiscal and Operational Impacts**

There is no cost or grace period associated with changing the designation of languages when the change is from certified to registered status. Once the change is effective, both existing certified and newly registered interpreters for Armenian (Western), Japanese, and Khmer (Cambodian) who successfully enroll with the council will be eligible for available court employee positions. An increase in court interpreters in these languages across the state will help courts to address the language access needs of court users with limited English proficiency.

Compensation rates for certified/registered contract interpreters are the same under the council's *Payment Policies for Independent Contractor Interpreters*. Changes will be required for the Court Interpreter Data Collection System (CIDCS) and the Language Access Services web page to indicate whether a language has been changed to certified or registered. Cost savings may be realized over time because the testing program will not have to develop California-only certifying examinations for those languages for which NCSC does not have a certifying examination.

# Attachments and Links

- 1. Chart of comments, at pages 6–8
- 2. Link A: Certified Languages in California (May 6, 2022)
- 3. Link B: Judicial Council's Master List of Certified Court and Registered Interpreters

# **SP24-04**Court Interpreters: Designation of Languages for Certified or Registered Status

All comments are verbatim unless indicated by an asterisk (\*).

	Commenter	Position	Comment	Committee Response
1.	Superior Court of Orange County by Sean Lillywhite	A	The Proposal appropriately addresses the stated purpose of expanding the court interpreter pool to the extent test candidates register to take the OPE and become registered. Furthermore, as interpreters in these languages become registered, this will gradually reduce the need to provisionally qualify those who have been unsuccessful at passing the Khmer exam and for those for whom there is no exam to take.	The committee thanks the commenter for their comment.
			The proposal does not clarify whether a certified court interpreter has priority over a registered court interpreter in these languages when the certified status designation changes to registered. Will they be treated equally for assignment purposes? Or does employment status take priority over designation status — certified/registered? If there is a priority, this would need to be tracked and might complicate assignment coordination and potentially lead to violations of MOU provisions.	If approved by the council, and to allow flexibility for courts, it is recommended that there be no preference in hiring order or whether courts must first use a certified or registered interpreter in Armenian (Western), Japanese, or Khmer (Cambodian).
			For Orange, a large court, there are three different case management systems and an interpreter tracking system. Prior to status designation change, system updates will be needed to allow for the use of registered in addition to certified for these languages once the change becomes effective.	
			Updates will be needed in the interpreter maintenance tables, docket codes, and anywhere else interpreter information is captured or displayed in the system. The level of effort to	

# SP24-04 Court Interpreters: Designation of Languages for Certified or Registered Status

All comments are verbatim unless indicated by an asterisk (\*).

	Commenter	Position	Comment	Committee Response
			update these systems is not insignificant, but it is not entirely known without a more detailed assessment.  Procedure updates will be needed as well as	
			communication for staff awareness.	
2.	Superior Court of Ventura County by Rebecca L. O'Hanna, Manager, Court Interpreter Services	AM	Request that the Registration be also extended to East Armenian Interpreters  Ventura County Superior Court has been experiencing a dramatic increased need for East Armenian Interpreters. We have been experiencing a serious problem with some of the Contract Court Interpreters in this language. Some of the certified interpreters accept assignments with our court and then either, simply do not show up. One in particular has stood our court up 4 times when she has been booked for a court appearance. We will not contract that interpreter again. We do bring an East Armenian interpreter from Central California who is very responsible and responsive to our court.	The committee thanks the commenter for their comment.  The committee does not recommend making Armenian (Eastern) a registered language at this time because this language is currently ranked among the top 10 most used languages in the state. Additionally, there is a Bilingual Interpreting Examination (BIE) available for this language.
			We have other interpreters for East Armenian who have previously been registered but were not included in the certification when the switch happened, but are very competent interpreters who have US State Department Experience as well as Federal Court Experience and have previously worked for this court for as long as 30 years.	The court may provisionally qualify interpreters in Armenian (Eastern) if a certified interpreter is not available.

# **SP24-04**

# **Court Interpreters: Designation of Languages for Certified or Registered Status**

All comments are verbatim unless indicated by an asterisk (\*).

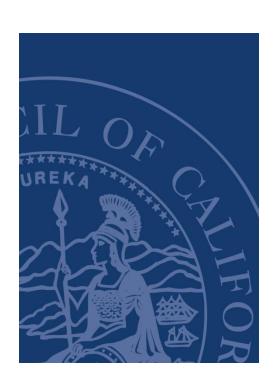
Commenter	Position	Comment	Committee Response
		I would like to be able to provisionally qualify	
		those interpreters in East Armenian or allow	
		registration in East Armenian so that we can	
		have them work in our court with our ever	
		increasing East Armenian needs.	

# Proposed Changes to Compliance Requirements for California Certified Court and Registered Interpreters

<b>Current Process</b>	Proposed Change	Reason for Change	Page Citations
The compliance cycle runs from September 15 to June 30 of the following year. The first deadline is December 31.	Starting in 2025, shorten the compliance cycle to 5 months in the same calendar year (July 1 to last business day in November).	Cycle ends in same calendar year to avoid confusion among interpreters.  Avoids rush of interpreters trying to meet deadline during December holidays.	Pages 4, 5, 6, 11
There is a late fee of \$50 assessed for nonpayment of annual renewal fee, due January 1 thru last working day in February.  Interpreters who still haven't paid by February are suspended as of March 1 and must pay \$400 by June 30 to come back into compliance.	Starting in 2025, remove all late periods for payment or attestation.  There will be no late periods and interpreters who are late will be suspended on a long-term basis.	Remove late fees and make the reinstatement process clearer and easier for interpreters.	Pages 4, 5
Interpreters who fail to comply by June 30 of the compliance cycle have their credential permanently revoked and must retake all examinations to reenroll and be reinstated.	Starting in 2025, replace permanent revocation with a long-term suspension policy that enables the interpreter to come back into compliance at any time without having to retake all the required interpreter examinations.	Would remove revocation/requirement to retake all examinations and replace with long-term suspension status for interpreters.  Makes it easier for interpreters to come back into compliance.	Pages 5, 11, 12

<b>Current Process</b>	Proposed Change	Reason for Change	Page Citations
	A suspended interpreter would have to pay a reinstatement fee of \$250 plus the \$100 annual renewal fee to be reinstated.		Dames 4.5. C
Payment of annual renewal fees may be made by check, money order, or cashier's check; or as otherwise instructed by CIP.  Interpreters needed to attest to completion of compliance requirements on a paper form.	Interpreters may make their annual renewal payments and attest to completion of their continuing education and professional assignments requirements online through the Court Interpreter Data Collection System's (CIDCS) Interpreter Portal.	Informs interpreters of their options to pay for compliance through CIDCS or they may send a check to JCC.  Use of CIDCS for payments is more convenient and saves staff time with processing paper forms or checks.	Pages 4, 5, 6
Interpreters must complete the Judicial Council ethics workshop during their first compliance period.	Starting in 2025, interpreters who have been credentialed for more than two years must take a newly developed online ethics refresher training for interpreters every two years along with other ethics courses that the council develops and determines should be required in the future.	Maintains interpreter familiarity with ethics and professional standards. Ethics courses provided by Judicial Council will be periodically updated to adapt to new or evolving issues.	Pages 2, 7
Interpreters must complete a minimum amount of instructor-	Replace "instructor-led instructor-led	Clarifies CIMCE qualifications, particularly for remote	Pages 7, 16, 19

<b>Current Process</b>	Proposed Change	Reason for Change	Page Citations
led approved CIMCE educational activities	instruction", which can be either led inperson or online with faculty	courses that are live and led by an instructor.	
Interpreters can receive credit for a minimum of fifteen (15) hours of instructor-led approved CIMCE educational activities.	Change to a minimum of ten (10) hours of live instructor-led approved CIMCE educational activities.	Allows interpreters to complete their requirements with more affordable and flexible options.	Page. 7
Interpreters can receive credit for maximum of fifteen (15) hours of non-instructor led approved CIMCE education activities.	Change to a maximum of twenty (20) hours of non-instructor-led approved CIMCE educational activities.	Allows interpreters to complete their requirements with more affordable and flexible options.	Pages 7, 8, 16
Educational activities must be one hour in duration.	Change to educational activity must be at least thirty minutes.	Allows interpreters to complete their requirements with more affordable and flexible options.	Pages 3, 10
	Allow for CIP's approval of "finish at your own pace" types of training.	Allows interpreters to complete their requirements with more affordable and flexible options.	Page 7
	Add language in Appendix B to explicitly state that professional interpreting assignments do not require payment and can include translations.	Clarifies reported confusion from interpreters regarding the credit that they may report towards compliance.	Pages 23, 24



# Compliance Requirements for California Certified Court and Registered Interpreters

WITH PROCEDURES FOR PROVIDERS
OF COURT INTERPRETER
CONTINUING EDUCATION ACTIVITIES



Judicial Council of California 455 Golden Gate Avenue San Francisco, California 94102-3688 www.courts.ca.gov

© 2019 by Judicial Council of California. All rights reserved. Published 2019. Effective January 1, 2001. Sixth edition effective January 1, 2025.

# **Table of Contents**

li	ntro	duction		1
		Purp	oose	1
		Edu	cation Defined	2
Part '	1: R	equire	ments and Procedures for California Certified Court and Registered	t
1	.0		ary of Compliance Requirements	
			Summary Chart of Annual Renewal Requirements	
			Maintenance of Records	
			Keeping Contact Information and Other Key Information Up to Date	
			Audit of Compliance Documentation	
2	2.0		Renewal Fees	
3	3.0		nterpreter Minimum Continuing Education Requirements	
			Required Continuing Education Hours	
			Interpreters Applying for CIMCE Credit	
			Application Fees	
			Activities Not CIP Approved For CIMCE	
			Computation of CIMCE Credit	
4	.0		ional Interpreting Assignments	
			Waiver to Professional Interpreting Assignments Requirement	
5	.0		es for Noncompliance	
			Reinstatement Fee	
			Suspension of Interpreter <mark>'s</mark> Credential	
			Reinstatement to the Master List	
6	6.0	Inactiv	e Status	12
Part 2	2: R	equire	ments and Procedures for Education Providers	14
7	.0	Educati	ion Defined	14
8	3.0	Instruc	tor Qualifications	14
9	0.0	Applica	tion Procedures	15
		9.1	Interpreters Teaching a CIP-Approved CIMCE Activity	16
		9.2	Application Fees and Submission	17
1	0.0	Mainte	nance of Records	18
1	1.0	Profess	ional Conferences or Educational Activities Outside of the U.S	19
1	2.0	Educati	ion Delivery Methods	19
1	3.0	Judicia	Council Course Audits	20
Appe	ndi	x A: Sı	uggested Educational Topics for Continuing Education	21
Appe	ndi	x B: Li	st of <b>Professional Interpreting Assignments</b>	23

# Introduction

# **Purpose**

The Judicial Council of California, through its Court Interpreters Program (CIP), is the credentialing (sometimes referred to as *licensing*) body for certified court and registered spoken-language interpreters (hereafter "interpreters"). CIP administers the policy and procedures established by the Court Interpreters Advisory Panel for annual renewal fees and compliance requirements that interpreters are required to abide by to maintain their credentialing status. CIP also maintains the Judicial Council's online *Master List of Certified Court and Registered Interpreters* (hereafter "Master List"), which is used by courts, justice partners, and the public to locate credentialed interpreters in good standing with the Judicial Council.<sup>2</sup>

The Judicial Council's responsibilities over court interpreters in California are stated in California Government Code sections 68560–68566. In accordance with section 68562, all spoken language interpreters are required to meet continuing education and certification renewal requirements established by the Judicial Council of California. Specifically:

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.

(Gov. Code, § 68562(d).)

Providers of continuing education activities are also required to abide by the procedures stated in these requirements.

The **compliance requirements** for California certified court and registered interpreters:

- Ensure that the interpreters continuously improve and learn in order to maintain the requisite knowledge, skills, and abilities (KSAs) required to perform their responsibilities competently, fairly, and efficiently;
- Help interpreters preserve the integrity and impartiality of the judicial system through their efforts to ensure that all members of the public have equal access to the courts,

<sup>&</sup>lt;sup>1</sup> https://languageaccess.courts.ca.gov/court-interpreters-resources/search-interpreter

<sup>&</sup>lt;sup>2</sup> American Sign Language (ASL) interpreters currently holding a Specialist Certificate: Legal (SC:L) issued by the Registry of Interpreters for the Deaf or the Court Interpreter Certification issued by the Texas Board for the Evaluation of Interpreters may become a California certified court interpreter. For additional information, interpreters may contact courtinterpreters@jud.ca.gov. Effective January 1, 2024, ASL court interpreters on the Master List will be responsible for paying the \$100.00 annual renewal fee and attesting that they are in good standing. The continuing education requirements for ASL court interpreters remain with their credentialing body.

- stand on equal footing when participating in court proceedings, and are treated fairly and justly; and
- Help improve the administration of justice, reduce court delays, and promote fair and efficient court proceedings and standardized court practices and procedures.

# In addition, interpreters have a duty to the profession and are required to:

- Abide by the canons found in rule 2.890 of the California Rules of Court, Professional conduct for interpreters, <a href="https://www.courts.ca.gov/cms/rules/index.cfm?title=two&linkid=rule2\_890">www.courts.ca.gov/cms/rules/index.cfm?title=two&linkid=rule2\_890</a>;
- Read and understand the Professional Standards and Ethics for California Court Interpreters, www.courts.ca.gov/documents/CIP-Ethics-Manual.pdf;
- Newly credentialed interpreters must take the required live and remote ethics workshop
  provided by the Judicial Council within their first two years. It is recommended that new
  interpreters take this course as soon as possible;
- Interpreters who have been credentialed for more than two years must take an online ethics refresher training developed by the Judicial Council for interpreters every two years along with other ethics courses that the council develops and determines should be required in the future.
- If employed by the California courts, abide by the employing court's policies and procedures, including the *Code of Ethics for the Court Employees of California*, as they pertain to interpreter employees;
- If contracted by the courts, abide by the terms of the courts' contractual agreements;
- Continually strive to increase language skills, including, but not limited to, staying current with technical, vernacular, and regional terminology; and
- Stay up to date on statutes, rules of court, legislative changes, and changes to policies and procedures that inform the duties of the interpreting profession.

# **Education Defined**

Court Interpreter Minimum Continuing Education (CIMCE) refers to educational activities in which the interpreter participates after passing the required examinations for certification or registration and enrolling on the Judicial Council's Master List.

Education for the purposes of these requirements is an educational activity relevant to courtrelated interpreting that:

Offers development of existing skills and bridges identified knowledge gaps;

- Addresses the KSAs essential for court interpretation;<sup>3</sup>
- Enhances an interpreter participant's ability to perform interpreting work for the courts, other justice partners, and interpreting professions; and
- Is offered by a CIP-approved provider.

# The educational activity must meet the following criteria:

- 1. The subject matter is relevant to court interpreting, the function of the courts or the judicial branch, or other approved interpreting services conducted outside the courts.
- 2. The activity is at least thirty minutes in length.
- 3. Clear goals and objectives are identified in the course outline or syllabus describing how learning outcomes (knowledge, skills, or abilities) will be applied, demonstrated, or used.
- 4. The course meets the educational standards, requirements, and rigor necessary for professional interpreters.

The educational activity must also meet at least two of the following five criteria:

- 1. Location where learning activity takes place is educationally sound.
- 2. Interpreter participant receives or has access to all reference tools, materials and resources) required for learning and applying educational content.
- 3. Interpreter participant can practice using or applying the new information or skill as part of the learning experience.
- 4. Interpreter can interact with knowledgeable faculty or other experts by posing questions or to clarify understanding of educational content.
- 5. An assessment tool or activity that enables the participant to determine whether the knowledge, skills, and abilities, gained through the educational activity can be applied to their work in the future.

<sup>&</sup>lt;sup>3</sup> The KSA's are identified in the Judicial Council's *Study of California's Court Interpreter Certification and Registration Testing* (2007), <a href="https://languageaccess.courts.ca.gov/about/studies-and-reports">https://languageaccess.courts.ca.gov/about/studies-and-reports</a>.

# Part 1: Requirements and Procedures for California Certified Court and Registered Interpreters

# 1.0 Summary of Compliance Requirements

All interpreters enrolled on the Judicial Council's *Master List of Certified Court and Registered Interpreters* receive email notification every July on how to complete their annual renewal requirements, accompanied by forms and instructions.

# NOTE the following important points:

- If an email address is not on file or bounces back, the annual renewal materials will be sent via U.S. mail to the address listed on the interpreter's profile.
- The annual renewal packets include instructions on how to submit annual renewal fees and verification of completion of compliance requirements.
- Interpreters are responsible for keeping their contact information in their profile up to date by either updating this information directly in their profile or providing CIP with a completed form to update this information. It is especially important that interpreters keep their email address updated as CIP, by default, communicates with credentialed interpreters almost exclusively by email.<sup>4</sup>
- Failure to provide a current mailing address and/or email address, or not receiving the annual renewal materials, does not exempt an interpreter from fulfilling all compliance requirements and does not constitute lack of notice from CIP.

# 1.1 Summary Chart of Annual Renewal Requirements

Description	Required	Due <mark>Dates a</mark> nd Notes
Annual Fee (active interpreter) Annual Fee (inactive interpreter)	\$100 \$50	Due between July 1 and the last business day in November.
Continuing Education and Professional Interpreting Assignments	<ul> <li>30 hours of CIP-approved CIMCE courses</li> <li>40 professional interpreting assignments</li> </ul>	Due every two years  Due between July 1 and the last business day in November.  Effective Sept. 2019, interpreters were no longer required to turn in continuing education and professional assignment documentation. They are required to attest, under penalty of perjury, to completing all continuing education and professional interpreting assignments requirements. CIP reserves the right to audit.

<sup>&</sup>lt;sup>4</sup> An information update form is available to all interpreters at <a href="https://languageaccess.courts.ca.gov/court-interpreters-resources/current-court-interpreters/annual-renewal-compliance-and-continuing">https://languageaccess.courts.ca.gov/court-interpreters/annual-renewal-compliance-and-continuing</a>.

Description	Required	Due <mark>Dates a</mark> nd Notes	
		Interpreters must maintain records verifying compliance for five years. Failure to provide records may result in suspension of the interpreting credential.	
Suspension and Reinstatement Fee	\$350 (\$100 annual fee plus \$250 reinstatement fee	Suspension is effective December 1. Checks or money orders sent by mail must be received by CIP by the last business day in November to avoid suspension.  Interpreters who are facing economic or other hardship are encouraged to contact CIP as soon as possible in November before the deadline to avoid suspension and being assessed the reinstatement fee.  The interpreter's credential(s) is/are suspended until the interpreter asks to be reinstated.  To be reinstated, the interpreter must pay the annual fee of \$100 and a \$250 reinstatement fee (\$350 total).	
All interpreters on the Master List receive instructions on how to submit payment and attest to completing their continuing education and professional interpreting assignments requirements.			

# 1.2 Maintenance of Records<sup>5</sup>

Interpreters must retain all records of continuing education and professional interpreting assignments for **five** years. Each education record must be accompanied by a valid CIMCE or Minimum Continuing Legal Education (MCLE) number and include:

- 1. An official transcript with a passing grade of C or above from an U.S. accredited college or university; <sup>6</sup> and,
- 2. A letter or certificate of completion from the education provider.
- 3. A record of professional interpreting assignments that includes the date, type, and location of the event and if applicable, the case number (see Appendix A).

If an interpreter misplaces any record that verifies proof of attendance, the interpreter must contact the education provider and request a copy or replacement. A list of providers is

<sup>&</sup>lt;sup>6</sup> Courses provided by colleges or universities outside of the United States are subject to review by the Judicial Council, and approval as CIMCE providers is not guaranteed.

available at <a href="https://languageaccess.courts.ca.gov/publication/list-providers-court-interpreter-minimum-continuing-education-cimce-credit">https://languageaccess.courts.ca.gov/publication/list-providers-court-interpreter-minimum-continuing-education-cimce-credit</a>.

# 1.3 Keeping Contact Information and Other Key Information Up to Date

Interpreters are responsible for keeping their contact information in the Court Interpreter Data Collection System (CIDCS) up to date by either updating this information directly via the Interpreter Portal or by providing CIP with a completed <u>Information Update/Verification form</u>. Interpreters are responsible for relaying changes to names, place of employment, and employment status (e.g., independent contractor, court employee, retired) by submitting this form. It is especially important that interpreters keep their email address updated as CIP, by default, communicates with credentialed interpreters almost exclusively by email.

Failure to keep CIP apprised of current contact information is likely to result in not receiving important communications.

# 1.4 Audit of Compliance Documentation

The Judicial Council reserves the right to conduct an audit and request verification of continuing education and professional assignment documentation. Failure to provide records and documentation as requested could result in the matter being referred to the credential review process and result in sanctions up to and including suspension of an interpreter's credential, additional required training, assessment of the reinstatement fee, and revocation.

# 2.0 Annual Renewal Fees

Interpreters are notified by email when a new compliance cycle launches and are provided with related information and applicable forms:

- 1. Annual renewal fees are due every year between July 1 and the last business day in November.
- 2. The Language Access Services webpages include the due dates, as well any updated information regarding the annual renewal fees.<sup>7</sup>
- 3. In the absence of an email address, notification will be mailed to the address on file as a reminder that the annual renewal fee is due.
- 4. Interpreters are strongly encouraged to pay their annual renewal fee online via the Interpreter Portal of the <u>Court Interpreter Data Collection System</u> to avoid delays. However, they may also pay this fee by check, money order, cashier's check, or as otherwise instructed by CIP. Checks or money orders sent by mail must be received by CIP by the last business day in November to avoid suspension.

https://languageaccess.courts.ca.gov/court-interpreters-resources/current-court-interpreters/annual-renewal-compliance-and-continuing

6. CIP cannot provide information on whether the State Controller has cashed a check, money order, or cashier's check.

# 3.0 Court Interpreter Minimum Continuing Education Requirements

Continuing education activities, that are CIP approved for CIMCE, refer to activities in which the interpreter participates in only *after* passing the required examinations in place to obtain California certified court or registered interpreter status and subsequent enrollment on the Master List.

The first continuing education compliance period begins on the interpreter's enrollment date with the Judicial Council and ends on the last day of November the following year. Once the full enrollment process is complete, the interpreter is listed on the Master List, which is available to the public. All subsequent compliance periods are every two years beginning on July 1 and ending on November 30<sup>th</sup>.

Continuing education activities must have an assigned CIMCE number granted by:

- The Judicial Council of California, Court Interpreters Program; or
- Other U.S. state courts or Administrative Office of the Courts;

or an assigned Minimum Continuing Education (MCLE) number granted by:

The California State Bar.

# 3.1 Required Continuing Education Hours

All interpreters on the Master List are required to complete **30 hours** of continuing education within every two-year compliance period.

- 1. All certified court and registered interpreters are required to complete **30 hours** of continuing education as follows:
  - a. All **30** hours may consist of live instructor-led approved CIMCE educational activities (in person or online); or
  - b. A **minimum** of 10 hours of non-instructor-led approved CIMCE educational activities; and a **maximum** of 20 hours of non-instructor-led approved CIMCE educational activities.
  - c. Interpreters who have been credentialed for more than two years must take an online ethics refresher training developed by the Judicial Council for interpreters every two years along with other ethics courses that the council develops and determines should be required in the future. This instruction can be included as part of the maximum of 20 hours of non-instructor-led training.
  - d. Online "finish at your own pace" types of training may be taken and are classified as non-instructor-led training.

# 3.2 Interpreters Applying for CIMCE Credit

It is strongly recommended that interpreters seek courses that CIP has approved for CIMCE. If an educational activity has not been approved, we encourage submission of the application requesting CIMCE credit immediately after completion of the activity to avoid the possibility of non-approval.

The **following conditions** apply to all interpreter applications for CIMCE credit:

- 1. CIMCE credit will be awarded only after completion of the entire educational activity.
- 2. For activities not approved by CIP for CIMCE, proof of attendance—in the form of an official transcript or certificate of completion, including the number of hours—must accompany the application.
- 3. CIMCE credit will count toward requirements for the compliance period corresponding to the year in which the educational activity is completed.
- 4. CIMCE hours or interpreting assignments may NOT be carried over from one compliance period to the next.
- 5. Educational activities approved by the California State Bar for MCLE credit or awarded by other state court systems do not require submission of an application.
- 6. Certified and registered interpreters who are instructors of CIMCE-approved activities or teach in interpreter training programs are eligible to receive non-instructor-led credit up to the maximum allowed continuing education credit for teaching activities. (See section 9.1 *Interpreters Teaching a CIMCE Approved Activity*)
- 7. The maximum CIMCE credits awarded for instructors of approved activities is 20 non-instructor-led credits. An application must be submitted.
- 9. Interpreters must maintain transcripts, certificates, or letters of completion verifying proof of attendance for five years.

**NOTE:** Applications for CIMCE credit that are received after September 1 are *not* guaranteed to be approved by the last business day in November. Applications should be submitted as early as possible.

# 3.3 Application Fees

Interpreters who attend non-CIP-approved activities for CIMCE credit and education providers requesting CIMCE approval must submit the following application fees.

- 1. A nonrefundable application fee of \$50 per activity, per year, not to exceed \$300, provided all applications are submitted at the same time.
- 2. A nonrefundable application fee of \$300 for conferences, interpreter vacations (approved only if the provider submits an application), and some multiday activities.

Educational activities offered by the following groups are exempt from application fees:

- Judicial Council of California
- California superior courts
- National Center for State Courts—Consortium for Language Access in the Courts
- Other state courts and Administrative Office of the Courts
- Federal courts
- U.S. Department of Justice
- U.S. accredited colleges and universities<sup>8</sup>
- 4. See section 9.2, *Application Fees and Submission*, for how to submit your application for CIMCE.

# 3.4 Activities Not CIP Approved For CIMCE

CIMCE approval will not be granted by CIP for the following:

- 1. Rating candidates for any state, federal, or Consortium for Language Access in the Courts court interpreter exam
- 2. Developing any state, federal, or consortium court interpreter exam, or exam development for any profession
- 3. Attending in person or via distance learning classes that provide instruction on how to take and pass any state or federal court certification and/or registered court exam
- 4. Attending in person or via distance learning classes that provide instruction on how to take and pass any professional exam, and/or prepare one for any professional certification, licensing, or credentialing exam
- 5. Attending courses on brand development, marketing, running or building a business, or engaging in marketing or consulting activities
- 6. Performing self-directed research or publishing
- 7. Attending courses primarily based on reading works of fiction (novels, movies, podcasts)<sup>9</sup>
- 8. Completing the same CIMCE-approved activity more than once in the same compliance period
- 9. Time spent doing homework

<sup>&</sup>lt;sup>8</sup> Training provided by colleges or universities outside of the United States are considered on a case-by-case basis.

<sup>&</sup>lt;sup>9</sup> Courses in translation that include how to translate fictional work may be accepted.

10. Attending or conducting activities unrelated to continuing education requirements

CIMCE credit is **not guaranteed** for participation in activities that are advertised as, or are part of interpreter vacations, or workshops and conferences offered in a foreign country. Foreign travel in general is not CIMCE eligible. (See Section 11.0, *Professional Conferences and Educational Activities Outside of the U.S.*)

The CIP may also deny approval of courses deemed not to meet the educational criteria or definition of education (see Introduction, *Education Defined*).

# 3.5 Computation of CIMCE Credit

- CIMCE credit is awarded as follows:
  - a. Each hour of participation in an educational activity is counted as 1 hour of CIMCE credit.
  - b. One satisfactorily completed academic quarter unit is equal to 10 hours of CIMCE credit.
  - c. One satisfactorily completed academic semester unit is equal to 15 hours of CIMCE credit.
- 2. CIMCE credit is approved at a minimum of thirty minutes; subsequent hours are measured in 15 minute increments and rounded down. For example, if an educational activity is 2 hours and 20 minutes, the allowable hours awarded are 2.25 hours; if it is 2 hours and 45 minutes, 2.75 hours are awarded.
- 3. The maximum CIMCE credit approved per day is generally 6 hours. Credit may be awarded for up to 8 hours per day at the discretion of CIP for conferences or other educational activities.

# 4.0 Professional Interpreting Assignments

All certified court and registered interpreters are required to complete 40 court-related or other qualifying professional interpreting assignments during each continuing education compliance period. (See Appendix B for a list of recommended professional interpreting assignments.)

Interpreters must retain documentation of completed professional interpreting assignments for **five** years. Documentation must include date and type of event, case number (if applicable), location, and name of where the event took place; and length of time of assignment.

<sup>&</sup>lt;sup>10</sup> Interpreters are highly encouraged to seek out courses from providers that have obtained CIMCE numbers approved by CIP.

# 4.1 Waiver to Professional Interpreting Assignments Requirement

Registered court interpreters who cannot complete 40 court-related or other approved professional interpreting assignments, because of a limited need for their language<sup>11</sup> by the court or other provider of interpreting services, may be eligible for an exemption, as follows:

- 1. Interpreters can request exemption in writing indicating the reason that a waiver is being requested; or request a waiver as otherwise instructed by CIP.
- 2. Exemptions are granted on a case-by-case basis.

# 5.0 Penalties for Noncompliance

Interpreters must pay the annual renewal fee and attest to completing their continuing education and professional interpreting assignments requirements by the last business day of November to avoid suspension and a reinstatement fee. Checks or money orders sent by mail must be received by CIP by the last business day in November to avoid suspension. Interpreters who remain out of compliance after the last business day in November will be notified by email in December that their credential has been suspended and they have been assessed a reinstatement fee.<sup>12</sup>

# 5.1 Reinstatement Fee

A reinstatement fee is assessed to each interpreter who remains out of compliance beginning December 1.

# 5.2 Suspension of Interpreter's Credential

If an interpreter has not met all annual renewal requirements by the last business day in November, the interpreter's certification and/or registration status will be suspended and the interpreter will be removed from the Judicial Council's Master List, and the trial courts will be notified.

An interpreter whose credential has been suspended no longer retains active status. Interpreters who are facing economic or other hardship are encouraged to contact CIP as soon as possible in November before the deadline to avoid suspension and being assessed the reinstatement fee. After suspension, interpreters are encouraged to contact CIP to be reinstated and placed back on the Master List.

<sup>&</sup>lt;sup>11</sup> Interpreters who reside out-of-state may not request a waiver due to out-of-state residence. Qualifying professional interpreting assignments completed out-of-state are acceptable.

<sup>&</sup>lt;sup>12</sup> Consistent with Government Code section 71802(d), only court interpreters who retain their certified or registered status may maintain trial court employee status. For independent contractors, the consequence of suspension is that the interpreter is considered non-certified or non-registered by the courts, and thus the interpreter loses assignment priority under the Trial Court Interpreter Employment and Labor Relations Act, Government Code section 71800 et seq.

# 5.3 Reinstatement to the Master List

For a suspended interpreter to be reinstated to the Master List in good standing, the interpreter must complete each of the following requirements:

- 1. Pay the past-due annual renewal fee.
- 2. Pay the reinstatement fee.
- 3. Pay the returned-check fee, if applicable.
- 4. Provide updated contact information, place of employment (if applicable), employment status (court-employed or independent contractor), and any other information needed by CIP.

After being reinstated, the interpreter must comply with the continuing education and professional interpreting assignment requirements and pay future annual renewal fees to remain in good standing.

# 6.0 Inactive Status

An interpreter may request to be put on inactive status at any time after the completion of one two-year compliance cycle. The following conditions apply:

- 1. A request for inactive status must be submitted in writing, in advance, to CIP and include the effective start and end dates.
- 2. The period of inactivity is limited to two years.
- 3. Requests must be made at least 30 days before the end of the current compliance year.
- 4. CIP will respond within 10 business days of receipt of the request with all pertinent information, including a pro-rate of continuing education requirements and professional interpreting assignments required and annual renewal fee based on the requested dates of inactive status.
- 5. Only interpreters in good standing are eligible for inactive status.
- 6. Interpreters on inactive status are prohibited from interpreting in the courts.
- 7. The annual renewal fee for interpreters on inactive status is one-half of the published annual renewal fee.
- 8. An interpreter on inactive status is exempt from CIMCE requirements but is awarded credit if the interpreter chooses to complete CIMCE courses during the period of inactivity.
- 9. A written request must be submitted to CIP requesting return to active status before the end of the period of inactive status.

10. Once an interpreter returns to active status, the interpreter must complete the requirements for continuing education and court-related professional interpreting assignments for the months during which the interpreter is active by the end of their regular compliance cycle.

For questions or more information regarding any of the requirements or procedures provided, please visit the Annual Renewal, Compliance, and Continuing Education webpage<sup>13</sup>, contact CIP at courtinterpreters@jud.ca.gov, or mail your inquiries to:

Judicial Council of California Court Interpreters Program 455 Golden Gate Avenue San Francisco, California 94102

https://languageaccess.courts.ca.gov/court-interpreters-resources/current-court-interpreters/annual-renewal-compliance-and-continuing

# Part 2: Requirements and Procedures for Education Providers

# 7.0 Education Defined

*Education*, for the purposes of these requirements, is an educational activity relevant to court-related interpreting that offers development of existing skills; bridges identified knowledge gaps; addresses the Knowledge, Skills, and Abilities Essential for Court Interpreting (KSAs) required for interpretation in the courts;<sup>14</sup> enhances the interpreter participant's ability to perform interpreting work for the courts, or other justice partners and interpreting professions; and, is offered by a Judicial Council approved provider. The CIP may also deny approval of courses deemed not to meet the educational criteria or definition of education (see Introduction, *Education Defined*). It is recommended providers read the entire manual.

# 8.0 Instructor Qualifications

Applications for CIP approval of a continuing education activity must be accompanied by a curriculum vitae (CV) or statement of instructor qualifications. For a course to be eligible for CIMCE credit, instructors must meet the following minimum requirements:

- 1. An instructor of an *interpreting skills* course must possess:
  - a. A bachelor's or postgraduate degree from a U.S. university, or an equivalent degree from a foreign university;
  - b. At least five years' demonstrated experience in courtroom, medical, or conference interpreting;
  - c. California court interpreter certified or registered status, or valid court interpreter certification from another state; <sup>15</sup> or
  - d. United States District Court federal court interpreter certification or valid court interpreter certification from another country.
- 2. An instructor of a *translation skills* course must possess:
  - a. A bachelor's or postgraduate degree from a U.S. university, or an equivalent degree from a foreign university;
  - b. At least five years' experience as a professional translator; and
  - c. Credentials from a recognized U.S. professional translator's association or a university degree in translation.

<sup>14</sup> The KSAs are identified in the *Study of California's Court Interpreter Certification and Registration Testing* (2007), <a href="https://languageaccess.courts.ca.gov/sites/default/files/partners/default/2023-12/Study-CA-Court-Int-Cert-Regis-Testing.pdf">https://languageaccess.courts.ca.gov/sites/default/files/partners/default/2023-12/Study-CA-Court-Int-Cert-Regis-Testing.pdf</a>

<sup>&</sup>lt;sup>15</sup> Interpreter instructors from other states must have passed the Consortium for Language Access in the Courts certification exams currently used in California or equivalent certification exams recognized by California.

- 3. An instructor of any other course must possess:
  - a. Required and valid credentials to practice his or her profession or trade (an academic degree, license, certificate, etc.);
  - b. No less than five years' experience in the profession or trade; and
  - c. Experience delivering professional education.

The Judicial Council may waive the academic degree requirement for uniquely qualified individuals who do not possess a formal academic degree but who meet all other requirements. Requests for exceptions will be reviewed on a case-by-case basis. Requests for exemption must be requested in writing.

# 9.0 Application Procedures

All education providers must adhere to the following requirements for requesting CIMCE approval from CIP:

- 1. Must include a completed and signed application form in English for the course to be considered.
- 2. If applying for multiple courses, submit one application for each course, or you can the list each course on the application, and all required information for each course must be attached on a separate document.
- 3. The term *approved continuing education activity* or any phrase indicating approval by CIP may not be used in any promotional materials unless approval has been granted.
- 4. Promotional materials should include the statement, if approval is pending: *Application has been submitted to the Judicial Council of California's Court Interpreters Program for Court Interpreter Minimum Education Credit.*<sup>16</sup>
- 5. The application and all supporting documents must be in **English** and include:
  - a. A description of the continuing education activity or program that establishes instructional goals, objectives, and learning outcomes and demonstrates relevancy to court interpreting;<sup>17</sup>
  - b. The course agenda or syllabus, in English, that states the delivery method (see section 12.0), and a clear, concise description (a current course catalog is acceptable);
  - c. The date and number of hours (lunch breaks must be provided for courses exceeding five hours (homework is not counted for CIMCE); and

<sup>&</sup>lt;sup>16</sup> The use of the Judicial Council of California or Court Interpreter Program logo or indication of sponsorship is strictly forbidden unless prior authorization or sponsorship has been approved.

<sup>&</sup>lt;sup>17</sup> A *goal* is an overarching principle that guides decision-making. *Objectives* are specific, measurable steps or an activity taken to meet the stated goal.

- e. An instructor statement of qualifications or a current CV demonstrating ability and education that qualifies one to teach the course, except for fee-exempt providers.
- 6. A fee of \$50 per course for which a CIMCE number is requested must accompany the application or, if the application is electronically submitted, mailed separately (see section 9.2, *Application Fees and Submission*)
- 7. Applications will not be processed until payment is received.
- 8. Illegible, hard-to-read, or incomplete applications will not be considered and will be returned to the provider, asking for missing information or clarification. This complication will delay approval of the application.

**NOTE:** Approval is usually granted for one calendar year only; providers who will offer the same educational activity without change to content, hours, or instructors may apply for approval for up to a three-calendar-year period.

# 9.1 Interpreters Teaching a CIP-Approved CIMCE Activity

1. CIMCE credit for teaching a CIP-approved activity is granted as non-instructor-led CIMCE credit and is computed at the rate of 3 hours' preparation time for each hour of instruction, plus instruction time.

Example: The first time you teach a 1-hour class, you will receive 3 hours of non-instructor-led CIMCE credit for preparation, plus 1 hour of non-instructor-led CIMCE credit for the presentation, totaling 4 hours of non-instructor-led CIMCE credit. The second time you teach the course in the two-year compliance period, you will not receive CIMCE credit.

- 2. The maximum number of CIMCE credit granted for teaching a CIP-approved activity is 20 non-instructor-led hours. Credit is granted only once for the activity within a two-year compliance cycle.
- 3. A CIMCE number for teaching a CIP-approved activity or in an accredited college, university, state court, or approved educational or governmental institution will be assigned to the instructor upon application and submission of proof of having taught the course.<sup>18</sup>
- 4. There is no fee for teaching at fee-exempt institutions (see section 3.3).

 $^{18}$  Teaching interpreter training courses is approved for instructors of those courses, if all requirements are met.

16

# 9.2 Application Fees and Submission

- 1. A nonrefundable application fee of \$50 per education activity—not to exceed \$300 per year, provided the course applications are submitted at the same time—is requested.<sup>19</sup>
- 2. The nonrefundable application fee for conferences, interpreter vacations and some multiday activities is \$300.
- 3. Approval is granted for one calendar year only.
- 5. Providers that offer the same educational activity without change to content, hours, or instructors may apply for approval for up to three calendar years. Application fees of \$50 per activity and maximum of \$300 **per year** remain the same.
- 6. The following information must be submitted for each course and application:
  - a. Goals and objectives
  - b. Course outline and agenda, including breaks and lunch (CIMCE not given for meal breaks), with clear times indicated
  - c. Statement of instructor qualifications (not required for fee-exempt providers)
  - d. Promotional materials, if available
  - e. Method of delivery)
  - f. Name of provider or institution, in the subject line of your email submission
- 7. Applications may be submitted via email to cimce@jud.ca.gov.
- 8. The name of the course or provider should be indicated in the subject line of the email.

Materials and/or application fee in the form of a check, cashier check, or money order may be mailed to:

Judicial Council of California Court Interpreters Program 455 Golden Gate Avenue San Francisco, California 94102

**NOTE:** Allow up to 30 business days to process your application, and be aware of the following:

• Providers who submit applications for approval of continuing education activities that have concluded will not necessarily be approved retroactively; retroactive approval is at

<sup>&</sup>lt;sup>19</sup> You may submit one application provided that each course is listed on the application, and an attached document for each course contains all the required information. We suggest submitting via email as a PDF to <a href="mailto:cimce@jud.ca.gov">cimce@jud.ca.gov</a>. Allow up to 30 days for review and determination of approval.

- the discretion of CIP for providers of an educational activity. The exception is for interpreters who have taught a course and are applying for CIMCE.
- Within the same calendar year, an approved educational activity may be offered on more than one occasion, or at more than one location, without submission of a new application for approval, provided that no substantive changes are made to the activity content, hours, or faculty.
- Incomplete or illegible applications—or applications missing payment, required information, or documents—will not be considered. The applicant will be notified and will need to submit the required documentation as requested in order for the application to be processed.
- Incomplete applications will be returned or held.

# 10.0 Maintenance of Records

- 1. The provider of an approved continuing education activity must keep the following records for five years after the activity concludes and furnish them on request at no cost to the Judicial Council:
  - a. The letter or notice of course approval issued by CIP;
  - b. A roster of attendance with the participants' full name, signature or initials; and
  - c. A copy of the certificate or letter of completion issued to the participants.
- 2. All providers of a continuing education activity must notify the CIP of any changes to organizational structure or personnel responsible for the continuing education activities, including name and address changes, within 30 days after the change.
- 3. Within 60 days of completion of an approved continuing education activity, the provider must issue a document to each participant to verify attendance. The document may be a letter, grade slip, transcript, or certificate of completion. A certificate of completion must not contain any language that could be construed as constituting interpreter certification.
- 4. All documents (except for university or college transcripts) must contain the following:
  - a. Name of the interpreter attendee and (optional) their certification or registration number or other identification number;
  - b. Course title, course date or dates, and CIMCE number;
  - c. Provider's name and address;
  - d. Number of continuing education hours; and
  - e. Signature or seal of the instructor or the provider.
- 5. The provider of an approved continuing education activity must distribute an evaluation form that allows the interpreter to assess the course and submit comments. The provider

must retain the evaluation forms for at least five calendar years and submit to the Court Interpreters Program upon request and at no cost.

6. The letter or notice received from CIP approving a course(s) for CIMCE **must** not be distributed to attendees as verification of course attendance.

# 11.0 Professional Conferences or Educational Activities Outside of the U.S.

In the case of a conference at which multiple continuing education activities will take place, including those held outside of the U.S., or for educational activities that are advertised as being part of interpreter vacations, the sponsoring entity or attendee may submit the following:

- 1. A single application for all workshops, with an Excel or Word chart that lists all required information, to allow CIP to evaluate course content;
- 2. A single application for all workshops occurring on the same day; and
- 4. The fee for conferences of \$50 per presentation, maximum of \$300, or \$300 for an interpreter vacation.

**NOTE:** If you are an attendee, approval of your application is **not** guaranteed. Approval is guaranteed if the application was submitted by the provider and approved for CIMCE by CIP.

# 12.0 Education Delivery Methods

There are several ways to offer educational activities. Regardless of method, the activity must meet all the requirements of an educational activity as stated in these requirements to ensure that professional court interpreter education meets the demands of the profession.

- 1. Live Instructor-led distance learning: instruction occurs when student and instructor are not in the same place but provides a forum that allows for live interaction between participants and faculty during the course. The instructor is present during the entire activity and can interact with the students and answer questions. Distance education includes courses offered over the internet, through webinars, via videoconferencing, on interactive satellite broadcasts, and via electronic device applications.
- 2. *Non-instructor-led distance learning:* most of the learning is not led by instructor but has a specific structure and outcomes. Examples that are not instructor led and that may be considered for non-instructor-led CIMCE credit include online courses with no live instructor or public lectures on relevant topics by subject-matter experts.
- 3. In addition to the requirements stated in section 9.0, *Application Procedures*, providers of a distance learning course or workshop must comply with the following:
  - a. Inform students of the specific technology required for participation;
  - b. For live instructor-led distance learning, have instructors available to students in person or by phone or email during the course or workshop; and

c. For live instructor-led activities, establish a system that provides proof of full attendance and completion within the parameters of the medium.

# 13.0 Judicial Council Course Audits

CIP may request the records of a provider at any time or send a representative to attend any approved continuing education activity. If CIP staff or a designated representative attends a course, the following will apply:

- 1. If a course will be attended by CIP or a representative, CIP will notify the provider no less than two weeks before the course with the name of the attendee.
- 2. Representatives for CIP will not be required to pay the course fee.
- 3. The provider may request feedback from CIP following the completion of the course.

# Appendix A: Suggested Educational Topics for Continuing Education

**NOTE:** This is a list of possible topics for study and is not a comprehensive list or an inventory of all approved subject matter with guaranteed approval. All educational activities are subject to approval by the Judicial Council's Court Interpreters Program.

# **Skill Areas**

- Consecutive interpreting skills techniques and skills practice
- Developing memory skills
- Interpreting skills for conference, immigration, medical (courses that prepare one for an examination do not qualify)
- Note taking
- Sight translation skills
- Simultaneous interpreting skills: beginning and advanced techniques and skills practice

# Language Skills

- Contrastive analysis and grammar (language pairs)
- Advanced vocabulary/grammar (should include instruction in the target language)
- Correct pronunciation
- Dialects/regionalisms
- Etymology, linguistics
- Translation courses
- False cognates
- Syntax
- Diction (accent reduction)
- Voice protection

# **Knowledge Areas**

- Arraignments, hearings, motions
- Civil law
- Civil rights history
- Conference interpreting and procedures
- Constitutional law
- Contracts
- Courses in law
- Courtroom protocols and procedures
- Criminal or civil investigation
- Cultural competency
- Cybersecurity and the law
- Diversity
- Domestic violence
- Drug and alcohol testing
- Drug terminology

- Elder abuse
- Ethics
- Family law
- Fingerprints
- Forensic pathology
- History of law
- Supreme Court rulings and history
- Role of government
- Immigration court interpreting and procedures
- Implicit bias
- International law/contracts
- Investigative procedures
- Juvenile proceedings (dependency, delinquency, child support, Indian Child Welfare Act)
- Law enforcement terms and procedures
- Legal advice *v*. legal information
- Legal precedents
- Legal procedure in other countries
- Legal terminology
- Maritime law
- Medical interpreting and procedures
- Mental health proceedings
- Changes in the law and statutes
- Sentencing procedures
- Sex offenses
- Street slang and idioms
- Unlawful detainer
- Vicarious trauma
- Weapons and ballistics

# Appendix B: List of **Professional Interpreting Assignments**

Government Code 68562(d) provides, in part, that "[t]he Judicial Council shall adopt standards and requirements for interpreter proficiency, continuing education, certification renewal, and discipline."

To maintain proficiency in the duties required of a court interpreter, and to meet compliance requirements, California certified court and registered interpreters are to complete 40 professional interpreting assignments every two years. (See section 4.1, *Waiver to Professional Interpreting Assignments Requirement*)

A *professional assignment* is an interpreting event that involves a legal case or other structured interaction between a limited-English-proficient (LEP) individual and a third party and that requires professional or technical interpretation person, by video, or telephonically. Professional assignments may also include translation of written documents. *Pro bono* (non-paid) assignments count toward the 40 assignment total requirement.

Examples of interpreting events include:<sup>20</sup>

- 1. Any federal, state, tribal, or administrative court proceedings, within or outside California, where:
  - a. Interpreters seeking approval of professional interpreting assignments performed outside the United States must retain and submit appropriate documentation, if requested, reflecting that they interpreted into (or from) English; and
  - Administrative court proceedings include immigration court proceedings, Social
    Security Administration and similar federal agency hearings, and California
    administrative agency proceedings such as those involving workers' compensation,
    Office of Administrative Hearings, Department of Industrial Relations, Unemployment
    Insurance Appeals Board, and Department of Motor Vehicles;
- 2. Court-ordered or court-operated services, where LEP court users ordered to participate require interpreter services to access the service, including family court services orientation, rehabilitation services (anger management, substance abuse), and court-ordered traffic school;
- 3. Interactions between counsel and LEP clients/defendants to litigate a legal case, including:
  - a. Depositions and deposition preparation sessions where the LEP client is present,
  - b. Case preparation sessions with attorneys (with the LEP client present),

\_

<sup>&</sup>lt;sup>20</sup> Please contact the Court Interpreters Program at <u>courtinterpreters@jud.ca.gov</u> for any questions regarding professional interpreting assignments.

<sup>&</sup>lt;sup>21</sup> Each day of a multiday trial counts as one professional assignment.

- c. In-custody interviews (also known as "jail house" interviews),
- d. Mediation sessions or arbitration hearings,
- e. Settlement conferences,
- f. Probation department interviews,
- g. Witness conferences, and
- h. Psychiatric or other medical evaluations.
- 4. Self-help center services and training; and
- 5. Professional conferences (interpreting services for speaker presentations, workshops, or panels).

All interpreters must retain documentation verifying the completion of 40 professional interpreting assignments for five years and submit it to the Court Interpreters Program, if requested.