



# JUDICIAL COUNCIL OF CALIFORNIA

ADVISORY COMMITTEE ON PROVIDING  
ACCESS AND FAIRNESS

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## ADVISORY COMMITTEE ON PROVIDING ACCESS AND FAIRNESS

### MINUTES OF OPEN MEETING

December 17, 2020

12:15-1:15 p.m.

By Conference Call

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**Advisory Body****Members Present:**

Hon. Luis Lavin, Hon. Kevin Brazile, Hon. Sue Alexander (Ret.), Gurinder Aujla, Kim Bartleson, Hon. Mark Cullers, Hon. Mary Greenwood, Mary Hale, Janet Hudec, Hon. Victoria Kolakowski, David Levin, Hon. Elizabeth Macias, Hon. Lia Martin, Sasha Morgan, Hon. William Murray, Jr., Julie Paik, Michael Planet, Hon. Mickie Reed, Hon. Victor Rodriguez, Janice Schmidt, Hon. Bobbi Tillmon, Hon. Terry Truong, Hon. Juan Ulloa.

**Advisory Body****Members Absent:**

Gina Cervantes, Hon. Manuel Covarrubias, Ana Maria Garcia, Michael Powell, Hon. Sergio Tapia, Twila White, Hon. Erica Yew.

**Others Present:**

Lisa Chavez, Douglas Denton, Bonnie Hough, Hon. Mark Juhas, Andi Liebenbaum, Hon. Louis R. Mauro, Amanda Morris, Catherine Ongiri, Elizabeth Tam, Greg Tanaka

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**OPEN MEETING****Call to Order and Roll Call**

The chair called the meeting to order at 12:17 p.m. Quorum achieved

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**DISCUSSION AND POSSIBLE ACTION ITEMS (ITEMS 1-4)****Item 1**

2021 Annual Agenda Projects

Presenter: Justice Luis Lavin

Justice Lavin provided the committee with an update of the 2021 Annual Agenda. The committee was reminded of the guidance from the Council's internal committees in drafting the 2021 Annual Agenda. This guidance includes prioritizing projects that assist courts, justice partners and parties with access to justice during and following the COVID-19 pandemic, addressing otherwise urgent needs or are mandated by legislation.

PAF's new project for 2021 is the **Model Translation Policy for the Courts**. This will be led by our Language Access Subcommittee and will be described further under the Language Access Subcommittee Update.

The remainder of the proposed projects on our 2021 Annual Agenda are ongoing from the 2020 Annual Agenda. These projects will meet a need as we work through and after the pandemic.

The first ongoing proposed item is **Diversity in the Branch**-This project continues to highlight the Pathways to Judicial Diversity including presenting on judicial diversity statewide and the continued roll out of the toolkit. Additionally, PAF will provide technical assistance to courts that want to start a judicial mentorship program with resources from the toolkit and additional support.

**Futures Recommendations for an Early Education Program in Civil and Small Claims.** This project is based on the directive of the Chief Justice in implementing recommendations of the Futures Commission. The work is ongoing and focused on a user centered Self-Represented Litigants E-Portal in civil litigation and small claims matters. The divorce content went live on November 16 and staff is actively soliciting feedback from users. Early feedback is very positive. Staff is currently working with Self-Help Centers to incorporate the content into their remote offerings.

**Collaborate and Provide Subject Matter Expertise.** PAF will continue to serve as the lead/subject matter resources for issues under our charge to avoid duplication of efforts and contribute to development of recommendations for council action. This is especially true with the budget shortfalls, lack of resources, and workload impacts caused by the pandemic. This project continues to be a priority due to the racial injustice further brought to light by the disparities of the COVID-19 pandemic. Staff are working on trainings in the areas of racial justice and bias.

**Mental Health Recommendations.** PAF will continue to review and implement recommendations referred to PAF from the Mental Health Issues Implementation Taskforce.

**Improving Access and Fairness Through Technology.** This project is a companion piece to Self-Represented Litigants E-Portal and the project discussed above. This item provides the committee the opportunity to collaborate on additional items that may assist during or after the pandemic.

**ADA Bench Card Update.** In 2021, we will resume the work we started with the revisions to the ADA Bench Card and the Disability Accommodations brochure.

The Committee raised additional areas of consideration for the projects for 2021 including racial justice, COVID-19, court reporters, and access to interpreters. Staff will work with the committee to identify and prioritize proposed additional projects.

## Item 2

Language Access Subcommittee

Presenter: Judge Victor Rodriguez

Judge Rodriguez provided the committee with an update from the Language Access Subcommittee. The U.S. Department of Justice closed its investigation of the Judicial Council on language access issues, following the closure earlier this year of the Los Angeles Superior Court investigation. The Subcommittee acknowledges the hard work of the courts, advisory bodies, and Judicial Council staff to implement the Language Access Plan, under the Language Access Plan Implementation Task Force, and to make language access a core service of the court.

Judge Rodriguez will participate in a working group with members from the Information Technology Advisory Committee and other IT experts to review and update the Video Remote Interpreting (VRI) Guidelines, which were created before the COVID-19 pandemic.

Updates on the four current language access projects are below:

On November 13, the council approved the recommendations and allocations for the FY 2020-21 **Language Access Signage and Technology Grants**. The 23 awarded courts have been notified, and staff is working with several courts that requested additional funding from the contingency fund for their signage/technology initiatives.

Language Access Services staff launched the **Annual Language Access Survey** in September of this year, to determine the courts' provision of language access services and current needs, as of June 30, 2020. Staff received surveys from 49 courts and Subcommittee members and staff will reach out to those remaining courts to encourage them to respond. A survey report will be issued next year with findings and recommendations.

The Language Access Services staff is working with the consultant National Center for State Courts (NCSC) on two projects. The first project is assistance with **implementation of Rule 1.300** and the NCSC is currently conducting telephone interviews this month with select Language Access Representatives, to seek more information on existing or potential Rule 1.300 strategies. A draft report will be shared in Spring 2021 with recommendations and concrete solutions to help facilitate greater public access to court-ordered programs and services in different languages.

The second project, **Public Outreach Campaign – Phase 2**, is dissemination in early 2021 of multilingual educational materials (infographics, PSA and videos) that were developed in 2019 and posted on the online Toolkit, through: conduct of educational webinar meetings, direct outreach to court stakeholders; and media buys/placements with multiethnic media outlets, in order to promote language access initiatives and highlight LEP community needs to access the courts.

Judge Rodriguez shared there are five proposed projects for inclusion in the 2021 PAF Annual Agenda:

The first project is a new project that will advise Judicial Council staff on development of a **Model Translation Policy for the Courts**. The policy will provide specific guidance to courts on the translation of local forms, vital documents and web content (i.e., court websites) to ensure that content is accurately translated for LEP court users. Staff envisions an easy step-by-step guidance to assist the courts. This project is informed by and coordinates with the planned IT pilot to test voice-to-text technology at court filing windows, service counters and in self-help centers, which ITAC and IT staff will be embarking upon sometime next year.

The next four projects are ongoing for the Subcommittee and includes: Assistance with **implementation of Rule 1.300**, which the NCSC is developing a draft report with solutions and recommendations for implementation of Rule 1.300. The draft report will be shared with PAF next year.

For the **Language Access Signage and Technology Grant Program**, Fiscal Year 2021-2022, Cycle 3 will commence in Spring 2021. Staff will continue to coordinate the grant program with the Judicial Council Executive Office, PAF, Information Technology Advisory Committee, Technology Committee, and council.

For the **Public Outreach Campaign, Phase 2** will take place in Spring 2021. The goal is to inform LEP court users across the state of language access services available in the court and to provide information on common court processes, with conduct of educational webinars; direct outreach to stakeholders; and paid placement/media buys with ethnic media outlets.

For the **Annual Language Access Survey**, staff will send out a survey in Summer 2021 to all 58 trial courts to determine courts' provision of language access services as of June 30, 2021. Similar to previous years' surveys, the survey will assist us to obtain a better picture of the extent to which language services are provided by the courts, as well as areas that may need improvement, especially in the COVID -19 pandemic era.

### Item 3

#### Model Self Help Pilot

Presenter: Bonnie Rose Hough

Bonnie Hough presented on the Model Self-Help Pilot Project which has been operating in five California trial courts since 2002. The Superior Court of Contra Costa County has decided not to continue its participation with its technology model project. The Trial Court Budget Advisory Committee has recommended that all courts be allowed to apply for a portion of the \$191,400 in funds to expand their use of technology in providing self-help assistance as part of a consolidated technology funding application process for FY 2020-21. For FY 2021-22 funds and beyond, develop an application to be submitted by interested courts to become a Model Self-Help Pilot Program focusing on providing services using technology. These applications to be reviewed by a panel from the Trial Court Budget Advisory Committee, the Information Technology Advisory Committee, and the Committee on Providing Access and Fairness. This ad hoc subcommittee will make a recommendation to the Judicial Council regarding the new pilot project. The application

for FY 2021-22 and ongoing funds would be due in late spring, allowing courts to develop more meaningful projects and plans prior to the start of the October 1 funding year.

Ms. Hough asked for two volunteers from PAF to serve on the ad hoc subcommittee to review the grant applications and make recommendations for funding. Ms. Julie Paik and Ms. Kim Bartleson volunteered to serve on the subcommittee.

**Item 4**

Judicial Diversity Update

Presenter: Judge Kevin Brazile and Catherine Ongiri

Los Angeles opened a judicial mentor program for anyone who wants to become a judge. This program has been very successful and can serve as a model for other counties that want to begin a judicial mentorship program.

The committee was updated on future presentations of the Judicial Diversity Toolkit provided by staff, Cathy Ongiri and Greg Tanaka. Staff will continue to provide online trainings as requested. Staff continues to work with California Lawyers Association to plan the Judicial Diversity Summit in 2021.

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**I. ADJOURNMENT**

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There being no further business, the meeting was adjourned at 12:53 p.m.

Approved by the advisory body on February 18, 2021.