



JUDICIAL COUNCIL OF CALIFORNIA

LANGUAGE ACCESS PLAN
IMPLEMENTATION TASK FORCE

Language Access Plan Implementation Task Force (LAPITF)

Open Meeting Materials Index

December 17, 2018, 12:00 p.m. – 1:00 p.m.

1. December 17, 2018 Task Force Meeting Notice and Agenda
2. Draft Minutes from October 17, 2018 Task Force Meeting (Conference Call)
3. Language Access Plan Recommendation Status Chart (November 2018)



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www.courts.ca.gov/LAP.htm
LAP@jud.ca.gov

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LANGUAGE ACCESS PLAN IMPLEMENTATION TASK FORCE NOTICE AND AGENDA OF OPEN MEETING

Open to the Public (Cal. Rules of Court, rule 10.75(c)(1)) and (e)(1))

THIS MEETING IS BEING CONDUCTED BY ELECTRONIC MEANS

THIS MEETING IS BEING RECORDED

Date: December 17, 2018
Time: 12:00 p.m. – 1:00 p.m.
Public Call-in Number: 1-877-820-7831, Passcode: 5656138 (Listen Only)

Meeting materials will be posted on the advisory body web page on the California Courts website at least three business days before the meeting.

Members of the public seeking to make an audio recording of the meeting must submit a written request at least two business days before the meeting. Requests can be e-mailed to lap@jud.ca.gov.

Agenda items are numbered for identification purposes only and will not necessarily be considered in the indicated order.

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

Call to Order and Roll Call

Approval of Minutes

Approve Minutes of Open Meeting from October 17, 2018, Language Access Plan Implementation Task Force (Task Force) meeting.

II. PUBLIC COMMENT (CAL. RULES OF COURT, RULE 10.75(K)(2))

Written Comment

In accordance with California Rules of Court, rule 10.75(k)(1), written comments pertaining to any agenda item of a regularly noticed open meeting can be submitted up to one complete business day before the meeting. For this specific meeting, comments should be e-mailed to LAP@jud.ca.gov or mailed or delivered to Language Access Plan Implementation Task Force, c/o Judicial Council of California, 455 Golden Gate Avenue, San Francisco, CA 94102 attention: Elizabeth Tam-Helmuth. Only written comments

received by December 14, 2018, 12:00 p.m. will be provided to advisory body members prior to the start of the meeting.

III. DISCUSSION AND ACTION ITEMS (ITEM 1)

Meeting Overview and ITF Chairs Update

The Task Force Chairs will provide updates regarding LAP implementation and discuss transition plans for the Task Force. The Task Force will be asked to take action to approve a new proposed language access subcommittee structure after the Task Force sunsets on March 1, 2019.

Presenter(s): Hon. Mariano-Florentino Cuéllar, Chair
Hon. Manuel J. Covarrubias, Vice-Chair

IV. ADJOURNMENT

Adjourn



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LANGUAGE ACCESS PLAN IMPLEMENTATION TASK FORCE

MINUTES OF OPEN MEETING

October 17, 2018

12:10 p.m. to 1:10 p.m.

Business Meeting, via Conference Call

Advisory Body Members Present: Hon. Mariano-Florentino Cuéllar; Chair; Hon. Manuel Covarrubias, Vice-Chair; Ms. Naomi Adelson; Hon. Steven Austin; Mr. Kevin Baker; Ms. Angie Birchfield; Hon. Terence Bruiniers; Ms. Tracy Clark; Hon. Jonathan Conklin; Hon. Michelle Williams Court; Hon. Dennis Hayashi; Ms. Janet Hudec; Ms. Joann Lee; Hon. Jonathan Renner; Hon. Victor Rodriguez; Ms. Jeanine Tucker; Mr. José Varela; and Hon. Laurie Zelon

Advisory Body Members Absent: Hon. Janet Gaard; Ms. Ana Maria Garcia; Ms. Susan Marie Gonzalez; Ms. Ivette Peña; Hon. Rosendo Peña; Mr. Michael Roddy; Dr. Guadalupe Valdés, Hon. Brian Walsh; and Mr. David Yamasaki

Others Present: Mr. Douglas Denton; Ms. Diana Glick; Ms. Olivia Lawrence; Mr. Bob Lowney; Ms. Jenny Phu; and Ms. Elizabeth Tam-Helmuth.

OPEN MEETING

Call to Order and Roll Call

The Task Force Chair, Justice Mariano-Florentino Cuéllar, called the meeting to order at 12:10 p.m. and welcomed everyone to the meeting of the Language Access Plan (LAP) Implementation Task Force (ITF or Task Force), including individuals from the public listening in. Roll was taken.

Approval of Minutes

The Task Force unanimously approved the April 24, 2018 Community Outreach meeting minutes.

Updates from the Chair

Justice Cuéllar shared some updates on language access implementation. The Task Force and Judicial Council staff continues to work extremely hard to complete as many LAP recommendations as possible. To date, the Task Force completed 36 of the 75 recommendations in the LAP, with work on 27 additional LAP recommendations currently in progress. There are about 12 additional recommendations that are either long-term and/or ongoing for the branch and will run beyond the life of the Task Force.

In January 2019, Justice Cuéllar will give an update to the council on the tremendous progress the Task Force has made and what remains by the time the Task Force sunsets on March 1, 2019.

He is in conversation with Judge Covarrubias to ensure the Working Group on Long-Term LAP Recommendations focuses on the completion of as many LAP recommendations as possible by June 2019. Plans are underway for the work of the Task Force to transition to another advisory body in 2019. The new group will ensure that LAP implementation continues as a vital program for the judicial branch, and that appropriate language access services will continue to be provided by the courts.

Justice Cuéllar highlighted some of the Task Force's significant projects including: the Video Remote Interpreting Pilot Project; funding requests to ensure there are enough funds for full civil expansion; and data collection and monitoring.

Between now and March 1st, the Subcommittee Chairs will work closely with their subcommittees and staff to finish as many current projects as possible. Justice Cuéllar will work with Judge Covarrubias and staff to convene a call with Subcommittee Chairs in January to keep the progress on track.

The Task Force will take action at a future meeting (likely in January) to approve the VRI package for the council. We will also hold a Task Force call in early 2019 to update everyone on transition plans and to finalize any other action items that will need to be addressed before the Task Force sunsets.

DISCUSSION AND POSSIBLE ACTION ITEMS

Revised Draft of Proposed Rule of Court, Rule 1.300 (Action Item)

Justice Laurie Zelon and Judge Victor Rodriguez updated the Task Force on a revised draft of proposed new Rule 1.300 and related forms. The purpose of the rule is to provide clear guidance on the provision of language assistance in court-ordered programs and services.

The Task Force provided input on the text of the rule and suggested one amendment, to change the word “interpreters” to “interpretation” in the definition of “language services,” which is found in subdivision (a)(3).

After some discussion, the Task Force was asked to approve the proposed rule, related forms, and Invitation to Comment for presentation to the Advisory Committee on Providing Access and Fairness (PAF), and if approved by this body, for presentation to the Rules and Projects Committee (RUPRO). If approved by the RUPRO at its December 6, 2018 meeting, the proposal will circulate for public comment, from December 7, 2018 – February 8, 2019.

Action Taken: The Task Force voted unanimously (18–0) in favor of the revised draft of proposed new Rule 1.300 (with the recommended edit described above), related forms, and

Invitation to Comment for presentation to the PAF, and if approved by PAF, for presentation to the RUPRO at its meeting on December 6, 2018.

CLOSING AND ADJOURNMENT

Justice Cuéllar encouraged the Task Force members and staff to use the time remaining to complete as many recommendations as possible, thereby laying a stable foundation for the future of the work. He is confident that a successor group will be in place to carry on the work of language access in the next stage.

Lastly, he shared that Task Force member (and Chair of the Task Force Technological Solutions Subcommittee) Justice Terence Bruiniers is retiring at the end of the year. He expressed his deep appreciation for Justice Bruiniers' dedication to the VRI Pilot Project and his pivotal role in the work of the Task Force.

There being no further business, the meeting was adjourned at 1:10 p.m.

Approved by the advisory body on [insert date]

Language Access Plan Implementation Task Force: LAP Recommendation Status (November 2018)

Budget and LAP Monitoring Subcommittee

Chair: Judge Steven K. Austin

Judicial Council Staff: Mr. Douglas G. Denton and Ms. Elizabeth Tam-Helmuth

Number of assigned LAP recommendations (24): Nos. 6–8, 10, 20–21, 25, 49, 53–63, 67–68, 71–72, 74

Completed (11 recommendations)

No. 6 (expansion of language services cost reporting)*; No. 7 (review of other data beyond the U.S. Census); Nos. 20–21 (regional coordination and calendaring recommendations); No. 25 (designation of language access office or representative); No. 49 (recruitment strategies for language access providers); No. 57 (use of data for funding requests); No. 61 (compliance and monitoring system); No. 67 (adoption of plan by the California Courts of Appeal and California Supreme Court); Nos. 71–72 (legislation regarding small claims proceedings)

Likely to be completed by March 2019 (3 recommendations)

No. 60 (Language Access Implementation Task Force); Nos. 62–63 (establish complaint processes)

In progress (4 recommendations)

Nos. 53–55 (community outreach efforts); No. 74 (evaluation of Trial Court Interpreter Employment and Labor Relations Act)

Long-term or ongoing for branch (6 recommendations)

No. 8 (expansion of court interpreters to all civil proceedings); No. 10 (provision of qualified interpreters in all court-ordered/court operated proceedings); Nos. 56, 58 and 59 (funding); No. 68 (updates to rules and statutes)

*The task force and Judicial Council staff will continue to monitor developments to determine whether additional data collection procedures are necessary.

Language Access Plan Implementation Task Force: LAP Recommendation Status (November 2018)

Technological Solutions Subcommittee

Chair: Justice Terence L. Bruiniers
Judicial Council Staff: Ms. Jenny Phu

Number of assigned LAP recommendations (12): Nos. 1–3, 12–17, 31–32, 35

Completed (1 recommendation)

No. 12 (preference for in-person interpreters)

Likely to be completed by March 2019 (4 recommendations)

No. 13 (remote interpreting in the courtroom)

No. 14 (remote interpreting minimum technology requirements)

No. 15 (use of video for remote interpreting)

No. 16 (pilot for video remote interpreting)

In progress (6 recommendations)

No. 1 (language access needs identification)

No. 2 (requests for language services)

No. 3 (protocol for justice partners to communicate language needs)

No. 31 (pilot for remote assistance at counters and in self-help centers)

No. 32 (pilot for remote assistance for workshops)

No. 35 (pilot programs for language access kiosks)

Long-term or ongoing for branch (1 recommendation)

No. 17 (pilot for central pool of remote interpreters)

Language Access Plan Implementation Task Force: LAP Recommendation Status (November 2018)

Translation, Signage and Tools for Courts Subcommittee

Cochairs: Justice Laurie D. Zelon and Mr. José H. Varela
Judicial Council Staff: Ms. Diana Glick

Number of assigned LAP recommendations (18): Nos. 4–5, 11, 27, 29–30, 33–34, 36–42, 51, 65–66

Completed (14 recommendations)

No. 4 (mechanisms for LEP court users to self-identify); No. 5 (information for court users about availability of language access services); No. 27 (provision of language access tools to court personnel); No. 29 (development of protocols for where bilingual staff are not available); No. 36 (establishment of translation protocol)*; No. 37 (statewide multilingual samples and templates); No. 38 (posting of translations on web); No. 39 (signage throughout courthouse); No. 40 (translation of court orders); No. 41 (accessible courthouses); No. 42 (wayfinding strategies); No. 51 (language access resources on intranet); No. 65 (complaints regarding statewide translations); No. 66 (statewide repository of language access resources)

Likely to be completed by December 2018 (1 recommendation)

No. 34 (use of bilingual volunteers)

In progress (3 recommendations)

Nos. 11 and 33 (consideration of language accessibility of service providers in making court orders); No. 30 (policies that promote sharing of bilingual staff and interpreters among courts). 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.

Long-term or ongoing for branch (1 recommendation)

No. 36 (ongoing translation responsibilities)*

* Recommendation No. 36 includes both the development of a translation protocol, which was completed during Phase I, and ongoing translation responsibilities that will be long-term work for the branch.

Language Access Plan Implementation Task Force: LAP Recommendation Status (November 2018)

Language Access and Education Standards Subcommittee N/A – This subcommittee sunset its work as of March 1, 2018
Number of assigned LAP recommendations (12): Nos. 18–19, 22–24, 26, 44, 46–48, 50, 52
Completed (9 recommendations) No. 19 (verifying credentials of interpreters); Nos. 22–24 (avoid conflict or bias; don't appoint minors or bilingual staff to interpret); No. 26 (identification of critical points of contact); No. 44 (online orientation for new interpreters); No. 47 (language proficiency standards for bilingual staff); No. 50 (judicial branch training regarding Language Access Plan); No. 52 (benchcards on language access)
Likely to be completed by March 2019 (2 recommendations) No. 46 (training for interpreters on civil cases)*; No. 48 (standards and online training for bilingual staff)
In progress (1 recommendation) No. 46 (training for interpreters on remote interpreting)*
Long-term or ongoing for branch (1 recommendation) No. 18 (creation of multilingual standardized videos)

* Training for interpreters on remote interpreting is being developed in conjunction with the VRI Pilot Project.

Language Access Plan Implementation Task Force: LAP Recommendation Status (November 2018)

Court Interpreters Advisory Panel

Chair: Judge Brian McCabe

Judicial Council Staff: Ms. Claudia Ortega and Ms. Sonia Sierra Wolf

Number of assigned LAP recommendations (9): Nos. 9, 28, 43, 45, 64, 69–70, 73, 75

Completed (4 recommendations)

No. 9 (provisional qualification requirements); No. 43 (standards for qualifications of interpreters); No. 69 (procedures and guidelines for good cause); No. 70 (amend rule of court for appointment of interpreters in civil proceedings)

Likely to be completed by March 2019 (1 recommendation)

No. 64 (complaints regarding court interpreters)

Long-term or ongoing for branch (4 recommendations)

No. 28 (recruitment of bilingual staff); No. 45 (training for prospective interpreters); No. 73 (updating of interpreter-related forms); No. 75 (policy regarding waiver of interpreter)