



# JUDICIAL COUNCIL OF CALIFORNIA

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LANGUAGE ACCESS PLAN  
IMPLEMENTATION TASK FORCE

## **LAPITF Community Outreach Meeting April 24, 2018, 10:00 a.m. – 1:00 p.m. Materials Index**

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# JUDICIAL COUNCIL OF CALIFORNIA

Language Access Plan Implementation Task Force

## Notice of Community Outreach Meeting

*Join us to learn about Language Access Plan implementation progress  
and to provide public comment*

When: **April 24, 2018, 10 a.m. – 1 p.m.**

Where: Judicial Council's Sacramento Office  
2860 Gateway Oaks Drive, Suite 400  
Sacramento, California 95833

Agenda / Listen online: [www.courts.ca.gov/LAP.htm](http://www.courts.ca.gov/LAP.htm)

Public Call-In Number: 1-877-820-7831, then Pass code: 3708365 (listen only)

### The Public is Welcome

You are welcome to come to the meeting. You may also speak at the meeting if you want to. To do so, put your name on the Speakers' Sign-up Sheet (available at least 30 minutes before the meeting starts).

Each speaker will have about 3-5 minutes. If many people want to speak, and there is not enough time, you may not get a chance to speak.

### Live Audio Cast

A live audiocast of the meeting, as well as closed captioning (in English and Spanish), will be available on the Language Access webpage:

<http://www.courts.ca.gov/languageaccess.htm>

### Send Us Your Comments

We also accept written comments. We will share your comments with the Task Force if we receive them by April 23, 2018 at 10 a.m.

E-mail: [LAP@jud.ca.gov](mailto:LAP@jud.ca.gov)

Mail: Judicial Council of California, LAP Implementation Task Force  
455 Golden Gate Ave., San Francisco, CA 94102

ATTN: Ms. Elizabeth Tam-Helmuth

### To Record the Meeting

Please e-mail us your request to record the meeting at least 2 business days before the meeting: [LAP@jud.ca.gov](mailto:LAP@jud.ca.gov).



### For an interpreter or disability access...



E-mail:

[LAP@jud.ca.gov](mailto:LAP@jud.ca.gov)

If an interpreter is needed and/or Americans with Disabilities Act accommodations are required, please e-mail your request to us at: [LAP@jud.ca.gov](mailto:LAP@jud.ca.gov). Please make your request by April 4, 2018.



# Judicial Council of California

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SAKAUYE  
*Chief Justice of California*  
*Chair of the Judicial Council*

MARTIN HOSHINO  
*Administrative Director*

**LANGUAGE ACCESS PLAN  
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FORCE**

HON. MARIANO-FLORENTINO  
CUÉLLAR, Chair  
HON. MANUEL J. COVARRUBIAS  
Vice-Chair

Ms. Naomi Adelson

Hon. Steven K. Austin

Mr. Kevin Baker

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Hon. Michelle Williams Court

Hon. Janet Gaard

Ms. Ana Maria Garcia

Ms. Susan Marie Gonzalez

Hon. Dennis W. Hayashi

Ms. Janet Hudec

Ms. Joann Lee

Ms. Ivette Peña

Hon. Rosendo Peña

Hon. Jonathan K. Renner

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Hon. Victor A. Rodriguez

Ms. Jeanine D. Tucker

Dr. Guadalupe Valdés

Mr. José H. Varela

Hon. Brian Walsh

Mr. David Yamasaki

Hon. Laurie D. Zelon

**COMMITTEE STAFF**

Ms. Elizabeth Tam-Helmuth  
415-865-4604

## COMMUNITY OUTREACH MEETING

Tuesday, April 24, 2018  
10 a.m. – 1 p.m.

Judicial Council's Sacramento Office:  
2860 Gateway Oaks Drive, Suite 400 - Sacramento, CA 95833

### Judicial Council of California Language Access Implementation Developments and Initiatives

*"Language access is access to justice"* — Hon. Mariano-Florentino Cuéllar

#### AGENDA

**I. Welcome and Opening Remarks (10:00 a.m. – 10:15 a.m.)**

- Hon. Mariano-Florentino Cuéllar, Chair
- Hon. Manuel J. Covarrubias, Vice-Chair  
Language Access Plan Implementation Task Force

**II. Language Access Expansion: Update on Statewide Progress  
(10:15 a.m. – 11:00 a.m.)**

The California courts continue to make progress in expanding access to the courts for limited English proficient (LEP) court users. Over the last several years, courts across the state have expanded access to provide interpreters in civil proceedings and additional funding has been secured to help support the ongoing expansion. This panel will review the work of the Language Access Plan Implementation Task Force (LAPITF) and discuss highlights from 2017, including the development and implementation of a language access complaint form and process, as well as pending small claims legislation. Additionally, this panel will review continued efforts to support language access, including ongoing data collection and consistent communication with the Language Access Representatives.

Trial court judicial officers, court staff, Judicial Council staff, and stakeholders will join in a dialogue regarding civil expansion efforts and future initiatives.

**III. Community Needs, Public Outreach, and Recruitment Strategies**

**(11:00 a.m. – 11:45 a.m.)**

As courts continue to expand language access services, it is essential to monitor the growing or changing needs of LEP court users and to ensure that the broader LEP communities know of the services available. Additionally, continued recruitment of bilingual staff and specialists, as well as qualified court interpreters, will be needed to ensure language access at all points of the court and in all legal processes. This panel will highlight local and statewide strategies to engage LEP communities and to inform LEP users of available services. The panel will also review recruitment and training strategies that could be used to attract and prepare bilingual staff and court interpreters.

This discussion session will include input from court interpreters, outside agencies working towards full language access, and stakeholders.

**IV. Video Remote Interpreting Pilot Project and Other Technological Solutions**

**(11:45 a.m. – 12:30 p.m.)**

To assist with the full expansion of language services, a number of California courts are looking to the use of video remote interpreting (VRI) and other technological solutions to provide qualified language assistance. This presentation will provide more information on the current VRI pilot being conducted in three California courts (Merced, Sacramento and Ventura), and will include slides and visuals of pilot efforts.

Trial court judicial officers, court administrators, court interpreters, and stakeholders will join in a dialogue or discussion regarding VRI and the current California court pilot.

**V. Public Comment (12:30 p.m. – 12:50 p.m.)**

The Task Force welcomes input from members of the public.

**VI. Next Steps and Closing Remarks (12:50 p.m. – 1:00 p.m.)**

- Hon. Mariano-Florentino Cuéllar, Chair
  - Hon. Manuel J. Covarrubias, Vice-Chair
- Language Access Plan Implementation Task Force



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## **Community Outreach Meeting April 24, 2018 Speaker Biographies**

### **Hon. Mariano-Florentino Cuéllar, Chair Justice of the California Supreme Court**

Justice Mariano-Florentino Cuéllar began serving on the Supreme Court of California in January 2015. A scholar of public law and institutions, Justice Cuéllar has written books and articles on administrative law and legislation, cyberlaw, criminal justice, public health law, national security, and immigration. In the federal government, Justice Cuéllar served as Special Assistant to the President for Justice and Regulatory Policy at the White House (2009-2010), where he led the Domestic Policy Council staff responsible for civil and criminal justice, public health law and policy, and immigration. He also led the Presidential Transition Task Force on Immigration (2008-2009) and co-chaired the U.S. Department of Education's Equity and Excellence Commission (2011-2013). Justice Cuéllar serves on the boards of Harvard University, the Hewlett Foundation, and the American Law Institute, and chairs the boards of the Center for Advanced Study in the Behavioral Sciences, AI Now, and Stanford Seed.

### **Hon. Manuel J. Covarrubias, Vice Chair Judge of the Superior Court of California, County of Ventura**

Judge Manuel J. Covarrubias was appointed to the Ventura County Superior Court in 2002. He has served as a Judge in Family Law, Juvenile Court and is currently assigned to the Criminal Department. He has served as a member of the Access and Fairness Advisory Committee and served as co-chair of its Race and Ethnic Subcommittee. In 2011, Judge Covarrubias was appointed to the Court Interpreters Advisory Committee where he served until 2017. He was also the Co-Chair of the Joint Working Group for California's Language Access Plan. Judge Covarrubias has participated in the Court's Interpreter Ethics Workshops for new interpreters, serving as a panel member, on issues affecting the court and interpreters. Prior to his judicial appointment, Judge Covarrubias was selected to serve as a Court Commissioner for the Ventura County Superior Court from 1994 to 2002. Judge Covarrubias is fluent in Spanish and has served on the boards of a number of community and professional organizations. Judge Covarrubias received his Juris Doctorate from Loyola Law School, Los Angeles in 1977.

### **Panel One: Language Access Expansion: Update on Statewide Progress (10:15 a.m. – 11:00 a.m.)**

### **Hon. Steven K. Austin Judge of the Superior Court of California, County of Contra Costa**

Judge Steven Austin has served as a trial court judge at the Contra Costa County Superior Court in California since 1998. From 2005 to 2014, he was one of two judicial members of the



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## **Community Outreach Meeting April 24, 2018 Speaker Biographies**

California Commission on Access to Justice and served as Chair from 2007 to 2010. From 2010 to 2016, he served as the Chair of the Court Interpreters Advisory Panel (CIAP). In 2013, he also served as Chair of the Judicial Council Ad Hoc Group for Court Interpreter Issues. From 2013 to 2015, he was a member of the Joint Working Group for California's Language Access Plan, the advisory body that developed the *Strategic Plan for Language Access in the California Courts*. He currently serves as the Chair of the Task Force's Budget and LAP Monitoring Subcommittee, and is a member of the Language Access Plan Implementation Task Force.

### **Ms. Karen Camper**

#### **Court Executive Officer, Superior Court of California, County of Calaveras**

Ms. Karen Camper has been the Court Executive Officer for the Calaveras County Superior Court since April 2017, prior to her appointment she was acting and interim CEO for a short period and was the Court Operations Manager previously. Ms. Camper has been with Calaveras Court since September of 2008. She also worked for Stanislaus County Superior Court from 1990 to 2008, and prior to her departure from the court, she was the Assistant Calendar Manager. Ms. Camper received a Bachelor of Science degree in Business Administration from California State University, Stanislaus and holds a Master Certificate in Judicial Administration from California State University, Sacramento.

### **Mr. Douglas Denton**

#### **Supervising Analyst, Language Access Services, Judicial Council of California**

Mr. Douglas G. Denton is the Supervising Analyst of the Language Access Services Unit at the Judicial Council of California, which works to ensure language access throughout California's courts. Since 2015, he has served as lead staff to the Judicial Council's Language Access Plan Implementation Task Force. From 2013–2015, he served as lead staff to the Joint Working Group for California's Language Access Plan, the advisory body that developed the *Strategic Plan for Language Access in the California Courts*. The Language Access Plan provides recommendations, guidance, and a consistent statewide approach to ensure language access for California's 7 million LEP residents and potential court users. Douglas is a founding board member of Access Institute for Psychological Services, a mental health training clinic that provides low-fee psychotherapy for individuals, couples and families. He has a B.A. in Economics from U.C. Berkeley.



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## **Community Outreach Meeting April 24, 2018 Speaker Biographies**

### **Ms. Ivette Peña**

#### **Chief Deputy, Legal Services/Court Counsel, Superior Court of California, County of Los Angeles**

Ms. Ivette Peña is Chief Deputy, Legal Services/Court Counsel for the Superior Court of California, County of Los Angeles. In that capacity, she advises the Court on a wide variety of legal issues pertaining to the operation of the court, including employment, labor and personnel matters involving the court's 4,500 employees. She also manages the Court's attorney workforce numbering more than 130. Chief Justice Tani Cantil-Sakauye appointed Ms. Peña to serve on the Court Interpreter Advisory Panel in 2013 and, in 2015, appointed her to serve on the Language Access Plan Implementation Task Force. She received her law degree from Harvard Law School and her undergraduate degrees in Economics and Urban Studies from Brown University. She is a native of Puerto Rico and is bi-lingual in Spanish.

### **Ms. Linda Romero-Soles**

#### **Court Executive Officer, Superior Court of California, County of Merced**

Ms. Linda Romero-Soles is the Court Executive Officer for the Merced County Superior Court. Prior to becoming CEO, she was an Assistant CEO at the Stanislaus County Superior Court and also worked at the U.S. District Court, Central District of CA in Los Angeles. She serves on various committees for the Judicial Council of California and has served as faculty at Judicial Council conferences; Center for Judicial Education and Research; Arkansas Administrative Office of the Courts; and Michigan State University Judicial Administration Program. She is a certified Institute for Court Management trainer with the National Center for State Courts and taught for the Puerto Rico Judiciary, the first time an NCSC class was taught in Spanish. Ms. Romero-Soles holds a Bachelor of Science degree in Criminal Justice Administration from San Diego State University and a Master's Degree in Public Administration with a certificate in Judicial Administration from the University of Southern California. She is a certified Fellow of the Institute for Court Management, Court Executive Development Program. In 2016, she was the recipient of the Institute for Court Management Fellows Star Award, the first Latina to receive this award.



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## **Community Outreach Meeting April 24, 2018 Speaker Biographies**

### **Panel Two: Community Needs, Public Outreach, and Recruitment Strategies (11:00 a.m. – 11:45 a.m.)**

#### **Ms. Joann Lee**

#### **Special Counsel, Asian and Pacific Islander (API) Community Outreach Project, Legal Aid Foundation of Los Angeles (LAFLA)**

Ms. Joann Lee is a Special Counsel on Language Justice at the Legal Aid Foundation of Los Angeles (LAFLA). Bilingual in Korean, Ms. Lee has provided direct legal services to the growing Asian and Pacific Islander immigrant population in the Los Angeles area at LAFLA since 2000. She specializes in the areas of family and immigration law and has extensive experience navigating court and government systems to obtain meaningful linguistic access for limited English proficient individuals. She also has filed administrative complaints and litigated cases based on state and federal civil rights language access requirements. Active in the local community, Ms. Lee has served on the boards of the Korean Resource Center, Center for the Pacific Asian Family, and Korean American Bar Association of Southern California. Ms. Lee holds a Juris Doctorate from George Washington University Law School and a Bachelor's degree in social policy and women's studies from Northwestern University.

#### **Ms. Jaya Badiga**

#### **Managing Attorney, WEAVE, Inc.**

Ms. Jaya Badiga is the Managing Attorney for WEAVE, a non-profit organization in Sacramento CA, with a mission to end domestic violence, sex trafficking and sexual assault. Ms. Badiga provides civil legal assistance to victims of domestic violence, sex trafficking and sexual assault. In March 2016, she co-presented on "Domestic Violence Restraining Order Practice" by the Continuing Education of the Bar. She co-presented on the complex issue of cultural competency to new mediators at a Judicial Council Training in October, 2017. In November 2017, she moderated a panel on Cultural Competency and Bias at a Domestic Violence Seminar in Sacramento. Ms. Badiga received her Juris Doctorate from Santa Clara University Law School in December 2008 and was admitted to the California Bar in June 2009. She holds a joint Master's degree in International Relations and International Communications from Boston University and received a Bachelor's degree in Psychology from Osmania University in India.





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## **Community Outreach Meeting April 24, 2018 Speaker Biographies**

### **Ms. Satvinder Franco**

#### **Court Interpreter Coordinator and Language Access Representative, Superior Court of California, County of Fresno**

Ms. Satvinder (Sat) Franco has served as the Court Interpreter Coordinator for the Fresno County Superior Court since 2008. Ms. Franco's career with the Court has come full circle since she started her employment with the Court in 1994 as a Punjabi court interpreter. In 1995, she was assigned the Interpreter Manager position serving in this capacity for four years. She also served as a Special Projects Manager, Senior Staff Analyst, Drug Court Administrator and finally as the Court Services Division Manager (2003-2006). She served as an independent contractor registered Punjabi interpreter from 2006 to 2008. In 2008, she returned to the Court in her current position as the Court Interpreter Coordinator and Language Access Representative. Ms. Franco has served as an ad hoc member for the Task Force's Language Access Education and Standards Subcommittee.

### **Mr. Stephen Goldberg**

#### **Regional Counsel, Legal Services of Northern California**

Mr. Stephen Goldberg is Regional Counsel for Public Benefits for Legal Services of Northern California. A 1994 graduate of McGeorge School of Law, Mr. Goldberg worked at the Human Rights Fair Housing Commission from October 1994 to December 1995. He returned to Legal Services of Northern California in 2001 as a staff attorney in the Woodland office and moved to the Sacramento office in 2007. He became the Senior Attorney in 2013. Mr. Goldberg has also worked for Northern California Lawyers for Civil Justice, the Coalition of California Welfare Rights Organizations and the Legal Center for the Elderly and Disabled. In addition, he has taught landlord/tenant law and administrative law in the paralegal program at American River College since 1998. Mr. Goldberg also has taught legal writing at University of California, Davis King Hall School of Law.

### **Mr. Kevin Hefner**

#### **Senior Legislative Aide, Assemblymember David Chiu's Office**

Mr. Kevin Hefner is a Senior Legislative Aide with the office of Assemblymember David Chiu, where he works on a variety of legislative issues, and staffs him on topics that affect the Asian and Pacific Islander (API) Caucus. He previously worked for Assemblymember Tom Daly, and was a member of the Assembly Fellowship program in the office of Assemblymember Richard Bloom. Mr. Hefner also serves as an advisor to the Asian Youth Leadership Project, and is an alumnus of the API Legislative Staff Academy.



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## **Community Outreach Meeting April 24, 2018 Speaker Biographies**

### **Panel Three: Video Remote Interpreting Pilot Project and Other Technological Solutions (11:45 a.m. to 12:30 p.m.)**

#### **Hon. Terence L. Bruiniers**

##### **Associate Justice of the Court of Appeal, First Appellate District, Division Five**

Justice Terence Bruiniers is an Associate Justice on the California First District Court of Appeal, Division Five. He was appointed to the Court of Appeal in June 2009, after serving over ten years on the Contra Costa County Superior Court, including a term as Presiding Judge of that court. Justice Bruiniers served as a member of the Information Technology Advisory Committee to the Judicial Council from 1999 to 2017, and chaired that committee for five years. Justice Bruiniers is a 1969 graduate of the University of California, Berkeley, and a 1973 graduate of Boalt Hall (Order of the Coif).

#### **Ms. Kim Pedersen**

##### **Business Analyst/Special Projects – Court Executive Office/Presiding Judge of the Sacramento Superior Court**

Ms. Kim Pedersen is a Business Analyst for Special Projects for the Court's Executive Team and serves as the Language Access Representative for the Sacramento County Superior Court. She has contributed over 23 years to the Judicial Branch for both the Court and the Judicial Council of California. Ms. Pedersen has served on many Judicial Council Advisory Committees and was involved in numerous "access" projects including Video Remote Interpreting; Expansion of Videoconferencing to the Local Mental Health clientele; statistical analysis on the WAFM/RAS funding distribution model; and developed the court's robust public case access system for the court. She has also led numerous efforts in case management solutions including recent efforts to deploy a state-of-the-art interpreter scheduling and case management tool for more than 30 interpreters on staff with the court. Ms. Pedersen holds an undergraduate degree in Community Service with an emphasis on Political Science and a Master's Degree in Criminal Justice. She held honors in both programs and is an active member of the Criminal Justice Society. Ms. Pedersen's lifelong career and dedicated leadership has been in public service assisting those who rely on the Judicial Branch by providing fair, equal and impartial justice and programs for all.

#### **Mr. Michael D. Planet**

##### **Court Executive Officer, Superior Court of California, County of Ventura**

Mr. Michael Planet is the Court Executive Officer of Ventura County Superior Court. Prior to his appointment in Ventura County in 2001, he served as the Court Administrator of the King



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County Superior Court (Seattle, Washington), and as Deputy Court Administrator for the Maricopa County Superior Court (Phoenix, Arizona). He served as an advisory member to the Judicial Council from 2007 to 2010. He is a member of the Court Executives Advisory Committee, serving as its chair in 2010. He has been appointed to a variety of Judicial Council committees. Mr. Planet was awarded the Judicial Council's Leadership in Judicial Administration Award in 2011. Mr. Planet received a Master of Science in the Administration of Justice from American University, and a Bachelor of Arts in Government and Politics from the University of Maryland.

### **Deputy Stephen Roberts**

#### **Bailiff, Superior Court of California, County of Sacramento**

Deputy Stephen Roberts has been with the Sacramento Sheriff's Department for ten years, working in the jails, patrol, and the courts for the last three years as a bailiff for Jaime René Román. Deputy Roberts has a Bachelor of Science degree in Business Administration/Finance. Prior to law enforcement, he has worked in the life insurance field, as a business/technical liaison for the Visa, as a purchasing agent for a commercial kitchen contractor, and as a field auditor for a pension fund administrator. Deputy Roberts is currently married with three sons.

### **Hon. Jaime René Román**

#### **Judge of the Superior Court of California, County of Sacramento**

Judge Jaime René Román was appointed judge of the Sacramento County Superior Court on May 23, 2007. He has served in assignments that included family law, mental health court, night court (violations of probation), state prison, general trials, and home court (criminal law and motion). He has served as a supervising judge in family law and the jail home courts. Prior to his appointment as a superior court judge, he served as a Presiding Administrative Law Judge, California Office of Administrative Hearings (February 2001 to May 2007); an Administrative Law Judge (February 1994 to January 2001); a California Deputy Attorney General (May 1992 – January 1994); a Solano County Deputy District Attorney (May 1980 – August 1991); and was in private practice (December 1976 - May 1980). From May 1981, until his retirement as a colonel on July 1, 2007, he was a reserve member of the U.S. Army Judge Advocate General's Corps. Judge Román holds a Juris Doctorate from Hastings College of the Law, a LL.M. (International Banking Law) from Boston University, a Master in Strategic Studies from the Army War College, and a Bachelor of Arts in Government from St. Mary's College.



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## **Community Outreach Meeting April 24, 2018 Speaker Biographies**

### **Ms. Ofelia Sandoval**

#### **Certified Court Interpreter, Superior Court of California, County of Merced**

Ms. Ofelia Sandoval is a Certified Spanish Court Interpreter with Merced County Superior Court. She is a graduate of the Southern California School of Interpretation and has worked with Merced since becoming certified in 2008.

# Language Access Plan Implementation Task Force



## Interim Progress Report for March 12, 2018

Number of Phase 1, 2 and 3 Recommendations: 75

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### **Goal 1: Improve Early Identification of and Data Collection on Language Needs**

#### **Technological Solutions Subcommittee**

**Subcommittee Lead Staff:** Jenny Phu

**Recommendation:** 1. Courts will identify the language access needs for each LEP court user, including parties, witnesses, or other persons with a significant interest, at the earliest possible point of contact with the LEP person. The language needs will be clearly and consistently documented in the case management system and/or any other case record or file, as appropriate given a court's existing case information record system, and this capability should be included in any future system upgrades or system development.

**Status of Recommendation:** Partially implemented **Phase 1**

**Progress Update:** The subcommittee anticipates that it will prepare an interim guidance memorandum for courts in 2018 on this recommendation. Recommendation 1 is on the Task Force's 2018 Annual Agenda so that we can build on the subcommittee research completed to date. A matrix for case management system functionality has been compiled for at least one major CMS.

**Date of Last Update:** 2/15/2018

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### **Goal 1: Improve Early Identification of and Data Collection on Language Needs**

#### **Technological Solutions Subcommittee**

**Subcommittee Lead Staff:** Jenny Phu

**Recommendation:** 2. A court's provision or denial of language services must be tracked in the court's case information system, however appropriate given a court's capabilities. Where current tracking of provision or denial is not possible, courts must make reasonable efforts to modify or update their systems to capture relevant data as soon as feasible.

**Status of Recommendation:** Partially implemented **Phase 1 and 2**

**Progress Update:** The subcommittee will prepare an interim guidance memorandum for courts in 2018 on this recommendation. Additional work on Recommendation 2 is on the Task Force's 2018 Annual Agenda. As with recommendation 1, staff has validated with at least one major case management system the functionality available with respect to court interpreter services, and more specifically, for this recommendation, whether tracking the denial of services is possible. The subcommittee will continue to research the effort to implement such functionality.

**Date of Last Update:** 3/7/2018

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**Goal 1: Improve Early Identification of and Data Collection on Language Needs**

**Technological Solutions Subcommittee**

**Subcommittee Lead Staff:** Jenny Phu

**Recommendation:** 3. Courts should establish protocols by which justice partners can indicate to the court that an individual requires a spoken language interpreter at the earliest possible point of contact with the court system.

**Status of Recommendation:** Partially implemented **Phase 1**

**Progress Update:** Recommendation 3 is anticipated to be a long-term project for the branch. A Task Force working group to address long-term Language Access Plan projects has been formed and will make recommendations for the council on what steps the branch may need to undertake and address this and other projects after the Task Force sunsets.

**Date of Last Update:** 2/14/2018

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**Goal 1: Improve Early Identification of and Data Collection on Language Needs**

**Translation, Signage and Tools for Courts Subcommittee**

**Subcommittee Lead Staff:** Diana Glick

**Recommendation:** 4. Courts will establish mechanisms that invite LEP persons to self-identify as needing language access services upon contact with any part of the court system (using, for example, "I speak" cards [see page 49 for a sample card]). In the absence of self-identification, judicial officers and court staff must proactively seek to ascertain a court user's language needs.

**Status of Recommendation:** Completed **Phase 1**

**Progress Update:** The subcommittee continues to build the use of "I Speak" cards into all best practices and recommendations developed for courts. The Task Force is pursuing a Budget Change Proposal (BCP) to fund the full build-out and ongoing maintenance of the Language Access Toolkit. The "I Speak" cards, along with other resources and tools to help courts ascertain language needs at the earliest point of contact, are on the Toolkit.

**Date of Last Update:** 3/7/2018

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## **Goal 1: Improve Early Identification of and Data Collection on Language Needs**

### **Translation, Signage and Tools for Courts Subcommittee**

**Subcommittee Lead Staff:** Diana Glick

**Recommendation:** 5. Courts will inform court users about the availability of language access services at the earliest points of contact between court users and the court. The notice must include, where accurate and appropriate, that language access services are free. Courts should take into account that the need for language access services may occur earlier or later in the court process, so information about language services must be available throughout the duration of a case. Notices should be in English and up to five other languages based on local community needs assessed through collaboration with and information from justice partners, including legal services providers, community-based organizations, and other entities working with LEP populations. Notice must be provided to the public, justice partners, legal services agencies, community-based organizations, and other entities working with LEP populations.

**Status of Recommendation:** Completed **Phase 1**

**Progress Update:** The Notice of Available Language Access Services was formatted and translated into nine languages. It is now available on the Language Access Toolkit in a single multilingual version and in nine separate files that contain English and each of the nine other languages of translation.

**Date of Last Update:** 6/7/2017

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## **Goal 1: Improve Early Identification of and Data Collection on Language Needs**

### **Budget and LAP Monitoring Subcommittee**

**Subcommittee Lead Staff:** Elizabeth Tam

**Recommendation:** 6. The Judicial Council and the courts will continue to expand and improve data collection on interpreter services, and expand language services cost reporting to include amounts spent on other language access services and tools such as translations, interpreter or language services coordination, bilingual pay differential for staff, and multilingual signage or technologies. This information is critical in supporting funding requests as the courts expand language access services into civil cases.

**Status of Recommendation:** Completed **Phase 1**

**Progress Update:** The subcommittee determined that existing trial court data collection systems can be modified to capture the additional information necessary under LAP Recommendation No. 6. The subcommittee will continue to monitor developments to determine whether additional data collection procedures are necessary.

**Date of Last Update:** 10/7/2016

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## **Goal 1: Improve Early Identification of and Data Collection on Language Needs**

### **Budget and LAP Monitoring Subcommittee**

**Subcommittee Lead Staff:** Elizabeth Tam

**Recommendation:** 7. The Judicial Council and the courts should collect data in order to anticipate the numbers and languages of likely LEP court users. Whenever data is collected, including for these purposes, the courts and the Judicial Council should look at other sources of data beyond the U.S. Census, such as school systems, health departments, county social services, and local community-based agencies.

**Status of Recommendation:** Completed

**Phase 2**

**Progress Update:** The subcommittee evaluated different data sources and made recommendations to the courts about potential data sources to look at beyond the U.S. Census. The data sources document has been posted to the Judicial Resources Network, and will be regularly updated. The Judicial Council will review applicable data sources for development of the 2020 Language Need and Interpreter Use study, a report on language need and interpreter use in the California trial courts that the Legislature requires to be produced every five years under Government Code section 68563.

**Date of Last Update:** 5/31/2017

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## **Goal 2: Provide Qualified Language Access Services in All Judicial Proceedings**

### **Budget and LAP Monitoring Subcommittee**

**Subcommittee Lead Staff:** Elizabeth Tam

**Recommendation:** 8. Qualified interpreters must be provided in the California courts to LEP court users in all court proceedings, including civil proceedings as prioritized in Evidence Code section 756 (see Appendix H), and including Family Court Services mediation.

**Status of Recommendation:** Partially implemented

**Phase 1 and 2**

**Progress Update:** In August 2017, a survey report was released that indicated that as of December 2016, 47 of 58 superior courts (81% of courts) have expanded their court interpreter services into all eight priority levels established by Evidence Code section 756. See report, "Court Language Access Report Form Summary Report" (August 2017) at <http://www.courts.ca.gov/documents/LAPITF-20170823-CivilSummaryReport.pdf>. Language Access Services staff plans to send out a new language access survey to courts in March 2018 to determine civil expansion levels as of December 2017. The Governor's budget for FY 2016-17 included an additional \$7 million ongoing for trial courts to continue expanding access to interpreters in civil proceedings. The Governor's proposed budget for 2018-19 includes an additional \$4 million in one-time monies to help support expansion efforts. Development of additional funding requests are ongoing.

**Date of Last Update:** 2/14/2018

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## **Goal 2: Provide Qualified Language Access Services in All Judicial Proceedings**

### **Court Interpreters Advisory Panel Subcommittee**

**Subcommittee Lead Staff:** Anne Marx

**Recommendation:** 9. Pending amendment of California Rules of Court, rule 2.893, when good cause exists, a noncertified or nonregistered court interpreter may be appointed in a court proceeding in any matter, civil or criminal, only after he or she is determined to be qualified by following the procedures for provisional qualification. These procedures are currently set forth, for criminal and juvenile delinquency matters, in rule 2.893 (and, for civil matters, will be set forth once the existing rule of court is amended). (See Recommendation 50, on training for judicial officers and court staff regarding the provisional qualification procedures, and Recommendation 70, on amending rule 2.893 to include civil cases.)

**Status of Recommendation:** Completed

**Phase 1 and 2**

**Progress Update:** In September 2017, the Judicial Council voted to adopt changes to Rule 2.893 and related forms, and adopted the same process and procedures for provisionally qualifying spoken language interpreters in all case types, not just criminal cases. The changes will be effective January 1, 2018.

**Date of Last Update:** 10/12/2017

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## **Goal 2: Provide Qualified Language Access Services in All Judicial Proceedings**

### **Budget and LAP Monitoring Subcommittee**

**Subcommittee Lead Staff:** Elizabeth Tam

**Recommendation:** 10. Beginning immediately, as resources are available, but in any event no later than 2020, courts will provide qualified court interpreters in all court-ordered, court-operated programs, services and events, to all LEP litigants, witnesses, and persons with a significant interest in the case.

**Status of Recommendation:** Partially implemented

**Phase 1, 2, and 3**

**Progress Update:** We will likely request funding to support this expansion effort in a future BCP. Language Access Services staff plans to send out a new language access survey to courts in March 2018. The intent of the survey is to gather additional information to assist the California judiciary and the Task Force with an assessment of current language access needs and the identification of statewide and local language access services provided.

**Date of Last Update:** 2/14/2018

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## **Goal 2: Provide Qualified Language Access Services in All Judicial Proceedings**

### **Translation, Signage and Tools for Courts Subcommittee**

**Subcommittee Lead Staff:** Diana Glick

**Recommendation:** 11. An LEP individual should not be ordered to participate in a court-ordered program if that program does not provide appropriate language accessible services. If a judicial officer does not order participation in services due to the program's lack of language capacity, the court should order the litigant to participate in an appropriate alternative program that provides language access services for the LEP court user. In making its findings and orders, the court should inquire if the program provides language access services to ensure the LEP court user's ability to meet the requirements of the court.

**Status of Recommendation:** Partially implemented **Phase 2**

**Progress Update:** The Task Force is developing a rule of court that will provide clear guidance on the provision of language assistance in court-ordered programs and services.

**Date of Last Update:** 2/15/2018

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## **Goal 2: Provide Qualified Language Access Services in All Judicial Proceedings**

### **Technological Solutions Subcommittee**

**Subcommittee Lead Staff:** Jenny Phu

**Recommendation:** 12. The use of in-person, certified and registered court interpreters is preferred for court proceedings, but courts may consider the use of remote interpreting where it is appropriate for a particular event. Remote interpreting may only be used if it will allow LEP court users to fully and meaningfully participate in the proceedings.

**Status of Recommendation:** Completed **Phase 1**

**Progress Update:** The use of in-person, certified and registered court interpreters is preferred for court proceedings. The Video Remote Interpreting (VRI) Pilot Project, per recommendation 16, will help define and test appropriate uses of remote interpreting, to allow LEP court users to fully and meaningfully participate in court proceedings. Following conclusion of the VRI pilot, findings and recommendations will be developed for the Judicial Council.

**Date of Last Update:** 6/12/2017

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## **Goal 2: Provide Qualified Language Access Services in All Judicial Proceedings**

### **Technological Solutions Subcommittee**

**Subcommittee Lead Staff:** Jenny Phu

**Recommendation:** 13. When using remote interpreting in the courtroom, the court must satisfy, to the extent feasible, the prerequisites, considerations, and guidelines for remote interpreting set forth in Appendix B.

**Status of Recommendation:** Partially implemented **Phase 1**

**Progress Update:** Sacramento, Merced, and Ventura counties are participating in the VRI Pilot Project, and each court has chosen two courtrooms to test VRI equipment. Each courtroom will either house equipment from Paras & Associates or Connected Justice, vendors that were contracted through the RFP process. Both vendors were chosen for their ability and agreement to meet minimum technical requirements, as outlined in Appendix B of the Language Access Plan. The assessment period has launched in all three counties as of February 21, 2018, during which time vendor equipment and the guidelines will be reviewed, vetted, and appended, as necessary.

**Date of Last Update:** 2/28/2018

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## **Goal 2: Provide Qualified Language Access Services in All Judicial Proceedings**

### **Technological Solutions Subcommittee**

**Subcommittee Lead Staff:** Jenny Phu

**Recommendation:** 14. The Implementation Task Force will establish minimum technology requirements for remote interpreting which will be updated on an ongoing basis and which will include minimum requirements for both simultaneous and consecutive interpreting.

**Status of Recommendation:** Partially implemented **Phase 1**

**Progress Update:** As mentioned for the Recommendation 13 update, the VRI assessment period has launched in all three counties as of February 21, 2018. During the assessment period, VRI equipment will be tested, vetted, reviewed, and any technology requirements that need to be amended will inform the subcommittee of how best to establish minimum requirements.

**Date of Last Update:** 2/28/2018

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## **Goal 2: Provide Qualified Language Access Services in All Judicial Proceedings**

### **Technological Solutions Subcommittee**

**Subcommittee Lead Staff:** Jenny Phu

**Recommendation:** 15. Courts using remote interpreting should strive to provide video, used in conjunction with enhanced audio equipment, for courtroom interpretations, rather than relying on telephonic interpreting.

**Status of Recommendation:** Partially implemented **Phase 1**

**Progress Update:** For each of the courtrooms participating in the VRI Pilot Project, video capabilities in addition to audio equipment have been installed. Video capability will be tested and reviewed during the VRI Assessment Period.

**Date of Last Update:** 1/26/2018

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## Goal 2: Provide Qualified Language Access Services in All Judicial Proceedings

### Technological Solutions Subcommittee

Subcommittee Lead Staff: Jenny Phu

**Recommendation:** 16. The Judicial Council should conduct a pilot project, in alignment with the Judicial Branch's Tactical Plan for Technology 2014-2016. This pilot should, to the extent possible, collect relevant data on: due process issues, participant satisfaction, whether remote interpreting increases the use of certified and registered interpreters as opposed to provisionally qualified interpreters, the effectiveness of a variety of available technologies (for both consecutive and simultaneous interpretation), and a cost-benefit analysis. The Judicial Council should make clear that this pilot project would not preclude or prevent any court from proceeding on its own to deploy remote interpreting, so long as it allows LEP court users to fully and meaningfully participate in the proceedings.

**Status of Recommendation:** Partially implemented **Phase 1**

**Progress Update:** The Video Remote Interpreting (VRI) Pilot Project began the third phase of its life cycle by going live with at least one vendor, Paras & Associates. Ventura and Merced began the week of January 22, 2018, and Sacramento went live with its VRI equipment February 21, 2018. The additional month allowed Sacramento county to offer all of its interpreters training in VRI equipment. Additionally, San Diego State University (SDSU) began its independent evaluation of the pilot. SDSU has been involved in prepping for data collection for months prior to the go live dates, and the findings from the evaluations will inform the subcommittee of any relevant data regarding due process issues, participant satisfaction, and other elements outlined in Recommendation 16 of the Language Access Plan.

**Date of Last Update:** 2/28/2018

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## Goal 2: Provide Qualified Language Access Services in All Judicial Proceedings

### Technological Solutions Subcommittee

Subcommittee Lead Staff: Jenny Phu

**Recommendation:** 17. In order to maximize the use and availability of California's highly skilled certified and registered interpreters, the Judicial Council should consider creating a pilot program through which certified and registered interpreters would be available to all courts on a short-notice basis to provide remote interpreting services.

**Status of Recommendation:** Partially implemented **Phase 2**

**Progress Update:** Recommendation 17 is anticipated to be a long-term project for the branch. However, the Video Remote Interpreting Pilot Project will test intercourt operability. This means that the three counties involved in the VRI Pilot Project may be able to provide interpreting services, remotely, between the participating courts. This may inform the subcommittee of information for recommendation 17.

**Date of Last Update:** 3/7/2018

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## **Goal 2: Provide Qualified Language Access Services in All Judicial Proceedings**

### **Language Access Education and Standards Subcommittee**

**Subcommittee Lead Staff:** Mary Ann Koory

**Recommendation:** 18. The Judicial Council should continue to create multilingual standardized videos for high-volume case types that lend themselves to generalized, not localized, legal information, and provide them to courts in the state's top eight languages and captioned in other languages.

**Status of Recommendation:** Partially implemented **Phase 1**

**Progress Update:** The subcommittee created a list of existing Judicial Council self-help videos in English and other languages. Judicial Council staff is exploring creation of additional multilingual videos to assist LEP court users in different languages.

**Date of Last Update:** 3/11/2018

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## **Goal 2: Provide Qualified Language Access Services in All Judicial Proceedings**

### **Language Access Education and Standards Subcommittee**

**Subcommittee Lead Staff:** Mary Ann Koory

**Recommendation:** 19. Effective January 2015, pursuant to Government Code section 68561(g) and (f), judicial officers, in conjunction with court administrative personnel, must ensure that the interpreters being appointed are qualified, properly represent their credentials on the record, and have filed with the court their interpreter oaths. (See Recommendation 50, which discusses training of judicial officers and court staff on these subjects.)

**Status of Recommendation:** Completed **Phase 1**

**Progress Update:** The Judicial Council, at its June 24, 2016 meeting, adopted a Bench Card: Working with Court Interpreters; a Resource Outline for judicial officers; and training curricula outlines for judicial officers and court staff. These materials expressly address recommendation number 19, and are available to judges, subordinate judicial officers, and court staff on CJER Online. The Bench Card is also handed out at all of CJER's live statewide judicial education programs. In addition, this content is discussed at live judicial education programs. Judicial and court staff education in this area is ongoing.

**Date of Last Update:** 10/6/2016

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**Goal 2: Provide Qualified Language Access Services in All Judicial Proceedings**

**Budget and LAP Monitoring Subcommittee**

**Subcommittee Lead Staff:** Elizabeth Tam

**Recommendation:** 20. The Judicial Council should expand the existing formal regional coordination system to improve efficiencies in interpreter scheduling for court proceedings and cross-assignments between courts throughout the state. (See Recommendation 30, addressing coordination for bilingual staff and interpreters for non-courtroom events.)

**Status of Recommendation:** Completed **Phase 2**

**Progress Update:** In August 2017, the NCSC provided the Judicial Council with an internal report that contained findings and recommendations for potential improvements to the regional coordination system for cross-assignment of interpreters. Judicial Council staff will work with courts to review the recommendations and make improvements.

**Date of Last Update:** 10/27/2017

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**Goal 2: Provide Qualified Language Access Services in All Judicial Proceedings**

**Budget and LAP Monitoring Subcommittee**

**Subcommittee Lead Staff:** Elizabeth Tam

**Recommendation:** 21. Courts should continue to develop methods for using interpreters more efficiently and effectively, including but not limited to calendar coordination. Courts should develop these systems in a way that does not have a chilling effect on LEP court users' access to court services.

**Status of Recommendation:** Completed **Phase 2**

**Progress Update:** In August 2017, the NCSC provided the Judicial Council with an internal report that contained findings and recommendations on potential methods for using interpreters more efficiently and effectively, including calendar coordination. Judicial Council staff will work with courts to review the recommendations and make improvements to the regional cross-assignment system. At the local court level, courts should ensure that their case calendaring practices do not have a chilling effect on LEP court users' access to court services.

**Date of Last Update:** 10/27/2017

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**Goal 2: Provide Qualified Language Access Services in All Judicial Proceedings**

**Language Access Education and Standards Subcommittee**

**Subcommittee Lead Staff:** Mary Ann Koory

**Recommendation:** 22. Absent exigent circumstances, when appointing a noncertified, nonregistered interpreter, courts must not appoint persons with a conflict of interest or bias with respect to the matter.

**Status of Recommendation:** Completed **Phase 1**

**Progress Update:** The Judicial Council, at its June 24, 2016 meeting, adopted a Bench Card: Working with Court Interpreters; a Resource Outline for judicial officers; and training curricula outlines for judicial officers and court staff. These materials expressly address recommendation number 22, and are available to judges, subordinate judicial officers and court staff on CJER Online. The Bench Card is also handed out at all of CJER’s live statewide judicial education programs. Judicial and court staff education in this area is ongoing.

**Date of Last Update:** 10/6/2016

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**Goal 2: Provide Qualified Language Access Services in All Judicial Proceedings**

**Language Access Education and Standards Subcommittee**

**Subcommittee Lead Staff:** Mary Ann Koory

**Recommendation:** 23. Minors will not be appointed to interpret in courtroom proceedings nor court-ordered and court-operated activities.

**Status of Recommendation:** Completed **Phase 1**

**Progress Update:** The Judicial Council, at its June 24, 2016 meeting, adopted a Bench Card: Working with Court Interpreters; a Resource Outline for judicial officers; and training curricula outlines for judicial officers and court staff. These materials expressly address recommendation number 23, and area available to judges, subordinate judicial officers and court staff on CJER Online. The Bench Card is also handed out at all of CJER’s live statewide judicial education programs. Judicial and court staff education in this area is ongoing.

**Date of Last Update:** 10/6/2016

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## **Goal 2: Provide Qualified Language Access Services in All Judicial Proceedings**

### **Language Access Education and Standards Subcommittee**

**Subcommittee Lead Staff:** Mary Ann Koory

**Recommendation:** 24. Absent exigent circumstances, courts should avoid appointing bilingual court staff to interpret in courtroom proceedings; if the court does appoint staff, he or she must meet all of the provisional qualification requirements.

**Status of Recommendation:** Completed **Phase 2**

**Progress Update:** The Judicial Council, at its June 24, 2016 meeting, adopted a Bench Card: Working with Court Interpreters; a Resource Outline for bench officers; and training curricula outlines for judicial officers and court staff. These documents address LAP Recommendation 24 and are available to judges, subordinate judicial officers and court staff on CJER Online. The Bench Card is also handed out at all of CJER's live statewide judicial education programs. Judicial and court staff education in this area is ongoing.

**Date of Last Update:** 10/6/2016

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## **Goal 3: Provide Language Access Services at All Points of Contact Outside Judicial Proceedings**

### **Budget and LAP Monitoring Subcommittee**

**Subcommittee Lead Staff:** Elizabeth Tam

**Recommendation:** 25. The court in each county will designate an office or person that serves as a language access resource for all court users, as well as court staff and judicial officers. This person or persons should be able to: describe all the services the court provides and what services it does not provide, access and disseminate all of the court's multilingual written information as requested, and help LEP court users and court staff locate court language access resources.

**Status of Recommendation:** Completed **Phase 1**

**Progress Update:** The subcommittee developed and distributed written guidance for trial court leadership in December 2015 and requested that each court designate a language access office or representative. Each of the 58 courts has designated a language access representative. New California Rules of Court, Rule 2.850, effective January 1, 2018, makes clear that the designation of a Language Access Representative is an ongoing requirement for courts. To help support implementation efforts, Judicial Council staff developed a listserv to enable communication to and among the various representatives regarding language access, and bi-monthly (every other month) phone calls are now conducted with the Language Access Representatives.

**Date of Last Update:** 2/8/2018

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**Goal 3: Provide Language Access Services at All Points of Contact Outside Judicial Proceedings**

**Language Access Education and Standards Subcommittee**

**Subcommittee Lead Staff:** Mary Ann Koory

**Recommendation:** 26. Courts should identify which points of contact are most critical for LEP court users, and, whenever possible, should place qualified bilingual staff at these locations. (See Recommendation 47, which discusses possible standards for the appropriate qualification level of bilingual staff at these locations.)

**Status of Recommendation:** Completed **Phase 1**

**Progress Update:** The subcommittee prepared a Points of Contact document that was approved by the Task Force at its January 30, 2018 meeting. The document is available on the Language Access Toolkit.

**Date of Last Update:** 2/8/2018

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**Goal 3: Provide Language Access Services at All Points of Contact Outside Judicial Proceedings**

**Translation, Signage and Tools for Courts Subcommittee**

**Subcommittee Lead Staff:** Diana Glick

**Recommendation:** 27. All court staff who engage with the public will have access to language assistance tools, such as translated materials and resources, multi-language glossaries and “I speak” cards, to determine a court user’s native language, direct him or her to the designated location for language services, and/or provide the LEP individual with brochures, instructions, or other information in the appropriate language.

**Status of Recommendation:** Completed **Phase 2**

**Progress Update:** The Task Force is pursuing a BCP to fund the full build-out and ongoing maintenance of the Language Access Toolkit. The subcommittee worked with LAPITF staff to add recently-developed tools, including the Translation Protocol and the Translation Action Plan. The Notice of Available Language Access Services is available on the Toolkit in a single multi-lingual version and in nine separate files that contain English and each of the nine other languages of translation.

**Date of Last Update:** 2/15/2018

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**Goal 3: Provide Language Access Services at All Points of Contact Outside Judicial Proceedings**

**Budget and LAP Monitoring Subcommittee**

**Subcommittee Lead Staff:** Elizabeth Tam

**Recommendation:** 28. Courts should strive to recruit bilingual staff fluent in the languages most common in that county. In order to increase the bilingual applicant pool, courts should conduct outreach to educational providers in the community, such as local high schools, community colleges, and universities, to promote the career opportunities available to bilingual individuals in the courts.

**Status of Recommendation:** Partially implemented **Phase 1**

**Progress Update:** Individual courts are recruiting and hiring bilingual staff as needed to support LAP implementation. The NCSC assisted the Task Force and the Court Interpreters Program regarding development of recruitment strategies, which were shared with the public at the Task Force's March 2017 Community Outreach Meeting. Efforts are underway for the Judicial Council to develop a more robust statewide recruitment initiative. Recruitment of qualified bilingual staff will be an ongoing responsibility for the judicial branch.

**Date of Last Update:** 10/12/2017

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**Goal 3: Provide Language Access Services at All Points of Contact Outside Judicial Proceedings**

**Translation, Signage and Tools for Courts Subcommittee**

**Subcommittee Lead Staff:** Diana Glick

**Recommendation:** 29. Courts will develop written protocols or procedures to ensure LEP court users obtain adequate language access services where bilingual staff are not available. For example, the court's interpreter coordinator could be on call to identify which interpreters or staff are available and appropriate to provide services in the clerk's office or self-help center. Additionally, the use of remote technologies such as telephone access to bilingual staff persons in another location or remote interpreting could be instituted.

**Status of Recommendation:** Completed **Phase 2**

**Progress Update:** A protocol and Action Guide for meeting the needs of LEP court users were completed on 6/30/2017 and have been posted to the Language Access Toolkit.

**Date of Last Update:** 9/20/2017

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**Goal 3: Provide Language Access Services at All Points of Contact Outside Judicial Proceedings**

**Translation, Signage and Tools for Courts Subcommittee**

**Subcommittee Lead Staff:** Diana Glick

**Recommendation:** 30. The Judicial Council should consider adopting policies that promote sharing of bilingual staff and certified and registered court interpreters among courts, using remote technologies, for language assistance outside of court proceedings.

**Status of Recommendation:** Partially implemented **Phase 2**

**Progress Update:** At its meeting on January 30, 2018, the Task Force approved the report titled "Technological Options for Providing and Sharing Court Language Access Services Outside the Courtroom" for posting on the Language Access Toolkit. This report provides a survey of remote technology programs and approaches in the California courts and throughout the United States, specifically for the purpose of sharing bilingual employees among courts. It will form the basis of specific technology recommendations that will be proposed by the subcommittee in 2018.

**Date of Last Update:** 2/26/2018

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**Goal 3: Provide Language Access Services at All Points of Contact Outside Judicial Proceedings**

**Technological Solutions Subcommittee**

**Subcommittee Lead Staff:** Jenny Phu

**Recommendation:** 31. The courts and the Judicial Council should consider a pilot to implement the use of remote interpreter services for counter help and at self-help centers, incorporating different solutions, including court-paid cloud-based fee-for-service models or a court/centralized bank of bilingual professionals.

**Status of Recommendation:** Partially implemented **Phase 2**

**Progress Update:** Recommendation 31 has been added to the Task Force's 2018 Annual Agenda. The Task Force anticipates that it may request funds through the BCP process to allow courts to pilot various hardware/software that may be appropriate for language assistance services outside of the courtroom. The subcommittee will continue researching options and engaging courts interested in piloting possible devices or software.

**Date of Last Update:** 2/15/2018

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**Goal 3: Provide Language Access Services at All Points of Contact Outside Judicial Proceedings**

**Technological Solutions Subcommittee**

**Subcommittee Lead Staff:** Jenny Phu

**Recommendation:** 32. The courts should consider a pilot to implement inter-court, remote attendance at workshops, trainings, or “information nights” conducted in non-English languages using a variety of equipment, including telephone, video-conferencing (WebEx, Skype), or other technologies.

**Status of Recommendation:** Partially implemented **Phase 2**

**Progress Update:** The VRI Pilot Project, per Recommendation 16, has launched in three counties: Merced, Ventura, and Sacramento. Intercourt operability will be tested during the VRI Pilot, and findings from the project will help to inform the subcommittee of possible technological solutions for remote workshops or trainings outside the courtroom. Analysis taken during the assessment period of the pilot project will help to shape a pilot for this recommendation.

**Date of Last Update:** 3/7/2018

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**Goal 3: Provide Language Access Services at All Points of Contact Outside Judicial Proceedings**

**Translation, Signage and Tools for Courts Subcommittee**

**Subcommittee Lead Staff:** Diana Glick

**Recommendation:** 33. In matters with LEP court users, courts must determine that court-appointed professionals, such as psychologists, mediators, and guardians, can provide linguistically accessible services before ordering or referring LEP court users to those professionals. Where no such language capability exists, courts should make reasonable efforts to identify or enter into contracts with providers able to offer such language capabilities, either as bilingual professionals who can provide the service directly in another language or via qualified interpreters.

**Status of Recommendation:** Partially implemented **Phase 2**

**Progress Update:** The Task Force is developing a rule of court that will provide clear guidance on the provision of language assistance in court-ordered programs and services.

**Date of Last Update:** 2/15/2018

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**Goal 3: Provide Language Access Services at All Points of Contact Outside Judicial Proceedings**

**Translation, Signage and Tools for Courts Subcommittee**

**Subcommittee Lead Staff:** Diana Glick

**Recommendation:** 34. Courts should consider the use of bilingual volunteers to provide language access services at points of contact other than court proceedings, where appropriate. Bilingual volunteers and interns must be properly trained and supervised.

**Status of Recommendation:** Partially implemented **Phase 1**

**Progress Update:** A draft version of this document was completed and circulated to LAPITF members in June 2016. Staff will coordinate the best practices and standards contained in this report with the training and standards for bilingual employees to be issued by December 2018.

**Date of Last Update:** 2/7/2018

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**Goal 3: Provide Language Access Services at All Points of Contact Outside Judicial Proceedings**

**Technological Solutions Subcommittee**

**Subcommittee Lead Staff:** Jenny Phu

**Recommendation:** 35. As an alternative for traditional information dissemination, the Judicial Council should consider creating pilot programs to implement the use of language access kiosks in lobbies or other public waiting areas to provide a variety of information electronically, such as on a computer or tablet platform. This information should be in English and up to five other languages based on local community needs assessed through collaboration with and information from justice partners, including legal services providers, community-based organizations, and other entities working with LEP populations. At a minimum, all such materials should be available in English and Spanish.

**Status of Recommendation:** Partially implemented **Phase 3**

**Progress Update:** The subcommittee is exploring appropriate use of kiosks to assist LEP court users. The Task Force anticipates that it may ask for funding to assist courts that are interested in use of language access kiosks.

**Date of Last Update:** 2/14/2018

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## Goal 4: Provide High Quality Multilingual Translation and Signage

### Translation, Signage and Tools for Courts Subcommittee

**Subcommittee Lead Staff:** Diana Glick

**Recommendation:** 36. The Judicial Council will create a translation committee to develop and formalize a translation protocol for Judicial Council translations of forms, written materials, and audiovisual tools. The committee should collaborate with interpreter organizations and courts to develop a legal glossary in all certified languages, taking into account regional differences, to maintain consistency in the translation of legal terms. The committee's responsibilities will also include identifying qualifications for translators, and the prioritization, coordination, and oversight of the translation of materials. The qualification of translators should include a requirement to have a court or legal specialization and be accredited by the American Translators Association (ATA), or to have been determined qualified to provide the translations based on experience, education, and references. Once the Judicial Council's translation protocol is established, individual courts should establish similar quality control and translation procedures for local forms, informational materials, recordings, and videos aimed at providing information to the public. Local court website information should use similarly qualified translators. Courts are encouraged to partner with local community organizations to accomplish this recommendation.

**Status of Recommendation:** Partially implemented

**Phase 1**

**Progress Update:** The subcommittee has developed a list of potential translation duties based on the pending elements of Recommendation No. 36. Judicial Council staff will work with the Task Force Chairs regarding long-term implementation of the translation duties in this recommendation.

**Date of Last Update:** 3/7/2018

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## Goal 4: Provide High Quality Multilingual Translation and Signage

### Translation, Signage and Tools for Courts Subcommittee

**Subcommittee Lead Staff:** Diana Glick

**Recommendation:** 37. The Judicial Council staff will work with courts to provide samples and templates of multilingual information for court users that are applicable on a statewide basis and adaptable for local use.

**Status of Recommendation:** Completed

**Phase 1**

**Progress Update:** With the creation of the Language Access Toolkit, the subcommittee has been able to promote and disseminate samples and templates of multilingual information, including signage, forms and information sheets. The Task Force is pursuing a BCP to fund the full build-out and ongoing maintenance of the Language Access Toolkit.

**Date of Last Update:** 2/15/2018

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**Goal 4: Provide High Quality Multilingual Translation and Signage**

**Translation, Signage and Tools for Courts Subcommittee**

**Subcommittee Lead Staff:** Diana Glick

**Recommendation:** 38. The Judicial Council’s staff will post on the California Courts website written translations of forms and informational and educational materials for the public as they become available and will send notice to the courts of their availability so that courts can link to these postings from their own websites.

**Status of Recommendation:** Completed **Phase 1**

**Progress Update:** Judicial Council staff now has a regular process for communicating with Language Access Representatives via email and with the courts through existing channels (such as Court News Update) when new resources are available and posted on the Judicial Resources Network, the Language Access Toolkit and the California Courts public website.

**Date of Last Update:** 5/16/2017

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**Goal 4: Provide High Quality Multilingual Translation and Signage**

**Translation, Signage and Tools for Courts Subcommittee**

**Subcommittee Lead Staff:** Diana Glick

**Recommendation:** 39. The staff of the Judicial Council should assist courts by providing plain-language translations of the most common and relevant signs likely to be used in a courthouse, and provide guidance on the use of internationally recognized icons, symbols, and displays to limit the need for text and, therefore, translation. Where more localized signage is required, courts should have all public signs in English and translated in up to five other languages based on local community needs assessed through collaboration with and information from justice partners, including legal services providers, community-based organizations, and other entities working with LEP populations. At a minimum, all such materials should be available in English and Spanish.

**Status of Recommendation:** Completed **Phase 2**

**Progress Update:** The Glossary of Signage Terms and Icons was completed and posted to the Language Access Toolkit in June 2017. It contains 75 common signage terms and phrases that have been translated into 10 languages. It also contains recommended universal icons for courthouse signage and wayfinding.

**Date of Last Update:** 9/20/2017

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**Goal 4: Provide High Quality Multilingual Translation and Signage**

**Translation, Signage and Tools for Courts Subcommittee**

**Subcommittee Lead Staff:** Diana Glick

**Recommendation:** 40. Courts will provide sight translation of court orders and should consider providing written translations of those orders to LEP persons when needed. At a minimum, courts should provide the translated version of the relevant Judicial Council form to help litigants compare their specific court order to the translated template form.

**Status of Recommendation:** Completed **Phase 1**

**Progress Update:** The Judicial Council approved the Translation Action Plan at its meeting in June 2016. The Action Plan contains a priority ranking of documents slated for translation in order to most efficiently use branch resources. The Action Plan also contains recommendations regarding the formatting and dissemination of multilingual resources.

**Date of Last Update:** 5/16/2017

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**Goal 4: Provide High Quality Multilingual Translation and Signage**

**Translation, Signage and Tools for Courts Subcommittee**

**Subcommittee Lead Staff:** Diana Glick

**Recommendation:** 41. The Judicial Council, partnering with courts, should ensure that new courthouse construction efforts, as well as redesign of existing courthouse space, are undertaken with consideration for making courthouses more easily navigable by all LEP persons.

**Status of Recommendation:** Completed **Phase 2**

**Progress Update:** The subcommittee collaborated with NCSC on the development of the report, "Wayfinding and Signage Strategies for Language Access in the California Courts: Report and Recommendations," which contains specific recommendations with respect to courthouse design to enhance language access. The report was presented to the LAPITF at their in-person meeting on January 30, 2017 and approved for presentation to the Judicial Council. It was presented to the Judicial Council on May 18, 2017, and has been posted to the Language Access Toolkit.

**Date of Last Update:** 6/12/2017

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**Goal 4: Provide High Quality Multilingual Translation and Signage**

**Translation, Signage and Tools for Courts Subcommittee**

**Subcommittee Lead Staff:** Diana Glick

**Recommendation:** 42. The Judicial Council’s staff will provide information to courts interested in better wayfinding strategies, multilingual (static and dynamic) signage, and other design strategies that focus on assisting LEP court users.

**Status of Recommendation:** Completed **Phase 2**

**Progress Update:** The subcommittee collaborated with NCSC on the development of the report, "Wayfinding and Signage Strategies for Language Access in the California Courts: Report and Recommendations," which contains specific recommendations with respect to wayfinding strategies and multilingual signage. The report was presented to the Task Force at their in-person meeting on January 30, 2017 and approved for presentation to the Judicial Council. It was presented to the Judicial Council on May 18, 2017, and has been posted to the Language Access Toolkit.

**Date of Last Update:** 6/12/2017

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**Goal 5: Expand High Quality Language Access Through the Recruitment and Training of Language Access Providers**

**Court Interpreters Advisory Panel Subcommittee**

**Subcommittee Lead Staff:** Olivia Lawrence

**Recommendation:** 43. Courts, the Judicial Council, and the Court Interpreters Advisory Panel (CIAP) will ensure that all interpreters providing language access services to limited English proficient court users are qualified and competent. Existing standards for qualifications should remain in effect and will be reviewed regularly by the CIAP.

**Status of Recommendation:** Completed **Phase 1**

**Progress Update:** The CIAP's review and update of rule 2.893 and related forms will be effective January 1, 2018. Otherwise, the CIAP will continue its role regarding interpreter standards for qualification.

**Date of Last Update:** 10/12/2017

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**Goal 5: Expand High Quality Language Access Through the Recruitment and Training of Language Access Providers**

**Language Access Education and Standards Subcommittee**

**Subcommittee Lead Staff:** Mary Ann Koory

**Recommendation:** 44. The online statewide orientation program will continue to be available to facilitate orientation training for new interpreters working in the courts.

**Status of Recommendation:** Completed **Phase 1**

**Progress Update:** The online statewide orientation program was updated by the subcommittee and includes a new module on civil cases. It will be made available for free on the Court Interpreters Program web page.

**Date of Last Update:** 2/8/2018

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**Goal 5: Expand High Quality Language Access Through the Recruitment and Training of Language Access Providers**

**Language Access Education and Standards Subcommittee**

**Subcommittee Lead Staff:** Mary Ann Koory

**Recommendation:** 45. The Judicial Council and the courts should work with interpreter organizations and educational providers (including the California community college and state university systems) to examine ways to better prepare prospective interpreters to pass the credentialing examination. These efforts should include:

- Partnering to develop possible exam preparation courses and tests, and
- Creating internship and mentorship opportunities in the courts and in related legal settings (such as work with legal services providers or other legal professionals) to help train and prepare prospective interpreters in all legal areas.

**Status of Recommendation:** Completed **Phase 1**

**Progress Update:** The NCSC assisted the Task Force regarding development of potential recommendations to assist near passers of the bilingual interpreting exam. These recommendations were shared with the public at the Task Force's March 2017 Community Outreach Meeting. Monies were included in the Governor's 2017 Budget to help support interpreter training, recruitment efforts and internship opportunities. The Court Interpreters Program will continue to focus on education programs that will assist near passers of the bilingual interpreter exam and to identify and support internship opportunities of prospective interpreters.

**Date of Last Update:** 10/12/2017

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**Goal 5: Expand High Quality Language Access Through the Recruitment and Training of Language Access Providers**

**Language Access Education and Standards Subcommittee**

**Subcommittee Lead Staff:** Mary Ann Koory

**Recommendation:** 46. The Judicial Council, interpreter organizations, and educational groups should collaborate to create training programs for those who will be interpreting in civil cases and those who will be providing remote interpreting.

**Status of Recommendation:** Partially implemented **Phase 1**

**Progress Update:** The NCSC assisted the Task Force regarding development of curriculum for court interpreters working in civil cases. Judicial Council staff will be working in 2018 on how best to develop this training into an online format and then will disseminate it to court interpreters. Training for court interpreters regarding remote interpreting is being developed in conjunction with the VRI Pilot Project.

**Date of Last Update:** 2/8/2018

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**Goal 5: Expand High Quality Language Access Through the Recruitment and Training of Language Access Providers**

**Language Access Education and Standards Subcommittee**

**Subcommittee Lead Staff:** Mary Ann Koory

**Recommendation:** 47. Courts must ensure that bilingual staff providing information to LEP court users are proficient in the languages in which they communicate. All staff designated as bilingual staff by courts must at a minimum meet standards corresponding to "intermediate mid" as defined under the American Council on the Teaching of Foreign Languages guidelines. (See Appendix F.) The existing Oral Proficiency Exam available through the Judicial Council's Court Language Access Support Program (CLASP) unit may be used by courts to establish foreign-language proficiency of staff. Courts should not rely on self-evaluation by bilingual staff in determining their language proficiency.

**Status of Recommendation:** Completed **Phase 1**

**Progress Update:** This recommendation does not require further work. Courts should ensure that bilingual staff are proficient in non-English languages and may refer to the Court Interpreters Program webpage for additional information regarding the Oral Proficiency Exam.

**Date of Last Update:** 10/18/2017

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**Goal 5: Expand High Quality Language Access Through the Recruitment and Training of Language Access Providers**

**Language Access Education and Standards Subcommittee**

**Subcommittee Lead Staff:** Mary Ann Koory

**Recommendation:** 48. Beyond the specified minimum, the Judicial Council staff will work with the courts to (a) identify standards of language proficiency for specific points of public contact within the courthouse, and (b) develop and implement an online training for bilingual staff.

**Status of Recommendation:** Partially implemented **Phase 1**

**Progress Update:** The subcommittee developed a draft points of contact document with recommended levels of proficiency for specific points of public contact within the courthouse. The document was approved by the Task Force at its January 30, 2018, meeting, and is available on the Language Access Toolkit. The NCSC assisted the subcommittee regarding development of curriculum for bilingual staff. Judicial Council staff will work in 2018 on how best to develop this training into an online format and then will disseminate it to bilingual staff.

**Date of Last Update:** 3/7/2018

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**Goal 5: Expand High Quality Language Access Through the Recruitment and Training of Language Access Providers**

**Budget and LAP Monitoring Subcommittee**

**Subcommittee Lead Staff:** Elizabeth Tam

**Recommendation:** 49. The Judicial Council staff will work with educational providers, community-based organizations, and interpreter organizations to identify recruitment strategies, including consideration of market conditions, to encourage bilingual individuals to pursue the interpreting profession or employment opportunities in the courts as bilingual staff.

**Status of Recommendation:** Completed **Phase 2**

**Progress Update:** The NCSC assisted the Task Force and the Court Interpreters Program regarding development of recruitment strategies, which were shared with the public at the Task Force's March 2017 Community Outreach Meeting. Efforts are underway for the Judicial Council to develop a more robust statewide recruitment initiative. Recruitment of qualified bilingual staff and court interpreters will be an ongoing responsibility for the judicial branch.

**Date of Last Update:** 10/12/2017

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## **Goal 6: Provide Judicial Branch Training on Language Access Policies and Procedures**

### **Language Access Education and Standards Subcommittee**

**Subcommittee Lead Staff:** Mary Ann Koory

**Recommendation:** 50. Judicial officers, including temporary judges, court administrators, and court staff will receive training regarding the judicial branch's language access policies and requirements as delineated in this Language Access Plan, as well as the policies and procedures of their individual courts. Courts should schedule additional training when policies are updated or changed. These trainings should include:

- Optimal methods for managing court proceedings involving interpreters, including an understanding of the mental exertion and concentration required for interpreting, the challenges of interpreter fatigue, the need to control rapid rates of speech and dialogue, and consideration of team interpreting where appropriate;
- The interpreter's ethical duty to clarify issues during interpretation and to report impediments to performance;
- Required procedures for the appointment and use of a provisionally qualified interpreter and for an LEP court user's waiver, if requested, of interpreter services;
- Legal requirements for establishing, on the record, an interpreter's credentials;
- Available technologies and minimum technical and operational standards for providing remote interpreting; and
- Working with LEP court users in a culturally competent manner.

The staff of the Judicial Council will develop curricula for trainings, as well as resource manuals that address all training components, and distribute them to all courts for adaptation to local needs.

**Status of Recommendation:** Completed

**Phase 1**

**Progress Update:** In addition to being accessible on CJER Online, language access educational content for the branch is included in much of the existing education curricula, and judicial and court staff workgroups continue to explore how it can be woven throughout the curricula. Judicial and court staff education in this area is ongoing.

**Date of Last Update:** 9/26/2016

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## **Goal 6: Provide Judicial Branch Training on Language Access Policies and Procedures**

### **Translation, Signage and Tools for Courts Subcommittee**

**Subcommittee Lead Staff:** Diana Glick

**Recommendation:** 51. Information on local and statewide language access resources, training and educational components identified throughout this plan, glossaries, signage, and other tools for providing language access should be readily available to all court staff through individual courts' intranets.

**Status of Recommendation:** Partially implemented

**Phase 2 and 3**

**Progress Update:** The Translation Subcommittee selected an image for the toolkit intranet link at its in-person meeting on January 30, 2018. Staff will develop a proposal to promote the use of the toolkit and the placement of the link on local court intranet sites. This will include communications with Language Access Representatives and IT staff in the local courts.

**Date of Last Update:** 2/8/2018

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## **Goal 6: Provide Judicial Branch Training on Language Access Policies and Procedures**

### **Language Access Education and Standards Subcommittee**

**Subcommittee Lead Staff:** Mary Ann Koory

**Recommendation:** 52. Judicial Council staff should develop bench cards that summarize salient language access policies and procedures and available resources to assist bench officers in addressing language issues that arise in the courtroom, including policies related to remote interpreting.

**Status of Recommendation:** Completed **Phase 1**

**Progress Update:** The Judicial Council, at its June 24, 2016 meeting, adopted a Bench Card: Working with Court Interpreters; a Resource Outline for judicial officers; and training curricula outlines for judicial officers and court staff. These documents address LAP Recommendation 52 and are available to judges, subordinate judicial officers and court staff on CJER Online. The Bench Card is also handed out at all of CJER's live statewide judicial education programs. Judicial and court staff education in this area is ongoing.

**Date of Last Update:** 10/6/2016

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## **Goal 7: Conduct Outreach to Communities Regarding Language Access Services**

### **Budget and LAP Monitoring Subcommittee**

**Subcommittee Lead Staff:** Elizabeth Tam

**Recommendation:** 53. Courts should strengthen existing relationships and create new relationships with local community-based organizations, including social services providers, legal services organizations, government agencies, and minority bar associations to gather feedback to improve court services for LEP court users and disseminate court information and education throughout the community.

**Status of Recommendation:** Partially implemented **Phase 3**

**Progress Update:** The Judicial Council anticipates that it will work with a consultant in FY 2018-19 to develop a public outreach campaign (including strategy, multilingual print materials, signs, and recordings).

**Date of Last Update:** 2/14/2018

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## **Goal 7: Conduct Outreach to Communities Regarding Language Access Services**

### **Budget and LAP Monitoring Subcommittee**

**Subcommittee Lead Staff:** Elizabeth Tam

**Recommendation:** 54. To maximize both access and efficiency, multilingual audio and/or video recordings should be used as part of the outreach efforts by courts to provide important general information and answers to frequently asked questions.

**Status of Recommendation:** Partially implemented **Phase 3**

**Progress Update:** The Judicial Council anticipates that it will work with a consultant in FY 2018-19 to develop a public outreach campaign (including strategy, multilingual print materials, signs, and recordings).

**Date of Last Update:** 2/14/2018

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## **Goal 7: Conduct Outreach to Communities Regarding Language Access Services**

### **Budget and LAP Monitoring Subcommittee**

**Subcommittee Lead Staff:** Elizabeth Tam

**Recommendation:** 55. Courts should collaborate with local media and leverage the resources of media outlets, including ethnic media that communicate with their consumers in their language, as a means of disseminating information throughout the community about language access services, the court process, and available court resources.

**Status of Recommendation:** Partially implemented **Phase 3**

**Progress Update:** The Judicial Council anticipates that it will work with a consultant in FY 2018-19 to develop a public outreach campaign (including strategy, multilingual print materials, signs, and recordings).

**Date of Last Update:** 2/14/2018

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## **Goal 8: Identify Systems, Funding, and Legislation Necessary for Plan Implementation**

### **Budget and LAP Monitoring Subcommittee**

**Subcommittee Lead Staff:** Elizabeth Tam

**Recommendation:** 56. The judicial branch will advocate for sufficient funding to provide comprehensive language access services. The funding requests should reflect the incremental phasing-in of the Language Access Plan, and should seek to ensure that requests do not jeopardize funding for other court services or operations.

**Status of Recommendation:** Partially implemented **Phase 1**

**Progress Update:** A language access-related BCP for FY 2018-19 was developed and submitted to the Department of Finance in September 2017. The subcommittee convened a strategy group to help advance the FY 2018-19 BCP regarding LAP implementation and inform policymakers and stakeholders about its importance. Efforts are currently underway to develop the FY 2019-20 language access BCP. Future BCPs are ongoing.

**Date of Last Update:** 3/7/2018

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## **Goal 8: Identify Systems, Funding, and Legislation Necessary for Plan Implementation**

### **Budget and LAP Monitoring Subcommittee**

**Subcommittee Lead Staff:** Elizabeth Tam

**Recommendation:** 57. Funding requests for comprehensive language access services should be premised on the best available data that identifies the resources necessary to implement the recommendations of this Language Access Plan. This may include information being gathered in connection with the recent Judicial Council decision to expand the use of Program 45.45 funds for civil cases where parties are indigent; information being gathered for the 2015 Language Need and Interpreter Use Report; and information that can be extrapolated from the Resource Assessment Study (which looks at court staff workload), as well as other court records (e.g., self-help center records regarding LEP court users).

**Status of Recommendation:** Completed

**Phase 1**

**Progress Update:** The subcommittee determined that existing trial court data collection systems can be modified to capture the additional information that is identified in LAP Recommendation 6. The Judicial Council, in collaboration with trial courts, will continue to improve on data collection. Current data, including CIDCS, Phoenix Financial System, the NCSC survey findings, and tracking the TCTF Program 0150037 (former Program 45.45), provide sufficient information to help support funding requests.

**Date of Last Update:** 10/12/2017

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## **Goal 8: Identify Systems, Funding, and Legislation Necessary for Plan Implementation**

### **Budget and LAP Monitoring Subcommittee**

**Subcommittee Lead Staff:** Elizabeth Tam

**Recommendation:** 58. Judicial Council staff will pursue appropriate funding opportunities from federal, state, or nonprofit entities, such as the National Center for State Courts, which are particularly suitable for one-time projects, for example, translation of documents or production of videos.

**Status of Recommendation:** Partially implemented

**Phase 1**

**Progress Update:** The subcommittee convened a strategy group to help advance BCPs and inform policymakers and stakeholders about their importance. Future BCPs are ongoing. As part of the Budget Act of 2016, the Legislature appropriated \$25 million for a competitive grant program known as the Court Innovations Grant Program to be administered by the Judicial Council of California. On March 24, 2017, the Judicial Council awarded 53 grants collectively worth more than \$23 million to 29 courts throughout the State. The grants will be used to promote innovation, modernization, and efficiency in California's courts. Efforts are currently underway to develop the FY 2019-20 language access BCP.

**Date of Last Update:** 2/8/2018

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## **Goal 8: Identify Systems, Funding, and Legislation Necessary for Plan Implementation**

### **Budget and LAP Monitoring Subcommittee**

**Subcommittee Lead Staff:** Elizabeth Tam

**Recommendation:** 59. Courts should pursue appropriate funding opportunities at the national, state, or local level to support the provision of language access services. Courts should seek, for example, one-time or ongoing grants from public interest foundations, state or local bar associations, and federal, state, or local governments.

**Status of Recommendation:** Partially implemented **Phase 1**

**Progress Update:** The subcommittee convened a strategy group to help advance the FY 2018-19 BCP re LAP implementation and inform policymakers and stakeholders about its importance. The Task Force prepared and distributed guidance to all 58 Language Access Representatives regarding the Court Innovations Grant program. Efforts are currently underway to develop the FY 2019-20 language access BCP.

**Date of Last Update:** 2/8/2018

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## **Goal 8: Identify Systems, Funding, and Legislation Necessary for Plan Implementation**

### **Budget and LAP Monitoring Subcommittee**

**Subcommittee Lead Staff:** Elizabeth Tam

**Recommendation:** 60. The Judicial Council will create a Language Access Implementation Task Force (name TBD) to develop an implementation plan for presentation to the council. The Implementation Task Force membership should include representatives of the key stakeholders in the provision of language access services in the courts, including, but not limited to, judicial officers, court administrators, court interpreters, legal services providers, and attorneys that commonly work with LEP court users. As part of its charge, the task force will identify the costs associated with implementing the LAP recommendations. The Implementation Task Force will coordinate with related advisory groups and Judicial Council staff on implementation, and will have the flexibility to monitor and adjust implementation plans based on feasibility and available resources.

**Status of Recommendation:** Partially implemented **Phase 1**

**Progress Update:** LAP Implementation Task Force was formed by the Chief Justice in March 2015. Task Force and court efforts to expand and improve language access for limited English proficient court users are ongoing. The NCSC, in consultation with the subcommittee, developed rough cost estimates regarding implementation of the various recommendations in the LAP, in order to assist with BCP and other funding requests.

**Date of Last Update:** 9/26/2016

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## **Goal 8: Identify Systems, Funding, and Legislation Necessary for Plan Implementation**

### **Budget and LAP Monitoring Subcommittee**

**Subcommittee Lead Staff:** Elizabeth Tam

**Recommendation:** 61. The Implementation Task Force will establish the necessary systems for monitoring compliance with this Language Access Plan. This will include oversight of the plan's effects on language access statewide and at the individual court level, and assessing the need for ongoing adjustments and improvements to the plan.

**Status of Recommendation:** Completed **Phase 1**

**Progress Update:** The Judicial Council has developed a LAP Monitoring Database to provide regular progress reports regarding the implementation status of the LAP recommendations. The progress reports are available on the Task Force's web page (<http://www.courts.ca.gov/LAP.htm>).

**Date of Last Update:** 6/1/2017

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## **Goal 8: Identify Systems, Funding, and Legislation Necessary for Plan Implementation**

### **Budget and LAP Monitoring Subcommittee**

**Subcommittee Lead Staff:** Elizabeth Tam

**Recommendation:** 62. The Implementation Task Force will develop a single form, available statewide, on which to register a complaint about the provision of, or the failure to provide, language access. This form should be as simple, streamlined, and user-friendly as possible. The form will be available in both hard copy at the courthouse and online, and will be capable of being completed electronically or downloaded for printing and completion in writing. The complaints will also serve as a mechanism to monitor concerns related to language access at the local or statewide level. The form should be used as part of multiple processes identified in the following recommendations of this plan.

**Status of Recommendation:** Partially implemented **Phase 1**

**Progress Update:** The Task Force developed a packet with a model complaint form and procedures, which is available on the Language Access Toolkit. Individual courts may choose to develop their local complaint form and process based on the materials contained in the model packet. New California Rules of Court, Rule 2.851, became effective January 1, 2018. Under the provisions of Rule 2.851, each superior court must establish a language access services complaint form and related procedures to respond to language access services complaints that relate to staff or court interpreters, or to local translations. Courts will have until December 31, 2018 to implement the provisions of the rule. Separately, an online form is available on the Language Access web page for court users who want to submit a complaint regarding the Judicial Council's language access services.

**Date of Last Update:** 2/8/2018

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## **Goal 8: Identify Systems, Funding, and Legislation Necessary for Plan Implementation**

### **Budget and LAP Monitoring Subcommittee**

**Subcommittee Lead Staff:** Elizabeth Tam

**Recommendation:** 63. Individual courts will develop a process by which LEP court users, their advocates and attorneys, or other interested persons may file a complaint about the court's provision of, or failure to provide, appropriate language access services, including issues related to locally produced translations. Local courts may choose to model their local procedures after those developed as part of the implementation process. Complaints must be filed with the court at issue and reported to the Judicial Council to assist in the ongoing monitoring of the overall implementation and success of the Language Access Plan.

**Status of Recommendation:** Partially implemented **Phase 1**

**Progress Update:** The Task Force developed a packet with a model complaint form and procedures, which is available on the Language Access Toolkit. The subcommittee is partnering with the Professional Standards and Ethics Subcommittee of CIAP to sync the model complaint form and proposed rules with CIAP's review of interpreter competency as required by California Rules of Court, Rule 2.891. CIAP anticipates that the proposed interpreter review and disciplinary process will go out for public comment in 2018.

**Date of Last Update:** 2/8/2018

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## **Goal 8: Identify Systems, Funding, and Legislation Necessary for Plan Implementation**

### **Court Interpreters Advisory Panel Subcommittee**

**Subcommittee Lead Staff:** Olivia Lawrence

**Recommendation:** 64. The Judicial Council, together with stakeholders, will develop a process by which the quality and accuracy of an interpreter's skills and adherence to ethical requirements can be reviewed. This process will allow for appropriate remedial action, where required, to ensure certified and registered interpreters meet all qualification standards. Development of the process should include determination of whether California Rule of Court 2.891 (regarding periodic review of court interpreter skills and professional conduct) should be amended, repealed, or remain in place. Once the review process is created, information regarding how it can be initiated must be clearly communicated to court staff, judicial officers, attorneys, and in plain language to court users (e.g., LEP persons and justice partners).

**Status of Recommendation:** Partially implemented **Phase 2**

**Progress Update:** CIAP's Professional Standards and Ethics Subcommittee met in-person to advance the progress of the draft policy. NCSC continues to serve in an advisory role to CIP staff. The anticipated effective date of the new policy is January 1, 2019.

**Date of Last Update:** 10/12/2017

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**Goal 8: Identify Systems, Funding, and Legislation Necessary for Plan Implementation**

**Translation, Signage and Tools for Courts Subcommittee**

**Subcommittee Lead Staff:** Diana Glick

**Recommendation:** 65. The translation committee (as described in Recommendation 36), in consultation with the Implementation Task Force, will develop a process to address complaints about the quality of Judicial Council–approved translations, including translation of Judicial Council forms, the California Courts Online Self-Help Center, and other Judicial Council–issued publications and information.

**Status of Recommendation:** Partially implemented **Phase 3**

**Progress Update:** An online form is available on the Language Access web page for court users who want to submit a complaint regarding the Judicial Council's language access services, including translations hosted on [www.courts.ca.gov](http://www.courts.ca.gov).

**Date of Last Update:** 2/14/2018

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**Goal 8: Identify Systems, Funding, and Legislation Necessary for Plan Implementation**

**Translation, Signage and Tools for Courts Subcommittee**

**Subcommittee Lead Staff:** Diana Glick

**Recommendation:** 66. The Judicial Council should create a statewide repository of language access resources, whether existing or to be developed, that includes translated materials, audiovisual tools, and other materials identified in this plan in order to assist courts in efforts to expand language access.

**Status of Recommendation:** Completed **Phase 1**

**Progress Update:** The Task Force is pursuing a BCP to fund the full build-out and ongoing maintenance of the Language Access Toolkit. The subcommittee worked with LAPITF staff to add recently-developed tools, including the Translation Protocol, the Translation Action Plan and the Notice of Available Language Access Services. LAPITF staff also updated the Judicial Resources Network (JRN) language access pages for court staff to make them more responsive to the needs of local courts.

**Date of Last Update:** 2/15/2018

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## **Goal 8: Identify Systems, Funding, and Legislation Necessary for Plan Implementation**

### **Budget and LAP Monitoring Subcommittee**

**Subcommittee Lead Staff:** Elizabeth Tam

**Recommendation:** 67. The California Courts of Appeal and the Supreme Court of California should discuss and adopt applicable parts of this Language Access Plan with necessary modifications.

**Status of Recommendation:** Completed **Phase 1**

**Progress Update:** The subcommittee developed a plan for the adoption and implementation of appropriate LAP recommendations by Courts of Appeal and the Supreme Court, which was presented to the Task Force and approved at its October 17, 2016, meeting. At its May 2017 meeting, the Judicial Council received an informational report on this item with recommendations, including applicable parts of the LAP that should be adopted by the Courts of Appeal and Supreme Court. A supplemental report regarding implementation status will be presented to the council at a future date.

**Date of Last Update:** 3/7/2018

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## **Goal 8: Identify Systems, Funding, and Legislation Necessary for Plan Implementation**

### **Budget and LAP Monitoring Subcommittee**

**Subcommittee Lead Staff:** Elizabeth Tam

**Recommendation:** 68. To ensure ongoing and effective implementation of the LAP, the Implementation Task Force will evaluate, on an ongoing basis, the need for new statutes or rules or modifications of existing rules and statutes.

**Status of Recommendation:** Partially implemented **Phase 2 and 3**

**Progress Update:** The subcommittee is working to identify any additional statutes or rules that may require updating, or any new statutes or rules that may need to be developed.

**Date of Last Update:** 9/26/2016

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## **Goal 8: Identify Systems, Funding, and Legislation Necessary for Plan Implementation**

### **Court Interpreters Advisory Panel Subcommittee**

**Subcommittee Lead Staff:** Anne Marx

**Recommendation:** 69. The Judicial Council should establish procedures and guidelines for determining "good cause" to appoint non-credentialed court interpreters in civil matters.

**Status of Recommendation:** Completed **Phase 1**

**Progress Update:** In September 2017, the Judicial Council voted to adopt changes to Rule 2.893 and related forms, and it was agreed that no differences will be required in determining "good cause" to appoint non-credentialed court interpreters in juvenile, criminal, or civil matters. The changes will be effective January 1, 2018.

**Date of Last Update:** 10/13/2017

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**Goal 8: Identify Systems, Funding, and Legislation Necessary for Plan Implementation**

**Court Interpreters Advisory Panel Subcommittee**

**Subcommittee Lead Staff:** Anne Marx

**Recommendation:** 70. The Judicial Council should amend rule of court 2.893 to address the appointment of non-credentialed interpreters in civil proceedings.

**Status of Recommendation:** Completed **Phase 1**

**Progress Update:** In September 2017, the Judicial Council voted to adopt changes to Rule 2.893 and related forms. The appointment of non-credentialed interpreters in civil proceedings will use the same process that exists for criminal/juvenile proceedings. The changes will go into effect January 1, 2018.

**Date of Last Update:** 10/12/2017

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**Goal 8: Identify Systems, Funding, and Legislation Necessary for Plan Implementation**

**Budget and LAP Monitoring Subcommittee**

**Subcommittee Lead Staff:** Elizabeth Tam

**Recommendation:** 71. The Judicial Council should sponsor legislation to amend Government Code section 68560.5(a) to include small claims proceedings in the definition of court proceedings for which qualified interpreters must be provided.

**Status of Recommendation:** Partially implemented **Phase 2**

**Progress Update:** A revised proposal went out for public comment from September 14 to October 13, 2017. Following public comment, the Task Force worked with the Civil and Small Claims Advisory Committee to prepare and submit a joint proposal to the Judicial Council in January 2018 for legislation that would take effect in 2019. The council approved the item to go forward in the legislative process, for a potential effective date of January 1, 2019.

**Date of Last Update:** 2/8/2018

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**Goal 8: Identify Systems, Funding, and Legislation Necessary for Plan Implementation**

**Budget and LAP Monitoring Subcommittee**

**Subcommittee Lead Staff:** Elizabeth Tam

**Recommendation:** 72. The Judicial Council should sponsor legislation to amend Code of Civil Procedure section 116.550 dealing with small claims actions to reflect that interpreters in small claims cases should, as with other matters, be certified or registered, or provisionally qualified where a credentialed interpreter is not available.

**Status of Recommendation:** Partially implemented **Phase 2**

**Progress Update:** A revised proposal went out for public comment from September 14 to October 13, 2017. Following public comment, the Task Force worked with the Civil and Small Claims Advisory Committee to prepare and submit a joint proposal to the Judicial Council in January 2018 for legislation that would take effect in 2019. The council approved the item to go forward in the legislative process, for a potential effective date of January 1, 2019.

**Date of Last Update:** 2/8/2018

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**Goal 8: Identify Systems, Funding, and Legislation Necessary for Plan Implementation**

**Court Interpreters Advisory Panel Subcommittee**

**Subcommittee Lead Staff:** Anne Marx

**Recommendation:** 73. The Judicial Council should update the interpreter-related court forms (INT-100-INFO, INT-110, INT-120, and INT-200) as necessary to be consistent with this plan.

**Status of Recommendation:** Partially implemented **Phase 2**

**Progress Update:** INT-100 and INT-110 have been addressed (See recommendations 9 and 70). A review of INT-120 has been referred to CEAC and the review is currently pending.

**Date of Last Update:** 9/28/2017

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**Goal 8: Identify Systems, Funding, and Legislation Necessary for Plan Implementation**

**Budget and LAP Monitoring Subcommittee**

**Subcommittee Lead Staff:** Elizabeth Tam

**Recommendation:** 74. The Implementation Task Force should evaluate existing law, including a study of any negative impacts of the Trial Court Interpreter Employment and Labor Relations Act on the provision of appropriate language access services. The evaluation should include, but not be limited to, whether any modifications should be proposed for existing requirements and limitations on hiring independent contractors beyond a specified number of days.

**Status of Recommendation:** Partially implemented **Phase 2**

**Progress Update:** The subcommittee commenced work on this recommendation in 2017, and will continue to do so in 2018.

**Date of Last Update:** 2/14/2018

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**Goal 8: Identify Systems, Funding, and Legislation Necessary for Plan Implementation**

**Court Interpreters Advisory Panel Subcommittee**

**Subcommittee Lead Staff:** Olivia Lawrence

**Recommendation:** 75. The Implementation Task Force will develop a policy addressing an LEP court user’s request of a waiver of the services of an interpreter. The policy will identify standards to ensure that any waiver is knowing, intelligent, and voluntary; is made after the person has consulted with counsel; and is approved by the appropriate judicial officer, exercising his or her discretion. The policy will address any other factors necessary to ensure the waiver is appropriate, including: determining whether an interpreter is necessary to ensure the waiver is made knowingly; ensuring that the waiver is entered on the record, or in writing if there is no official record of the proceedings; and requiring that a party may request at any time, or the court may make on its own motion, an order vacating the waiver and appointing an interpreter for all further proceedings. The policy shall reflect the expectation that waivers will rarely be invoked in light of access to free interpreter services and the Implementation Task Force will track waiver usage to assist in identifying any necessary changes to policy.

**Status of Recommendation:** Partially implemented **Phase 1**

**Progress Update:** CIAP plans to include this item as part of its 2018 Annual Agenda.

**Date of Last Update:** 9/28/2017

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## Language Access in the California Courts – Implementation Update

More than 200 languages and dialects are spoken in California, with nearly 7 million Californians (19%) reporting that they speak English “less than very well.” Without proper language assistance, limited-English-proficient (LEP) court users may be excluded from meaningful participation in the judicial court process.

### Background and a Strategic Plan for Language Access

On January 22, 2015, the Judicial Council adopted the [Strategic Plan for Language Access in the California Courts](#), which provides a consistent statewide approach to ensure language access for all limited English proficient (LEP) court users in all 58 superior courts.

In March 2015, the Chief Justice formed the Language Access Plan Implementation Task Force—chaired by Supreme Court Justice Mariano-Florentino-Cuéllar—which advises the council on implementing the recommendations contained in the *Strategic Plan*. These recommendations address the needs of LEP court users both *in court* (access to interpreters) and *out of court* (multilingual signage, translated resources and in-language assistance), with the goal of full language access to the courts and to the legal system for all Californians.

### Highlights of Task Force Achievements (2017)

Since 2015, the Task Force has made significant progress toward implementing the 75 recommendations contained in the *Strategic Plan*, including the following 2017 achievements:

- ✓ **Civil Expansion.** A survey conducted by Judicial Council staff in 2017 indicated that as of December 31, 2016, more than 80% of courts now provide court interpreters for critical civil cases, which include domestic violence, unlawful detainer, and termination of parental rights. In September 2015, only nine courts (15.5% of 58 courts) provided interpreters in all civil case types.
- ✓ **New Rules of Court.** The Language Access Plan Implementation Task Force (LAPITF) developed two new California Rules of Court, both effective on January 1, 2018. Rule 2.850 requires each superior court to designate a Language Access Representative (LAR). The LAR will serve as the language access resource for court users, judicial officers and court staff, and will be responsible for receiving and responding to any court user complaints or suggestions regarding the language access services provided by the court. Language Access Services staff hosts a webinar every other month with the LARs to provide regular updates and facilitate the sharing of best practices. Rule 2.851 requires each superior court to establish a language access services complaint form and process by December 31, 2018.
- ✓ **Small Claims Legislation.** The LAPITF and Civil and Small Claims Advisory Committee submitted a joint proposal in November 2017 to the Policy Coordination and Liaison Committee recommending that the Judicial Council sponsor legislation to amend Government Code section 68560.5(a) and Civil Code of Procedure section 116.550 to

## Language Access in the California Courts – Implementation Update

make clear that—as resources permit—courts should provide interpreters in small claims actions. The Judicial Council is currently seeking an author for the proposed legislation, which will have an effective date of January 2019.

- ✓ **Video Remote Interpreting (VRI) Pilot Project.** In 2017, the foundation was laid for a project to pilot VRI with spoken-language court interpreters in three pilot courts (Merced, Sacramento and Ventura). As of December 2017, two equipment vendors have almost completed equipment installation in all three courts. Training has been scheduled for January 2018. The pilot will then go live for six months (January–July 2018), data will be collected, and the pilot will be independently evaluated by the San Diego State University Research Foundation.
- ✓ **Glossary of Signage Terms and Protocol for Assisting LEP Court Users.** In June 2017, the Task Force published a glossary of standard signage and wayfinding terms and recommended icons for use in court facilities. The terms have been edited for plain language and translated into ten languages. The glossary is available on the Language Access Toolkit: <http://www.courts.ca.gov/lap-toolkit-courts.htm>. Also in June 2017, the Task Force published a protocol and action guide for court employees to follow in assisting LEP court users when bilingual staff members are not available: <http://www.courts.ca.gov/33868.htm>.
- ✓ **Training Curriculum for Bilingual Staff and Court Interpreters.** In 2017, the National Center for State Courts (NCSC) worked with the LAPITF to develop curriculum for bilingual staff and court interpreters working in civil cases.
- ✓ **Language Access Representatives (LARs).** With the establishment of a network of Language Access Representatives in courts across the state, regular meetings were conducted in 2017 (and will continue in 2018) with the 58 LARs to discuss language access expansion and best practices/guidance regarding language access services.

### Next Steps for the Task Force

- **Interpreter Coverage in Civil Matters.** The Task Force will continue to seek funding for language access expansion and to support efforts that grow the pool of qualified interpreters available to courts to achieve full coverage in civil matters.
- **Courthouse Design, Signage and Wayfinding.** Based on identified best practices for multilingual signage and wayfinding strategies, the Task Force will support courts in their efforts to translate signage and implement wayfinding approaches to ensure that all LEP court users have full access to courthouse buildings.

## Language Access in the California Courts – Implementation Update

- **Updates and Improvements to the [Language Access Toolkit](#).** The Toolkit currently serves as a resource for judicial employees to enhance language access in the local courts and better serve their LEP court users. In addition to developing a process to provide regular updates to the site and add new resources as they become available, staff will explore the possibility of developing toolkit pages that aggregate multilingual legal information for LEP court users.
- **Small Claims Legislation.** During 2018, Judicial Council staff will work on preparing notices, training, and other support for courts in anticipation of new 2019 statutes regarding the provision of court interpreters in small claims matters.
- **VRI Pilot.** Following the VRI pilot, findings and recommendations will be developed for the Judicial Council.
- **Training Curriculum for Bilingual Staff and Court Interpreters.** In 2018, Judicial Council staff will take the curricula created by the NCSC and develop online training for bilingual staff and court interpreters on civil cases. Staff will determine how best to disseminate this online training to courts and court interpreters. Training for court interpreters regarding remote interpreting is being developed in conjunction with the VRI Pilot Project.
- **Rule of Court for the Provision of Language Services Outside the Courtroom.** Judicial Council staff are developing a rule of court that will provide clear guidance on the provision of language assistance in court-ordered programs and services.
- **Community Outreach.** The LAPITF anticipates that it will hold another Community Outreach Meeting to hear from stakeholders and to discuss language access issues in April 2018 in Sacramento, California (Date TBD).

For more information: <http://www.courts.ca.gov/languageaccess.htm>

# POINTS OF CONTACT FOR LIMITED ENGLISH PROFICIENCY (LEP) COURT USERS

Two recommendations of the Language Access Plan (LAP) concern bilingual staff stationed at critical points of contact for court users with limited English proficiency.\* The table below outlines the appropriate language standards and language access necessary, as well as resources to help court staff meet the needs of LEP court users at critical points of contact.

POINTS OF CONTACT FOR LEP COURT USERS	LANGUAGE ACCESS NECESSARY	APPROPRIATE STANDARDS OF LANGUAGE PROFICIENCY
<p>Local court website pages</p> <p>Signage/postings (including signage/postings at security entrances, which should include language access icons and clear visual tools to help assist and instruct LEP court users)</p> <p>Maps on paper with non-English-language titles for major locations in the courthouse.</p>	<p><b>Translation of key written and visual information located at the courthouse or on the court's website</b></p>	<p>Adopt standards for translation of local court documents in accordance with the Translation Protocol, available on the Language Access Toolkit (<a href="http://www.courts.ca.gov/lap-toolkit-courts.htm">www.courts.ca.gov/lap-toolkit-courts.htm</a>).</p>
<p>Court orders</p> <p>Court referrals &amp; info</p> <p>Pamphlets</p>	<p><b>Translation of key court reference documents and printed information</b></p>	<p>Adopt standards for translation of local court documents in accordance with the Translation Protocol, available on the Language Access Toolkit. For court orders, see translated forms at <a href="http://www.courts.ca.gov/formname.htm">www.courts.ca.gov/formname.htm</a>.</p>
<p>Governmental agencies and professional associations (e.g., court, police, state/local bar associations), documents and educational texts, websites and videos</p> <p>Community-based organizations, like legal aid, and including online help and printed information</p>	<p><b>Translation of documents produced and provided outside the court for court-users</b></p>	<p>Courts should encourage justice partners to ensure that key documents are translated into the county's most common non-English languages.</p> <p>Courts should encourage these organizations and agencies to require multilingual documents from the service providers they use and, especially, refer clients to.</p>

\*LAP recommendation 26: Courts should identify which points of contact are most critical for LEP court users, and, whenever possible, should place qualified bilingual staff at these locations. LAP recommendation 47: Courts must ensure that bilingual staff providing information to LEP court users are proficient in the languages in which they communicate. All staff designated as bilingual staff by courts must at a minimum meet standards corresponding to "intermediate mid" as defined under the American Council on the Teaching of Foreign Languages guidelines. (See Appendix F.) The existing Oral Proficiency Exam (OPE) available through the Judicial Council may be used by courts to establish foreign-language proficiency of staff. Courts should not rely on self-evaluation by bilingual staff in determining their language proficiency. The OPE exam is administered online and is available year round. For more information, see [www.courts.ca.gov/2695.htm](http://www.courts.ca.gov/2695.htm).

POINTS OF CONTACT FOR LEP COURT USERS	LANGUAGE ACCESS NECESSARY	APPROPRIATE STANDARDS OF LANGUAGE PROFICIENCY
Security staff, clerk's office, self-help center, courtroom staff	English-only-speaking court staff use tools to refer LEP court users to available language access	Court staff should have access to "I Speak" cards and be familiar with their court's Notice of Available Language Access Services in order to direct court users to the proper room for assistance. The Language Access Toolkit ( <a href="http://www.courts.ca.gov/lap-toolkit-courts.htm">www.courts.ca.gov/lap-toolkit-courts.htm</a> ) contains "I Speak" cards and a model notice regarding the court's available language access services that has been translated into 9 non-English languages.
Clerk's office <ul style="list-style-type: none"> <li>Information about the steps in the process</li> <li>Filing</li> <li>Processing (such as setting hearing dates, continuances, calendaring requests)</li> </ul>	Bilingual staff in the courthouse*	Minimum standards corresponding to "Intermediate Mid" as defined by the guidelines of the American Council on the Teaching of Foreign Languages (see LAP Appendix F). The existing Oral Proficiency Exam (OPE) tests whether applicants meet the Intermediate Mid standard identified in LAP recommendation 47. The OPE exam is administered online and is available year round. For more information, see <a href="http://www.courts.ca.gov/2695.htm">www.courts.ca.gov/2695.htm</a> .  *Activities involving nuanced conversations about legal rights and remedies should use certified or registered court interpreters.
Self-help services for self-represented litigants		
Orientation-type workshops		
General assistance in providing and completing court documents		
Information on procedure/forms		
Jury services		
Payment of fees, fines, bail		
Public information line/desk		
Childcare center		
<b>Postresolution activities (in court)</b> <ul style="list-style-type: none"> <li>Filings and completion of status reports, accountings, etc.</li> <li>Enforcement-related actions: filings, payments to court, submission of compliance reports</li> </ul>		

POINTS OF CONTACT FOR LEP COURT USERS	LANGUAGE ACCESS NECESSARY	APPROPRIATE STANDARDS OF LANGUAGE PROFICIENCY
<p>Court-ordered programs (e.g., treatment, parenting, counseling)</p> <p>Probation meetings/conditions</p> <p>Social worker-related activities</p>	<p><b>Bilingual staff for court-ordered services outside the courthouse*</b></p>	<p>Court should encourage providers of court-ordered services to use bilingual staff who meet the Intermediate Mid standard.</p> <p>*When activities move beyond basic information, paperwork, and referrals to nuanced conversations about resolution, child support, spousal support, and the like, then these organizations should be encouraged to use certified or registered interpreters.</p>
<p><b>Courtroom</b></p> <ul style="list-style-type: none"> <li>• Hearings and trials</li> <li>• Onsite/informal mediation and ADR</li> <li>• Interactions with courtroom staff</li> </ul> <p><b>Court-ordered programs (in court)</b></p> <ul style="list-style-type: none"> <li>• Mediation (e.g., child custody and visitation)</li> <li>• Investigations (e.g., juvenile, guardianship, adoption)</li> <li>• Mandatory settlement conferences</li> <li>• Other mandated ADR</li> </ul>	<p><b>Qualified interpreters in court</b></p>	<p>Qualified (certified or registered) interpreters must pass the bilingual interpreting exam. Registered interpreter candidates must now take an OPE in English and their non-English languages. Court interpreter status may also apply to day-of-court mediation/ADR. For more information regarding interpreting exams, see <a href="http://www.courts.ca.gov/2695.htm">www.courts.ca.gov/2695.htm</a>.</p>
<p><b>Court-ordered programs (outside of court)</b></p> <ul style="list-style-type: none"> <li>• Mediation (e.g., child custody and visitation)</li> <li>• Investigations (e.g., juvenile, guardianship, adoption)</li> <li>• Mandatory settlement conferences</li> <li>• Other mandated ADR</li> </ul>	<p><b>Qualified interpreters outside of court</b></p>	<p>Qualified (certified or registered) interpreters must pass the bilingual interpreting exam. Registered interpreter candidates must now take an OPE in English and their non-English languages. Court interpreter status may also apply to day-of-court mediation/ADR. For more information regarding interpreting exams, see <a href="http://www.courts.ca.gov/2695.htm">www.courts.ca.gov/2695.htm</a>.</p>

TECHNOLOGICAL OPTIONS FOR PROVIDING AND  
SHARING COURT LANGUAGE ACCESS SERVICES  
OUTSIDE THE COURTROOM  
JANUARY 2018



JUDICIAL COUNCIL  
OF CALIFORNIA

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LANGUAGE ACCESS PLAN  
IMPLEMENTATION TASK FORCE

Judicial Council of California  
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San Francisco, California 94102-3688  
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**TECHNOLOGICAL OPTIONS FOR PROVIDING AND SHARING COURT  
LANGUAGE ACCESS SERVICES OUTSIDE THE COURTROOM  
JANUARY 2018**

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## I. INTRODUCTION

California is unique among the states in its cultural and linguistic diversity. Fully 27% of its residents were born outside of the United States<sup>1</sup>, which is twice the national average. Californians speak more than 200 languages, while nearly seven million report speaking English "less than very well."<sup>2</sup> In response to the language needs of its residents, the California Courts have undertaken a multi-year effort to implement the recommendations of the Strategic Plan for Language Access (LAP).<sup>3</sup> The LAP sets forth a vision of a state court system that provides equal access to justice to all court users, regardless of language status. In order to achieve this vision, the LAP contains 75 distinct recommendations, addressing all levels of court operations and points of contact between limited English proficient (LEP) court users and the legal system.

One recurring theme of the LAP is the importance of recognizing that the need for language access extends beyond the confines of the courtroom and formal legal proceedings. While the presence of an interpreter in legal proceedings is critical for protecting the rights and interests of LEP court users, there are a panoply of transactions that occur between courts and court users that often begin before an individual arrives at the courthouse building and take place before and after formal court appearances. Local court websites provide information about court proceedings, courthouse locations and filing legal documents. Many courts also have begun employing technology to provide interactive features on their websites that allow court users to complete a variety of transactions online, including responding to a jury summons, paying a traffic ticket and locating case information. Once a court user arrives at the courthouse, interactions involving language may include anything from communication about security protocols, to asking for directions to a department, to the many types of transactions that occur at a clerk's office or a payment window. Successful communication in these events is also a critical part of access to justice for LEP court users.

To address the criticality of language access outside of the courtroom, the LAP contains several recommendations aimed at ensuring language access in court-mandated services such as parenting classes, mediation and batterer intervention courses. The recommendations include a prohibition on requiring participation in a court-ordered program without appropriate language support<sup>4</sup> and

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<sup>1</sup> Immigrants in California, Public Policy Institute of California, citing the American Community Survey and Decennial Census Data. Available at: <http://www.ppic.org/publication/immigrants-in-california/>.

<sup>2</sup> US Census Bureau. American Community Survey 2009-2013 Language Tables, at <http://www.census.gov/data/tables/2013/demo/2009-2013-lang-tables.html>.

<sup>3</sup> The *Strategic Plan for Language Access in the California Courts* was adopted by the Judicial Council in January 2015. The report is available at: [http://www.courts.ca.gov/documents/CLASP\\_report\\_060514.pdf](http://www.courts.ca.gov/documents/CLASP_report_060514.pdf).

<sup>4</sup> Recommendation #11: "An LEP individual should not be ordered to participate in a court-ordered program if that program does not provide appropriate language accessible services. If a judicial officer does not order participation in services due to the program's lack of language capacity, the court should order the litigant to participate in an appropriate alternative program that provides language access services for the LEP court user. In making its findings and orders, the court should inquire if the program provides language access services to ensure the LEP court user's ability to meet the requirements of the court." *Strategic Plan for Language Access in the California Courts*, Judicial Council of California, 2015.

a charge to the court to determine that providers of these services can provide language services before making an order or referral to participate in them.<sup>5</sup>

The demographics of California, coupled with the commitment of the courts to meeting the language needs of court users, have a direct impact on day-to-day court functions. Courts face continual budget challenges and struggle to hire and retain both bilingual court staff and courtroom interpreters. Court clerks and other frontline staff in some courts encounter LEP court users on a regular basis, and must be prepared to provide assistance in any number of languages with a variety of transactions. Certified or registered interpreters, who are specially trained to provide legal interpretation, are in high demand and many courts have not been able to source sufficient interpreter support to meet their courtroom interpretation needs. In addition, courtroom interpreters may be asked to assist in other settings throughout the courthouse when there is no bilingual staff to provide in-language services to LEP court users. Interpreters working in the courts may find that they are stretched thin, while bilingual staff may feel as though they are asked to assist with transactions that exceed their language capabilities.

In recognition of the shared goal of providing language access services outside of the courtroom, while acknowledging the resource challenges experienced by courts, an additional recommendation of the LAP is aimed at assisting courts in obtaining and coordinating language services by using technology to maximize human resources and provide services remotely. Recommendation No. 30 states: "The Judicial Council should consider adopting policies that promote sharing of bilingual staff and certified and registered court interpreters among courts, using remote technologies, for language assistance outside of court proceedings."<sup>6</sup>

The purpose of this document is to highlight existing practices, both in California and around the country, and propose new possibilities for the use of technology to both coordinate bilingual human resources and provide language assistance for services and programs that take place outside of the courtroom. This descriptive survey is organized around four broad categories: videoconference technology, telephone-based initiatives, online applications and interpreter database software. Each type of technology is available from multiple private vendors and this document does not make any recommendations regarding a preferred or specific service provider. Those decisions are best left to the courts and will depend on capacity, budget and other local considerations.

Each section of this guide contains a general description of the technology and information on how it has or could be used in a court setting to enhance language access. There are brief highlights of successful court-based implementations of the various types of technology, when appropriate. Finally, each section concludes with a set of concrete suggestions on next steps for those court employees interested in exploring the technology to enhance language access in their own courts.

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<sup>5</sup> Recommendation #33: "In matters with LEP court users, courts must determine that court-appointed professionals, such as psychologists, mediators, and guardians, can provide linguistically accessible services before ordering or referring LEP court users to those professionals. Where no such language capability exists, courts should make reasonable efforts to identify or enter into contracts with providers able to offer such language capabilities, either as bilingual professionals who can provide the service directly in another language or via qualified interpreters." *Strategic Plan for Language Access in the California Courts*, Judicial Council of California, 2015.

<sup>6</sup> *Strategic Plan for Language Access in the California Courts*, Judicial Council of California, 2015.

## II. VIDEOCONFERENCE TECHNOLOGY

### Introduction

Videoconference technology is a popular solution for business and government communications and is increasingly easy to obtain and use. Videoconference calls allow employees to have "unified communications" (both audio and video) and both functions have improved in quality with the advent of broadband connectivity and the increasing number of web-based applications available on the market.<sup>7</sup> Surveys of technology use in the United States indicate that 19% of American adults have used video calling, video chat or teleconferences.<sup>8</sup>

In California, courts have employed videoconference technology for meetings, trainings and conferences. In addition, early experiments with video technology have shown its potential to enhance the delivery of language access services in courts, both inside and outside of the courtroom. The two key applications of videoconferencing technology for language access outside of the courtroom are 1) allowing bilingual employees to provide in-language remote assistance to multiple court sites; and 2) video remote interpreting, wherein an interpreter is linked by videoconference into an encounter between an LEP court user and monolingual English staff or justice partners.<sup>9</sup>

### Videoconference Technology to Connect Bilingual Employees

Government Code mandates the use of a certified court interpreter for in-court proceedings, and bilingual court employees are not permitted to serve in this role except in exigent and extremely limited circumstances.<sup>10</sup> By contrast, many courts already rely on talented bilingual staff members to assist LEP court users with a variety of courthouse encounters outside of the courtroom. Bilingual staff members provide assistance with orientation, wayfinding and direct service provision at clerk's filing desks and payment counters. Several courts have incorporated into their LEP plans the use of bilingual employees at key areas of courthouse service, and at least one has established a systematic way to identify bilingual employees, allowing them to be called upon when needed.<sup>11</sup> Some courts also have established differentials in their pay scales to account for

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<sup>7</sup> Tae Yoo, "3 Ways Broadband Internet Is Improving Health Care and Education," HuffPost The Blog, April 20, 2015. Available at: [http://www.huffingtonpost.com/tae-yoo/broadband-internet-improves-healthcare-education\\_b\\_7072130.html](http://www.huffingtonpost.com/tae-yoo/broadband-internet-improves-healthcare-education_b_7072130.html).

<sup>8</sup> Rainie & Zickuhr, Video calling and video chat, *Pew Internet & American Life Project*, October 13, 2000. Available at <http://www.pewinternet.org/2010/10/13/video-calling-and-video-chat/>.

<sup>9</sup> In addition to court and legal settings, hospitals have also made use of Video Remote Interpreting. For more information on VRI in the medical setting, see Appendix C of *Wayfinding and Signage Strategies for Language Access in the California Courts*, available at <http://www.courts.ca.gov/documents/LAP-Wayfinding-and-Signage-Strategies-Language-Access-in-the-CA-Courts.pdf>.

<sup>10</sup> Cal. Govt. Code §68561.

<sup>11</sup> Superior Court, County of Los Angeles LEP Plan, available at: <http://www.lacourt.org/generalinfo/courtinterpreter/pdf/LASCLEPPlan2016.pdf>; *The Provision of Court Interpreter Services in Civil Cases in California: An Exploratory Study*, National Center for State Courts, available at: <http://www.courts.ca.gov/documents/ncsc-report.pdf>.

bilingual employees.<sup>12</sup> These pay differentials acknowledge the value to courts of employees who can communicate with LEP court users and are often based on testing or other criteria used to establish that an employee has the proficiency required to provide this service to the court and court users.

The use of videoconferencing technology in this context provides an added dimension to the value of bilingual employees. The ability to connect a bilingual employee in one court location with LEP court users in another location means that language assistance can be provided in multiple courthouses without incurring the time and expense of moving human resources among sites. In addition to using videoconferencing technology for ad hoc encounters, family law facilitators and self-help centers can deliver informational workshops in a non-English language from a single location and broadcast the workshop to additional locations via videoconferencing. This allows LEP court users to access workshops at a location that is more convenient to them. The technology that broadcasts that information also allows for bidirectional communication between sites, facilitating questions and answers in real time, thereby preserving all the benefits of an in-person workshop.

The use of videoconferencing technology for informational workshops is particularly beneficial in those counties with geographically disperse courthouse locations and in dense population centers where travel time, even between locations that are physically close, is complicated by traffic. This approach makes efficient use of the court's human capital and increases language access for LEP court users in remote locations.

### **Connecting Bilingual Employees Across Three California Counties**

The Self-Help Assistance and Referral Program (SHARP) provides self-help services to residents of Butte, Glenn and Tehama Counties. In addition to traditional forms of service, such as in-person workshops and telephone assistance, SHARP has implemented a remote service delivery model based on the use of videoconferencing technology. This remote service initiative includes the delivery of workshops by videoconference to multiple locations. In addition, the technology that SHARP employs allows for an open videoconference line that continuously links their sites. This allows for quick consultations among staff and allows for a bilingual employee who is housed at one location to have instant interactions with LEP court users at other locations within the SHARP family of courts.

More information about the use of videoconferencing technology by the SHARP program can be found here: [SHARP VideoConferencing](#)

### **Video Remote Interpreting for Out-of-Court Services**

Video Remote Interpreting (VRI) has been widely viewed as a solution to specific language access issues, including interpreter coverage in geographically remote locations and locating professional interpreters for languages of lesser diffusion. The use of VRI also allows for more agility in scheduling and reduces travel costs for interpreters. The Language Access Plan Implementation Task Force is currently overseeing a pilot project to implement VRI in a number of courtrooms

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<sup>12</sup> [https://www.seiu721.org/contracts/inland\\_superior\\_court\\_county\\_of\\_san\\_bernardino\\_mou\\_2015-07-01\\_through\\_2019-09-30\\_scan\\_searchable.pdf](https://www.seiu721.org/contracts/inland_superior_court_county_of_san_bernardino_mou_2015-07-01_through_2019-09-30_scan_searchable.pdf) (see Article 8).

and evaluate the effectiveness and quality of interpretation services provided as well as the technological performance and agility of three different VRI providers.<sup>13</sup> The results of these pilot demonstrations are scheduled for publication in mid-2018.

While remote interpretation in the courtroom requires a detailed consideration of visual and audio communication flow among multiple participants, including the judge, jury, litigants, attorneys and witnesses, interpretation for out-of-court proceedings can be more straightforward.<sup>14</sup> Many services mandated by the court, such as parenting classes, batterer intervention classes and anger management classes, lend themselves to interactions with a remote interpreter, who can deliver educational content to an LEP court user in the target language and be available to ask questions in English and relay the answers back to the LEP court user. Others, such as mediation, present greater challenges to the successful use of VRI.<sup>15</sup> In addition to court-mandated services and programs that take place outside the courtroom, other points of contact within the courthouse, such as transactions at the clerk's office or filing counter, are areas for exploration of the use of VRI to achieve communication.

One of the principal challenges in using VRI is to equip sites with the appropriate technology to ensure high fidelity in the participation of the remote interpreter. Because facial expressions and the subtleties of vocal inflections are critical elements to an accurate and faithful interpretation of meaning, it is vitally important to have a stable and clear audio and video connection. This requires sufficient bandwidth and high quality software and hardware. The National Center for State Courts has published the "Remote Interpreting Guide for Courts and Court Staff," which sets forth specific recommendations and baseline technical requirements for a successful VRI implementation.<sup>16</sup> These recommendations, which include minimum bandwidth and equipment requirements, apply to all VRI use, whether inside or outside of the courtroom.

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<sup>13</sup> More information on the Video Remote Interpreting pilot project available at: <http://www.courts.ca.gov/VRI.htm>.

<sup>14</sup> See "Remote Interpreting Guide for Courts and Court Staff" Available at <http://www.courts.ca.gov/documents/COS-VRILAP-MDS-080816-attachment-7.pdf> for technical standards applicable to VRI.

<sup>15</sup> For a detailed treatment of the benefits and challenges of VRI in mediation, see Braun, S. (2016). Videoconferencing as a Tool for Bilingual Mediation. In B. Townsley (Ed.), *Understanding Justice: An enquiry into interpreting in civil justice and mediation*. London: Middlesex University, 194-227.

<sup>16</sup> Available at: <http://www.ncsc.org/~media/Files/PDF/Services%20and%20Experts/Areas%20of%20expertise/Language%20Access/Resources%20for%20Program%20Managers/RI%20Manual%20-%20Final%20Draft%20-%20206-5-14.ashx>.

## **Charting the Path Forward: Videoconference Technology to Enhance Language Access**

Courts may consider the following steps towards the use of videoconference technology to provide language access services:

- Identify existing bilingual employees who are able to provide language assistance for out-of-court encounters and services.
- Develop standards for qualification of bilingual employees to ensure a baseline level of language proficiency.
- Explore the use of videoconferencing technology to connect bilingual employees with LEP court users across different courthouse sites.
- If there is a live training or workshop provided in another language by bilingual court or self-help center staff, consider using videoconferencing technology to broadcast the event for participants at remote locations. Consider recording those trainings and workshops provided in any language for remote viewing at a later time by court users in all locations and online.
- Explore options to collaborate on VRI initiatives with justice partners and other entities providing court-mandated services.
- Identify out-of-court transactions and interactions that would benefit from a remote interpreting solution.

### III. TELEPHONE

#### Introduction

A "lower-tech" but equally important strategy is the use of the telephone to provide language services. As in the case of videoconference technology, telephones also have been employed in two ways: 1) to provide Telephonic Interpretation Services (TIS), connecting interpreters over the phone to LEP court users who are conducting business with the court; and 2) to allow bilingual employees to provide in-language services to court users.

#### Telephonic Interpretation Services

The Language Access Plan emphasizes the importance of calling upon bilingual staff when an LEP court user presents him or herself in person at the court and needs assistance.<sup>17</sup> However, there are times when a bilingual staff member may not be available, or the court may not have any staff members who speak a particular language. In those cases, TIS is a natural next-best option.

The Judicial Council's Language Access Plan Implementation Task Force has developed a protocol and action guide for court staff to meet the needs of LEP court users, which includes a recommendation to look first to a bilingual staff member for assistance and if one is not available, to employ other tools and resources, including TIS. The *Action Guide*, which is a condensed quick reference guide for court employees, includes a customizable section where a court can enter the phone number to their telephone interpreting service.<sup>18</sup>

In 2013, the Judicial Council entered into a leveraged procurement agreement (LPA) with a telephonic interpreter service, Language Select.<sup>19</sup> The LPA allows judicial branch entities to contract directly with Language Select under terms negotiated by the Judicial Council. Language Select offers its contractors on-demand interpreters in 200 languages. It is unknown how many of the 58 superior courts make use of this LPA or have independent contracts with Language Select or

#### **Joining Forces with Justice Partners in Hawai'i**

In Hawai'i, individual service providers are responsible for obtaining the necessary language access services for their clients. However, the Hawai'i Courts have recognized the fiscal challenges to meeting this need and have tried to work with providers and partially subsidize the cost of an interpreter, in order to ensure that litigants are able to fully participate and benefit from the programs offered. Currently, some Hawai'i courts allow an outside service provider to use the court's telephonic interpreter service (TIS) to conduct substance abuse assessments when there is a language need. Because the service provider delivers the service onsite at the courthouse, they are able to access the court's TIS at no cost.

(Source: Response to informal NCSC survey, *Remote Interpreting for Non-Courtroom Services*, June 2017)

<sup>17</sup> Recommendation #26: "Courts should identify which points of contact are most critical for LEP court users, and, whenever possible, should place qualified bilingual staff at these locations." *Strategic Plan for Language Access in the California Courts, Judicial Council of California*, 2015.

<sup>18</sup> Protocol and Action Guide for Meeting the Needs of LEP Court Users available at: <http://www.courts.ca.gov/33865.htm>.

<sup>19</sup> In December 2016, Language Select was acquired by United Language Group.



another vendor providing this service; however, most counties reference the use of this service or a similar one in their annual LEP Plans.<sup>20</sup>

In addition to using telephonic interpreting on an informal or as-needed basis at those points of contact where an LEP court user may need assistance to communicate with court staff, TIS can also be accessed on a planned basis to help staff coordinate out-of-court services and to conduct simple transactions at the clerk's office and at self-help centers.

## In-Language Telephone Support

In addition to interpretation services, the telephone can be marshalled in bilingual staff efforts to deliver in-language services directly to LEP court users.

Orange County's Criminal and Traffic Division offers a 24-hour automated phone system that provides general information on the court, and allows litigants to obtain extensions on infraction cases and pay for both criminal and traffic fines.<sup>21</sup> Callers can also pay for traffic school and request extensions on traffic school deadlines. The "Automated Information and Payment Center" is available 24 hours a day and callers can choose to receive general information or conduct transactions specific to their case in English, Spanish or Vietnamese. During business hours, customer service agents are available to handle live inquiries if the caller is unable to use the automated service or needs additional assistance to complete a transaction. The Superior Court has six customer service agents, two of whom speak Spanish. The court ensures that a Spanish-speaking agent is available at all times. Because the volume of calls from monolingual Vietnamese speakers is so low, if a person who has selected "Vietnamese" in the automated system requests a live operator, they are routed to a mailbox where they can leave a message and a Vietnamese-speaking staff member will call them back the same day. This occurs with approximately 1-2 calls per month. If someone

### Alaska's Family Law Helpline

The state of Alaska, with its widely dispersed population, offers a helpline for assistance with family court matters. The service is available Monday-Thursday from 7:30 am to 6 pm and receives approximately 7,000 calls per year. Initial calls are assigned to the next available staff person as they come in, with the exception of Spanish and Tagalog speakers, who are routed to one of two bilingual employees who can conduct business in these languages. Once an initial intake is conducted over the phone, the caller can call back to the staff person's direct line with additional questions. Staff will listen in on court hearings involving their callers and can then follow-up with any additional information the litigant needs. General information about family law is also available on the court's website in Spanish, Hmong, Korean, Russian, Tagalog and there is an informational video available in Yup'ik.

(Source: Alaska Court System Self-Help Center: Family Law, available at: <http://www.courts.alaska.gov/shc/family/selfhelp.htm>.)

<sup>20</sup> See Judicial Resources Network, "Limited English Proficiency (LEP) Plans", available at: <http://jrn.courts.ca.gov/programs/lap/plans.htm>.

<sup>21</sup> All information on Orange County Superior Court's Automated Information and Payment Center was obtained through a phone interview on August 15, 2017 with Melissa del Rio, Manager of Criminal and Traffic Division for the West Justice Center and Manager of the Integrated Voice Response system for the Superior Court. The webpage for the system is available at: <http://www.occourts.org/directory/criminal/call-center.html>.

attempts to connect with an agent and is speaking a language other than the three offered by the system, the agents can call upon the assistance of the Language Access Services Unit to meet the needs of the LEP court user. The unit offers a remote telephonic interpreting feature to accommodate this scenario as well.

During June 2017, the Orange County court Criminal Call Center provided live phone assistance to over 4,700 unique callers in English and in Spanish. The court tracks total usage and transaction statistics of the automated phone system and the identical services on the web and reports that the total customer usage on phone and web in July 2017 was 28,259. The automated contacts resulted in the completion of 31,950 transactions. The program is widely viewed as successful both as a way to reduce the numbers of traffic and criminal litigants who need to make a personal trip to the courthouse, and as a tool for language access. The court is looking to expand the features and services available through the automated service, including possibly offering the ability to post bail and to schedule criminal hearing dates.

### **Charting the Path Forward: Telephone Technology to Enhance Language Access**

Courts may consider the following steps towards the use of telephone technology to provide language access services:

- If your court does not yet offer telephonic interpreter services, consider the possibility of contracting with such a service, either through the Judicial Council's LPA or by direct contract.
- If your court currently offers interpretation through a telephonic interpreter services provider, consider making this service available to agencies, professionals and organizations that provide out-of-court services to court users.
- Depending on the demographics of your court community, consider coordinating the availability of bilingual staff to offer in-language phone assistance to LEP court users.
- If there is demand for this service in a region that encompasses several counties, consider the possibility of entering into MOUs with other counties to pool bilingual employee resources in offering in-language phone assistance.
- If your court offers any recorded messages or automated payment processing via phone, consider translating the script for this information and having messages recorded in other languages, based on your local community needs.

## IV. WEBSITE-DELIVERED SERVICES

### Introduction

In response to the growing use of the internet for all transactions, and the expectation that many issues can be handled on a smartphone, courts are increasingly making efforts to place a variety of services on the web and optimize their mobile interface for access on hand-held devices. These services include responding to jury summonses, providing education and information about legal processes, and requesting an interpreter.

### Bilingual Mirror Sites with Legal and Procedural Information

One advantage of using the internet to present legal information is the ability to display the information in more than one language. Since 2002, the Judicial Council has offered the self-help content available on the California Courts website in both English and Spanish. Whenever new content is developed, it is translated into Spanish by a professional translator and both versions are posted simultaneously in order to ensure the consistency of information in both languages.

The image below shows the landing page for "The California Courts Self-Help Center," which includes three ways to click over to the Spanish version of the content: the link in the central description, "En Español", the green box on the right column of the screen titled "Centro de Ayuda: Información en español," and finally, a link on the right side of the screen underneath the title with a red flag and the word "Español." This latter link repeats on all the English language pages of the self-help center content.



# THE CALIFORNIA COURTS SELF-HELP CENTER

## Find Help

Click on your topic below. For topics not listed, use the search box or the A-Z index. [En español.](#)  
[More languages.](#)

CENTRO DE AYUDA  
INFORMACIÓN EN ESPAÑOL

Search here ...

SEARCH

IMMIGRATION  
RESOURCES

When the "Español" link is clicked, the user is taken to the following page, which provides a translation into Spanish of the self-help content (menu options for the other features of the California Courts website are not translated). The link next to the red flag now reads "English" and will return the user to the English version of the page with a click.

The screenshot shows the website header with the text "CORTES DE CALIFORNIA LA RAMA JUDICIAL DE CALIFORNIA" and a navigation menu with items like "Courts", "Centro de ayuda", "Forms & Rules", "Opinions", "Programs", "Policy & Administration", and "News & Reference". The main content area is titled "CORTES DE CALIFORNIA CENTRO DE AYUDA" and features a search bar with the text "Buscar en el Centro de ayuda" and a "BÚSQUEDA" button. A sidebar on the right contains a section titled "ENLACES RÁPIDOS" with links to "Abogados y ayuda legal", "Encuentre ayuda en su corte", and "Índice de A a Z del Centro de ayuda". There is also a link for "Pregunte al bibliotecario" with a small profile picture.

The flag and language link are available on all pages of the self-help center and this approach provides users the ability to switch back and forth as necessary. In addition, because all Spanish is translated by a professional translator, any errors that might occur with machine translation are avoided and the Spanish is consistent across case types.

The Judicial Council's Information Technology group has made available two "widgets" that can be placed on local court websites that provide an attractive visual and will take the user directly to the state's self-help center in either English or Spanish:



## Multilingual Web Portals

In addition to providing legal information, courts are able to offer administrative and legal transactions online in multiple languages. Los Angeles County Superior Courts offers an "Interpreter Request Portal," which allows users to receive information and request an interpreter in Spanish, Vietnamese, Chinese, Korean or Armenian<sup>22</sup>. The user first selects a language and then receives information about interpreter requests in various areas of law. Next, the user selects the case type, which can be one of the following:

- Eviction (Unlawful Detainer)
- Small Claims
- Limited Jurisdiction Civil (Collections and non-collections)
- Traffic
- Family Law
- Probate

Once the user has selected a language and an area of law, they are taken to a page with a series of fillable fields, which collects details about the hearing date, time and location, and asks for the requester's role in the case.

There are several access points on the website for the portal; the court has incorporated multi-language links on the pages of the court's division landing pages, including Family, Probate and Traffic. The translations of "Request an Interpreter for Your [Family Law, Probate, etc.] Case" appear alternately in Armenian, Chinese, Korean, Spanish and Vietnamese. Selecting one of the languages will send users to the Interpreter Request Portal where they can enter the appropriate information.

### REQUEST AN INTERPRETER FOR YOUR FAMILY LAW CASE

为您的家庭法的案件申请一名传译员

- English
- Հայերեն
- 中文
- 한국어
- español
- Tiếng Việt

## Multilingual Live Chat

Another approach to connecting court users with live support is through an internet-based "live chat" service. The California Law Librarians offer such a service, called "Ask a Law Librarian," which allows a user to enter a question and get an online response during working hours. Despite the fact that law librarians cannot provide legal advice or interpret legal information, they can still provide helpful information for self-represented litigants who are researching a particular area of law and can point users toward additional resources to find the information and support they need.

A "chat" feature on a court website can be leveraged in a variety of ways, including connecting users to volunteer attorneys, or self-help center employees who could provide more specific assistance with legal processes and forms. In addition, the electronic interface allows a bilingual

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<sup>22</sup> Interpreter Request Portal, available at: <http://www.lacourt.org/irud/ui/index.aspx>.

person who is staffing the effort to provide responses in-language, should an LEP court user contact the service for assistance.

The Arizona courts offer a Live Chat service, which is accessed through the "AZ Court Help" website. The website is hosted by the Arizona Bar Foundation and the Live Chat service is provided through the state's law libraries. The opportunity to "chat" with a law librarian is available on weekdays during variable hours. When a user accesses the webpage, they will see a blue box with "Chat now" on it, when a law librarian is available. After clicking on the box, the user is asked to enter a name, email address, language and question. The language field is a drop down box with English plus 15 additional language options, including Spanish, Arabic, Urdu, Romanian and Vietnamese. If the user enters any language except English, they will receive a pre-drafted message in their language, instructing them to call a special number. Once they call, they will be placed on hold while the chat operator, who knows the language needed contacts a telephonic interpreter service and requests a phone interpreter in the language needed. The chat operator will quickly brief the interpreter on the nature of the call and will then conference in the LEP court user who is waiting on the other line. The program's coordinators indicate that this process should take less than one minute to complete.<sup>23</sup>

## Document Assembly in Multiple Languages

Document assembly programs are interactive, online interviews that ask the user a series of questions and populate the answers provided on specific form sets. In California, these programs have been developed during the last ten years for self-help center attorneys and other legal nonprofit agencies to assist self-represented litigants with forms completion. Most of the document assembly programs were created with a specific workshop in mind: they are used for forms completion during or immediately after a workshop providing instructions on the guardianship petition process, or how to begin the divorce process. In the past three years, there has been a growing interest in making document assembly programs available directly to self-represented litigants through [www.courts.ca.gov](http://www.courts.ca.gov) or on local court websites. In addition, there is an interest in providing document assembly interviews in multiple languages. While California and most states require that all documents filed with the court be in the English language, it is still possible to collect information such as name, county and case number in another language and populate the answers appropriately on an English form. To the extent that the user must answer yes/no questions or select an answer from a drop-down box, this also facilitates asking interview questions in another language and still producing English language forms at the end of the process.

Document assembly programs can have a variety of language assistance features that provide access to LEP users. First, a program can be fully translated into the second language. As long as it is made clear to the user that any narrative information entered into the program must be in English, the program can ask questions in another language and still populate and produce form sets for filing in English.

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<sup>23</sup> Email exchange with Kathy Sekardi regarding Arizona's Live Chat service. The service is available at: <http://azcourthelp.org/live-chat>.

Michigan Legal Help offers a variety of programs in Spanish, using the HotDocs and A2J Author proprietary software applications, which are accessed from the LawHelp Interactive platform.<sup>24</sup> Form sets produced by Michigan Legal Help using a Spanish language interface include the petition for divorce, answer and countersuit for divorce, and petition for a personal protective order.<sup>25</sup>

The New York State Courts also have developed document assembly solutions with language access features, primarily using A2J Author software.<sup>26</sup> A2J Author contains a variety of features that enhance language access, including the ability to insert supplemental information in "pop-up" windows and the ability to attach audio files to the interview flow, which can be produced in multiple languages.<sup>27</sup> Program developers are also able to link to video resources, which enhances the ability to provide context and education around a particular area of law. The audio feature in particular is helpful because it allows the court to reach users who may have low levels of literacy or who may only *speak* their native language and not necessarily read and write in that language. Developing programs using these features in A2J Author has allow the New York courts to provide language assistance in several different areas of law, including name change, parentage, consumer debt and housing issues, in Spanish, Chinese, Vietnamese, French and Polish.<sup>28</sup>

Whether foreign language content is provided in a standalone program, is combined with an English program, or is provided in an audio format or as pop-up information, the language will need to be accounted for in a document assembly maintenance plan to ensure that all programs are up-to-date with the latest statute, rule and form changes.

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<sup>24</sup> More information about LawHelp Interactive available at: <https://lawhelpinteractive.org/>.

<sup>25</sup> Michigan Legal Help self-help tools and resources available at: <https://michiganlegalthelp.org/self-help-tools>.

<sup>26</sup> Rochelle Klempner, *The Case for Court-Based Document Assembly Programs: A Review of the New York State Court System's "DIY" Forms*, Fordham Urban Law Journal, Vol. XLI 2014, 1189-1226.

<sup>27</sup> *Id.* at 1201.

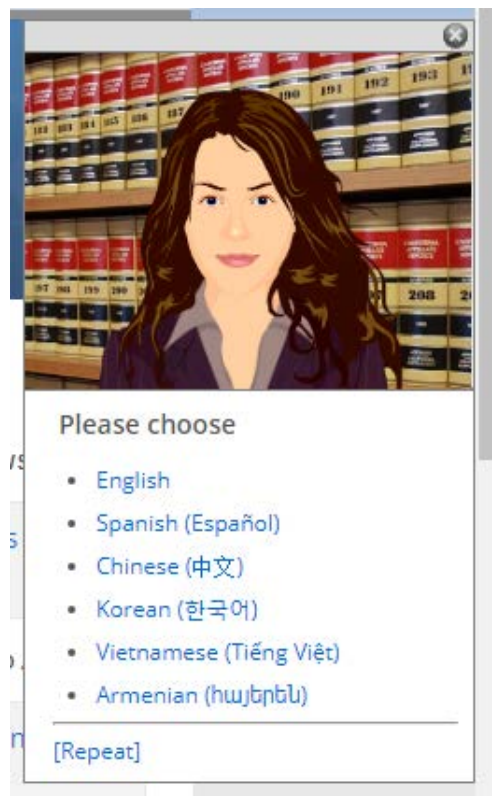
<sup>28</sup> *New York State Courts Access to Justice Program: Working Toward 100% Meaningful Access to Justice*, Report to the Chief Judge and the Chief Administrative Judge of the State of New York, 2016.

## Multilingual avatars

In response to the needs of a very linguistically-diverse population, the Los Angeles County Superior Court developed an online "avatar," which provides information and the ability to conduct business with the traffic court in English, Spanish, Chinese, Korean, Vietnamese and Armenian.

The avatar, which was launched in 2015 and is affectionately referred to as "Gina," takes the visual form of a young woman who speaks directly to the user, guiding him or her through the program toward helpful information about traffic cases in the Los Angeles courts. Gina offers users the ability to pay for a traffic ticket or request traffic school. Gina can also help users request an extension for traffic school or for payment of fines and schedule a court date for their traffic matter.<sup>29</sup> The court has indicated that approximately 4,800 persons interact with Gina on a weekly basis.<sup>30</sup> Of these 4800, approximately 250 interact with Gina in Spanish, 35 in Chinese, 10 in Korean and 5 each in Armenian and Vietnamese.<sup>31</sup>

Because so many court users have been able to complete a transaction without coming to the courthouse in person, Gina has been successful in reducing overall wait times for traffic services and reduced workload pressure on court clerks.<sup>32</sup>



<sup>29</sup> Gina is available on the court's Traffic landing page: <http://www.lacourt.org/division/traffic/traffic2.aspx>.

<sup>30</sup> Email communication dated 8/21/2017 with Snorri Ogata, Chief Information Officer for Los Angeles County Superior Court.

<sup>31</sup> *Id.*

<sup>32</sup> Cristina Llop, "Gina – LA's Online Traffic Avatar Radically Changes Customer Experience (News 2016)," available at: <https://www.srln.org/node/1186/gina-las-online-traffic-avatar-radically-changes-customer-experience-news-2016>.



## **Charting the Path Forward: Website Services to Enhance Language Access**

Courts may consider the following steps towards the implementation of services on their court websites that are accessible to LEP court users:

- Ensure that your self-help pages have the widget link to the California Courts Self-Help Center to make use of the statewide informational content available in English and Spanish.
- If your court offers a "chat" function, consider offering chat services in the most frequently spoken non-English languages in your court community.
- Consider the development of an online services portal that makes use of avatar technology to deliver content in multiple languages.
- Explore the most cost-effective tools for allowing court users to request an interpreter—whether by using the INT-300 provided by the Judicial Council as an optional form, developing an online request process.

## V. INTERPRETER MANAGEMENT SOFTWARE

### Introduction

There are a variety of software applications on the market that are designed to assist courts with calendaring and coordinating the schedules of interpreters working in the courts. Interpreter management software also can be used to track training certifications and contracts for interpreters, and when appropriate can facilitate invoicing and payment processes. In addition, scheduling software could be integrated with online interpreter request systems and used to track the availability of both interpreters and bilingual staff members to provide language assistance in a variety of courthouse contexts. There are also possibilities for integrating interpreter management software with a court case management system and with the court user e-filing interface, in order to track language need in individual cases from the earliest point of contact between an LEP litigant and the court.

### Interpreter Scheduling

New York's Unified Court System employs over 300 interpreters who speak 20 languages, including American Sign Language; in addition, the courts draw from a pool of approximately 700 per diem interpreters who provide services in more than 100 languages.<sup>33</sup> Since 2006, the New York State Courts have used an electronic interpreter scheduling program. Before the implementation of the electronic system, courts were provided a paper "Registry of Interpreters," which was produced and maintained by their court administrative office. Local courts also maintained supplemental lists of interpreters they could call upon locally for interpreter assignments. The courts note that, "The paper system was inefficient. More importantly, it provided no mechanism for ensuring that only qualified interpreters were used."<sup>34</sup> The current electronic system now allows a court to enter a date, time and language for which an interpreter is needed and the program will identify an interpreter who is available at that time "...and, most importantly, who is fully qualified, having passed the required examinations and completed the mandatory training."<sup>35</sup>

An electronic scheduling program could be used to assign interpreters and possibly bilingual staff members to events that occur outside of the courtroom as well. For example, internal court departments, such as a clerk's office and the self-help center, could be given permission to enter a request for assistance and be assigned either an interpreter or a bilingual employee to assist with a scheduled encounter. In addition, courts could explore the possibility of integrating their scheduling software program with an online interpreter request, which allows litigants and court users to make the request themselves. There may also be opportunities to integrate the functions of a Case Management System (CMS) that tracks language need at the individual case level with electronic interpreter assignment programs, which would allow technology to do the tracking and assignment over the life of a case that has been flagged as being one with one or more parties with

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<sup>33</sup> New York State Unified Court System, *Ensuring Language Access: A Strategic Plan for the New York State Courts*, March 2017, at page 5.

<sup>34</sup> *Id.* at 7.

<sup>35</sup> *Id.*

a need for language assistance. If seamlessly integrated with authorized Electronic Filing Service Providers (EFSPs) for the court, the need for language assistance by a filing party could be information that is fed into the CMS from the initial contact with the court. The information about the need for an interpreter and the language required would then trigger an event with the interpreter scheduling system, which could process an automatic request each time a hearing was set for the case. This type of integration would satisfy the LAP Recommendation that calls for obtaining language need information early and incorporating that information into the court's CMS.<sup>36</sup>

## Interpreter Database Management

The ability to automate interpreter coordination functions also serves as a leverage point for finding economies of scale by establishing a pool of interpreters that can be drawn upon by more than one agency. This is the approach taken by Alaska's Language Interpreter Center (ALIC), which was established in 2007 by the Alaska Institute for Justice.<sup>37</sup> The solution is one that was designed to address the specific needs of the Alaskan community and a variety of agencies that serve the public, including those related to the courts, health/medicine and education. Representative stakeholders from these realms came together to establish ALIC, which supplies available and qualified interpreters when an agency requests interpreter support. The Center serves as a resource for aspiring interpreters as well, providing education and information about becoming an interpreter, in addition to testing, training and certification. In addition to interpretation services, the Center also keeps a list of available translators and connects them to agencies in need of translation services.<sup>38</sup>

While the training and certification of California interpreters are managed at the state level and interpreter compensation is set at a regional level, some variations on the Alaska approach may merit consideration by smaller courts that do not receive regular requests for language assistance, based on low overall population numbers or very low numbers of LEP court users. It may be possible to combine forces with other courts within the same interpreter region and employ electronic means to track the certification, location and availability of interpreters for court proceedings. In addition, courts may be able to collaborate with justice partners that also have a need for interpreters, in establishing a database of available professionals. Finally, a database of language professionals could be expanded to include bilingual employees who are available to courts to provide in-language support to LEP court users during interactions occurring outside of the courtroom. This type of cross-court and cross-agency collaboration has the potential to increase the availability of language assistance in out-of-court services by increasing the visibility and access to qualified professionals.

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<sup>36</sup> "Courts will identify the language access needs for each LEP court user, including parties, witnesses, or other persons with a significant interest, at the earliest possible point of contact with the LEP person. The language needs will be clearly and consistently documented in the case management system and/or any other case record or file, as appropriate given a court's existing case information record system, and this capability should be included in any future system upgrades or system development." *Strategic Plan for Language Access in the California Courts*, Judicial Council of California, 2015.

<sup>37</sup> Wanda Romberger, *Language Access Centers: A Win-Win Idea*, Future Trends in State Courts, 2008.

<sup>38</sup> ALIC Website available at: <http://www.akijp.org/language-interpreter-center/>.

## **Charting the Path Forward: Interpreter Management Software**

Courts may consider the following steps towards the use of technological solutions for interpreter management:

- Explore technological options for interpreter scheduling if you are in a court with sufficient volume to justify a software solution.
- Smaller courts can consider cross-court and cross-agency collaborations for interpreter scheduling, other interpreter management functions and establishing a pool of available language professionals.
- Consider making interpreter request functionality available to self-help centers, clerk's offices and other departments, as appropriate.

## **VI. CONCLUSION**

The ever-changing landscape of technological tools available to courts makes this an exciting time for those courts interested in leveraging technology to offer remote language services. Technology allows courts to make the most efficient use of their human resources and deploy them remotely to maximize coverage in a single or multiple courts. Technology allows for the delivery of content in multiple languages in a variety of formats, including live and recorded audio content, live and recorded video content and multilingual web interfaces. Technology increases the forms of communication available between courts and court users, thereby increasing the likelihood of getting questions answered and more successful self-representation. Technology also offers opportunities for cross-county and cross-agency collaboration, allowing smaller entities to attain economies of scale and ensure high quality service and consistent coverage. Each of these features can be easily leveraged to deliver information and achieve communication in multiple languages, thus reaching more Californians and ensuring equal access for LEP court users.

This document highlights successful implementations of technology to enhance language access, particularly with regard to non-courtroom services and programs, and provides concrete steps for consideration for those courts interested in implementing similar initiatives. Courts that are actively working on technology initiatives to enhance services for their court users will want to examine the language needs of their service areas and consider how their initiatives can be built with the needs of their LEP court users in mind.

## Recent and upcoming Court Interpreter Program Outreach and Recruitment Activities

4/10/18

### RECENT ACTIVITIES

- Hundreds of contacts were made with Punjabi speakers at the November 2017 Sikh Festival in Yuba City. A number of courts in the central valley area have followed up with prospective interpreters who expressed interest.
- 3 *Introductions to the Profession of California Court Interpreting* workshops were conducted in the Los Angeles area between January and March 2018. More than 200 interested bilingual prospective interpreters attended, along with representatives from both Los Angeles and Orange courts who engaged actively with attendees.
- 3 American Sign Language mock trial trainings were conducted between December 2017 and March 2018 around the state. The Court Interpreters Program partnered with Deaf Community Services of San Diego. ASL interpreters holding generalist certificates were the target audience and more than 80 interpreters participated.
- The final mock trial training also included near – passers and highly competitive candidates in both the Korean and Russian languages. For most, this was a once-in-a-career opportunity for significant practice, feedback and interest building for a court interpreter career.
- Participated at the California Healthcare Interpreters Association (CHIA) conference in Irvine, California.

### UPCOMING ACTIVITIES

- Participation and Sponsorship at the National Association of Judicial Interpreters and Translators (NAJIT) Conference in San Francisco in early June, including a first ever crossover training for medical interpreters interested in pursuing careers as court interpreters. More than 30 interpreters are expected to participate.
- Participation and sponsorship at the Registry of Interpreters for the Deaf (RID) Region V biennial conference in July, in Vancouver, WA. California will be participating with the Oregon and Idaho courts to cosponsor more than 20 hours of court interpreter training directed at all levels of interpreters, from generalist to advanced-in-court.
- The Court Interpreters Program will again be conducting ethnic media advertising in multiple markets around the state by summer 2018.
- The Court Interpreters Program is partnering with the Superior Court, Los Angeles County to participate in multiple local outreach efforts at community festivals and events, geared towards the Armenian, Tagalog and Mandarin speaking communities, among others.
- The Court Interpreters Program is partnering with the Superior Court, Orange County to participate in local education department events directed at bilingual members of the community.

# LAP Implementation Task Force Community Outreach Meeting: Session 3

Moderated by: Justice Terence Bruiniers

April 24, 2018



# Speakers

## **Moderator:**

**Hon. Terence Bruiniers**, Associate Justice, First District Court of Appeal,  
Chair, Technological Solutions Subcommittee, Language Access Plan Implementation Task Force.

## **Our Panelists:**

**Hon. Jaime Román**, Judge, Sacramento County Superior Court

**Deputy Stephen Roberts**, Bailiff, Sacramento County Superior Court

**Kim Pedersen**, Language Access Representative, Sacramento County Superior Court

**Ofelia Sandoval**, Certified Spanish Court Interpreter, Merced County Superior Court

**Michael Planet**, Court Executive Officer, Ventura County Superior Court



# Video Remote Interpreting Pilot Project

In January 2018, the VRI Pilot kicked off in three counties:

- Ventura
- Merced
- Sacramento

Two Vendors per county:



 **Connected Justice**



A Video Remote Interpreter's workstation, located in the Interpreter's Office at the downtown Sacramento Superior Court, connected to the Carol Miller Justice Center, Sacramento, CA.

# Independent Evaluation

San Diego State University (SDSU) Research Foundation was contracted as an independent evaluator and is currently collecting VRI pilot data, as outlined in the Language Access Plan, to inform us of:

- Due process issues
- Participant satisfaction
- Use of certified and registered interpreters
- Effectiveness of technologies



# Training

## Training consisted of:

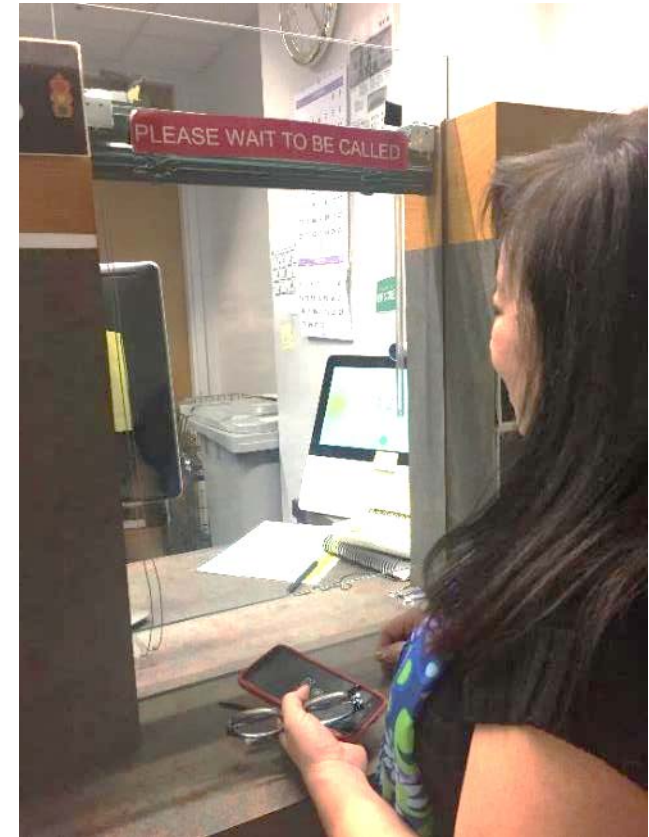
- Mock trials
- Use of VRI equipment
- Hardware and software tutorials
- Training documentation
- Collection of data / feedback



Mock trial at the Carol Miller Justice Center in Sacramento, CA, to test the use of VRI equipment with a remote interpreter.

# Pilot Assessment

- We are now in the six-month pilot assessment phase to test and evaluate each vendor in each courtroom
- SDSU is overseeing the evaluation, survey-findings, and observation period



"Defendant" Lisa Crownover, VRI Project Manager, standing at the fee waiver counter at the Carol Miller Justice Center in Sacramento, CA, to test the use of VRI equipment with a remote interpreter.

# Next Steps

- Pilot Assessment
  - Phase 1 – Courts will use their own interpreters via VRI
  - Phase 2 – Courts will share interpreters with other pilot courts via VRI
- Following the conclusion of the VRI pilot, findings and recommendations will be developed for the Judicial Council in Fall 2018, including updates to the LAP's VRI programmatic and technical guidelines, as needed.

# Sacramento County



Interpreter Joey Tobin at the Sacramento Interpreter workstation, Sacramento Courts.



Detained defendant at the Sacramento Jail Court house, with Deputy Roberts at Sacramento Courts.



Arraignment setting using video remote interpreting equipment with a remote interpreter in Sacramento County. The defendant communicates with the interpreter by phone, and can see the interpreter on the courtroom monitor and on a video phone located directly in front of the defendant. The video phone makes face-to-face phone calls possible, and also allows attorney-client communication between the defendant, his/her attorney, and the interpreter.

# Merced County



Following a live hearing, Judge Bacciarini interacts with interpreter Rosa Lopez via video remote interpreting equipment in a Merced Courtroom.



Judge McCabe presiding over a mock trial to test and train court staff on VRI equipment in a Los Banos Courtroom.



Superior Court CEO Linda Romero-Soles, Merced County, participating in a mock trial using VRI equipment as a training exercise.

# Ventura County



Mock trial using video remote interpreting equipment with a remote interpreter in Ventura County.



Interpreter Ramon Valdivieso at the Video Remote Interpreter workstation in Ventura County.



# VRI Equipment



Interpreters, Mark Crossley and Diana Callahan, testing and training for American Sign Language (ASL) usage on the VRI equipment.



**Above:** Defendant's table at the courthouse in Ventura County, with a tester calling into the courtroom from a remote VRI workstation.



**Bottom Right:** Headset equipment reserved for listen-only mode. As appropriate, these headsets are available to friends or family members and allow them to listen in to the court interpreter, helping them to understand court proceedings.



## Questions & Answers

<http://www.courts.ca.gov/VRI.htm>



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## FACT SHEET

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April 2017

### Video Remote Interpreting (VRI) Pilot Project

Video Remote Interpreting (VRI) uses videoconferencing technology to provide court users with a qualified interpreter, when an onsite interpreter is not readily available. In June 2016, the Judicial Council approved a VRI pilot project to evaluate and test VRI technology in the courts, pursuant to recommendations in the Judicial Council's *Strategic Plan for Language Access in the California Courts* (the Language Access Plan, or LAP). This pilot project aims to expand language access within the California courts by testing different VRI equipment solutions. The VRI pilot will include input from the public and court stakeholders to help the branch evaluate how and when VRI may be appropriate for different types of case events (short matters). On an individual basis, the court will determine if each case event is appropriate for VRI. Both the LAP, and the Judicial Branch Technology Tactical Plan, recommend piloting VRI in the California courts.

#### **Planning for this VRI Pilot Project has included several phases:**

- *Technology:* Equipment to be assessed in the field during the pilot was selected through a competitive zero dollar Request for Proposals (RFP) process, and resulted in the selection of vendors including Connected Justice, and Paras and Associates.
- *Workstream:* A workstream has been established to guide the pilot project. Judicial officers, court interpreters, and technology experts from across the state are involved.
- *Courts:* Numerous courts expressed interest in the pilot. Based on the technology capacity of each court, and interpreter needs and resources, the following three Superior Courts of California have been selected: Merced, Sacramento and Ventura.

### **How does VRI work in court?**

- The local interpreter coordinator will determine if VRI is appropriate for a court event when a limited-English-proficient (LEP) court user needs an interpreter to communicate in court. These are typically court events that are limited in nature (e.g., short, non-complex, uncontested).<sup>1</sup>
- The court interpreter will be offsite but able to see and hear what is going on in the courtroom.
- The LEP person and the interpreter will be able to see and hear one another through the VRI equipment. Appropriate others in the courtroom will be able to hear and see the interpreter.
- The equipment uses encrypted communication to protect privacy. Each of the technological solutions will be able to accommodate confidential attorney-client communication.

### **Why use VRI?**

- Increases the number of LEP parties, and case types, courts can serve with qualified court interpreters within existing statewide resources, currently \$103 million.
- Increases access to credentialed (certified and registered) interpreters, especially in language of lesser diffusion.
- Helps ensure that qualified *in-person* interpreters are scheduled for high stake or lengthy matters when needed.
- Decreases the wait time, and number of rescheduled court events, due to difficulty securing the in-person services of a qualified interpreter; preventing additional missed work by LEP parties.

### **Pilot Evaluation**

- The three pilot courts will be testing solutions from different equipment vendors over a period of six months.

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<sup>1</sup> See Prerequisites, Considerations, and Guidelines for Remote Interpreting in Court Proceedings, LAP, Appendix B, at [http://www.courts.ca.gov/documents/CLASP\\_report\\_060514.pdf](http://www.courts.ca.gov/documents/CLASP_report_060514.pdf). The LAP also includes Suggested Language for the Judicial Officer When Considering Objections Related to Remote Interpreting (Appendix C), and Visual/Auditory Issues, Confidentiality, and Modes of Interpreting When Working Remotely (Appendix D).

## *VRI Pilot Project*

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- The VRI Pilot will be evaluated by San Diego State University Research Foundation, a third-party, independent evaluator.
- Data collection will take place during the course of the pilot, and the pilot evaluation will include a two-week intensive observation period.
- In addition to effectiveness of equipment solutions, one component of the VRI pilot evaluation is to assess communication effectiveness of VRI, a critical component of due process.
- Feedback data will be solicited from court users, judges, and court interpreters.
- Justice partners (Public Defenders and District Attorneys) will also be able to provide feedback.
- Following conclusion of the VRI pilot, findings and recommendations will be developed for the Judicial Council, including any need to update the LAP's VRI programmatic guidelines, and to establish minimum technical VRI guidelines for the courts.

### *Contacts:*

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### *Additional resources:*

- <http://www.courts.ca.gov/VRI.htm>
- <http://www.courts.ca.gov/LAP.htm>
- <http://www.courts.ca.gov/languageaccess.htm>



# JUDICIAL COUNCIL OF CALIFORNIA

LANGUAGE ACCESS PLAN  
IMPLEMENTATION TASK FORCE

## Community Outreach Meeting April 24, 2018 Resources and Web Links

### **Judicial Council of California**

Language Access: <http://www.courts.ca.gov/languageaccess.htm>

Language Access Plan Implementation Task Force: <http://www.courts.ca.gov/LAP.htm>

Language Access Toolkit: <http://www.courts.ca.gov/lap-toolkit-courts.htm>

Model Complaint Packet: <http://www.courts.ca.gov/documents/lap-Model-Complaint-Packet.pdf>

Video Remote Interpreting Pilot Project: <http://www.courts.ca.gov/VRI.htm>

Court Interpreters Program: <http://www.courts.ca.gov/programs-interpreters.htm>

Court Interpreters Program Search for an Interpreter:  
<http://www.courts.ca.gov/35273.htm>

### **Los Angeles County Superior Court**

Language Access Services:

[http://www.lacourt.org/generalinfo/courtinterpreter/GI\\_IN001.aspx](http://www.lacourt.org/generalinfo/courtinterpreter/GI_IN001.aspx)

Interpreter Request Portal: <http://www.lacourt.org/irud/ui/index.aspx>

Gina, Online Traffic Avatar: <http://www.lacourt.org/division/traffic/traffic2.aspx>

Complaint Process: [http://www.lacourt.org/generalinfo/courtinterpreter/GI\\_IN006.aspx](http://www.lacourt.org/generalinfo/courtinterpreter/GI_IN006.aspx)

**Listing of All Superior Courts:** <http://www.courts.ca.gov/superiorcourts.htm>

**Find My Court:** <http://www.courts.ca.gov/find-my-court.htm>

**Legal Aid Foundation of Los Angeles:** <https://lafla.org/>

**Legal Services of Northern California:** <https://lsnc.net/>

**WEAVE Inc.:** [www.weaveinc.org](http://www.weaveinc.org)