



Judicial Council of California
Trial Court Budget Advisory Committee

TRIAL COURT BUDGET ADVISORY COMMITTEE

**MATERIALS FOR FEBRUARY 14, 2024
 VIRTUAL MEETING**

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Judicial Council of California
Trial Court Budget Advisory Committee

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

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TRIAL COURT BUDGET ADVISORY COMMITTEE

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: Wednesday, February 14, 2024
Time: 12:00 p.m. - 12:30 p.m.
Public Video Livestream: <https://jcc.granicus.com/player/event/3262>

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 emailed to tcbac@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 the January 22, 2024 Trial Court Budget Advisory Committee meeting, and the February 1, 2024 and February 2, 2024 Action by E-mail between meetings.

II. PUBLIC COMMENT (CAL. RULES OF COURT, RULE 10.75(K)(1))

This meeting will be conducted by electronic means with a listen-only conference line available for the public. As such, the public may submit comments for this meeting only in writing. 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 tcbac@jud.ca.gov. Only written comments received by 12:00 p.m. on February 13, 2024 will be provided to advisory body members prior to the start of the meeting.

III. DISCUSSION AND POSSIBLE ACTION ITEMS (ITEMS 1-2)

Item 1

California Court Interpreter Workforce Pilot Program (Action Required)

Consideration of the allocation methodology to implement the California Court Interpreter Workforce Pilot Program.

Presenter(s)/Facilitator(s): Mr. Douglas Denton, Principal Manager, Judicial Council Center for Families, Children & the Courts

Item 2

Minimum Operating and Emergency Reserve Policy (Action Required)

Consideration of the continued suspension of the trial court Minimum Operating and Emergency Fund Balance Policy.

Presenter(s)/Facilitator(s): Ms. Oksana Tuk, Senior Analyst, Judicial Council Budget Services

IV. ADJOURNMENT

Adjourn



Judicial Council of California
Trial Court Budget Advisory Committee

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TRIAL COURT BUDGET ADVISORY COMMITTEE

MINUTES OF OPEN MEETING

January 22, 2024

12:00 p.m. – 2:30 p.m.

<https://jcc.granicus.com/player/event/3260>

Advisory Body Members Present: Judges: Hon. Jonathan B. Conklin (Chair), Hon. Judith C. Clark, Hon. Kimberly A. Gaab, Hon. Wendy G. Getty, Hon. Maria D. Hernandez, Hon. Patricia L. Kelly, Hon. Erick L. Larsh, Hon. Michael J. Reinhart, and Hon. Kevin M. Seibert.

Executive Officers: Ms. Rebecca Fleming (Vice Chair), Ms. Stephanie Cameron, Mr. Chad Finke, Mr. James Kim, Mr. Shawn Landry, Ms. Krista LeVier, Mr. Brandon E. Riley, Mr. Chris Ruhl, Mr. Lee Seale, Mr. David W. Slayton, Mr. Neal Taniguchi, and Mr. David H. Yamasaki.

Advisory Body Members Absent: Hon. Jill C. Fannin, Hon. David C. Kalemkarian, and Hon. Michael A. Sachs.

Others Present: Hon. Ann C. Moorman, Mr. Zlatko Theodorovic, Ms. Fran Mueller, Ms. Donna Newman, and Ms. Rose Lane.

OPEN MEETING

Call to Order and Roll Call

The chair welcomed the members, called the meeting to order at 12:03 p.m. and took roll call.

Approval of Minutes

The committee approved minutes from the November 2, 2023 Trial Court Budget Advisory Committee (TCBAC) meeting.

DISCUSSION AND ACTION ITEMS (ITEMS 1-4)

Item 1 – 2023–24 State Trial Court Improvement and Modernization Fund (IMF) Allocation Increase for the Judicial Council Center for Judicial Education and Research (Action Required)

Consider a recommendation from the Revenue and Expenditure Subcommittee to increase the 2023–24 IMF allocation by \$150,000 to provide required education to new judges.

Presenter(s)/Facilitator(s): Ms. Karene Alvarado, Director, Judicial Council Center for Judicial Education and Research

Action: *The TCBCAC unanimously voted to approve the recommendation to increase the 2023-24 IMF allocation for the Judicial Education program by \$150,000 to provide the Judicial Council's Center for Judicial Education and Research with the resources necessary to provide additional judicial officer orientation to newly appointed judges as required by California Rule of Court 10.462. The approved recommendation will be considered by the Judicial Branch Budget Committee and then the Judicial Council at its March 15, 2024 business meeting.*

Item 2 – Access to Visitation Grant Program Funding Allocation for Federal Fiscal Years 2024–25 through 2026–27 (Action Required)

Consider a recommendation from the Family and Juvenile Law Advisory Committee to approve the Access to Visitation Grant Program funding allocation and distribution of \$655,000 for 2024–25 through 2026–27.

Presenter(s)/Facilitator(s): Ms. Shelly La Botte, Senior Analyst, Judicial Council Center for Families, Children & the Courts

Action: *The TCBCAC unanimously voted to approve the following recommendations from the Family and Juvenile Law Advisory Committee for consideration by the Judicial Branch Budget Committee and then Judicial Council at its March 15, 2024 business meeting:*

1. *Allocate and distribute \$655,000 to 8 of the 9 superior courts that submitted applications for the Access to Visitation Grant Program for federal fiscal years 2024–25 through 2026–27; and*
2. *Delegate authority to the Family and Juvenile Law Advisory Committee to distribute and reallocate any excess grant funds to any of the eight applicant courts based on need and justification within the scope of the grant program if any of the selected courts decline their grant award amount after Judicial Council allocation approval but before execution of a funding contract with the Judicial Council.*

Item 3 – Funds Held on Behalf (FHOB) of the Trial Courts Policy Updates (Action Required)

Consider recommendations from the Fiscal Planning Subcommittee to update the current policy for the FHOB program.

Presenter(s)/Facilitator(s): Hon. Jonathan B. Conklin, Chair, Trial Court Budget Advisory Committee
Ms. Rose Lane, Senior Analyst, Judicial Council Budget Services

Action: *The TCBCAC unanimously voted to approve the following recommendations to be considered by the Judicial Council at its March 15, 2024 business meeting:*

Action: *No action taken.*

A D J O U R N M E N T

There being no further business, the meeting was adjourned at 2:13 p.m.

Approved by the advisory body on .



Judicial Council of California
Trial Court Budget Advisory Committee

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TRIAL COURT BUDGET ADVISORY COMMITTEE

MINUTES OF OPEN MEETING

February 1, 2024

11:00 a.m.

Action by E-mail Between Meetings

Advisory Body Members Present: Judges: Hon. Jonathan B. Conklin (Chair), Hon. Judith C. Clark, Hon. Kimberly A. Gaab, Hon. Maria D. Hernandez, Hon. David C. Kalemkarian, Hon. Patricia L. Kelly, Hon. Michael A. Sachs, and Hon. Kevin M. Seibert.

Executive Officers: Ms. Stephanie Cameron, Mr. Chad Finke, Mr. James Kim, Mr. Shawn Landry, Ms. Krista LeVier, Mr. Brandon E. Riley, Mr. Chris Ruhl, Mr. Lee Seale, Mr. David W. Slayton, and Mr. Neal Taniguchi.

Advisory Body Members Absent: Ms. Rebecca Fleming (Vice Chair), Hon. Wendy G. Getty, Hon. Erick L. Larsh, Hon. Michael J. Reinhart, and Mr. David H. Yamasaki.

Others Present: Ms. Rose Lane

OPEN MEETING

Vote

Voting was opened at 11:08 a.m.

DISCUSSION AND ACTION ITEMS (ITEM 1)

Item 1

Consideration of 2023–24 Allocations for Dependency Counsel Collections Program and Expected Unspent Program Funding.

Action: *The Trial Court Budget Advisory Committee unanimously voted to approve the following two recommendations for Court-Appointed Counsel funding:*

1. *Allocate Juvenile Dependency Counsel Collections Program funds of \$349,733 remitted in 2022–23; and*
2. *Allocate 2023–24 estimated unspent dependency counsel funding of \$970,111 from courts that have identified funds they do not intend to spend to courts that are not fully funded to their need.*

A D J O U R N M E N T

Voting closed at 5:00 p.m.

Approved by the advisory body on enter date.



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TRIAL COURT BUDGET ADVISORY COMMITTEE

MINUTES OF OPEN MEETING

February 2, 2024

1:00 p.m.

Action by E-mail Between Meetings

Advisory Body Members Present: Judges: Hon. Judith C. Clark, Hon. Kimberly A. Gaab, Hon. Wendy G. Getty, Hon. Maria D. Hernandez, Hon. David C. Kalemkarian, Hon. Patricia L. Kelly, and Hon. Erick L. Larsh.

Executive Officers: Ms. Stephanie Cameron, Mr. Chad Finke, Mr. James Kim, Ms. Krista LeVier, Mr. Lee Seale, and Mr. Neal Taniguchi.

Advisory Body Members Absent: Hon. Jonathan B. Conklin (Chair), Ms. Rebecca Fleming (Vice Chair), Hon. Michael J. Reinhart, Hon. Michael A. Sachs, Hon. Kevin M. Seibert, Mr. Shawn Landry, Mr. Brandon E. Riley, Mr. Chris Ruhl, Mr. David W. Slayton, and Mr. David H. Yamasaki.

Others Present: Ms. Rose Lane

OPEN MEETING

Vote

Voting was opened at 1:04 p.m.

DISCUSSION AND ACTION ITEMS (ITEM 1)

Item 1

Consideration of Trial Court Budget Change Proposals for 2025-26.

Action: *The Trial Court Budget Advisory Committee voted to finalize and prioritize the 2025-26 budget change concept proposals for the trial courts, however, due to scheduling conflicts and low advisory member votes, the chair determined that a new vote should take place by way of an action by email between meetings, on February 7, 2024.*

ADJOURNMENT

Voting closed at 5:00 p.m.

Approved by the advisory body on enter date.

JUDICIAL COUNCIL OF CALIFORNIA
BUDGET SERVICES
Report to the Trial Court Budget Advisory Committee
(Action Item)

Title: California Court Interpreter Workforce Pilot Program

Date: 1/29/2024

Contact: Douglas G. Denton, Principal Manager, Language Access
Services, Center for Families, Children & the Courts
415-865-7870 douglas.denton@jud.ca.gov

Issue

The 2023 Budget Act included \$6.8 million for the California Court Interpreter Workforce Pilot Program. The pilot program is intended to increase the number of court interpreter employees in the courts by reimbursing potential interpreters for costs associated with their training, coursework, and up to three examination fees to become a court interpreter. This report summarizes how the program will be managed and recommends an allocation methodology for the \$6.8 million.

Background

Budget bill language in the 2023 Budget Act (Attachment A) authorizes the pilot program to begin by July 1, 2024 and end by June 30, 2029. The pilot program must include the participation of a minimum of four superior courts, one of which must be Los Angeles. Up to 10 applicants wanting to be a court interpreter will be selected by the Judicial Council per superior court, per year.

The one-time funding for the pilot was reappropriated from unspent funding in the 2021 Budget Act¹ that was previously allocated for the Court Interpreter Employee Incentive Grant program.

Under the pilot, participants will be reimbursed for their training costs and for up to three interpreter exam fees. Participants must pass a background check prior to acceptance and then again after successfully passing all required exams and prior to any offer of employment. Pilot participants must also agree up front to be employed by a court as a court interpreter for at least three years, assuming they pass all required examinations while in the pilot, and enroll with the Judicial Council as a court interpreter

Allocation Methodology

Funding for this program (\$6.8 million) is primarily for the purpose of reimbursement of pilot participants' training and examination costs. The Budget Act also states that, "Of the amount reappropriated, the Judicial Council shall be allocated \$150,000 each fiscal year for administrative support of the California Court Interpreter Workforce Pilot Program." Language Access Services

¹ Budget Act of 2021, SB 170 (Stats. 2021, ch. 240),
https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=20210220SB170

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 (Action Item)

is currently recruiting a Senior Analyst to manage the pilot program. Courts may also be reimbursed for the cost of initial background checks as part of the pilot program’s administration budget.

The pilot program will commence by July 1, 2024, and the first cohort of participants will be chosen by December 2024. Beginning in January 2025, the first of four cohorts will begin in the program. Three cohorts will have two years each to pass the required examinations, and the final cohort will have 18 months. Around \$393,334 will be dedicated to each cohort every six months for reimbursement of training and examination costs.

Funding will be allocated as follows:

Fiscal Year	Administrative Costs	Reimbursement Maximum	Reimbursement Covers
2023-24	\$150,000	NA	NA
2024-25 Cohort 1 starts January 2025	\$150,000	\$393,334	Cohort 1 (six months)
2025-26 Cohort 2 starts January 2026	\$150,000	\$1,180,000	Cohort 1 (12 months) Cohort 2 (6 months)
2026-27 Cohort 3 starts January 2027	\$150,000	\$1,573,333	Cohort 1 (six months) Cohort 2 (12 months) Cohort 3 (six months)
2027-28 Cohort 4 starts January 2028	\$150,000	\$1,573,333	Cohort 2 (six months) Cohort 3 (12 months) Cohort 4 (six months)
2028-29	\$150,000	\$1,180,000	Cohort 3 (six months) Cohort 4 (12 months)
Total	\$900,000	\$5,900,000	

All superior courts will be invited to participate in the optional pilot program. The reimbursement maximum will allow an average of 100 pilot participants to be reimbursed an average of \$7,866 per year in training and examination costs (actual amounts will depend on the number of pilot participants chosen each year). Judicial Council staff will directly reimburse allowable costs to pilot participants. Excess funding will carry over each year of the pilot until the final cohort year in 2029, and any unused funding at the end of the pilot will be returned to the Trial Court Trust Fund.

Program Management

The pilot will be managed by Language Access Services in the Judicial Council’s Center for Families, Children & the Courts. Initial participating courts will be identified by Spring 2024, and

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courts will be extensively involved with the selection and monitoring of participants throughout the pilot. The application process for Cohort 1 pilot participants will begin by July 2024, and participants will be selected by December 2024. An overview of the pilot program can be found in Attachment B.

Expectations for pilot participants are below:

- Pilot participants are expected to demonstrate consistent, measurable progress toward the goal of obtaining certification, and are expected to complete the pilot program in two years or less;
- Participants will be required to submit a progress report to the Judicial Council every six months detailing courses taken, self-directed activities outside of formal coursework, exams taken, exam scores, and a self-evaluation of their progress;
- Progress reports will be shared with the participating court. Participants who do not demonstrate consistent progress toward becoming certified (or registered) will be removed from the program;
- Participants who do not complete the program and obtain an interpreting credential in two years may reapply to be able to continue, except for the final cohort;
- Participants are expected to work in the courts for at least three years after completing the pilot program, passing all required exams, and enrolling with the Judicial Council; and
- Participants who leave court employment prior to three years, depending on the circumstances, may be required to pay back the cost of their training and exam fees.

Benefits

The pilot goal to increase the number of court interpreter employees in the courts aligns with the *Strategic Plan for California's Judicial Branch*, including recommended best practices to support Goal I: Access, Fairness, Diversity, and Inclusion:

- Implement, enhance, and expand multilingual and culturally and socially responsive programs, including educational programming, self-help centers, and interpreter services.

The pilot program also supports current efforts by Language Access Services to increase the number of qualified court interpreters by assisting near-passers of the Bilingual Interpreting Examination for certified languages through focused training efforts.

Recommendation

Approve the allocation methodology for the \$6.8 million and implementation of the California Court Interpreter Workforce Pilot Program, for consideration by the Judicial Branch Budget Committee and then the Judicial Council at its May 16-17, 2024 business meeting.

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(Action Item)

Attachments

Attachment A: 2023 Budget Act Language on Pilot Program

Attachment B: Overview of California Court Interpreter Workforce Pilot Program

**2023 Budget Act Language on Pilot Program
Senate Bill 101 (Stats. 2023, ch. 12)**

0250-494—Reappropriation, Judicial Branch. The balance of the appropriation provided in the following citation is reappropriated for the purposes provided for below, and shall be available for encumbrance or expenditure until June 30, 2029.

0932—Trial Court Trust Fund

- (1) Up to \$6,800,000 of the amount appropriated in Schedule (4), Item 0250-101-0932, Budget Act of 2021 (Chs. 21, 69, and 240, Statutes of 2021), for implementation of the California Court Interpreter Workforce Pilot Program.
 - (a) The California Court Interpreter Workforce Pilot Program is hereby created. The amount reappropriated in this item, \$6,800,000 shall be allocated to the Judicial Council to administer the pilot program. The pilot program shall commence by July 1, 2024, and end June 30, 2029.
 - (b) The pilot program shall include the participation of a minimum of four superior courts, one of which must be Los Angeles. Up to 10 applicants wanting to be a certified court interpreter will be selected by the Judicial Council per superior court, per year. Depending on local court needs, training participants for the pilot program may be selected for registered languages. The pilot program will cover the costs of training, coursework and up to three interpreter exam fees for applicants.
 - (c) Training participants must pass a background check prior to participating in the pilot program and must also pass a background check a second time prior to any offer of employment by the participating courts.
 - (d) Upon successful completion of the coursework, passage of the required examinations, and enrollment with the Judicial Council, the participating local court shall offer employment as a court interpreter employee to successful training participants, subject to available funding and open positions.
 - (e) Training participants must agree to work in the courts for at least three years after they successfully pass all the required examinations and enroll with the Judicial Council as a court interpreter. Participants who are hired and remain employed with the court for a minimum of three years are not required to pay back any costs. Participants who leave court employment prior to the end of three years may be required to pay back the costs of training, coursework, and exam fees on a prorated basis based on length of employment. Participants who are hired by the court for any length of time but are subsequently laid off, terminated, or otherwise released from employment

2023 Budget Act Language on Pilot Program
Senate Bill 101 (Stats. 2023, ch. 12)

not of their own volition or due to any fault of their own are not required to pay back any costs for training, coursework, and exam fees. The court may waive, at its discretion, the repayment of costs of training, coursework, and interpreter exam fees if a participant leaves court employment prior to the end of three years due to a significant personal hardship.

- (f) Of the amount reappropriated, the Judicial Council shall be allocated \$150,000 each fiscal year for administrative support of the California Court Interpreter Workforce Pilot Program.



California Court Interpreter Workforce Pilot Program, 2024

Introduction

California is currently experiencing a shortage of credentialed court interpreters in the state's most frequently interpreted languages. To address this issue, the 2023 Budget Act created the California Court Interpreter Workforce Pilot Program and dedicated \$6.8 million for the pilot. The pilot's objective is to increase the number of applicants eligible for employment with the courts as credentialed court interpreters. The pilot will meet this objective by providing training recommendations and reimbursement of participants' training costs and up to three examination fees so they can pass the required interpreter certification exams during the pilot. In return, pilot participants must agree up front to work in the California courts for at least three years after they successfully pass all required exams and enroll with the Judicial Council as a court interpreter. The pilot will be administered by the Judicial Council's Language Access Services Program, with input and collaboration from participating courts, court Language Access Representatives, the employee organization representing court interpreter employees, trade associations representing independent court interpreters, and the Court Interpreters Advisory Panel.

Program Description

The pilot program will begin on July 1, 2024, and run through June 30, 2029. Participants who successfully complete pilot program requirements, pass all required exams, and enroll with the Judicial Council will be eligible for employment with the court.

The pilot program will provide recommendations to participants for training and will reimburse participants for training expenses and up to three exam fees. The reimbursement maximum will allow an average of 100 pilot participants per year to be reimbursed an average of \$8,000 per year in training and examination costs (actual amounts will depend on the number of pilot participants chosen each year). The program will reimburse expenses for the following:

- Costs of training and coursework
- Up to three interpreting exam fees per applicant during the pilot program

In addition to reimbursement for training and exam fees, the program will provide an offer of employment with participating courts, subject to available funding and open positions.

Initially, the program will include Los Angeles Superior Court and at least three other superior courts to be determined. All superior courts will be invited to apply. Up to ten applicants will be selected per court, per year, during the pilot. The emphasis of the program will be on certified spoken languages or American Sign Language for which there is the greatest demand for interpreters. However, other languages will be considered based on demonstrated court need.

All applicants must pass a background check prior to participating in the pilot, and again upon completion of the program, prior to receiving an employment offer from a participating court. Continued participation in the program is contingent upon individuals demonstrating active and continuing progress toward obtaining certification.

Pilot program participants must agree up front to commit to a study plan and work in the courts for at least three years after they successfully pass all required exams and enroll with the Judicial Council. Participants must remain employed with the court for a minimum of three years to avoid having to pay back costs. The court may waive, at its discretion, repayment of costs of training and exam fees if a participant leaves court employment prior to the end of three years due to a significant personal hardship, or other similar reason.

Program Participants

The pilot courts are to be Los Angeles Superior Court and at least three other superior courts. Applications from interested courts will be reviewed by council staff and prioritized as follows:

- Designated major languages (top four for the county) and number of interpreter vacancies/interpreters needed.
- Other certified languages not included in the four major designated languages for the county and number of interpreter vacancies/interpreters needed.
- Registered languages based on demonstrated court need and number of interpreter vacancies/interpreters needed.
- Regional and court size considerations to ensure statewide participation.
- Court awareness of promising interpreter candidates that will be recommended by the court for participation in the pilot.

Once languages and courts are established, pilot participants may apply and be selected based on their likelihood of completing the program, passing all required exams, and the needs of the participating courts. Courts will be actively involved in the pilot participant selection process.

Pilot participants will be given priority if they fall into one of the following categories:

Participant	Description
Near Passer	Individuals who are already in the process of becoming a certified language interpreter and who need additional support to pass the Bilingual Interpreting Exam (BIE).
Bilingual Court Staff or Equivalent	Bilingual court clerks or other bilingual staff, including provisionally qualified interpreters currently working in the courts, or other similarly skilled individuals, such as interpreters in other fields, aspiring to obtain a court interpreting credential

Participant	Description
American Sign Language (ASL)	ASL interpreters with generalist ASL credentials who wish to study and pass the Texas Board for Evaluation of Interpreters (BEI) court interpreter certification, which is now accepted by the Judicial Council for work in the California courts.
Registered Language	Candidates seeking an interpreting credential for a registered spoken language that is designated in the pilot.

Prerequisites

- Applicants must pass a background check as part of the application process.
- Applicants must also have a high level of fluency in English and their target interpreting language to be considered for the program.
- Applicants who have already taken and passed the Written Exam must have enough remaining validity on their scores or they will have to retake the Written Exam as part of the pilot. Written Exam scores are valid for six years or four attempts at the BIE, whichever comes first.

Potential applicants will also be encouraged, but not required, to take the Oral Proficiency Exam (OPE) in English (if necessary) and their target interpreting language(s) for a self-assessment of their degree of fluency. Applicants for certified languages should bear in mind that a rating of “Advanced” or higher is required for a registered language interpreting credential. All pilot program participants are expected to continuously strive to improve their level of fluency in all working languages, as this is one of the critical success factors for a professional interpreter in any language. Applicants wanting to be a certified interpreter will not be reimbursed for OPE exam fees if it is taken for self-assessment of fluency.

Proposed Timeline

Participants will be grouped into cohorts. Each cohort will have two years to complete the required training and pass all required exams, except for the final cohort which will have 18 months. Applications for the program will be processed and reviewed beginning in July; each new cohort will begin in January. Participants who do not complete the program in two years may reapply, except for the final cohort of the pilot. Sample timeline below:

Activity	Timeframe (Cycle repeats for each cohort)
Court and language selection	April – June
Applications submitted and reviewed; Applicants notified	July – December
Program begins – Year 1/Year 2	January
First progress report due – Year 1/Year 2	June
Second progress report due – Year 1/Year 2	December
All training complete and all exams passed	No later than December of Year 2

Participants will be grouped into cohorts as follows:

Program Activities	Program Cycle - Timeline			
	Cycle 1	Cycle 2	Cycle 3	Cycle 4
Court and language selection	April to June 2024	April to June 2025	April to June 2026	April to June 2027
Candidates apply and are chosen	July to December 2024	July to December 2025	July to December 2026	July to December 2027
Candidate begins in pilot program	January 2025	January 2026	January 2027	January 2028
Progress reports	Due every six months	Due every six months	Due every six months	Due every six months
Candidates must pass all required examinations	No later than December 2026	No later than December 2027	No later than December 2028	No later than June 2029 (last cohort has 18 months)

Expectations of Pilot Participants

Pilot participants are expected to demonstrate consistent, measurable progress toward the goal of obtaining certification, and are expected to complete the pilot program in two years or less. Participants will be required to submit a progress report to the Judicial Council every six months detailing courses taken, self-directed activities outside of formal coursework, exams taken, exam scores, and a self-evaluation of their progress. Progress reports will be shared with the participating court. Participants who do not demonstrate consistent progress toward becoming certified (or registered) will be removed from the program. Participants who do not complete the program and obtain an interpreting credential in two years may reapply to be able to continue, except for the final cohort.

Participants are expected to work in the courts for at least three years after completing the pilot program, passing all required exams, and enrolling with the Judicial Council. Participants who leave court employment prior to three years, depending on the circumstances, may be asked to repay any monies received during the pilot for training and exam costs.

Expectations of Participating Courts

Participating courts will be expected to take an active role in supporting the program participants as they work toward becoming certified. This support may take different forms, to be determined by the court; for example, mentoring, shadowing other interpreters, on-the-job training, providing training or reading materials or suggestions for self-directed study, communicating to pilot program participants about training or volunteer opportunities, etc. Specific responsibilities

and expectations for court personnel during the pilot program will be shared, with their ongoing input and collaboration, as program processes and procedures are developed.

Judicial Council Role in the Pilot

The Judicial Council will be responsible for overall administration of the program, management of budget, fee reimbursement, collection of monies owed by participants who leave the program or are asked to leave, etc. The Judicial Council will also provide a recommended training plan, as well as a list of resources. The training plan and resource list will be updated yearly and during the life of the pilot. The Judicial Council will receive, process and screen applications, and will assist courts as needed with selecting applicants. The Judicial Council will provide notifications to participants and program communications as necessary. The Judicial Council will also receive and evaluate progress reports from participants prior to issuing reimbursement for training and exam fees and will share these progress reports with participating courts.

Recommended Training & Exam Preparation

The knowledge and experience required to be a successful court interpreter comes from many sources. The Judicial Council has drafted a detailed training plan outline, with required and recommended courses and topics for formal training, as well as recommendations for self-directed, year-round study. Participants will be expected to continuously prepare and study and take training throughout the entire two-year program, even after they have taken exams while waiting for results. The list below is a representative sample of topics for study and exam preparation. The list is not intended to be exhaustive. The training plan outline for the pilot program will continually evolve and be refined with court and stakeholder input.

Required courses and topics include:

<input type="checkbox"/>	Introduction to Court Interpreting & Fundamentals of Legal Interpreting
<input type="checkbox"/>	California/U.S. Law for Court Interpreters (vocabulary building & court procedures) <ul style="list-style-type: none"> ○ Criminal & Civil Procedure ○ Family Law ○ Small Claims & Working with Self-Represented Litigants
<input type="checkbox"/>	Medical Terminology for Court Interpreters
<input type="checkbox"/>	Public Speaking, Presentation Skills & Diction for Interpreters
<input type="checkbox"/>	Introduction to Simultaneous Interpreting for Legal Proceedings <ul style="list-style-type: none"> ○ Arraignment Calendar ○ Interpreting at the Defense table
<input type="checkbox"/>	Sight Translation: Foreign Language to English & English to Foreign Language <ul style="list-style-type: none"> ○ Legal Documents – birth certificate, coroner’s report, police report, deposition transcript ○ General Documents – sentencing letter, other documentary evidence (receipts, bills, bank statements, text messages, emails)
<input type="checkbox"/>	Introduction to Consecutive Interpreting <ul style="list-style-type: none"> ○ Witness Stand – Lay Witness

	○ Administrative Hearings & Depositions
<input type="checkbox"/>	Consecutive Note Taking & Memory Building/Improvement
<input type="checkbox"/>	Advanced Simultaneous Interpreting for Legal Proceedings <ul style="list-style-type: none"> ○ Jury Instructions ○ Expert Witness Testimony – police, ballistics, forensics, pathologist
<input type="checkbox"/>	Remote Interpreting: VRI, Technologies, Ethical Challenges
<input type="checkbox"/>	Interpreting Skills Building Training (aka “Near-Passer” Training) offered by Judicial Council

Recommended course topics include:

<input type="checkbox"/>	Court Interpreting Profession
<input type="checkbox"/>	Interpreting and Translating Organization
<input type="checkbox"/>	Law and Court Procedures
<input type="checkbox"/>	Medical Terminology for Interpreters

Recommended self-directed exam preparation activities:

<input type="checkbox"/>	Courtroom observation
<input type="checkbox"/>	Volunteer interpreting
<input type="checkbox"/>	Reading in all working languages to build vocabulary – specialized and general
<input type="checkbox"/>	Language immersion in target language (for non-native speakers)

Training courses and materials for interpreter study and exam preparation come from many sources as well. They can come from formal academic programs or from private companies. They can be delivered in person, via instructor led courses, online instructor led courses or self-study materials. More detailed references for training programs, self-study materials, etc. are provided in the training plan outline that will be provided to pilot participants.

Required Certification Exams for Spoken Language

Credential	Exams	Passing Score
Certified Language Interpreter	Written Exam	80%
	Bilingual Interpreting Exam in target language	70% in all four sections in one sitting
Registered Language Interpreter	Written Exam	80%
	OPE English	Advanced or higher
	OPE in target language	Advanced or higher

ASL Court Interpreters

Currently, California does not offer a certification exam for ASL court interpreters. However, effective January 1, 2024, the Judicial Council approved the Texas Office of Deaf and Hard of Hearing Services (DHHS) Board for Evaluation of Interpreters (BEI) as an approved testing entity for American Sign Language (ASL) court interpreter certification. ASL interpreters who hold generalist credentials but do not yet hold the Texas BEI Court Interpreter Certification (CIC) and wish to be considered certified in California must study for the Texas BEI CIC and travel to Austin, Texas, at their own expense, to take the required examination(s). More information is provided in a *Bulletin for Interpreters on the Texas ASL Court Interpreter Certification*, located at <https://www.courts.ca.gov/2693.htm>.

Currently, the draft training plan outline contains recommendations for study and preparation for ASL court interpreters, as well as a list of resources, formal academic training, and degree programs to assist persons interested in taking and passing the Texas BEI court interpreter certification under the pilot.

Application Process

Language Access Services will develop an application for courts to apply for Cycle 1 in Spring 2024. Staff will also promote the pilot program at the bimonthly meetings of the Language Access Representatives to encourage applications from courts.

Once courts are chosen and languages identified for Cycle 1, application materials for interested interpreter candidates to apply to the pilot program will be posted to the Language Access Services web page by July 2024. Staff will also conduct outreach to ensure that potential interpreter candidates are aware of the pilot program and to encourage applications.

JUDICIAL COUNCIL OF CALIFORNIA
BUDGET SERVICES
Report to the Trial Court Budget Advisory Committee

(Action Item)

Title: Trial Court Minimum Operating and Emergency Fund Balance Policy
Date: 2/14/2024
Contact: Oksana Tuk, Senior Analyst, Budget Services
916-643-8027 | Oksana.Tuk@jud.ca.gov

Issue

The Judicial Council’s suspension of the trial court minimum operating and emergency fund balance policy expires June 30, 2024.

Background

The minimum operating and emergency fund balance policy requires the trial courts to maintain a fund balance or reserve of approximately 3 to 5 percent of their prior year General Fund expenditures. This policy was first established in 2006–07 and a suspension of the policy has been in place since 2012–13.

Government Code section 68502.5 required that a 2 percent reserve be established in the Trial Court Trust Fund (TCTF) beginning in 2012–13. Each court contributed to the reserve from its base allocation for operations. In addition, Government Code section 77203 imposed a 1 percent cap on the fund balance that courts could carry forward from one fiscal year to the next effective June 30, 2014. Prior to June 30, 2014, a trial court could carry over all unexpended funds from the court’s operating budget from the prior fiscal year.

On August 31, 2012, the council suspended the minimum operating and emergency fund balance policy as a result of these statutory changes and in recognition of advocacy efforts to eliminate or increase the 1 percent cap.¹ On October 28, 2014, the council again extended the suspension of the policy for two additional years until June 30, 2016.²

At its business meeting on April 15, 2016, the Judicial Council approved the *Recommended Process, Criteria, and Required Information for Trial Court Trust Fund Fund Balance Held on Behalf of the Courts*. This new program authorized reduced trial court allocations, related to the fund balance cap, be retained in the TCTF as restricted fund balance for the benefit of those courts for projects or expenditures approved by the Judicial Council. The program is intended for

¹ Judicial Council meeting report (August 31, 2012), <https://www.courts.ca.gov/documents/jc-20120831-itemN.pdf>; Judicial Council meeting minutes (August 31, 2012), <https://www.courts.ca.gov/documents/jc20120831-minutes.pdf>.

² Judicial Council meeting report (October 28, 2014), <https://www.courts.ca.gov/documents/jc-20141028-itemM.pdf>; Judicial Council meeting minutes (October 28, 2014), <https://www.courts.ca.gov/documents/jc20141028-minutes.pdf>.

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BUDGET SERVICES
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expenditures that cannot be funded by a court’s annual budget or three-year encumbrance term, and that require multiyear savings to implement. Court requests to hold funds in the TCTF for specific projects or activities are reviewed by the Fiscal Planning Subcommittee and recommendations are made directly to the Judicial Council.³

In 2016–17, Government Code section 68502.5(c)(2)(B) established a \$10 million one-time General Fund reserve in the TCTF, which replaced the 2 percent reserve requirement. The Judicial Council established a process for trial courts to apply for this emergency funding.⁴ If funding was accessed from the reserve, it would be replenished on an annual basis from trial court base allocations.

On January 19, 2017⁵ and May 24, 2018⁶, the council approved additional two-year suspensions of the policy until June 30, 2020 while advocacy efforts to eliminate or increase the fund balance cap continued. In 2019–20, Government Code section 77203 was amended, and the fund balance cap was increased from 1 percent to 3 percent. This allowed the trial courts to carry over unexpended funds in an amount not to exceed 3 percent of the court’s operating budget from the prior fiscal year beginning June 30, 2020.

On July 24, 2020⁷ and May 11, 2022⁸, the council again approved additional two-year suspensions of the policy until June 30, 2024. The current Fund Balance Policy is included as Attachment 1A and Government Code section 77203 is included as Attachment 1B.

³ Judicial Council meeting report (April 15, 2016), <https://jcc.legistar.com/View.ashx?M=F&ID=4378277&GUID=57D6B686-EA95-497E-9A07-226CA724ADCB>; Judicial Council meeting minutes (April 15, 2016),

<https://jcc.legistar.com/View.ashx?M=M&ID=463457&GUID=194A3350-D97F-452B-ACF4-1EBE6C105CCA>.

⁴ Judicial Council meeting report (October 28, 2016), <https://jcc.legistar.com/View.ashx?M=F&ID=4730556&GUID=B27BB5A7-B14B-44E8-A809-9F6FA97F6536>; Judicial Council meeting minutes (October 28, 2016),

<https://jcc.legistar.com/View.ashx?M=M&ID=463482&GUID=71780E2D-3758-4213-B3A5-7100073AB7CF>.

⁵ Judicial Council meeting report (January 19, 2017), <https://jcc.legistar.com/View.ashx?M=F&ID=4885769&GUID=7E02378F-E7AC-407D-BDD2-DA81B5FEB9E8>; Judicial Council meeting minutes (January 19, 2017),

<https://jcc.legistar.com/View.ashx?M=M&ID=523723&GUID=AA05972-68BD-4B48-B46C-240B851E3CEF>.

⁶ Judicial Council meeting report (May 24, 2018), <https://jcc.legistar.com/View.ashx?M=F&ID=6246424&GUID=FD9DAD84-DD7D-448D-8C94-085FFC2FFBBE>; Judicial Council meeting minutes (May 24, 2018),

<https://jcc.legistar.com/View.ashx?M=M&ID=559783&GUID=1C4B0F75-3F17-4F8A-9712-034640BB460C>.

⁷ Judicial Council meeting report (July 24, 2020), <https://jcc.legistar.com/View.ashx?M=F&ID=8648714&GUID=DAA755CB-AD69-4C95-AB23-49AF3B15A37F>; Judicial Council meeting minutes (July 24, 2020),

<https://jcc.legistar.com/View.ashx?M=M&ID=711582&GUID=90001AF2-7CEE-4F0F-906B-29A03ED9CB43>

⁸ Judicial Council meeting report (May 11, 2022), <https://jcc.legistar.com/View.ashx?M=F&ID=10831522&GUID=E3E6A833-3D51-41D8-B68D-225383632DEF>; Judicial Council meeting minutes (May 11, 2022),

<https://jcc.legistar.com/View.ashx?M=M&ID=869099&GUID=990E26C2-797D-4F24-BAE0-4945FB131549>

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Advocacy Efforts to Increase the Fund Balance Cap

Advocacy efforts by the Judicial Council and the trial courts to increase the fund balance cap from 1 percent to 3 percent were supported by the Department of Finance and the Legislature.

The 2024–25 Governor’s Budget includes trailer bill language to increase the fund balance cap from 3 percent to 5 percent or \$100,000, whichever is greater, effective June 30, 2024, to ensure that trial courts have adequate reserve funding to support operational needs and address emergency expenditures.

The proposed budget also reduces the trial court state-level emergency reserve in the TCTF from \$10 million to \$5 million. This reserve funding has only been used one time by Humboldt Superior court in 2018–19. Therefore, the reduction in the reserve amount is not anticipated to compromise the level of emergency resources available to the trial courts.

Recommendation

The Trial Court Budget Advisory Committee recommends the following for consideration by the Judicial Branch Budget Committee and then the Judicial Council at its May 17, 2024 business meeting:

- Extend the suspension of the minimum operating and emergency fund balance policy for two fiscal years until June 30, 2026. This will provide additional time to determine the impact of the proposals included in the 2024–25 Governor’s Budget on trial court operations and emergency funding levels.
- Request the Funding Methodology Subcommittee consider if the minimum operating and emergency fund balance policy, which has been suspended since 2012–13, should be repealed at a future time based on enactment of the proposed changes to the state-level emergency reserve and fund balance cap included in the 2024-25 Governor’s Budget.

Attachments and Links

Attachment A: Fund Balance Policy

Attachment B: Government Code section 77203

Trial Court Financial Policies & Procedures

Fund Balance Policy

June 2020

Fund Balance

1. As publicly funded entities, and in accordance with good public policy, trial courts must ensure that the funds allocated and received from the state and other sources are used efficiently and accounted for properly and consistently. The trial courts shall account for and report fund balance in accordance with established standards, utilizing approved classifications. Additionally, a fund balance can never be negative.
2. Beginning with the most binding constraints, fund balance amounts must be reported in the following classifications:
 - a. Nonspendable Fund Balance
 - b. Restricted Fund Balance
 - c. Committed Fund Balance
 - d. Assigned Fund Balance
 - e. Unassigned Fund Balance (General Fund only)
3. When allocating fund balance to the classifications and categories, allocations must follow the following prioritization:
 - a. Nonspendable Fund Balance
 - b. Restricted Fund Balance
 - c. Contractual commitments to be paid in the next fiscal year
 - d. The minimum calculated operating and emergency fund balance
 - e. Other Judicial Council mandates to be paid in the next fiscal year
 - f. Contractual commitments to be paid in subsequent fiscal years
 - g. Assigned Fund Balance designations
 - h. Unassigned Fund Balance
4. Nonspendable Fund Balance includes amounts that cannot be spent because they are either (a) not in spendable form (not expected to be converted to cash), or (b) legally or contractually required to be maintained intact. Examples include: Inventories, prepaid amounts, Long-Term Loans and Notes Receivable, and Principal of a Permanent (e.g., endowment) Fund.
5. Restricted Fund Balance includes amounts constrained for a specific purpose by external parties, constitutional provision, or enabling legislation.

- a. Externally imposed—imposed externally by grantors, creditors, contributors, or laws or regulations of other governments (i.e., monies received by a grantor that can only be used for that purpose defined by the grant).
 - b. Imposed by Law (Statutory)—restricted fund balance that consists of unspent, received revenues whose use is statutorily restricted (e.g., children’s waiting room and dispute resolution program funding).
6. Committed Fund Balance includes amounts that can only be used for specific purposes pursuant to constraints imposed by formal action of the Judicial Council. These committed amounts cannot be used for any other purpose unless the Judicial Council removes or changes the specified use by taking the same type of action it employed to previously commit those amounts. Committed Fund Balance must also include contractual obligations to the extent that existing resources in the fund have been specifically committed for use in satisfying those contractual requirements. While the requirement to include contractual commitments is a policy decision of the Judicial Council, the type, number, and execution of contracts is within the express authority of presiding judges or their designee.
7. **[NOTE: The minimum operating and emergency fund requirement discussed here is temporarily suspended until the Judicial Council lifts the suspension.]** The Judicial Council has authorized a stabilization arrangement (Operating and Emergency fund category) to be set aside for use in emergency situations or when revenue shortages or budgetary imbalances might exist. The amount is subject to controls that dictate the circumstances under which the court would spend any of the minimum operating and emergency fund balance. Each court must maintain a minimum operating and emergency fund balance at all times during a fiscal year as determined by the following calculation based upon the prior fiscal year’s ending total unrestricted general fund expenditures (excluding special revenue, debt service, permanent proprietary, and fiduciary funds), less any material one-time expenditures (e.g., large one-time contracts).

Annual General Fund Expenditures
5 percent of the first \$10,000,000
4 percent of the next \$40,000,000
3 percent of expenditures over \$50,000,000

If a court determines that it is unable to maintain the minimum operating and emergency fund balance level as identified above, the court must immediately notify the Administrative Director, or designee, in writing and provide a plan with a specific time frame to correct the situation.

- 8. Assigned Fund Balance is constrained by the presiding judge, or designee, with the intent that it be used for specific purposes or designations that are neither unspendable,

restricted, nor committed. Constraints imposed on the use of assigned amounts are more easily removed or modified than those imposed on amounts that are classified as committed. Assigned amounts are based on estimates, and explanations of the methodology used to compute or determine the designated amount must be provided.

Assigned Fund Balances include:

- a. All remaining amounts that are reported in governmental funds, other than general funds, that are not classified as nonspendable and are neither restricted nor committed; and
- b. Amounts in the general fund that are intended to be used for a specific purpose in accordance with the provision identified by the presiding judge or designee.

Assigned Fund Balances will be identified according to the following categories:

- a. One-time Facility–Tenant Improvements. Examples include carpet and fixture replacements.
- b. One-time Facility–Other Examples include amounts paid by the Judicial Council on behalf of the courts.
- c. Statewide Administrative Infrastructure Initiatives. Statewide assessment in support of technology initiatives (e.g., Phoenix) will be identified in this designation.
- d. Local Infrastructure (technology and nontechnology needs). Examples include interim case management systems and nonsecurity equipment.
- e. One-time Employee Compensation (leave obligation, retirement, etc.). Amounts included in this category are exclusive of employee compensation amounts already included in the court’s operating budget and not in a designated fund balance category.
 - i. One-time leave payments at separation from employment. If amounts are not already accounted for in a court’s operating budget, estimated one-time payouts for vacation or annual leave to employees planning to separate from employment within the next fiscal year should be in this designated fund balance subcategory. This amount could be computed as the average amount paid out with separations or other leave payments during the last three years. Any anticipated non-normal or unusually high payout for an individual or individuals should be added to at the average amount calculated.

- ii. Unfunded pension obligation. If documented by an actuarial report, the amount of unfunded pension obligation should be included as a designated fund balance. Employer retirement plan contributions for the current fiscal year must be accounted for in the court's operating budget.
- iii. Unfunded retiree health care obligation. If documented by an actuarial report, the amount of unfunded retiree health care obligation should be included as a designated fund balance.

The current year's unfunded retiree health care obligation contains: (i) the current year Annual Required Contribution (ARC) based on a 30-year amortization of retiree health costs as of last fiscal year-end, and (ii) the prior year retiree health care obligation less (iii), the retiree health care employer contributions and any transfers made to an irrevocable trust set up for this purpose. The current year's unfunded retiree health care obligation is to be added to the prior year's obligation.

- iv. Workers' compensation (if managed locally). The amount estimated to be paid out in the next fiscal year.
 - v. Use of reserve funds for liquidation of outstanding leave balances for employees in a layoff situation, consistent with the requirements of GASB 45; other examples would include reserving funds for the implementation of "enhanced retirement" or "golden handshake" programs in the interest of eliminating salaries at the "high end" or "top step," and thereby generating salary savings or rehires at the low end of a pay scale for position(s), but realizing one-time costs in the interest of longer-term savings for the court.
- f. Professional and Consultant Services. Examples include human resources, information technology, and other consultants.
 - g. Security. Examples include security equipment and pending increases for security service contracts.
 - h. Bridge Funding. A court may choose to identify specific short or intermediate term funding amounts needed to address future needs that are otherwise not reportable, nor fit the criteria, in either restricted nor committed classifications, that it believes are necessary to identify through specific designations. These designations must be listed with a description in sufficient detail to determine their purpose and requirements.
 - i. Miscellaneous (required to provide detail). Any other planned commitments that are not appropriately included in one of the above designated fund balance subcategories

should be listed here with a description in sufficient detail to determine its purpose and requirements.

9. Unassigned Fund Balance is the residual classification for the general fund. This classification represents fund balance that has not been assigned to any other fund balance classification. The general fund is the only fund that shall report a positive unassigned fund balance amount.

State of California

GOVERNMENT CODE

Section 77203

77203. (a) Prior to June 30, 2014, a trial court may carry over all unexpended funds from the courts operating budget from the prior fiscal year.

(b) Commencing June 30, 2014, and concluding June 30, 2019, a trial court may carry over unexpended funds in an amount not to exceed 1 percent of the court's operating budget from the prior fiscal year. Commencing June 30, 2020, a trial court may carry over unexpended funds in an amount not to exceed 3 percent of the court's operating budget from the prior fiscal year. The calculation of the percentage authorized to be carried over from the previous fiscal year shall not include funds received by the court pursuant to the following:

(1) Section 470.5 of the Business and Professions Code.

(2) Section 116.230 of the Code of Civil Procedure, except for those funds transmitted to the Controller for deposit in the Trial Court Trust Fund pursuant to subdivision (h) of that section.

(3) Subdivision (f) of Section 13963, Sections 26731, 66006, 68090.8, 70640, 70678, and 76223, subdivision (b) of Section 77207.5, and subdivision (h) of Section 77209.

(4) The portion of filing fees collected for conversion to micrographics pursuant to former Section 26863, as that section read immediately before its repeal, and Section 27361.4.

(5) Sections 1027 and 1463.007, subdivision (a) of Section 1463.22, and Sections 4750 and 6005, of the Penal Code.

(6) Sections 11205.2 and 40508.6 of the Vehicle Code.

(Amended by Stats. 2019, Ch. 36, Sec. 2. (SB 95) Effective June 27, 2019. Section conditionally inoperative as provided in Section 77400.)