Advisory Committee on Providing Access and Fairness Annual Agenda¹—2019 Approved by Executive and Planning Committee: May 15, 2019

I. COMMITTEE INFORMATION

Chair:	Hon. Laurie D. Zelon, Cochair, Associate Justice of the Court of Appeal Second Appellate District, Division Seven Hon. Kevin C. Brazile, Cochair, Presiding Judge of the Superior Court of California, County of Los Angeles
Interim Lead Staff:	Ms. Jenie Chang, Attorney, Center for Families, Children & the Courts

Committee's Charge/Membership:

Rule 10.55 of the California Rules of Court states the charge of the Advisory Committee on Providing Access and Fairness (PAF), which is to make recommendations for improving access to the judicial system, fairness in the state courts, diversity in the judicial branch, and court services for self-represented parties. The committee also makes recommendations to the Governing Committee of the Center for Judicial Education and Research (CJER), proposals for the education and training of judicial officers and court staff.

PAF has 30 members. The current committee <u>roster</u> is available on the committee's web page.

Subcommittees/Working Groups²:

Judicial Diversity Toolkit Working Group: Review and consider ideas and recommendations in collaboration with members of the State Bar's Council on Access and Fairness (COAF); update and revise the *Pathways to Achieving Judicial Diversity in the California Courts* guide in collaboration with COAF members.

Language Access Subcommittee: The Language Access Subcommittee (LAS) will advise and present recommendations to PAF regarding the Language Access Plan (LAP) and its overarching goal of ensuring access to justice for all court users, especially court users with limited English proficiency. When appropriate, the LAS will make recommendations to the PAF in the areas of technology, education, and translation; as well as on legislative and rule of court proposals to enhance language access services throughout the judicial branch.

Participation in the Gender Expression/Identity Joint Ad Hoc Working Group.

II. COMMITTEE PROJECTS

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¹ The annual agenda outlines the work a committee will focus on in the coming year and identifies areas of collaboration with other advisory bodies and the Judicial Council staff resources.

² California Rules of Court, rule 10.30 (c) allows an advisory body to form subgroups, composed entirely of current members of the advisory body, to carry out the body's duties, subject to available resources, with the approval of its oversight committee.

#	New or One-Time Projects ³	
1.	Project Title: Futures Recommendations for an Early Education Program in Civil and Small Claims	Priority 1 ⁴
	Project Summary ⁵ : Continue developing content for an education program to aid the growing number of self-represent in civil litigation and small claims matters.	esented litigants (SRLs)
	This project is being done at the direction of the Chief Justice.	
	Status/Timeline: December 2019	
	Fiscal Impact/Resources: Center for Families, Children & the Courts (CFCC); Legal Services (LS); and Informati Technology (IT) staff	on
	Internal/External Stakeholders: None	
	AC Collaboration: Civil and Small Claims Advisory Committee (C&SCAC), Information Technology Advisory C Judicial Council's Digital Services; and TBD	ommittee (ITAC);
2.	Project Title: Form MC-410: Request for Accommodations by Persons with Disabilities	Priority 2(b)
	Project Summary: Redesign Judicial Council form MC-410 to make it more user-friendly and in plain language. T for court-users to understand the form and correctly complete it. This will also make it easier to translate the form in	
	Status/Timeline: TBD in 2019	
	Fiscal Impact/Resources: CFCC and Center for Judicial Education and Research (CJER) staff with disability expe	ertise
	Internal/External Stakeholders: None	

³ All proposed projects for the year must be included on the Annual Agenda. If a project implements policy or is a program, identify it as *implementation* or *a program* in the project description and attach the Judicial Council authorization/assignment or prior approved Annual Agenda to this Annual Agenda.

⁴ For non-rules and forms projects, select priority level 1 (must be done) or 2 (should be done). For rules and forms proposals, select one of the following priority levels: 1(a) Urgently needed to conform to the law; 1(b) Urgently needed to respond to a recent change in the law; 1(c) Adoption or amendment of rules or forms by a specified date required by statute or council decision; 1(d) Provides significant cost savings and efficiencies, generates significant revenue, or avoids a significant loss of revenue; 1(e) Urgently needed to remedy a problem that is causing significant cost or inconvenience to the courts or the public; 1(f) Otherwise urgent and necessary, such as a proposal that would mitigate exposure to immediate or severe financial or legal risk; 2(a) Useful, but not necessary, to implement statutory changes; 2(b) Helpful in otherwise advancing Judicial Council goals and objectives.

⁵ A key objective is a strategic aim, purpose, or "end of action" to be achieved for the coming year.

#	New or One-Time Projects ³	
	AC Collaboration: TBD	
3.	Project Title: Gender Expression/Identity	Priority 2(b)
	Project Summary: Finalize and then make recommendations for implementing best practices developed for address forms. These recommendations were formulated by joint ad-hoc working group tasked with assessing best practice recommendations for addressing gender expression/identity in Judicial Council court forms and education. The forworking group was prompted, in part, by the recent passage of Senate Bill 179, <i>Gender Recognition Act</i> . Senate Bit three gender options: female, and nonbinary. The working group has the approval of both Executive and Plan (E&P) and Rules and Projects Committee (RUPRO).	s and making mation of this Il 179 recognizes
	Status/Timeline: December 2019	
	Fiscal Impact/Resources: CFCC, LS, and TBD	
	Internal/External Stakeholders: Community-based organizations with expertise in gender expression/identity; Law enforcement agencies; local courts; and TBD	W
	AC Collaboration: Family and Juvenile Law Advisory Committee, C&SCAC, Criminal Law Advisory Committee Advisory Committee (TAC), Probate and Mental Health Advisory Committee (PMHAC), and TBD	(CLAC), Traffic
4.	Project Title: Language Access Rule of Court	
	<i>Project Summary</i> ⁵ : Approve and recommend proposal to adopt new rule 1.300 and forms LA-350, LA-400, and Laguidance to the courts on the provision of language assistance in court-ordered programs and services. The Language Implementation Task Force was the original proponent of this proposal, which was previously reviewed by the Conwas submitted to the Rules and Projects Committee (RUPRO) by the Task Force and has been circulated for public requires a final review and recommendation to RUPRO for presentation and request for final approval by the Judic 2019 meeting. Because the Task Force has sunsetted, the Advisory Committee on Providing Access and Fairness we responsibility for this proposal as of March 1, 2019.	ge Access Plan nmittee. The proposal comment. It now ial Council at its May

#	New or One-Time Projects ³	
	Status/Timeline: Winter 2019 RUPRO cycle; recommended for implementation September 1, 2019	
	Fiscal Impact/Resources: CFCC, LS, and Court Language Access Services Program staff	
	Internal/External Stakeholders: Courts and justice partners	
	AC Collaboration: None.	
5.	Project Title: Signage and Technology Grants	Priority 1
	Project Summary: The 2018 Budget Act includes \$2.35 million in ongoing funding for courts for language access It is anticipated that the Language Access Services (LAS) Unit in CFCC will work with courts to identify funding this funding beginning in Fiscal Year (FY) 2019–20 as a grant program. The Language Access Subcommittee will staff prior to recommendations being developed for council approval regarding grant awards for this funding in FY fiscal years. Status/Timeline: Ongoing Fiscal Impact/Resources: CFCC, Branch Accounting and Procurement Internal/External Stakeholders: Courts	needs and will disburse advise Judicial Council
	AC Collaboration: None.	
6.	Project Title: Public Outreach Campaign	Priority 1
	Project Summary: The current language access services contract with the National Center for State Courts (NCSC help the council to develop a public outreach campaign to reach limited English proficient (LEP) court users across strategy, multilingual print materials, signs, and recordings). The Language Access Subcommittee will advise Judic refinement and launch of this campaign, which will require coordination with the council's Public Affairs Office.	s the state (including
	Status/Timeline: December 2019	

#	New or One-Time Projects ³	
	Fiscal Impact/Resources: CFCC, Public Affairs Office, Information Technology (Webcontent) Internal/External Stakeholders: Courts, Justice Partners, Court Users AC Collaboration: None.	
7.	Project Title: Annual Language Access Survey	Priority 1
	<i>Project Summary</i> ⁶ : As a follow-up to surveys conducted in 2016–2018, the LAS Unit will send out a language accounts in the state in July 2019, using the SurveyMonkey online instrument, to determine courts' current provision all civil matters. The survey also includes questions regarding courts' provision of other language access services. Language Access Subcommittee, PAF and Judicial Council staff obtain a better picture of the extent to which lang provided by the courts, as well as areas that may need improvement.	of court interpreters in The survey will help the
	Status/Timeline: December 2019 (Survey Report)	
	Fiscal Impact/Resources: CFCC	
	Internal/External Stakeholders: Courts, Public	
	AC Collaboration: None.	

 $^{^{6}\} The\ most\ recent\ Language\ Access\ survey\ report\ is\ available\ at\ \underline{http://www.courts.ca.gov/documents/LAPITF-20181207-Language\ Access\ Summary\ Report.pdf}$

#	Ongoing Projects and Activities ³	
1.	Project Title: Collaborate and Provide Subject Matter Expertise	Priority 1
	 Project Summary: PAF will do the following: a) Serve as lead/subject matter resource for issues under the committee's charge to avoid duplication of efforts and development of recommendations for council action. 	l contribute to
	b) Serve as subject matter resource for other stakeholders on subjects under the committee's charge to increase efficient duplication of services within the branch.	iciency and avoid
	c) Provide education and technical assistance to the court self-help centers; make recommendations to the Judicial regarding updates to the <i>Guidelines for the Operation of Self-Help Centers in California Trial Courts</i> as provide of Court, rule 10.960(e).	
	d) Continue collaborations with the TAC, CLAC, and other relevant Judicial Council advisory bodies and staff on improve access and fairness in traffic court. These collaborations started in 2017 when Justice Hull (RUPRO Cl collaborate with TAC and CLAC on recommendations to improve access and fairness in traffic court. This resu relationships between the three committees as well as successful collaborations on several rules and forms, including rules and forms which went into effect in April 2018. PAF will continue to collaborate with and provide supertise to CLAC and TAC as appropriate.	hair) directed PAF to lted in liaison uding the "Ability to
	e) Per a request from CLAC, provide subject matter expertise as CLAC undertakes a project to perform a user-cen of the Judicial Council's criminal law forms. This may include recommendations regarding plain language transtesting, use of informational sheets, and other factors affecting the user-friendliness of forms that CLAC seeks to	slation, usability
	Tasks a, b, and c were included on the committee's prior Annual Agenda, while tasks d and e are new.	
	Status/Timeline: Ongoing	
	Fiscal Impact/Resources: CFCC and Criminal Justice Services (CJS)	
	Internal/External Stakeholders: None	
	AC Collaboration: This item may include collaboration with various Judicial Council advisory bodies, including, b Family and Juvenile Law Advisory Committee, Trial Court Presiding Judges Advisory Committee (TCPJAC), Cou	

#	Ongoing Projects and Activities ³	
	Advisory Committee (CEAC), Collaborative Justice Courts Advisory Committee (CJCAC), TAC, CLAC, C&SCA Access, Ethics, and Fairness Curriculum Development	.C, ITAC; and CJER
2.	Project Title: Education in Subject Areas under PAF's Purview	Priority 1
	Project Summary: PAF will do the following: a) Racial Bias and Implicit Bias: Make recommendations to the Judicial Council for developing and expanding education for judicial officers and employees throughout the branch. Because this is a large task, PAF will develop its recommendations in phases. In this first phase, PAF will develop recommendations requiring all Judicial Council members as well as all Judicial Council advisory committee and taskforce members to receive education on racial bias that includes implicit bias. After developing this specific recommendation, PAF will broaden its focus to consider making recommendations for racial bias and implicit bias education for judicial officers and employees throughout the branch. PAF's working group on racial bias and implicit bias recommendations developed this multi-phased approach during the committee's 2018 in-person meeting.	
	b) Ongoing collaboration with CJER: Continue to collaborate with CJER staff on improving and expanding educa areas under PAF's purview.	tional resources in
	This task was included on the committee's prior Annual Agenda. Item <i>a</i> , however, now includes more specific detabias and implicit bias education will be developed.	ails for how the racial
	Status/Timeline: Ongoing	
	Fiscal Impact/Resources: CFCC, CJER, and TBD	
	Internal/External Stakeholders: TBD	
	AC Collaboration: CJER's Judicial Branch Access, Ethics, and Fairness Curriculum Development Committee; and	l TBD
3.	Project Title: Diversity in the Branch	Priority 1
	 Project Summary: PAF will do the following: a) Update the guide Pathways to Achieving Judicial Diversity in the California Courts. PAF will do this in collaboration of the State Bar's Council on Access and Fairness (COAF). The revised guide will receive a "digital first" redemaking the content more user-friendly for judicial officers and branch leaders who are interested in performing communities. 	sign with a goal of

#	Ongoing Projects and Activities ³	
	 b) Review and consider ideas and recommendations that come out of the 2016 Judicial Diversity Summit. (The Judicial Council.) b) Review and consider ideas and recommendations that come out of the 2016 Judicial Diversity Summit. (The Judicial Council.) c) Collaborate with COAF on matters related to diversity in the branch. This task was included on the committee's prior Annual Agenda. Item a, however, has been updated to include new Status/Timeline: Ongoing Fiscal Impact/Resources: CFCC; Special Projects; COAF; and TBD Internal/External Stakeholders: State Bar's COAF; Interagency Judicial Summit Planning Committee; and TBD 	eatives from COAF,
	AC Collaboration: None	
4.	Project Title: Mental Health Recommendations	Priority 1
	Project Summary: Continue to review and implement recommendations referred to PAF from the Mental Health Is Taskforce. Final Report of the Mental Health Issues Implementation Taskforce. The Chairs of Executive and Planning Committee and Rules and Projects Committee (RUPRO) referred mental heat to various advisory committees, including PAF. This task was included on the committee's prior Annual Agenda.	-
	Status/Timeline: Ongoing	
	Fiscal Impact/Resources: CFCC and CJER	
	Internal/External Stakeholders: None	
	AC Collaboration: Family and Juvenile Law Advisory Committee, CJCAC, CJER Advisory Committee, and TBD	

#	Ongoing Projects and Activities ³	
5.	Project Title: Improving Access and Fairness through Technology	Priority 2
	 Project Summary: PAF will do the following: a) Continue coordinating with the Judicial Council's Information Technology Advisory Committee (ITAC) on development Represented Litigant E-Portal. (See item #5 on ITAC's 2017 Annual Agenda. (See also, The Critical Role of the Increasing Access for Self-Represented Litigants: Self-Help Access 360) 	1 0
	b) Discuss and explore with ITAC other intersections between access, fairness, and technology.	
	c) Explore how to encourage use of technologies that benefit court-users with disabilities.	
	Tasks a and b were included on the committee's prior Annual Agenda, while tasks c is new.	
	Status/Timeline: Ongoing	
	Fiscal Impact/Resources: CFCC and IT	
	Internal/External Stakeholders: None	
	AC Collaboration: ITAC	
6.	Project Title: Improving Access and Fairness for Low and Moderate-Income Court Users (Economic Access)	Priority 2
	Project Summary: PAF will continue to consider ways that simplification of court processes can be used to improve and moderate-income court-users.	ve court services for low
	Status/Timeline: Ongoing	
	Fiscal Impact/Resources: CFCC	
	Internal/External Stakeholders: TBD	
	AC Collaboration: None	

III. LIST OF 2018 PROJECT ACCOMPLISHMENTS

Project Highlights and Achievements Ability to Pay Rule and Forms PAF collaborated with CLAC and TAC on development of the Ability to Pay rule and forms. Status: California Rules of Court, rule 4.336 and forms TR/CR 320 and 321 went into effect April 1, 2018. **Working Group on Permanent Medical Excuse from Jury Service** PAF served as the sponsoring committee for a joint ad hoc working group to develop a rule of court for permanent excusal from jury duty for persons with serious, permanent disabilities that prevent them from participating in jury service. The working group included members of PAF, CEAC, TCPJAC, and Disability Rights California. Status: California Rules of Court, rule 2.1009 went into effect on January 1, 2019. **Remote Access to Court Records:** PAF participated in a joint ad hoc working group to develop rules, standards, and guidelines for online access to court records for parties, their attorneys, local justice partners, and other government agencies. Status: California Rules of Court, rules 2.515–2.528 and 2.540–2.545; amend rules 2.500–2.503 went into effect on January 1, 2019. **Collaboration with Other Advisory Committees and Stakeholders** Across various projects, PAF collaborated with many advisory committees and stakeholders, including: Criminal Law Advisory Committee; Civil and Small Claims Advisory Committee; Court Executives Advisory Committee; Traffic Advisory Committee; Trial Court Presiding Judges Advisory Committee; Family and Juvenile Law Advisory Committee; Probate and Mental Health Advisory Committee; and Disability Rights California. Status: Completed in 2018. **Futures Commission Recommendations on Early Education in Civil and Small Claims** Made significant progress on the workplan for the Futures Commission recommendations on Early Education in Civil and Small Claims. Specifically: Hosted a convening of self-help, legal services, and other non-profit experts on civil debt collection; Developed a glossary of civil legal terms; Arranged for civil debt collection experts to provide training at the Self-Help and Family Law conference in August 2018; Developed, user-tested, and refined a prototype for an interactive flowchart/user-guide on civil litigation As part of the council's Digital Services Team, Lead Counsel to PAF: helped develop comprehensive content on civil debt collection defense; user-tested the content; worked with the council's Senior Content Strategist to refine the content; and vetted the content with a cohort of civil debt collection experts from various self-help centers. The content is now being finalized and considered for potential inclusion in the NexGen website project for 2019.

| Project Highlights and Achievements

Status: Ongoing; will continue to move through the Futures Commission workplan in 2019 and 2020.

6. **Bias and Implicit Bias**

Lead Counsel to PAF: continued to provide education related to bias and implicit bias to branch stakeholders upon request. This included an in-depth 4-part series of trainings provided to San Joaquin court staff, supervisors, and managers in 2018; CJER video that Lead Counsel co-designed, titled *Exploring Implicit Bias*, aired throughout the branch in 2018; collaborated with CJER staff on development of an educational video for court staff titled *Exploring Implicit Bias*. Status: Lead Counsel's stakeholder education is ongoing.

7. Diversity

Lead Counsel to PAF continued to serve as the agency's liaison to the State Bar's Council on Access and Fairness. Status: Ongoing.

Summary of California Rules of Court, Rule 1.300 (eff. 9/1/19)

Background

On May 17, 2019, the Judicial Council approved a new rule of court and adopted three new optional forms, all designed to support the California courts in their efforts to ensure language access in non-courtroom settings. The rule of court is based on recommendations (Rec. nos. 10, 11, 30 and 33) contained in the Judicial Branch's *Strategic Plan for Language Access in the California Courts*, and is responsive to the appellate court's holding in *In re J.P.* (2017) (14 Cal. App. 5th 616), finding that it was an abuse of discretion on the part of the juvenile court to order a limited English proficient litigant to participate in substance abuse treatment, when no language services were available to enable his participation.

The new rule and forms have an effective date of September 1, 2019.

Summary: California Rules of Court, Rule 1.300

The Judicial Council approved the creation of a new chapter within Title 1 of the California Rules of Court, which applies to all courts. California Rules of Court, rule 1.300 provides the following guidance to courts:

- → As soon as feasible, courts must adopt procedures to enable limited English proficient (LEP) court litigants to access services provided directly by the court to the same extent as litigants who are English proficient.
- → To the extent feasible, a court should avoid ordering an LEP litigant to a private program that is not language accessible.
- → Court should seek out opportunities to partner with other courts and with community service providers in the use of technology to expand access to bilingual staff members and interpreters among courts.
- → Courts are encouraged to keep a list of the language-accessible services available in their geographic region and to provide this information on a neutral and non-endorsing basis to bench officers and litigants, as appropriate.

Summary: Form LA-350 Notice of Available Language Assistance-Service Provider

Courts may use the Form LA-350 to collect information about local providers that do offer language assistance, including American Sign Language interpreters.

Summary: Form LA-400 Service Not Available in My Language: Request to Change Court Order

An LEP litigant who has been ordered to participate in a program and is unable to do so because of a language barrier, may notify the court and request an extension of time or an alternative order using the Form LA-400.

Summary: Form LA-450 Service Not Available in My Language: Order

A court may respond to the litigant's request with an alternative order, an extension of time, or information about the availability of language assistance in conjunction with the court-ordered service, using the Form LA-450.

Informational Materials for Courts and the Public

Two informational packets will be developed to assist the courts and inform the public about the new rule of court and optional forms. Both packets will be posted to the Language Access Toolkit.

Materials for Courts

This general informational packet will be designed for judges and court staff and will include the following materials:
☐ Attachment A: Fact Sheet: Language Services in Non-courtroom Settings
☐ Attachment B: Policies, Procedures and Strategies Guide
☐ Attachment C: LA-350 Form Guide
☐ Attachment D: LA-400 Form Guide
☐ Attachment E: LA-450 Form Guide
Materials for the Public This general informational packet will be designed for the public, justice partners and service providers and will include the following materials:
☐ Attachment A: Fact Sheet: Language Services in Non-courtroom Settings
☐ Attachment B: Using the Form LA-350 to communicate with courts regarding the

If you have any questions regarding implementation of Rule 1.300 or use of the new forms, please contact Diana Glick, Attorney, Center for Families, Children and the Courts, at diana.glick@jud.ca.gov or 916-643-7012.

☐ Attachment C: Using the Form LA-400 to notify the court of an inability to access a

availability of language assistance in conjunction with services offered

program or service because of a language barrier

Language Access in the California Courts – Public Outreach Campaign (May 2019 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 and other members of the public may be excluded from meaningful participation in the judicial court process.

Strategic Plan for Language Access in the California Courts

On January 22, 2015, the Judicial Council adopted the <u>Strategic Plan for Language Access in the California Courts</u> (Language Access Plan or LAP), which provides a consistent statewide approach to ensure language access for all limited English proficient (LEP) court users in all 58 superior courts. Effective March 2019, the Language Access Subcommittee of the <u>Advisory Committee on Providing Access and Fairness</u> will work to ensure the continuation of efforts to achieve and maintain access to justice for California's LEP court users.

Public Outreach Campaign

The Language Access Plan states that language access must start before an LEP court user reaches the courthouse doors; it must begin with community outreach and education efforts, web-based access, and the utilization of ethnic media outlets to educate the public. (See LAP Recommendations 53–55). The Judicial Council's Language Access Services Unit is working with the National Center for State Courts (NCSC) to develop materials (including strategy, multilingual print materials, signs, videos, and recordings) for a public outreach campaign to reach limited English proficient (LEP) court users across the state. The NCSC also consulted with the California Courts' Language Access Representatives (LARs) to help refine campaign messaging and to identify gaps where information is most needed by LEP court users. The goal is to improve branch public outreach efforts by linking LEP communities with information about language access services, court process, and available court resources.

Strategy

Messaging	The following are key messages and goals for the public outreach campaign:
	1. How the judicial branch provides access to LEP court users
	2. The LEP court user's right to an interpreter and how to request one
	3. Availability and overview of court programs and services.
Components	Based on the targeted messaging and goals of the public outreach campaign, the
	NCSC is developing easy-to-understand infographics, signs, recordings, and a
	glossary for LEP court users (see below).
<u>Delivery</u>	These new tools will be directly available to LEP courts users on the California
	Courts website, in a format that is accessible to court users on cell phones and
	tablets. The tools will also be available to the LARs, courts, self-help centers,
	and justice partners for customization and local use.

Language Access in the California Courts – Public Outreach Campaign (May 2019 Update)

<u>Translation</u>	Components of the campaign will be translated into the state's eight most
	frequently interpreted spoken languages ¹ : Spanish, Vietnamese, Korean,
	Chinese (Simplified and Traditional), Farsi, Russian, and Tagalog. Audio
	information will also be recorded in Spanish, Vietnamese, Korean, Cantonese,
	Mandarin, Farsi, Russian, and Tagalog.
<u>Justice</u>	The Judicial Council will send justice partners information for publication,
<u>Partners</u>	including bar associations, legal aid organizations, cultural organizations,
	culturally specific non-profits, community organizations, colleges/universities,
	and federal and other state court jurisdictions.
<u>Media</u>	The Judicial Council will also work with media outlets to disseminate materials,
	including ethnic media outlets, such as in-language newspapers, radio stations,
	and media groups targeting immigrant and non-English speaking populations in
	the state.

Multilingual Print/Online Materials

The multilingual print/online materials will be placed on a new "Public Outreach" section of the public-facing Language Access Toolkit and also shared with identified justice partners for community outreach. This includes the following infographics, which are easy-to-understand visual images that are used to convey helpful information.

- Do I Need a Court Interpreter?
- How to Work with a Court Interpreter
- Basic Information on Serving Papers
- Preparing for Your Small Claims Trial
- Overview of Fee Waivers
- Overview of the Language Access Toolkit

Signs

Templates with icons for signs will be placed on the Language Access Toolkit (under the Entrance and Security section) and also shared with the court LARs. The signs with icons will be translated in up to eight languages and will include:

- Temporary Change of Courtroom
- Temporary Change of Judge

Audio/Video Recordings

Audio recordings and videos (for Public Service Announcements) will be placed on the "Public Outreach" section of the Language Access Toolkit, as well as shared with identified justice partners for community outreach. The recordings and videos can also be shared with media outlets, especially ethnic and/or non-English media, with the assistance of the Judicial Council's Office of Public Affairs. The recordings and videos include:

- Public Service Announcement (PSA): Basic Information on Service of Process
- PSA: Availability of Interpreters in Court; How to Request an Interpreter
- PSA: Overview of Fee Waivers
- Video: Overview of the Language Access Toolkit
- Video: Basic Information on Serving Papers Service

¹ Per the Judicial Council's 2015 Language Need and Interpreter Use Study.

Language Access in the California Courts – Public Outreach Campaign (May 2019 Update)

• Video: Preparing for Your Small Claims Trial

Other

A glossary of terms (and translations of up to 100 terms) will placed on the Language Access Toolkit, and also shared with the court LARs.

Timing and Next Steps

Once components for the campaign have been added to the California Courts website, the rollout of the public outreach campaign is targeted for Fall/Winter 2019. The Language Access Services Unit will work closely with the courts to explain the goals of the campaign and highlight individual tools.

DO I NEED A COURT INTERPRETER?

If you have to go to court and do not speak or understand English very well, you may need the help of a court interpreter.



WHY DO I NEED A COURT INTERPRETER?

Even if you speak English well for everyday situations, the legal language used in court cases can be very difficult to understand. A court interpreter helps you communicate with the court in the language you are comfortable speaking.

WHO ARE COURT INTERPRETERS?

Court interpreters are specially trained to help you in court. A court interpreter:

- speaks English and your language extremely well,
- · knows legal terms in both languages, and
- understands the legal process.



WHAT WILL A COURT INTERPRETER DO?



A court interpreter WILL interpret everything that is said in court. They will interpret what the judge and court staff say into your language and will interpret everything you say into English.



A court interpreter WILL NOT give you legal advice. They cannot answer your questions or explain what is happening in court. They can only interpret your questions so that the judge or others can answer them.

WHERE CAN I GET A COURT INTERPRETER?

Tell the clerk—as soon as possible—that you need an interpreter. The court may provide one for free. In some cases, you might need to bring your own interpreter. Go to https://www.courts.ca.gov/selfhelp-interpreter.htm for more information on finding a trained, qualified interpreter.



CAN I GET A FRIEND OR FAMILY MEMBER TO INTERPRET FOR ME?



- A friend or family member can help you outside of the courtroom.
- *In the courtroom*, in many cases, the court will be able to provide you an interpreter for free. In some cases, the court may ask you to bring your own interpreter. If that happens, find someone who is trained and qualified. Do not bring someone under 18 years old to interpret for you.

Visit https://www.courts.ca.gov/selfhelp-interpreter.htm for more tips and information on court interpreters.





The Judicial Council's Language Access Services Unit is requesting information that will determine the current service level regarding the provision of court interpreters in all civil matters and other language access services in the 58 superior courts, as of June 30, 2019.

No answers will be attributed to an individual court. Instead, this information will be reported in aggregate form to the Judicial Council and the public to show ongoing progress being made by the courts and to support additional funding requests. Information provided will also help the Judicial Council to target and provide technical assistance to courts. We will provide a summary report with data and the status of civil expansion to all 58 courts.

This survey will take approximately 20-30 minutes to complete online. It may be helpful to review the PDF attachment of the questions to formulate answers prior to completing the online version of this survey. If you have any questions regarding the survey, please contact Matthew Clark at matthew.clark@jud.ca.gov. Thank you for taking the time to complete the survey.

Court Language Access Reporting Form 2019 **Court Information** * 1. What is the size of your court? Small (2-5 judges) Medium (16-47 judges) Small - Medium (6-15 judges) Large (48 judges or more) * 2. Court region: Region 1 Region 3 Region 2 Region 4

Court Language Access Reporting Form 2019	
Civil Expansion	
* 3. Please indicate the civil case types for which your court provides free interpreter services using and registered court interpreters (check all that apply): Note: On the next screen, you will be asked to estimate percentage of interpreter coverage for eac case type that your court provides interpreters for. Priority 1: Domestic violence	h civil and physical ference) ing physical 6 (fee waiver domestic ference)

Court Language Access	Reporting Form 2019	
Civil Expansion, Priority	1	
* 4. Priority 1: Domestic	Violence	
interpretation services in	urts level of interpreter coverage in this case ty a all domestic violence cases where they were %. If your court has not yet expanded into this o	requested, then your level of
0%	50%	100%
* 5. Priority 1: Elder/Dep	endent Adult Abuse (Physical Abuse)	
interpretation services in	urts level of interpreter coverage in this case ty a all elder/dependent adult abuse cases where 20%. If your court has not yet expanded into thi	they were requested, then your level
0%	50%	100%
* 6. Priority 1: Civil Hara	ssment Under CCP 527.6(y)	
interpretation services in	urts level of interpreter coverage in this case ty a all civil harassment cases under CCP 527.6(y yould be 100%. If your court has not yet expand	y), where they were requested, then
0%	50%	100%

Court Language Access	Reporting Form 2019		
Civil Expansion. Priority	2-4		
* 7. Priority 2: Unlawful	Detainers		
interpretation services i	ourts level of interpreter coverage in this case type in all unlawful detainer cases where they were req 9%. If your court has not yet expanded into this cas	uested, then your level of	
0%	50%	100%	
* 8. Priority 3: Terminati	ion of Parental Rights		
provide interpretation se	ourts level of interpreter coverage into this case ty ervices in all cases regarding termination of paren vel of coverage would be 100%. If your court has rage would be 0%.	ntal rights where they were	
0%	50%	100%	
* 9. Priority 4: Guardianship Please estimate your courts level of interpreter coverage into this case type. If your court was able to provide interpretation services in all guardianship cases where they were requested, then your level of coverage would be 100%. If your court has not yet expanded into this case type, your level of coverage			
would be 0%.	50%	100%	

Please estimate your courts level of interpreter coverage in this case type. If your court was able to provide interpretation services in all conservatorship cases where they were requested, then your level of coverage would be 100%. If your court has not yet expanded into this case type, your level of coverage would be		
0%.		
0%	50%	100%

Court Language Acces	s Reporting Form 2019	
Civil Expansion, Priority	y 5-7	
* 11. Priority 5: Cases i child or visitation rigl	involving actions by a parent to obtain sole l hts	egal and physical custody of a
interpretation services a child or visitation righ	courts level of interpreter coverage in this case ty in all cases involving actions by a parent to obtain ts where they were requested, then your level of anded into this case type, your level of coverage	ain sole legal and physical custody of of coverage would be 100%. If your
0%	50%	100%
interpretation services where they were reque expanded into this cas	courts level of interpreter coverage in this case ty in all cases involving elder/dependent adult abu ested, then your level of coverage would be 100° e type, your level of coverage would be 0%.	se (not involving physical abuse) %. If your court has not yet
•	-	100%
* 13. Priority 6: Other C	Civil Harassment Under CCP 527.6	
interpretation services	courts level of interpreter coverage in this case ty in all other civil harassment cases (as defined u evel of coverage would be 100%. If your court ha erage would be 0%.	nder CCP527.6) where they were
0%	50%	100%

	courts level of coverage in this case type. If	
	in all other family law cases (not involving	
ype, your level of cov	evel of coverage would be 100%. If your co erage would be 0%.	urt nas not yet expanded into this cas
		1000/
0%	50%	100%

Court Language Acces	s Reporting Form 2019	
Civil Expansion, Priorit	y 8	
* 15. Priority 8: Small C	Claims	
interpretation services	courts level of interpreter coverage in this case type in all small claims cases where they were requeste r court has not yet expanded into this case type, you	d, then your level of coverage
0%	50%	100%
* 16. Priority 8: Unlimit	ted Civil	
interpretation services	courts level of interpreter coverage in this case type in all unlimited civil cases where they were request r court has not yet expanded into this case type, you	ed, then your level of coverage
0%	50%	100%
* 17. Priority 8: Other C	Civil	
interpretation services	courts level of interpreter coverage in this case type in all other civil cases where they were requested, t has not yet expanded into this case type, your leve	then your level of coverage would
0%	50%	100%

	rts level of interpreter coverage across ation services in all civil cases where th	
0%	50%	100%
civil cases. All languages Spanish Vietnamese Korean Mandarin Farsi Other (please specify)	Cantonese Russian Tagalog Arabic Punjabi	

Court Language Access Reporting Form 2019
* 20. Is your court able to provide interpreters for civil matters in which a fee waiver has been granted?
Yes
○ No

panish Ru	onese sian alog ic
waiver has been granted: I languages	onese sian alog ic
waiver has been granted: I languages	onese sian alog ic
waiver has been granted: I languages	onese sian alog ic
etnamese Tag prean Ara andarin Pul	sian Ilog ic
etnamese Tag prean Ara andarin Pul	ilog
andarin Ara	ic
andarin Pu	
arsi	abi
ther (please specify)	

Court Language Access Reporting Form 2019
* 22. Does your court follow the provisional qualification procedures and guidelines as outlined in Form INT- 100-INFO to appoint non-certified or non-registered interpreters?
Yes
○ No

Court Language Access Reporting Form 2019	
23. If no, please describe what process your court follows regarding provisional qualification:	

Court Language Access Reporting Form 2019
* 24. Please indicate the challenges that prevent your court from providing free interpreter services for civil
proceedings (check all that apply):
Lack of certified and registered court interpreters in the Challenges associated with coordinating/scheduling
languages requested interpreters for coverage of civil matters
Lack of funding to support coverage of civil matters
Other (please specify)
* 25. Has your court experienced a change in language access requests over the lastwelve months (e.g.,
increase or decrease in interpreter requests; significant change in languages for which interpreters are
requested; change in types of language services requested, such as more or fewer requests for translation,
bilingual staffing help, telephone interpretation, etc.)?
Yes
○ No.
O No

26. If yes, please select all that apply:	
Increase in interpreter requests Decrease in interpreter requests Increase in the number of languages for which in requested	Decrease in the number of languages for which interpretate requested Increase in the types of language services requested interpreters are
Other (please specify)	

* 27. Is your court able to routinely provide certified or registered interpreters in your court's top five languages? Yes No * 28. Please indicate the languages for which you have a shortage of certified or registered interpreters. All languages Cantonese Spanish Russian Vietnamese Punjabi Korean Arabic Mandarin **Tagalog** No shortage Farsi Other (please specify) * 29. Please provide your best estimate of additional resources or funding your court will need for FY 2020-2021 for the full expansion of interpreter services for courtroom proceedings in accordance with Evidence Code § 756: Less than \$50,000 \$1 million-\$5 million \$50,000-\$150,000 More than \$5 million \$150,000-\$500,000 Do not need more funding or resources \$500,000-\$1 million * 30. Please provide your best estimate ofadditional resources or funding your court will need for FY 2020-2021 for interpreters in all court-ordered, court-operated programs (other than courtroom proceedings, such as for mediation or mandatory settlement conferences, etc.): Less than \$50,000 \$1 million-\$5 million \$50,000-\$150,000 More than \$5 million \$150,000-\$500,000 Do not need more funding or resources \$500,000-\$1 million

Court Language Access Reporting Form 2019

Less than \$50,000		\$1 million–\$5 million	
\$50,000-\$150,000		More than \$5 million	
\$150,000-\$500,000		Do not need more funding or resources	
\$500,000–\$1 million			
32. Please select all the items or services your court	provi	des for Language Access Services :	
We have a designated Language Access Representative.	We provide bilingual staff (not court interpreters) to assist LE court users in non-courtroom settings (e.g., the clerk's office		
We provide interpreters, bilingual staff, or other language services in non-courtroom proceedings (e.g., mandatory mediation, required orientation). If marked, please specify in what languages these identified services are provided in the box below:		If marked, please specify in what languages bilingual staff are provided in the box below:	
Please specify what languages:			
-	provi	des with regard to Language Access	
Our court posts notices of available language access service on the web.		des with regard to <u>Language Access</u> We have a form that allows court users to request an interpreter (or we use the Judicial Council's INT-300 for this purpose).	
nformation and Tools: Our court posts notices of available language access service	es	We have a form that allows court users to request an interpreter (or we use the Judicial Council's INT-300 for this purpose). We provide adequate multilingual signage throughout the courthouse to assist LEP court users in accordance with the "Wayfinding and Signage Strategies for Language Access in	
on the web. Our court posts adequate notices of available language access services at the courthouse in accordance with the "Wayfinding and Signage Strategies for Language Access in	es	We have a form that allows court users to request an interpreter (or we use the Judicial Council's INT-300 for this purpose). We provide adequate multilingual signage throughout the courthouse to assist LEP court users in accordance with the	
Our court posts notices of available language access service on the web. Our court posts adequate notices of available language access services at the courthouse in accordance with the "Wayfinding and Signage Strategies for Language Access in the California Courts."	es l	We have a form that allows court users to request an interpreter (or we use the Judicial Council's INT-300 for this purpose). We provide adequate multilingual signage throughout the courthouse to assist LEP court users in accordance with the "Wayfinding and Signage Strategies for Language Access in the California Courts."	
Our court posts notices of available language access service on the web. Our court posts adequate notices of available language access services at the courthouse in accordance with the "Wayfinding and Signage Strategies for Language Access in the California Courts." We have a dedicated language access web page.	es l	We have a form that allows court users to request an interpreter (or we use the Judicial Council's INT-300 for this purpose). We provide adequate multilingual signage throughout the courthouse to assist LEP court users in accordance with the "Wayfinding and Signage Strategies for Language Access in the California Courts."	
Our court posts notices of available language access service on the web. Our court posts adequate notices of available language access services at the courthouse in accordance with the "Wayfinding and Signage Strategies for Language Access in the California Courts." We have a dedicated language access web page. 34. Please select all the items or services your court Collection and Tracking: We collect data on LEP communities and their potential need.	es	We have a form that allows court users to request an interpreter (or we use the Judicial Council's INT-300 for this purpose). We provide adequate multilingual signage throughout the courthouse to assist LEP court users in accordance with the "Wayfinding and Signage Strategies for Language Access in the California Courts."	
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Our court posts notices of available language access service on the web. Our court posts adequate notices of available language access services at the courthouse in accordance with the "Wayfinding and Signage Strategies for Language Access in the California Courts." We have a dedicated language access web page. 34. Please select all the items or services your court Collection and Tracking: We collect data on LEP communities and their potential need for court services in order to anticipate the numbers and	es	We have a form that allows court users to request an interpreter (or we use the Judicial Council's INT-300 for this purpose). We provide adequate multilingual signage throughout the courthouse to assist LEP court users in accordance with the "Wayfinding and Signage Strategies for Language Access in the California Courts." des with regard to Language Access Data	

	cesses, Training, and Other:
	We have a complaint form and process for LEP court users to submit language access complaints.
	We provide training to court staff regarding our language access policies and procedures.
	We provide training to judicial officers regarding our language access policies and procedures.
	Other: Our court has made the following progress or implemented other language access services or support (e.g., signage community outreach), as follows:
a lar cour	Effective January 1, 2018, California Rules of Court, Rule 2.851 requires each court to make available aguage access services complaint form and establish a process to respond to complaints. Has your treceived any language access complaints in the last eighteen months (01/01/2018 - 06/30/2019)?
	Yes
	No

37. If yes, please ide	ntify the reasons for th	e complaints (select all that apply):	
Interpreter not provid	led		Form/information not translated	d
Quality of interpretat	on not satisfactory		Quality of translation not satisfa	actory
Other not listed above	re (please specify)			
38. Please indicate th	ne total number of com	plaints receive	ed for the following areas w	ithin the last eighte
months. If no compla	ints have been receive	ed, please put	·0."	
Interpreter not provided				
Quality of interpretation				
not satisfactory				
Form/information not translated				
Quality of translation not				
satisfactory				
Other				
	ceived, please describ	e the status o	the dispositions reported	above (please ansv
all that apply):				
Number of complaints reported above resolved				
within 30 days of receipt				
Number of complaints				
reported above resolved				
within 60 days of receipt				
Number of complaints				
reported above resolved				
within MORE than 60 day	S			
of receipt				
Number of Complaints				
reported above still				
pending				

**	1" being most important.) Tools for early identification of LEP court users
**	Tracking tools for data/cost reporting
0 0 0 0 0 0	Additional resources included in the Judicial Council Language Access Toolkit
0-0 0-0	Software or tools to assist with court interpreter calendaring/scheduling
0-0 0-0 0-0	Remote interpreting technology or equipment
0-0 0-0 0-0	Language access-related training
0-0 0-0 0-0	Multilingual signage to be used throughout the courthouse
9-9 9-9 8-9	Centralized translation of documents
0-0 0-0 0-0	\$\hfigs\tau\tau\tau\tau\tau\tau\tau\tau\tau\tau
0-0 0-0 0-0	\$\hfigs\tau\tau\tau\tau\tau\tau\tau\tau\tau\tau
0-0 0-0 0-0	Other 1 (please specify below)
0-0 0-0 0-0	Other 2 (please specify below)
** ** **	Other 3 (please specify below)

services:			

Court Language Access Reporting Form 2019
If you would like to share with the Judicial Council any recent language access initiatives or resource materials developed by your court, please separately send the information to Matthew Clark at matthew.clark@jud.ca.gov.