



JUDICIAL COUNCIL OF CALIFORNIA

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ADVISORY COMMITTEE ON PROVIDING
ACCESS AND FAIRNESS

ADVISORY COMMITTEE ON PROVIDING ACCESS AND FAIRNESS LANGUAGE ACCESS SUBCOMMITTEE

MINUTES OF OPEN MEETING

June 13, 2019
12:15 p.m. – 1:15 p.m.

Subcommittee Members Present: Hon. Victor A. Rodriguez, Chair, Hon. Manuel J. Covarrubias, Ms. Janet Hudec, Mr. David Levin, and Ms. Julie Paik

Subcommittee Members Absent: Hon. Erica Yew

Others Present: Mr. Matthew Clark, Mr. Douglas Denton, Ms. Charlene Depner, Ms. Diana Glick, Mr. Gregory Tanaka, and Ms. Elizabeth Tam-Helmuth

OPEN MEETING

Call to Order and Roll Call

The Chair called the meeting to order at 12:15 p.m. and staff took roll call. Staff did not receive any public written comment for this meeting.

Approval of Minutes

There were no minutes to approve.

DISCUSSION (ITEMS 1-2)

Item 1

Update from Language Access Subcommittee Chair

Chair Judge Victor Rodriguez reminded the Language Access Subcommittee (LAS) that Rule 1.300 was added to the Advisory Committee on Providing Access and Fairness (PAF) Annual Agenda in March as a language access project. On May 15, the Executive and Planning Committee approved the LAS's three new language access projects for the PAF 2019 Annual Agenda: signage and technology grants; public outreach campaign; and the language access survey.

He also shared that the May Revision for the 2019 Budget includes \$9.6 million, ongoing, General Fund for the Court Interpreter Fund for the continuation of interpreter services for civil matters and to cover increased costs in criminal cases. He is hopeful that this funding remains in the final budget that will be signed by the Governor later this month. Work by Judicial Council staff to ensure long-term stability of the Court Interpreter Fund is ongoing.

Judge Rodriguez shared that he plans to give the keynote speech at the Seventh Annual Conference of Council of Language Access Coordinators (CLAC) on September 23, 2019. The CLAC Conference will be held in San Francisco on September 23-25, 2019. As this year's host, council staff invited

interested Language Access Representatives of the 58 courts to attend the CLAC Conference, which will be beneficial and educational to them as their court's designated Language Access Representative.

Item 2

Discuss Language Access Projects on the 2019 Annual Agenda

Rule 1.300: Judge Rodriguez indicated Rule 1.300 and related forms were approved by the council at its meeting on May 17 and become effective September 1, 2019. The rule provides guidance to the courts on the provision of language assistance in court-ordered programs and services. Staff reviewed the Rule 1.300 overview document in the meeting materials and plans to develop informational packets for the public, courts, justice partners and community service providers to assist with implementation.

To ensure success of the new rule, LAS members agreed that individual courts and the branch will need to develop a network of current providers that provide language services for court-ordered classes that can be shared among the courts. Courts can work with their criminal, juvenile and family law departments, county probation agencies, county human services agencies, and other similar groups that maintain service provider lists to help the courts to gather information regarding providers.

Signage and Technology Grants: Judge Rodriguez shared that the process for signage and technology grants is still in development by council staff. The 2018 Budget Act includes \$2.35 million in ongoing funding for trial courts for language access signage and technology (\$1 million for signage, \$1.35 million for language access technology). Staff will work with courts to identify funding needs and will disburse this funding in Fiscal Year (FY) 2019–20 as a grant program. Staff will discuss this project more with the LAS and PAF at a future meeting.

Public Outreach Campaign: Judge Rodriguez shared the current language access services contract with the National Center for State Courts (NCSC) includes deliverables to help the council to develop a public outreach campaign to reach limited English proficient (LEP) court users across the state (including strategy, multilingual print materials, signs, and recordings). The overview document in the meeting materials outlines some of the multilingual print/online materials, signage and audio/video recordings in which the NCSC is assisting us to develop. A sample infographic was included in the meeting materials. Staff will work on implementation of the materials on the web, which will take a couple of months, and will keep the LAS members updated.

Annual Language Access Survey: As a follow-up to surveys conducted in 2016–2018, Judge Rodriguez shared that staff will send out a language access survey to all 58 trial courts in the state next month, using the SurveyMonkey online instrument, to determine courts' current provision of court interpreters in all civil matters and also, other language access services. The survey will help the Subcommittee and Judicial Council staff obtain a better picture of the extent to which language services are provided by the courts, as well as areas that may need improvement. Staff went over the survey questions in the meeting materials and the kinds of data that will be collected.

Judge Rodriguez shared that the next LAS meeting will likely be in Fall/Winter 2019.

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

Approved by the Subcommittee on [insert date]

Language Access Plan (LAP) Status – November 2019

At present, 55 of the 75 Language Access Plan (LAP) recommendations are completed. Of the remaining 20 recommendations, 14 consist of ongoing language access work for the judicial branch (e.g., securing language access funding, improving data collection, recruiting and training court interpreters, creation of multilingual videos for LEPs, etc.)—work that does not have a “completion” date. Below is a table that shows the remaining 20 LAP recommendations.

Status	LAP Recommendations	Timeframe for completion
Ongoing (14)	<ul style="list-style-type: none"> • Data collection (Nos. 1 and 2) • Funding (Nos. 8, 56, 58 and 59) • Videos for LEP Court Users (No. 18) • Recruitment (No. 28) • Training for prospective interpreters (No. 45) • Public outreach campaign (Nos. 53-55) • Updates to rules and statutes (No. 68) • Updates to interpreter-related forms (No. 73) 	Ongoing
Remaining (6)	<ul style="list-style-type: none"> • Video remote interpreting (VRI) interpreter pool (No. 17) • Pilots for remote assistance at counters/workshops, kiosks (Nos. 31, 32, 35) • Training in remote interpreting (No. 46) • Waiver policy (No. 75) 	<ul style="list-style-type: none"> • VRI Interpreter Pool: After VRI is established in the courts, the CFCC Language Access Services Program (LASP), in consultation with The Language Access Subcommittee (subcommittee), will evaluate whether a dedicated VRI interpreter pool is needed, considering the availability of court interpreter services. • Pilots: The subcommittee and the Information Technology Advisory Committee (ITAC) will evaluate whether pilots are still needed for remote assistance at counters or workshops or for kiosks now that ongoing grant funding is available to trial courts each year for this purpose. • VRI Training: LASP anticipates that development of training for judges, court

Language Access Plan (LAP) Status – November 2019

		<p>staff and court interpreters on VRI will be a consultant deliverable for FY 20-21. A Request for Proposals (RFP) will be posted in spring 2020 for consultant work to begin in July 2020.</p> <ul style="list-style-type: none">• Waiver: The Court Interpreters Advisory Panel (CIAP) Annual Agenda for 2020 will include development of a waiver policy, with a 2021 effective date.
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2020 Advisory Committee on Providing Access and Fairness Annual Agenda: Potential Language Access Projects for Consideration (as of November 7, 2019)

2019 Language Access Subcommittee Projects	Potential 2020 Language Access Subcommittee Projects
<p>Project Title: Language Access Rule of Court</p> <p>Project Summary: Approve and recommend proposal to adopt new rule 1.300 and forms LA-350, LA-400, and LA-450 to provide guidance to the courts on the provision of language assistance in court-ordered programs and services. The Language Access Plan Implementation Task Force was the original proponent of this proposal, which was previously reviewed by the Committee. The proposal was submitted to the Rules and Projects Committee (RUPRO) by the Task Force and has been circulated for public comment. It now requires a final review and recommendation to RUPRO for presentation and request for final approval by the Judicial Council at its May 2019 meeting. Because the Task Force has sunset, the Advisory Committee on Providing Access and Fairness will take lead responsibility for this proposal as of March 1, 2019.</p> <p>Status/Timeline: Winter 2019 RUPRO cycle; recommended for implementation September 1, 2019</p> <p>Fiscal Impact/Resources: CFCC, LS, and Court Language Access Services Program staff</p> <p>Internal/External Stakeholders: Courts and justice partners</p> <p>AC Collaboration: None.</p> <p>Status: Completed. In May 2019, the Judicial Council approved Rule 1.300 and related forms for an effective date of September 1, 2019.</p>	<p>Project Title: Support for Implementation of Rule 1.300</p> <p>Project Summary: On May 17, 2019, the Judicial Council approved a new rule of court (Rule 1.300, effective September 1, 2019) and adopted three new optional forms, all designed to support the California courts in their efforts to ensure language access in court-ordered services. The PAF Language Access Subcommittee will work in 2020 with Judicial Council staff, trial courts and a consultant to develop solutions and recommendations to assist the courts and justice partners with implementation of Rule 1.300. The project scope includes consultation with stakeholders and development of recommendations and concrete solutions that will allow courts to partner with other courts and with community service providers in the use of technology and other means to expand LEP access to court-ordered services in their language.</p> <p>Status/Timeline: Spring 2021 (for report with recommendations)</p> <p>Fiscal Impact/Resources: CFCC Language Access Services Program staff, including program budget for consultant projects as needed (already funded); Information Technology</p> <p>Internal/External Stakeholders: Courts, LEPs, public, community providers, and justice partners</p> <p>AC Collaboration: PAF Language Access Subcommittee, Information Technology Advisory Committee</p>

<p>Project Title: Signage and Technology Grants</p> <p>Project Summary: The 2018 Budget Act includes \$2.35 million in ongoing funding for courts for language access signage and technology. It is anticipated that the Language Access Services (LAS) Unit in CFCC will work with courts to identify funding needs and will disburse this funding beginning in Fiscal Year (FY) 2019–20 as a grant program. The Language Access Subcommittee will advise Judicial Council staff prior to recommendations being developed for council approval regarding grant awards for this funding in FY 2019–20 and future fiscal years.</p> <p>Status/Timeline: Ongoing</p> <p>Fiscal Impact/Resources: CFCC, Branch Accounting and Procurement</p> <p>Internal/External Stakeholders: Courts</p> <p>AC Collaboration: None.</p> <p>Status: Ongoing. The Signage and Technology Grant Program launched in September 2019 following council approval.</p>	<p>Project Title: Language Access Signage and Technology Grants</p> <p>Project Summary: The Language Access Signage and Technology Grant Program commenced in September 2019, following council approval. In coordination with the Judicial Council Executive Office, PAF Language Access Subcommittee, and the Information Technology Advisory Committee, the CFCC Language Access Services Program will disburse ongoing monies (\$2.35 million each year) from the 2018 Budget as grants to trial courts for language access signage and technology initiatives on an annual basis. For fiscal year 2019-20, Language Access Services Program staff plans to make recommendations for Judicial Council approval in March 2020 on signage and technology projects. For fiscal year 2020-21, the grant cycle will commence in Summer 2020, to allow courts more time to apply.</p> <p>Status/Timeline: Ongoing</p> <p>Fiscal Impact/Resources: CFCC Language Access Services Program, Branch Accounting and Procurement, Information Technology, ongoing monies from 2018 Budget Act</p> <p>Internal/External Stakeholders: Courts, LEPs, Public, Justice Partners</p> <p>AC Collaboration: PAF Language Access Subcommittee, Information Technology Advisory Committee</p>
<p>Project Title: Public Outreach Campaign</p> <p>Project Summary: The current language access services contract with the National Center for State Courts (NCSC) includes deliverables to help the council to develop a public outreach</p>	<p>Project Title: Public Outreach Campaign: Phase 2</p> <p>Project Summary: In 2019, through a contract with the National Center for State Courts (NCSC), a suite of multilingual materials— print materials, audio files and videos—were</p>

<p>campaign to reach limited English proficient (LEP) court users across the state (including strategy, multilingual print materials, signs, and recordings). The Language Access Subcommittee will advise Judicial Council staff on refinement and launch of this campaign, which will require coordination with the council’s Public Affairs Office.</p> <p>Status/Timeline: December 2019</p> <p>Fiscal Impact/Resources: CFCC, Public Affairs Office, Information Technology (Webcontent)</p> <p>Internal/External Stakeholders: Courts, Justice Partners, Court Users</p> <p>AC Collaboration: None.</p> <p>Status: Completed (Phase 1). Multilingual materials for the public outreach campaign were loaded to the Language Access Toolkit.</p>	<p>developed and posted to the Language Access Toolkit as part of a public outreach campaign to inform LEP court users across the state of language services available in the court and to provide information on common court procedures. The next phase of public outreach is intended to build communication channels—including through ethnic media outlets, justice partners and community organizations—to inform the public and help those working directly with LEP individuals to fully access these resources.</p> <p>Status/Timeline: Spring 2021</p> <p>Fiscal Impact/Resources: CFCC Language Access Services Program staff, including program budget for consultant projects as needed (already funded), Public Affairs Office, Information Technology (Webcontent)</p> <p>Internal/External Stakeholders: Courts, LEPs, Public, Justice Partners</p> <p>AC Collaboration: PAF Language Access Subcommittee</p>
<p>Project Title: Annual Language Access Survey</p> <p>Project Summary: As a follow-up to surveys conducted in 2016–2018, the LAS Unit will send out a language access survey to all 58 trial courts in the state in July 2019, using the SurveyMonkey online instrument, to determine courts’ current provision of court interpreters in all civil matters. The survey also includes questions regarding courts’ provision of other language access services. The survey will help the Language Access Subcommittee, PAF and Judicial Council staff obtain a better picture of the extent to which language services are provided by the courts, as well as areas that may need</p>	<p>Project Title: Annual Language Access Survey</p> <p>Project Summary: As a follow-up to surveys conducted in 2016–2019, the Language Access Services Program will send out a language access survey to all 58 trial courts in the state in July 2020, using the SurveyMonkey online instrument, to determine courts’ current provision of court interpreters in all civil matters. The survey also includes questions regarding courts’ provision of other language access services. The survey will help the Language Access Subcommittee, PAF and Judicial Council staff obtain a better picture of the extent to which</p>

<p>improvement.</p> <p>Status/Timeline: December 2019 (Survey Report)</p> <p>Fiscal Impact/Resources: CFCC</p> <p>Internal/External Stakeholders: Courts, Public</p> <p>AC Collaboration: None.</p> <p>Status: In progress. Survey for FY 2018-19 completed, survey report with results is planned for early 2020 release</p>	<p>language services are provided by the courts, as well as areas that may need improvement.</p> <p>Status/Timeline: December 2020 (Survey Report)</p> <p>Fiscal Impact/Resources: CFCC Language Access Services Program</p> <p>Internal/External Stakeholders: Editing and Graphics Group (EGG), Courts, Public</p> <p>AC Collaboration: PAF Language Access Subcommittee</p>
	<p>Project Title: Guidelines for Machine Translation (including web use) and Use of Tablets to Assist LEP Court Users</p> <p>Project Summary: Due to rapid advances in technology, guidance for courts on the proper use of machine translation for web, computers or tablets to assist LEP court users with accurate information in their language is needed. It is important that court staff are appropriately trained to work with translation technology, so they can confidently and accurately guide LEP court users through court conversations and/or the conduct of court business. Guidelines are necessary to determine when it is appropriate to use machine translation on the web or on computers/tablets, when direct help from bilingual staff may be needed, and how to properly use machine translation on the web or on computers/tablets, including different features to facilitate accurate communication with LEP court users. Development of guidelines will also support related Futures Commission and ITAC work to explore available technologies and make recommendations to the Judicial Council on the potential for a pilot project using voice-to-text language interpretation at service counters and in self-help centers.</p>

	<p><i>Status/Timeline:</i> Spring 2021 (for report with recommendations)</p> <p><i>Fiscal Impact/Resources:</i> CFCC Language Access Services Program staff, including program budget for consultant projects as needed (already funded), Information Technology</p> <p><i>Internal/External Stakeholders:</i> Courts, LEP, public, community providers and justice partners</p> <p><i>AC Collaboration:</i> PAF Language Access Subcommittee, Information Technology Advisory Committee</p>
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