



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 WITH CLOSED SESSION

October 21, 2021

12:15-1:15 p.m.

By Conference Call

Advisory Body Members Present:	Hon. Luis Lavin, Hon. Sue Alexander (Ret.), Gina Cervantes, Hon. Manuel Covarrubias, Hon. Mark Cullers, Janet Hudec, Hon. Victoria Kolakowski, David Levin, Hon. Elizabeth Macias, Hon. Lia Martin, Sasha Morgan, Julie Paik, Hon. Victor Rodriguez, Hon. Terry Truong.
Advisory Body Members Absent:	Hon. Kevin Brazile, Gurinder Aujla, Ana Maria Garcia, Hon. Mary Greenwood, Mary Hale, Michael Powell, Hon. Janice Schmidt, Hon. Juan Ulloa, Twila White.
Others Present:	Lisa Chavez, Hon. Mark Juhas, Andi Liebenbaum, Hon. Louis Mauro, Catherine Ongiri, Amy Sunga, Elizabeth Tam, Greg Tanaka, Bonnie Hough

OPEN MEETING

Call to Order and Roll Call

The chair called the meeting to order at 12:16 p.m.

Approval of Minutes

The committee approved the minutes of the August 19, 2021, Advisory Committee on Providing Access, and Fairness meeting. Motion to approve by Judge Elizabeth Macias and seconded by Judge Mark Cullers. Judge Ana de Alba, Commissioner Sue Alexander, Ms. Fariba Soroosh and Ms. Morgan Baxter abstain from voting. Motion carries

DISCUSSION AND POSSIBLE ACTION ITEMS (ITEMS 1-4)

Item 1

2022 PAF Annual Agenda (No Action Required)

2022 Annual Agenda Planning. The Chair will provide an update on the process and incorporating Ad Hoc Workgroup on Post-Pandemic Initiatives Post Pandemic Initiatives into the Agenda.

Presenters: Hon. Luis Lavin, Justice of the Second District Court of Appeal, Division Three and Cochair of Advisory Committee on Providing Access and Fairness

Justice Luis Lavin briefed the committee members on the prioritization of projects that assist courts, justice partners and parties with access to justice during the COVID-19 pandemic on the 2022 annual agenda mandated by the Judicial Council. Justice Lavin provided a brief background about the P3 working group established in March 2021. The P3 working group is charged with

identifying, refining and enhancing the successful court practices that emerged during the COVID-19 pandemic in order to increase access to justice, modernize services, and promote uniformity in practices going forward. PAF plans to add an agenda item specific to outreach to Limited English Proficient communities. PAF will also add an outreach on remote services including the Self-Represented Litigants E-Portal. Additionally, PAF would like to explore the possibility of partnerships with community-based organizations such as libraries and community colleges to assist with remote access for self-represented litigants.

Item 2

Updates on Current Projects (No Action Required)

Judicial Diversity Summit and Racial Justice Working Group updates.

Presenters: Hon. Luis Lavin, Associate Justice of the Second District Court of Appeal, Division Three and Catherine Ongiri, Judicial Council Staff

Cathy Ongiri updated the committee on the successful Judicial Diversity Summit that was held virtually over three days in September with over 300 attendees. The next steps are working with the Advisory Committee to create recommendations from the summit will be implemented over the next five years.

The Racial Justice Working Group has been meeting and are working to collection information on efforts throughout the state in the area of racial justice. New members are wanted to fill gaps from departed committee members, contact Judge Macias or Cathy Ongiri to be added to the meetings.

Item 3

Language Access Services Update (No Action Required)

The Language Access Subcommittee Chair will provide a status update on current subcommittee projects.

Presenter: Hon. Victor A. Rodriguez, Associate Justice of the First District Court of Appeal, Division Three

Before Justice Rodriguez provided an update on current and potential projects for 2022, he provided a brief update on the Video Remote Interpreting (VRI) trainings. Language Access Services contracted with the National Center for State Courts to develop an optional VRI training series for judicial officers, court staff and court interpreters, consisting of live virtual webinars, live interactive court clinics, and self-paced online modules about how to use VRI, with platform specific instruction including how to provide simultaneous interpretation. He also shared for the 2021 budget, there are new one-time monies of \$30 million to support hires of new court interpreter employees.

Justice Rodriguez provided the following updates to current and potential new 2022 language access projects:

1. The successful Language Access Public Outreach campaign, which launched in March 2021, will conclude this month. Following the educational webinars and direct outreach to the courts and stakeholders, the third and last component of the campaign is to conduct media buys and placements of translated ads, “Do I Need a Court Interpreter” and “How to Work with a Court Interpreter,” covering the top 8 languages, in multi-ethnic print publications and public service announcements in multilingual radio stations throughout the state. He encouraged PAF to help share the multilingual outreach materials on the Toolkit’s Public Outreach page.

2. For the Language Access Signage and Technology Grants, the proposed recommendations for Cycle 3 (Fiscal year 2021-22), have received approval from PAF, the Information and Technology Advisory Committee and Technology Committee. The report will be presented to the Judicial Council at its November meeting. For 2022, the Signage and Technology Grants will continue as a project on the PAF Annual Agenda.
3. For Support for Implementation of Rule 1.300, Justice Rodriguez shared that staff is currently working with the National Center for State Courts to complete a report with recommendations and strategies. When the report from NCSC is complete, it will be shared with PAF. For 2022, the Subcommittee and staff will evaluate recommendations and considerations and will develop strategies to support the courts, including potentially developing information for courts on available service providers.
4. The Model Translation Guidelines document is currently in the review stage but is on track for completion by the end of the year or early 2022. The guidelines will be a very helpful tool for courts and will provide concrete steps to ensure successful translation of documents and web content.
5. For the Annual Language Access Survey, staff is working to complete the survey report from last year (FY 2019-20) and is working on a shorter survey instrument for FY 2020-21. The survey work will continue as an Annual Agenda project for 2022.

For the 2022 PAF Annual Agenda projects, we will work to update the Bench Card on Working with Court Interpreters previously developed by the Language Access Plan Implementation Task Force in 2017. The updated bench card will include guidance for bench officers on the appropriate use of waiver by the LEP of an interpreter, the appointment of interpreters, and use of technology when having remote proceedings that require language access (due to the pandemic).

Lastly, in consultation with Judge Brazile and Justice Lavin, to help address recommendations of the Ad Hoc Workgroup on Post-Pandemic initiatives (specifically remote access), the Subcommittee and staff will work with the NCSC, under its current contract with Language Access Services, to create new instructional infographics and short videos to educate LEP court users on how to participate remotely in hearings for civil and family law matters, including actions involving an interpreter. The materials will be developed in plain language and will include translations of the infographics and videos.

Item 4

JBSIS Data Reporting (No Action Required)

Judicial Branch Statistical Information System Subcommittee (JBSIS) will share information on planned changes for JBSIS data reporting.

Presenter: Jake Chatters, Executive Officer of the Superior Court of Placer County and Chair of the Judicial Branch Statistical Information System (JBSIS) Subcommittee of the Court Executives Advisory Committee (CEAC)

Jake Chatters, CEO of the Placer Superior Court and the chair of the Judicial Branch Statistical Information System (JBSIS) subcommittee of the Court Executives Advisory Committee, gave an overview of JBSIS data reporting and proposed changes for data reporting under consideration by the subcommittee. The changes are intended to streamline data reporting so that the data are more complete and reliable for decision-making. The presentation is one of several that the subcommittee is making to advisory bodies that may utilize JBSIS data for policymaking.

I. ADJOURNMENT

Adjourn to Closed Session

II. CLOSED SESSION

Approval of Minutes

The committee approved the closed portion of the April 15, 2021 Advisory Committee on Providing Access and Fairness meeting. Motion to approve by Hon. Elizabeth Macias and seconded by Hon. Lia Martin. Judge Ana de Alba, Commissioner Sue Alexander, Ms. Fariba Soroosh and Ms. Morgan Baxter abstain from voting. Motion carries

Item 1

Legislative Update

Cal. Rules of Court, Rule 10.75 (D)(10)

Presenter: Andi Liebenbaum, Judicial Council Staff

III. ADJOURNMENT

There being no further business, the meeting was adjourned at 1:21 p.m.

Approved by the advisory body on December 16, 2021.