



JUDICIAL COUNCIL OF CALIFORNIA

LANGUAGE ACCESS PLAN
IMPLEMENTATION TASK FORCE

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LANGUAGE ACCESS PLAN IMPLEMENTATION TASK FORCE

MINUTES OF OPEN MEETING

May 10, 2017

12:00 p.m. to 1:00 p.m.

Business Meeting, via Conference Call

Advisory Body Members Present:	Hon. Mariano-Florentino Cuéllar; Chair; Hon. Manuel Covarrubias, Vice-Chair; Ms. Naomi Adelson; Hon. Steven Austin; Mr. Kevin Baker; Ms. Angie Birchfield; Ms. Tracy Clark; Hon. Jonathan Conklin; Hon. Dennis Hayashi; Ms. Janet Hudec; Ms. Joann Lee; Ms. Ivette Peña; Hon. Rosendo Peña; Hon. Jonathan Renner; Mr. José Varela; Hon. Brian Walsh; Mr. David Yamasaki; and Hon. Laurie Zelon
Advisory Body Members Absent:	Hon. Terence Bruiniers; Hon. Michelle Williams Court; Hon. Janet Gaard; Ms. Ana Maria Garcia; Ms. Susan Marie Gonzalez; Mr. Michael Roddy; Dr. Guadalupe Valdés; and Ms. Jeanine Tucker
Others Present:	Mr. Patrick Ballard; Ms. Lisa Crownover; Ms. Linda Foy; Ms. Diana Glick; Ms. Mary Ann Koory; Mr. Bob Lowney; Ms. Jenny Phu; Mr. Victor Rodriguez; and Ms. Elizabeth Tam-Helmuth.

OPEN MEETING

Call to Order and Roll Call

The Task Force Chair, Supreme Court Associate Justice Mariano-Florentino Cuéllar, called the meeting to order at 12:00 p.m. and welcomed everyone to the meeting of the Language Access Plan (LAP) Implementation Task Force (ITF or Task Force), including individuals from the public listening in. Roll was taken.

Approval of Minutes

The Task Force unanimously approved the January 30, 2017 meeting minutes. In addition, those Task Force members who were present at the March 14, 2017 Community Outreach meeting unanimously approved the March 14 meeting minutes.

POSSIBLE LANGUAGE ACCESS PLAN IMPLEMENTATION PRIORITIES FOR A BUDGET CHANGE PROPOSAL FOR FISCAL YEAR 2018-19 [POSSIBLE ACTION ITEM]

Justice Cuéllar shared that Task Force members, Subcommittee Chairs and other stakeholders have given critical input to help shape the draft Budget Change Proposal (BCP) for Fiscal Year 2018-19. He reminded everyone that the Governor's approved budget for FY 2016-17 includes

an additional \$7 million, ongoing, to support interpreter expansion into all civil matters. However, additional funding is still needed for courts to adequately fulfill the statewide expansion of language access services into all civil matters. Judicial Council staff has been working diligently to come up with cost estimates, utilizing court interpreter usage data, information from the January 2017 civil reporting form, and preliminary information from the March 2017 language access survey that was conducted by the National Center for State Courts (NCSC). There have been many meetings and conversations held in the past few months with the council’s Budget Services staff and with the Task Force’s Subcommittee Chairs.

Due to internal deadlines, including submission of a language access-related BCP to the Budget Services on May 16, we need to review and discuss the draft items for the FY 2018-19 BCP. In the coming months, our Task Force staff will work to incorporate each and every one of these items into the full BCP for FY 2018-19 (which, following approval by other internal advisory committees and ultimately, by the Judicial Council in August 2017, will be submitted to the Department of Finance in September 2017).

Justice Cuéllar identified the four language access BCP items, along with related program staffing, which total \$8,152,000:

Proposed Project	2018-2019	FTEs
Expansion of interpreter services into all civil proceedings	\$4,000,000	
Infrastructure support and non-VRI equipment to help support courts’ language access expansion	\$2,696,000	
Signage grant program for trial courts	\$1,000,000	
Continued development and maintenance of the web-based <i>Language Access Toolkit</i>	\$85,000	
Program staffing	\$371,000	2.0
Total Requested	\$8,152,000	2.0

Judge Austin reviewed the proposed BCP items:

1. Expansion of Court Interpreter Services into all Civil Proceedings [\$4,000,000 ongoing]

Expansion into civil cases has been gradual, but courts have made extensive progress since 2015. A recent survey was conducted to gather information regarding each court’s ability to provide interpreters as of December 31, 2016, in each of the eight priority levels under Evidence Code 756. Results indicate that significant expansion in the availability of interpreters in civil proceedings is underway: the average estimated interpreter coverage is 80%+ in each of the eight priority levels, and courts are embracing the Language Access Plan. To reach full expansion, additional funding is needed and Task Force staff has been working with Budget Services staff to develop projections for what

will be needed in the Trial Court Trust Fund (TCTF) 0150037 for upcoming fiscal years. We now have various new pieces of information that we didn't have for prior methodologies, such as detailed survey responses from the courts, and we're trying to figure out the best way to use all of that information together to come up with a solid projection. The preliminary estimate from Budget Services to cover further civil expansion is an additional \$4 million in ongoing monies for TCTF 0150037. Because two of the four interpreter regions are currently in salary negotiations, our request does not include potential wage increases that may result from negotiations in the regions. The Task Force can adjust the amount of funding requested to account for any negotiated wage increases in a Spring Finance Letter, to be sent to the Department of Finance in February 2018.

2. Infrastructure Support and Non-VRI Equipment to Help Support Courts'

Language Access Expansion: Establishment of a *Language Access Infrastructure Reimbursement Fund* [\$2,000,000 ongoing and \$696,000 one-time, and 0.5 FTE \$87,500]

Funding is requested to support courts' added infrastructure and oversight costs. With the courts' expansion of interpreter services into civil proceedings, the courts are now faced with increased volume of interpreter services to oversee and additional infrastructure expenses. As a general rule, courts do not receive reimbursements for administrative costs of interpreter services. As identified in the recent 2017 NCSC language access survey, in order for the courts to fully expand language access services and fully implement the Language Access Plan, additional funding is paramount for infrastructure support to pay for associated additional non-reimbursable services related to the language access expansion, such as court interpreter supervision, coordination or scheduling of staff, translation of key local documents for LEP court users, bilingual pay-differentials to hire and retain qualified bilingual staff, multi-lingual signage needs, and language access-related equipment. In addition, the current language access expansion effort taking place in the courts requires courts to have updated/upgraded quality interpreter wireless communication equipment and headsets, which enable court interpreters to work more efficiently with LEP parties and witnesses. In addition to the \$2,000,000 ongoing request for infrastructure support, we request a one-time funding augmentation of \$696,000 specifically to assist the courts with the purchase of upgraded wireless equipment and headsets for court interpreters statewide. A 0.5 FTE position ongoing will be included in the request to support the infrastructure reimbursement program.

3. Establishment of a *Signage Grant Program for the Trial Courts* [\$1,000,000 ongoing, and 0.5 FTE \$87,500]

This funding request for a signage grant program is tied to the recent report on wayfinding and signage strategies for courts ("Wayfinding and Signage Strategies for Language Access in the California Courts: Report and Recommendations"), which will be presented to the Judicial Council on May 18. Easy-to-understand signage is essential to help limited English proficient (LEP) court users navigate the courthouse and ensure they

receive appropriate services. The Signage Grant Program for the courts will prescribe guidance, consideration, and funding to courts that seek reimbursement for costs incurred in the development of easy-to-understand signage that is essential to help LEP court users navigate the courthouses and ensure they receive appropriate services. A 0.5 FTE position is requested to work collaboratively with the Budget Services office to manage and coordinate this grant program.

4. Continued Development and Maintenance of the Web-based Language Access

Toolkit [\$49,000 ongoing and 1.0 FTE \$175,000]

Funding is being requested for the further development, expansion, and maintenance of the online Language Access Toolkit, for disseminating the work of the Task Force and supporting local courts in their efforts to provide language access to LEP court users. The Task Force has generated a number of important tools for courts and has developed an initial framework for a centralized access point and repository for all language access resources and materials. The additional funding would be used to: (1) build out the site for full functionality for courts and add sections for LEP court users who speak one of the top eight languages in California to be connected with information available on the statewide and local levels in their language, including information sheets, videos and other resources; and (2) to support the production of multilingual outreach videos to be included in the Toolkit and other venues. A 1.0 FTE position is requested to continually manage the site's content, serve as subject matter expert for translated documents, and provide technical maintenance on the site.

Action Taken: Motion and second to accept and approve the four budget items for a FY 2018-19 BCP. The eighteen (18) Task Force members present were unanimously in favor; none opposed.

CLOSING AND ADJOURNMENT

Following our approval today, Judicial Council staff will prepare the language access-related BCP items for submittal to Budget Services. Later this month, the language access-related BCP items will be submitted to all applicable advisory committees for approval. The Judicial Branch Budget Committee will meet on June 16 to review, approve, and prioritize various BCPs for the branch. The Chairs will work with Judicial Council staff to prepare the language access-related items so the FY 2018-19 BCP can be approved through the council's BCP process over the next several months.

If Task Force members have any questions about the BCP process, they should feel free to contact the chairs or council staff.

There being no further business, the meeting was adjourned at 1:00 p.m.

Approved by the advisory body on August 9, 2017.