



JUDICIAL COUNCIL OF CALIFORNIA

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REPORT TO THE JUDICIAL COUNCIL

Item No. 21-076

For business meeting on March 12, 2021

Title

Language Access Plan: Signage and Technology Grants, Fiscal Year 2020–21: Contingency Awards and Use of Remaining Funding

Agenda Item Type

Action Required

Effective Date

March 12, 2021

Rules, Forms, Standards, or Statutes Affected

None

Date of Report

February 17, 2021

Recommended by

Advisory Committee on Providing Access and Fairness

Hon. Kevin C. Brazile, Cochair

Hon. Luis A. Lavin, Cochair

Language Access Subcommittee

Hon. Victor A. Rodriguez, Chair

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Executive Summary

The Advisory Committee on Providing Access and Fairness and the Language Access Subcommittee recommend that contingency funds held under the Language Access Signage and Technology Grant Program for fiscal year 2020–21 be distributed to 14 courts that applied for contingency funding. The committees also recommend that remaining contingency funds for this cycle be added to the court technology modernization funding grants for remote appearance technology, including video remote interpreting, which is a priority area. This will ensure the full use of this grant funding for technology purposes, which will assist courts to improve remote services and serve more court users.

Recommendation

The Advisory Committee on Providing Access and Fairness and the Language Access Subcommittee recommend that the Judicial Council, effective March 12, 2021:

1. Distribute \$264,723.50 of the \$405,765.77 identified as funding held for contingency purposes to augment technology awards for fiscal year (FY) 2020–21;
2. Distribute the full amount of the funding held for contingency purposes for signage grants, \$251,358.05, to augment signage awards for FY 2020–21.
3. Approve the remaining \$141,042.27 in technology contingency funding to be added to the court technology modernization funding for distribution as part of the Branchwide Remote Appearance Technology Program, including for video remote interpreting.

The proposed contingency awards for FY 2020–21 signage and technology grants are included as Attachment A to this report.

Relevant Previous Council Action

On September 24, 2019, the Judicial Council adopted a process for Language Access Signage and Technology Grants and directed Language Access Services staff to solicit and review grant applications and develop recommendations for review and approval by the Advisory Committee on Providing Access and Fairness, the Information Technology Advisory Committee, and the Judicial Council.¹

At the July 24, 2020, Judicial Council meeting, the Chief Justice directed the Technology Committee to recommend a proposal for allocating a \$25 million budget appropriation in the Budget Act of 2020 designated for modernizing court operations through the use of technology.

At the September 25, 2020, Judicial Council meeting, the council approved the allocation of the \$25 million toward 13 approved program categories—including remote appearance technology—as recommended by the Technology Committee.

At the council meeting on November 13, 2020, for the signage and technology grant program’s second year (FY 2020–21 grant cycle), the council approved grants to all 23 courts that applied for funding and set aside the remaining funding as contingency funding to be used in case of need.²

Analysis/Rationale

The Language Access Signage and Technology Grant Program provides grants for various court language access signage and technology initiatives, including for software and equipment to support video remote interpreting. Under the grant program, a total of \$1 million is allocated

¹ Judicial Council of Cal., Advisory Com. Rep., *Language Access Plan: Signage and Technology Grants* (Sept. 9, 2019), <https://jcc.legistar.com/View.ashx?M=F&ID=7675626&GUID=F2CCA714-356A-41B7-82B5-05C058CE0D6E>.

² Judicial Council of Cal., Advisory Com. Rep., *Language Access Plan: Signage and Technology Grant Program, FY 2020–21: Requests and Proposed Allocations* (Oct. 13, 2020), <https://jcc.legistar.com/View.ashx?M=F&ID=8873139&GUID=4FC257C5-6FF4-4A26-A8B7-EA63E73059D7>

each year for signage grants, and a total of \$1.35 million is allocated each year for technology grants.

Signage grants, FY 2020–21

For signage grants, the council report for the November 2020 meeting noted that each of the grant requests could be fully funded. The total amount of the grants, including any augmentations, was under the \$1 million allocation for signage, which resulted in unused funding of \$251,358.05. The unused funding would be set aside as a contingency fund to be used in case of need by the awarded courts (e.g., to help offset unforeseen cost increases for individual signage projects).

Following the council’s approval of the grants, requests from awarded courts for contingency funding for signage have exceeded the available funding (see Attachment A). The amounts provided to the three courts that requested the most in contingency funds for signage were capped so that each of the three would receive the same final award of \$181,058.68. All other courts will receive the full amount in contingency funding that they requested. Thus, the full \$1 million of the signage allocation will be distributed to courts.

Technology grants, FY 2020–21

For technology grants, the council report for the November 2020 meeting noted that each of the grant requests could be fully funded. The total amount of allowable grants, including any augmentations, was under the \$1.35 million allocation for technology, which resulted in unused funding of \$405,765.75. The unused funding would be set aside as a contingency fund to be used in case of need by the awarded courts (e.g., to help offset unforeseen cost increases for individual technology projects).

Following the council’s approval of the grants, requests from awarded courts for contingency funding for technology still fell below the amount available (see Attachment A). Courts will receive the full amount in technology contingency funding that they requested. The remaining funding for technology is \$141,042.27. After a review of potential options, the chairs recommended to the Technology Committee that the remaining contingency funding be reallocated to the separate court technology modernization funding program for distribution as part of the Branchwide Remote Appearance Technology Program, including for video remote interpreting, which is a priority area under both grant programs.

Policy implications

The contingency funding will assist awarded courts to complete their projects. The reallocation of the remaining contingency funding would be on a one-time basis to support the court technology modernization funding grants. This will ensure the full use of this grant funding for technology purposes, including for video remote interpreting, which will assist courts to improve remote services and serve more court users.

Comments

The proposal did not circulate for public comment. The recommendations on the proposed contingency allocations were approved by the Advisory Committee on Providing Access and Fairness in an action by email on January 29, 2021. The reallocation of the remaining contingency funds was approved by the Technology Committee on February 8, 2021.

Alternatives considered

The committees reviewed and approved staff's recommendations regarding allocation of the contingency funding for the FY 2020–21 signage and technology grants, and that remaining contingency funds for this cycle be added to the court technology modernization funding grants for remote appearance technology, including video remote interpreting.

Fiscal and Operational Impacts

The Budget Act of 2020 provided \$316,000 in funding for video remote interpreting equipment for up to 15 courthouses, which will be distributed to interested courts under the new information technology grant program. The \$141,042.27 in remaining contingency funding under the signage and technology grant program will be reallocated and added to the court modernization funding grant program to provide more funding for those courts who are interested in video remote interpreting technology.

All courts that submitted signage and technology grant contingency requests for FY 2020–21 will be notified as to whether they will receive additional funding. Intra-branch agreements for the signage and technology grant requests are being developed for all the awarded courts. If the reimbursement request and invoices to support the requested reimbursement amount are not received by December 31, 2021, grant funding for the cost of the project will be unavailable for reimbursement to the court.

Attachments and Links

1. Attachment A: Contingency Awards for FY 2020–21 Signage and Technology Grants

COUNTY	DESCRIPTION OF CONTINGENCY SIGNAGE REQUEST	ORIGINAL SIGNAGE AWARD	ADDITIONAL SIGNAGE FUNDING REQUEST AMOUNT	PROPOSED SIGNAGE CONTINGENCY AWARD AMOUNT	TOTAL SIGNAGE AWARD	DESCRIPTION OF CONTINGENCY TECHNOLOGY REQUEST	ORIGINAL TECHNOLOGY AWARD	ADDITIONAL TECHNOLOGY FUNDING REQUEST AMOUNT	PROPOSED TECHNOLOGY CONTINGENCY AWARD AMOUNT	TOTAL TECHNOLOGY AWARD
Total Contingency Funding			\$ 251,358.05		\$1,000,000.00			\$ 405,765.75		\$1,350,000.00
Alameda	Expand and translate all documents to eight languages	\$ 156,786.00	\$ 99,312.00	\$ 24,272.68	\$ 181,058.68	N/A	\$ 40,000.00	N/A	\$ -	\$ 40,000.00
Fresno	N/A	\$ 3,250.00	N/A	\$ -	\$ 3,250.00	N/A	\$ 55,898.63	N/A	\$ -	\$ 55,898.63
Kings	N/A	\$ 48,471.00	N/A	\$ -	\$ 48,471.00	N/A	N/A	N/A	\$ -	
Madera	Expand and complete the electronic wayfinding and directory	\$ 17,056.67	\$ 12,863.00	\$ 12,863.00	\$ 29,919.67	N/A	N/A	N/A	\$ -	
Mendocino	N/A	\$ 10,500.00	N/A	\$ -	\$ 10,500.00	N/A	\$ 5,700.00	N/A	\$ -	\$ 5,700.00
Merced	N/A	N/A	N/A	\$ -	\$ -	N/A	\$ 79,189.07	N/A	\$ -	\$ 79,189.07
Napa	Eight (8) additional display units for other floors in our buildings	\$ 14,500.00	\$ 27,105.00	\$ 27,105.00	\$ 41,605.00	N/A	\$ 6,800.00	N/A	\$ -	\$ 6,800.00
Riverside	N/A	N/A	N/A	\$ -	\$ -	N/A	\$ 50,800.00	N/A	\$ -	\$ 50,800.00
Sacramento	N/A	\$ 85,520.00	N/A	\$ -	\$ 85,520.00	N/A	\$ 132,342.00	N/A	\$ -	\$ 132,342.00
San Bernardino	N/A	N/A	N/A	\$ -	\$ -	Additional headsets w/mic; 3 'splitters' and headset extension cords and; 3 webcams	\$ 62,924.00	\$ 55,511.81	\$ 55,511.81	\$ 118,435.81
San Diego	N/A	\$ 28,247.00	N/A	\$ -	\$ 28,247.00	Additional funding for more interpreter equipment	\$ 97,859.65	\$ 25,910.05	\$ 25,910.05	\$ 123,769.70
San Joaquin	N/A	N/A	N/A	\$ -	\$ -	Additional facilities costs and additional interpreter equipment	\$ 15,615.00	\$ 29,332.17	\$ 29,332.17	\$ 44,947.17
San Mateo	N/A	\$ 21,718.00	N/A	\$ -	\$ 21,718.00	Additional interpreter equipment	\$ 63,215.87	\$ 64,316.45	\$ 64,316.45	\$ 127,532.32
Santa Barbara	Expand countywide signage system	\$ 105,000.00	\$ 100,000.00	\$ 76,058.68	\$ 181,058.68	N/A	\$ 21,020.68	N/A	\$ -	\$ 21,020.68
Santa Clara	Expand digital wayfinding project	\$ 100,000.00	\$ 133,765.00	\$ 81,058.68	\$ 181,058.68	N/A	\$ 134,989.22	N/A	\$ -	\$ 134,989.22
Santa Cruz	Expand signage project	\$ 77,414.28	\$ 30,000.00	\$ 30,000.00	\$ 107,414.28	N/A	N/A	N/A	\$ -	

COUNTY	DESCRIPTION OF CONTINGENCY SIGNAGE REQUEST	ORIGINAL SIGNAGE AWARD	ADDITIONAL SIGNAGE FUNDING REQUEST AMOUNT	PROPOSED SIGNAGE CONTINGENCY AWARD AMOUNT	TOTAL SIGNAGE AWARD	DESCRIPTION OF CONTINGENCY TECHNOLOGY REQUEST	ORIGINAL TECHNOLOGY AWARD	ADDITIONAL TECHNOLOGY FUNDING REQUEST AMOUNT	PROPOSED TECHNOLOGY CONTINGENCY AWARD AMOUNT	TOTAL TECHNOLOGY AWARD
Total Contingency Funding			\$ 251,358.05		\$1,000,000.00			\$ 405,765.75		\$1,350,000.00
Sierra	N/A	N/A	N/A	\$ -	\$ -	N/A	\$ 2,491.00	N/A	\$ -	\$ 2,491.00
Solano	N/A	N/A	N/A	\$ -	\$ -	VRI equipment	\$ 33,132.32	\$ 55,919.85	\$ 55,919.85	\$ 89,052.17
Sonoma	N/A	\$ 80,179.00	N/A	\$ -	\$ 80,179.00	N/A	\$ 54,821.00	N/A	\$ -	\$ 54,821.00
Stanislaus	N/A	N/A	N/A	\$ -	\$ -	Additional VRI equipment	\$ 35,616.62	\$ 7,413.64	\$ 7,413.64	\$ 43,030.26
Sutter	N/A	N/A	N/A	\$ -	\$ -	N/A	\$ 22,080.00	N/A	\$ -	\$ 22,080.00
Ventura	N/A	N/A	N/A	\$ -	\$ -	Additional VRI equipment	\$ 24,225.00	\$ 24,486.77	\$ 24,486.77	\$ 48,711.77
Yolo	N/A	N/A	N/A	\$ -	\$ -	Additional interpreter and video conference equipment	\$ 5,514.19	\$ 1,832.74	\$ 1,832.74	\$ 7,346.93
Total Requested		\$ 748,641.95	\$ 403,045.00	\$ 251,358.04	\$ 999,999.99		\$ 944,234.25	\$ 264,723.48	\$ 264,723.48	\$ 1,208,957.73
Total Contingency Balance			\$ (151,686.95)		\$ 0.01			\$ 141,042.27		\$ 141,042.27

Notes:

Signage: The amounts provided to three courts that requested the most in contingency funds for signage (Alameda, Santa Barbara and Santa Clara) were capped so that each of the three courts would receive the same final award of \$181,058.68 for signage.