Language Access Plan Implementation Task Force

JUDICIAL COUNCIL OF CALIFORNIA
LANGUAGE ACCESS PLAN IMPLEMENTATION TASK FORCE

Final Progress Report for February 19, 2019

Number of Phase 1, 2 and 3 Recommendations: 75

Goal 1: Improve Early Identification of and Data Collection on Language Needs

Technological Solutions Subcommittee

Subcommittee Lead Staff: Jenny Phu

Recommendation: 1. Courts will identify the language access needs for each LEP court user, including parties, witnesses, or other persons with a significant interest, at the earliest possible point of contact with the LEP person. The language needs will be clearly and consistently documented in the case management system and/or any other case record or file, as appropriate given a court's existing case information record system, and this capability should be included in any future system upgrades or system development.

Status of Recommendation: Ongoing **Phase 1**

Progress Update: This recommendation (including data improvements and tracking of data) will be an ongoing responsibility for the judical branch. In November 2018, the Language Access Services Unit sent out a data guidance memorandum for courts on data collection.

Date of Last Update: 1/11/2019

Goal 1: Improve Early Identification of and Data Collection on Language Needs

Technological Solutions Subcommittee

Subcommittee Lead Staff: Jenny Phu

Recommendation: 2. A court's provision or denial of language services must be tracked in the court's case information system, however appropriate given a court's capabilities. Where current tracking of provision or denial is not possible, courts must make reasonable efforts to modify or update their systems to capture relevant data as soon as feasible.

Status of Recommendation: Ongoing **Phase 1 and 2**

Progress Update: This recommendation (including data improvements and tracking of data) will be an ongoing responsibility for the judical branch. In November 2018, the Language Access Services Unit sent out a data guidance memorandum for courts on data collection.

Date of Last Update: 1/11/2019

Goal 1: Improve Early Identification of and Data Collection on Language Needs

Technological Solutions Subcommittee

Subcommittee Lead Staff: Jenny Phu

Recommendation: 3. Courts should establish protocols by which justice partners can indicate to the court that an individual requires a spoken language interpreter at the earliest possible point of contact with the court system.

Status of Recommendation: Partially implemented **Phase 1**

Progress Update: Several courts are using web portals to allow litigants to inform the court in advance if they need an interpreter for civil matters. Form INT-300 is also available for litigants to request an interpreter in civil. Any CMS changes regarding protocols with justice partners are anticipated to be a long-term project for the branch.

Date of Last Update: 11/27/2018

Goal 1: Improve Early Identification of and Data Collection on Language Needs

Translation, Signage and Tools for Courts Subcommittee

Subcommittee Lead Staff: Diana Glick

Recommendation: 4. Courts will establish mechanisms that invite LEP persons to self-identify as needing language access services upon contact with any part of the court system (using, for example, “I speak” cards [see page 49 for a sample card]). In the absence of self-identification, judicial officers and court staff must proactively seek to ascertain a court user’s language needs.

Status of Recommendation: Completed **Phase 1**

Progress Update: The subcommittee continues to build the use of "I Speak" cards into all best practices and recommendations developed for courts. The Task Force is working with the National Center for State Courts to build out and maintain the Language Access Toolkit. The "I Speak" cards, along with other resources and tools to help courts ascertain language needs at the earliest point of contact, are on the Toolkit.

Date of Last Update: 9/21/2018

Goal 1: Improve Early Identification of and Data Collection on Language Needs

Translation, Signage and Tools for Courts Subcommittee

Subcommittee Lead Staff: Diana Glick

Recommendation: 5. Courts will inform court users about the availability of language access services at the earliest points of contact between court users and the court. The notice must include, where accurate and appropriate, that language access services are free. Courts should take into account that the need for language access services may occur earlier or later in the court process, so information about language services must be available throughout the duration of a case. Notices should be in English and up to five other languages based on local community needs assessed through collaboration with and information from justice partners, including legal services providers, community-based organizations, and other entities working with LEP populations. Notice must be provided to the public, justice partners, legal services agencies, community-based organizations, and other entities working with LEP populations.

Status of Recommendation: Completed **Phase 1**

Progress Update: The Notice of Available Language Access Services was formatted and translated into nine languages. It is now available on the Language Access Toolkit in a single multilingual version and in nine separate files that contain English and each of the nine other languages of translation.

Date of Last Update: 6/7/2017

Goal 1: Improve Early Identification of and Data Collection on Language Needs

Budget and LAP Monitoring Subcommittee

Subcommittee Lead Staff: Douglas Denton and Elizabeth Tam

Recommendation: 6. The Judicial Council and the courts will continue to expand and improve data collection on interpreter services, and expand language services cost reporting to include amounts spent on other language access services and tools such as translations, interpreter or language services coordination, bilingual pay differential for staff, and multilingual signage or technologies. This information is critical in supporting funding requests as the courts expand language access services into civil cases.

Status of Recommendation: Completed **Phase 1**

Progress Update: The subcommittee determined that existing trial court data collection systems can be modified to capture the additional information necessary under LAP Recommendation No. 6. The subcommittee will continue to monitor developments to determine whether additional data collection procedures are necessary.

Date of Last Update: 10/7/2016

Goal 1: Improve Early Identification of and Data Collection on Language Needs

Budget and LAP Monitoring Subcommittee

Subcommittee Lead Staff: Douglas Denton and Elizabeth Tam

Recommendation: 7. The Judicial Council and the courts should collect data in order to anticipate the numbers and languages of likely LEP court users. Whenever data is collected, including for these purposes, the courts and the Judicial Council should look at other sources of data beyond the U.S. Census, such as school systems, health departments, county social services, and local community-based agencies.

Status of Recommendation: Completed **Phase 2**

Progress Update: The subcommittee evaluated different data sources and made recommendations to the courts about potential data sources to look at beyond the U.S. Census. The data sources document has been posted to the Judicial Resources Network, and will be regularly updated. The Judicial Council will review applicable data sources for development of the 2020 Language Need and Interpreter Use study, a report on language need and interpreter use in the California trial courts that the Legislature requires to be produced every five years under Government Code section 68563.

Date of Last Update: 5/31/2017

Goal 2: Provide Qualified Language Access Services in All Judicial Proceedings

Budget and LAP Monitoring Subcommittee

Subcommittee Lead Staff: Douglas Denton and Elizabeth Tam

Recommendation: 8. Qualified interpreters must be provided in the California courts to LEP court users in all court proceedings, including civil proceedings as prioritized in Evidence Code section 756 (see Appendix H), and including Family Court Services mediation.

Status of Recommendation: Ongoing **Phase 1 and 2**

Progress Update: This recommendation will be an ongoing responsibility for the judicial branch. As of December 2017, a survey conducted in March 2018 indicates that 51 of 58 courts are now able to provide court interpreters in all eight civil priority levels that are dictated by statute (Evid. Code, § 756). Information gathered by the Task Force regarding each court's estimated coverage will help the council with funding and other targeted efforts designed to help all 58 courts reach full expansion. Because of the branch's continuing commitment to language access and support for this expansion of interpreter service in trial courts across the state, the council is seeking increased funding for the interpreter reimbursement fund in FY 2019-20.

Date of Last Update: 1/11/2019

Goal 2: Provide Qualified Language Access Services in All Judicial Proceedings

Court Interpreters Advisory Panel Subcommittee

Subcommittee Lead Staff: Anne Marx

Recommendation: 9. Pending amendment of California Rules of Court, rule 2.893, when good cause exists, a noncertified or nonregistered court interpreter may be appointed in a court proceeding in any matter, civil or criminal, only after he or she is determined to be qualified by following the procedures for provisional qualification. These procedures are currently set forth, for criminal and juvenile delinquency matters, in rule 2.893 (and, for civil matters, will be set forth once the existing rule of court is amended). (See Recommendation 50, on training for judicial officers and court staff regarding the provisional qualification procedures, and Recommendation 70, on amending rule 2.893 to include civil cases.)

Status of Recommendation: Completed **Phase 1 and 2**

Progress Update: In September 2017, the Judicial Council voted to adopt changes to Rule 2.893 and related forms, and adopted the same process and procedures for provisionally qualifying spoken language interpreters in all case types, not just criminal cases. The changes will be effective January 1, 2018.

Date of Last Update: 10/12/2017

Goal 2: Provide Qualified Language Access Services in All Judicial Proceedings

Budget and LAP Monitoring Subcommittee

Subcommittee Lead Staff: Douglas Denton and Elizabeth Tam

Recommendation: 10. Beginning immediately, as resources are available, but in any event no later than 2020, courts will provide qualified court interpreters in all court-ordered, court-operated programs, services and events, to all LEP litigants, witnesses, and persons with a significant interest in the case.

Status of Recommendation: Ongoing **Phase 1, 2, and 3**

Progress Update: This recommendation will be an ongoing responsibility for the judicial branch. The Task Force developed a rule of court (Rule 1.300) that will provide clear guidance on the provision of language assistance in court-ordered programs and services.

Date of Last Update: 1/11/2019

Goal 2: Provide Qualified Language Access Services in All Judicial Proceedings

Translation, Signage and Tools for Courts Subcommittee

Subcommittee Lead Staff: Diana Glick

Recommendation: 11. An LEP individual should not be ordered to participate in a court-ordered program if that program does not provide appropriate language accessible services. If a judicial officer does not order participation in services due to the program's lack of language capacity, the court should order the litigant to participate in an appropriate alternative program that provides language access services for the LEP court user. In making its findings and orders, the court should inquire if the program provides language access services to ensure the LEP court user's ability to meet the requirements of the court.

Status of Recommendation: Partially implemented **Phase 2**

Progress Update: A proposed rule of court (Rule 1.300) that addresses this issue is currently out for public comment through February 12, 2019.

Date of Last Update: 1/11/2019

Goal 2: Provide Qualified Language Access Services in All Judicial Proceedings

Technological Solutions Subcommittee

Subcommittee Lead Staff: Jenny Phu

Recommendation: 12. The use of in-person, certified and registered court interpreters is preferred for court proceedings, but courts may consider the use of remote interpreting where it is appropriate for a particular event. Remote interpreting may only be used if it will allow LEP court users to fully and meaningfully participate in the proceedings.

Status of Recommendation: Completed **Phase 1**

Progress Update: The use of in-person, certified and registered court interpreters is preferred for court proceedings. The Video Remote Interpreting (VRI) Pilot Project, per recommendation 16, will help define and test appropriate uses of remote interpreting, to allow LEP court users to fully and meaningfully participate in court proceedings. Following conclusion of the VRI pilot, findings and recommendations will be developed for the Judicial Council.

Date of Last Update: 6/12/2017

Goal 2: Provide Qualified Language Access Services in All Judicial Proceedings

Technological Solutions Subcommittee

Subcommittee Lead Staff: Jenny Phu

Recommendation: 13. When using remote interpreting in the courtroom, the court must satisfy, to the extent feasible, the prerequisites, considerations, and guidelines for remote interpreting set forth in Appendix B.

Status of Recommendation: Completed **Phase 1**

Progress Update: A report on VRI with pilot findings and recommendations, including recommended guidelines for VRI, will be submitted to the council in March 2019.

Date of Last Update: 1/11/2019

Goal 2: Provide Qualified Language Access Services in All Judicial Proceedings

Technological Solutions Subcommittee

Subcommittee Lead Staff: Jenny Phu

Recommendation: 14. The Implementation Task Force will establish minimum technology requirements for remote interpreting which will be updated on an ongoing basis and which will include minimum requirements for both simultaneous and consecutive interpreting.

Status of Recommendation: Completed **Phase 1**

Progress Update: A report on VRI with pilot findings and recommendations, including recommended guidelines for VRI, will be submitted to the council in March 2019.

Date of Last Update: 1/11/2019

Goal 2: Provide Qualified Language Access Services in All Judicial Proceedings

Technological Solutions Subcommittee

Subcommittee Lead Staff: Jenny Phu

Recommendation: 15. Courts using remote interpreting should strive to provide video, used in conjunction with enhanced audio equipment, for courtroom interpretations, rather than relying on telephonic interpreting.

Status of Recommendation: Completed **Phase 1**

Progress Update: A report on VRI with pilot findings and recommendations, including recommended guidelines for VRI, will be submitted to the council in March 2019.

Date of Last Update: 1/11/2019

Goal 2: Provide Qualified Language Access Services in All Judicial Proceedings

Technological Solutions Subcommittee

Subcommittee Lead Staff: Jenny Phu

Recommendation: 16. The Judicial Council should conduct a pilot project, in alignment with the Judicial Branch's Tactical Plan for Technology 2014-2016. This pilot should, to the extent possible, collect relevant data on: due process issues, participant satisfaction, whether remote interpreting increases the use of certified and registered interpreters as opposed to provisionally qualified interpreters, the effectiveness of a variety of available technologies (for both consecutive and simultaneous interpretation), and a cost-benefit analysis. The Judicial Council should make clear that this pilot project would not preclude or prevent any court from proceeding on its own to deploy remote interpreting, so long as it allows LEP court users to fully and meaningfully participate in the proceedings.

Status of Recommendation: Completed **Phase 1**

Progress Update: A report on VRI with pilot findings and recommendations, including recommended guidelines for VRI, will be submitted to the council in March 2019.

Date of Last Update: 1/11/2019

Goal 2: Provide Qualified Language Access Services in All Judicial Proceedings

Technological Solutions Subcommittee

Subcommittee Lead Staff: Jenny Phu

Recommendation: 17. In order to maximize the use and availability of California's highly skilled certified and registered interpreters, the Judicial Council should consider creating a pilot program through which certified and registered interpreters would be available to all courts on a short-notice basis to provide remote interpreting services.

Status of Recommendation: Partially implemented **Phase 2**

Progress Update: This recommendation is a long-term project for the judicial branch.

Date of Last Update: 1/11/2019

Goal 2: Provide Qualified Language Access Services in All Judicial Proceedings

Language Access Education and Standards Subcommittee

Subcommittee Lead Staff: Mary Ann Koory

Recommendation: 18. The Judicial Council should continue to create multilingual standardized videos for high-volume case types that lend themselves to generalized, not localized, legal information, and provide them to courts in the state's top eight languages and captioned in other languages.

Status of Recommendation: Partially implemented **Phase 1**

Progress Update: The subcommittee created a list of existing Judicial Council self-help videos in English and other languages. Judicial Council staff is exploring creation of additional multilingual videos to assist LEP court users in different languages.

Date of Last Update: 3/11/2018

Goal 2: Provide Qualified Language Access Services in All Judicial Proceedings

Language Access Education and Standards Subcommittee

Subcommittee Lead Staff: Mary Ann Koory

Recommendation: 19. Effective January 2015, pursuant to Government Code section 68561(g) and (f), judicial officers, in conjunction with court administrative personnel, must ensure that the interpreters being appointed are qualified, properly represent their credentials on the record, and have filed with the court their interpreter oaths. (See Recommendation 50, which discusses training of judicial officers and court staff on these subjects.)

Status of Recommendation: Completed **Phase 1**

Progress Update: The Judicial Council, at its June 24, 2016 meeting, adopted a Bench Card: Working with Court Interpreters; a Resource Outline for judicial officers; and training curricula outlines for judicial officers and court staff. These materials expressly address recommendation number 19, and are available to judges, subordinate judicial officers, and court staff on CJER Online. The Bench Card is also handed out at all of CJER's live statewide judicial education programs. In addition, this content is discussed at live judicial education programs. Judicial and court staff education in this area is ongoing.

Date of Last Update: 10/6/2016

Goal 2: Provide Qualified Language Access Services in All Judicial Proceedings

Budget and LAP Monitoring Subcommittee

Subcommittee Lead Staff: Douglas Denton and Elizabeth Tam

Recommendation: 20. The Judicial Council should expand the existing formal regional coordination system to improve efficiencies in interpreter scheduling for court proceedings and cross-assignments between courts throughout the state. (See Recommendation 30, addressing coordination for bilingual staff and interpreters for non-courtroom events.)

Status of Recommendation: Completed **Phase 2**

Progress Update: In August 2017, the NCSC provided the Judicial Council with an internal report that contained findings and recommendations for potential improvements to the regional coordination system for cross-assignment of interpreters. Judicial Council staff will work with courts to review the recommendations and make improvements.

Date of Last Update: 10/27/2017

Goal 2: Provide Qualified Language Access Services in All Judicial Proceedings

Budget and LAP Monitoring Subcommittee

Subcommittee Lead Staff: Douglas Denton and Elizabeth Tam

Recommendation: 21. Courts should continue to develop methods for using interpreters more efficiently and effectively, including but not limited to calendar coordination. Courts should develop these systems in a way that does not have a chilling effect on LEP court users' access to court services.

Status of Recommendation: Completed **Phase 2**

Progress Update: In August 2017, the NCSC provided the Judicial Council with an internal report that contained findings and recommendations on potential methods for using interpreters more efficiently and effectively, including calendar coordination. Judicial Council staff will work with courts to review the recommendations and make improvements to the regional cross-assignment system. At the local court level, courts should ensure that their case calendaring practices do not have a chilling effect on LEP court users' access to court services.

Date of Last Update: 10/27/2017

Goal 2: Provide Qualified Language Access Services in All Judicial Proceedings

Language Access Education and Standards Subcommittee

Subcommittee Lead Staff: Mary Ann Koory

Recommendation: 22. Absent exigent circumstances, when appointing a noncertified, nonregistered interpreter, courts must not appoint persons with a conflict of interest or bias with respect to the matter.

Status of Recommendation: Completed **Phase 1**

Progress Update: The Judicial Council, at its June 24, 2016 meeting, adopted a Bench Card: Working with Court Interpreters; a Resource Outline for judicial officers; and training curricula outlines for judicial officers and court staff. These materials expressly address recommendation number 22, and are available to judges, subordinate judicial officers and court staff on CJER Online. The Bench Card is also handed out at all of CJER's live statewide judicial education programs. Judicial and court staff education in this area is ongoing.

Date of Last Update: 10/6/2016

Goal 2: Provide Qualified Language Access Services in All Judicial Proceedings

Language Access Education and Standards Subcommittee

Subcommittee Lead Staff: Mary Ann Koory

Recommendation: 23. Minors will not be appointed to interpret in courtroom proceedings nor court-ordered and court-operated activities.

Status of Recommendation: Completed **Phase 1**

Progress Update: The Judicial Council, at its June 24, 2016 meeting, adopted a Bench Card: Working with Court Interpreters; a Resource Outline for judicial officers; and training curricula outlines for judicial officers and court staff. These materials expressly address recommendation number 23, and area available to judges, subordinate judicial officers and court staff on CJER Online. The Bench Card is also handed out at all of CJER's live statewide judicial education programs. Judicial and court staff education in this area is ongoing.

Date of Last Update: 10/6/2016

Goal 2: Provide Qualified Language Access Services in All Judicial Proceedings

Language Access Education and Standards Subcommittee

Subcommittee Lead Staff: Mary Ann Koory

Recommendation: 24. Absent exigent circumstances, courts should avoid appointing bilingual court staff to interpret in courtroom proceedings; if the court does appoint staff, he or she must meet all of the provisional qualification requirements.

Status of Recommendation: Completed **Phase 2**

Progress Update: The Judicial Council, at its June 24, 2016 meeting, adopted a Bench Card: Working with Court Interpreters; a Resource Outline for bench officers; and training curricula outlines for judicial officers and court staff. These documents address LAP Recommendation 24 and are available to judges, subordinate judicial officers and court staff on CJER Online. The Bench Card is also handed out at all of CJER's live statewide judicial education programs. Judicial and court staff education in this area is ongoing.

Date of Last Update: 10/6/2016

Goal 3: Provide Language Access Services at All Points of Contact Outside Judicial Proceedings

Budget and LAP Monitoring Subcommittee

Subcommittee Lead Staff: Douglas Denton and Elizabeth Tam

Recommendation: 25. The court in each county will designate an office or person that serves as a language access resource for all court users, as well as court staff and judicial officers. This person or persons should be able to: describe all the services the court provides and what services it does not provide, access and disseminate all of the court's multilingual written information as requested, and help LEP court users and court staff locate court language access resources.

Status of Recommendation: Completed **Phase 1**

Progress Update: The subcommittee developed and distributed written guidance for trial court leadership in December 2015 and requested that each court designate a language access office or representative. Each of the 58 courts has designated a language access representative. California Rules of Court, Rule 2.850, effective January 1, 2018, makes clear that the designation of a Language Access Representative is an ongoing requirement for courts. To help support implementation efforts, Judicial Council staff developed a listserv to enable communication to and among the various representatives regarding language access, and bi-monthly (every other month) webinar meetings are now conducted with the Language Access Representatives.

Date of Last Update: 9/21/2018

Goal 3: Provide Language Access Services at All Points of Contact Outside Judicial Proceedings

Language Access Education and Standards Subcommittee

Subcommittee Lead Staff: Mary Ann Koory

Recommendation: 26. Courts should identify which points of contact are most critical for LEP court users, and, whenever possible, should place qualified bilingual staff at these locations. (See Recommendation 47, which discusses possible standards for the appropriate qualification level of bilingual staff at these locations.)

Status of Recommendation: Completed **Phase 1**

Progress Update: The subcommittee prepared a Points of Contact document that was approved by the Task Force at its January 30, 2018 meeting. The document is available on the Language Access Toolkit.

Date of Last Update: 2/8/2018

Goal 3: Provide Language Access Services at All Points of Contact Outside Judicial Proceedings

Translation, Signage and Tools for Courts Subcommittee

Subcommittee Lead Staff: Diana Glick

Recommendation: 27. All court staff who engage with the public will have access to language assistance tools, such as translated materials and resources, multi-language glossaries and "I speak" cards, to determine a court user's native language, direct him or her to the designated location for language services, and/or provide the LEP individual with brochures, instructions, or other information in the appropriate language.

Status of Recommendation: Completed **Phase 2**

Progress Update: The Task Force is working with the NCSC to build out and maintain the Language Access Toolkit. The subcommittee worked with LAPITF staff to add recently-developed tools, including the Translation Protocol and the Translation Action Plan. The Notice of Available Language Access Services is available on the Toolkit in a single multi-lingual version and in nine separate files that contain English and each of the nine other languages of translation.

Date of Last Update: 9/19/2018

Goal 3: Provide Language Access Services at All Points of Contact Outside Judicial Proceedings

Budget and LAP Monitoring Subcommittee

Subcommittee Lead Staff: Douglas Denton and Elizabeth Tam

Recommendation: 28. Courts should strive to recruit bilingual staff fluent in the languages most common in that county. In order to increase the bilingual applicant pool, courts should conduct outreach to educational providers in the community, such as local high schools, community colleges, and universities, to promote the career opportunities available to bilingual individuals in the courts.

Status of Recommendation: Ongoing **Phase 1**

Progress Update: Individual courts are recruiting and hiring bilingual staff as needed to support LAP implementation. The NCSC assisted the Task Force and the Court Interpreters Program regarding development of recruitment strategies, which were shared with the public at the Task Force's March 2017 Community Outreach Meeting. Efforts are underway for the Judicial Council to develop a more robust statewide recruitment initiative. Recruitment of qualified bilingual staff will be an ongoing responsibility for the judicial branch.

Date of Last Update: 10/12/2017

Goal 3: Provide Language Access Services at All Points of Contact Outside Judicial Proceedings

Translation, Signage and Tools for Courts Subcommittee

Subcommittee Lead Staff: Diana Glick

Recommendation: 29. Courts will develop written protocols or procedures to ensure LEP court users obtain adequate language access services where bilingual staff are not available. For example, the court's interpreter coordinator could be on call to identify which interpreters or staff are available and appropriate to provide services in the clerk's office or self-help center. Additionally, the use of remote technologies such as telephone access to bilingual staff persons in another location or remote interpreting could be instituted.

Status of Recommendation: Completed **Phase 2**

Progress Update: A protocol and Action Guide for meeting the needs of LEP court users were completed on 6/30/2017 and have been posted to the Language Access Toolkit.

Date of Last Update: 9/20/2017

Goal 3: Provide Language Access Services at All Points of Contact Outside Judicial Proceedings

Translation, Signage and Tools for Courts Subcommittee

Subcommittee Lead Staff: Diana Glick

Recommendation: 30. The Judicial Council should consider adopting policies that promote sharing of bilingual staff and certified and registered court interpreters among courts, using remote technologies, for language assistance outside of court proceedings.

Status of Recommendation: Partially implemented **Phase 2**

Progress Update: A proposed rule of court (Rule 1.300) that addresses this issue is currently out for public comment through February 12, 2019.

Date of Last Update: 1/11/2019

Goal 3: Provide Language Access Services at All Points of Contact Outside Judicial Proceedings

Technological Solutions Subcommittee

Subcommittee Lead Staff: Jenny Phu

Recommendation: 31. The courts and the Judicial Council should consider a pilot to implement the use of remote interpreter services for counter help and at self-help centers, incorporating different solutions, including court-paid cloud-based fee-for-service models or a court/centralized bank of bilingual professionals.

Status of Recommendation: Partially implemented **Phase 2**

Progress Update: The new Language Access Subcommittee will need to evaluate whether a pilot is needed. There are existing court programs like SHARP that provide remote assistance to LEP court users.

Date of Last Update: 1/11/2019

Goal 3: Provide Language Access Services at All Points of Contact Outside Judicial Proceedings

Technological Solutions Subcommittee

Subcommittee Lead Staff: Jenny Phu

Recommendation: 32. The courts should consider a pilot to implement inter-court, remote attendance at workshops, trainings, or “information nights” conducted in non-English languages using a variety of equipment, including telephone, video-conferencing (WebEx, Skype), or other technologies.

Status of Recommendation: Partially implemented **Phase 2**

Progress Update: The new Language Access Subcommittee will need to evaluate whether a pilot is needed. There are existing court programs like SHARP that provide remote assistance to LEP court users.

Date of Last Update: 1/11/2019

Goal 3: Provide Language Access Services at All Points of Contact Outside Judicial Proceedings

Translation, Signage and Tools for Courts Subcommittee

Subcommittee Lead Staff: Diana Glick

Recommendation: 33. In matters with LEP court users, courts must determine that court-appointed professionals, such as psychologists, mediators, and guardians, can provide linguistically accessible services before ordering or referring LEP court users to those professionals. Where no such language capability exists, courts should make reasonable efforts to identify or enter into contracts with providers able to offer such language capabilities, either as bilingual professionals who can provide the service directly in another language or via qualified interpreters.

Status of Recommendation: Partially implemented **Phase 2**

Progress Update: A proposed rule of court (Rule 1.300) that addresses this issue is currently out for public comment through February 12, 2019.

Date of Last Update: 1/11/2019

Goal 3: Provide Language Access Services at All Points of Contact Outside Judicial Proceedings

Translation, Signage and Tools for Courts Subcommittee

Subcommittee Lead Staff: Diana Glick

Recommendation: 34. Courts should consider the use of bilingual volunteers to provide language access services at points of contact other than court proceedings, where appropriate. Bilingual volunteers and interns must be properly trained and supervised.

Status of Recommendation: Completed **Phase 1**

Progress Update: The document titled "Policies and Protocols for the Use of Bilingual Volunteers in the California Courts" has been revised to incorporate guidance on the appropriate second language proficiency levels of bilingual employees. It was approved by the Translation Subcommittee on December 11, 2018, and was approved by the full Task Force on January 22, 2019. The document has been posted on the Language Access Toolkit as a resource for courts.

Date of Last Update: 1/29/2019

Goal 3: Provide Language Access Services at All Points of Contact Outside Judicial Proceedings

Technological Solutions Subcommittee

Subcommittee Lead Staff: Jenny Phu

Recommendation: 35. As an alternative for traditional information dissemination, the Judicial Council should consider creating pilot programs to implement the use of language access kiosks in lobbies or other public waiting areas to provide a variety of information electronically, such as on a computer or tablet platform. This information should be in English and up to five other languages based on local community needs assessed through collaboration with and information from justice partners, including legal services providers, community-based organizations, and other entities working with LEP populations. At a minimum, all such materials should be available in English and Spanish.

Status of Recommendation: Partially implemented **Phase 3**

Progress Update: The new Language Access Subcommittee will need to evaluate whether a pilot is necessary for language access kiosks, which already exist in several courts.

Date of Last Update: 1/11/2019

Goal 4: Provide High Quality Multilingual Translation and Signage

Translation, Signage and Tools for Courts Subcommittee

Subcommittee Lead Staff: Diana Glick

Recommendation: 36. The Judicial Council will create a translation committee to develop and formalize a translation protocol for Judicial Council translations of forms, written materials, and audiovisual tools. The committee should collaborate with interpreter organizations and courts to develop a legal glossary in all certified languages, taking into account regional differences, to maintain consistency in the translation of legal terms. The committee's responsibilities will also include identifying qualifications for translators, and the prioritization, coordination, and oversight of the translation of materials. The qualification of translators should include a requirement to have a court or legal specialization and be accredited by the American Translators Association (ATA), or to have been determined qualified to provide the translations based on experience, education, and references. Once the Judicial Council's translation protocol is established, individual courts should establish similar quality control and translation procedures for local forms, informational materials, recordings, and videos aimed at providing information to the public. Local court website information should use similarly qualified translators. Courts are encouraged to partner with local community organizations to accomplish this recommendation.

Status of Recommendation: Completed **Phase 1**

Progress Update: The subcommittee has developed a list of potential translation duties based on the pending elements of Recommendation No. 36.

Date of Last Update: 1/11/2019

Goal 4: Provide High Quality Multilingual Translation and Signage

Translation, Signage and Tools for Courts Subcommittee

Subcommittee Lead Staff: Diana Glick

Recommendation: 37. The Judicial Council staff will work with courts to provide samples and templates of multilingual information for court users that are applicable on a statewide basis and adaptable for local use.

Status of Recommendation: Completed **Phase 1**

Progress Update: With the creation of the Language Access Toolkit, the subcommittee has been able to promote and disseminate samples and templates of multilingual information, including signage, forms and information sheets. The Task Force is working with the NCSC to build out and maintain the Language Access Toolkit.

Date of Last Update: 9/19/2018

Goal 4: Provide High Quality Multilingual Translation and Signage

Translation, Signage and Tools for Courts Subcommittee

Subcommittee Lead Staff: Diana Glick

Recommendation: 38. The Judicial Council's staff will post on the California Courts website written translations of forms and informational and educational materials for the public as they become available and will send notice to the courts of their availability so that courts can link to these postings from their own websites.

Status of Recommendation: Completed **Phase 1**

Progress Update: Judicial Council staff now has a regular process for communicating with Language Access Representatives via email and with the courts through existing channels (such as Court News Update) when new resources are available and posted on the Judicial Resources Network, the Language Access Toolkit and the California Courts public website.

Date of Last Update: 5/16/2017

Goal 4: Provide High Quality Multilingual Translation and Signage

Translation, Signage and Tools for Courts Subcommittee

Subcommittee Lead Staff: Diana Glick

Recommendation: 39. The staff of the Judicial Council should assist courts by providing plain-language translations of the most common and relevant signs likely to be used in a courthouse, and provide guidance on the use of internationally recognized icons, symbols, and displays to limit the need for text and, therefore, translation. Where more localized signage is required, courts should have all public signs in English and translated in up to five other languages based on local community needs assessed through collaboration with and information from justice partners, including legal services providers, community-based organizations, and other entities working with LEP populations. At a minimum, all such materials should be available in English and Spanish.

Status of Recommendation: Completed **Phase 2**

Progress Update: The Glossary of Signage Terms and Icons was completed and posted to the Language Access Toolkit in June 2017. It contains 75 common signage terms and phrases that have been translated into 10 languages. It also contains recommended universal icons for courthouse signage and wayfinding.

Date of Last Update: 9/20/2017

Goal 4: Provide High Quality Multilingual Translation and Signage

Translation, Signage and Tools for Courts Subcommittee

Subcommittee Lead Staff: Diana Glick

Recommendation: 40. Courts will provide sight translation of court orders and should consider providing written translations of those orders to LEP persons when needed. At a minimum, courts should provide the translated version of the relevant Judicial Council form to help litigants compare their specific court order to the translated template form.

Status of Recommendation: Completed **Phase 1**

Progress Update: The Judicial Council approved the Translation Action Plan at its meeting in June 2016. The Action Plan contains a priority ranking of documents slated for translation in order to most efficiently use branch resources. The Action Plan also contains recommendations regarding the formatting and dissemination of multilingual resources.

Date of Last Update: 5/16/2017

Goal 4: Provide High Quality Multilingual Translation and Signage

Translation, Signage and Tools for Courts Subcommittee

Subcommittee Lead Staff: Diana Glick

Recommendation: 41. The Judicial Council, partnering with courts, should ensure that new courthouse construction efforts, as well as redesign of existing courthouse space, are undertaken with consideration for making courthouses more easily navigable by all LEP persons.

Status of Recommendation: Completed **Phase 2**

Progress Update: The subcommittee collaborated with NCSC on the development of the report, "Wayfinding and Signage Strategies for Language Access in the California Courts: Report and Recommendations," which contains specific recommendations with respect to courthouse design to enhance language access. The report was presented to the LAPITF at their in-person meeting on January 30, 2017 and approved for presentation to the Judicial Council. It was presented to the Judicial Council on May 18, 2017, and has been posted to the Language Access Toolkit.

Date of Last Update: 6/12/2017

Goal 4: Provide High Quality Multilingual Translation and Signage

Translation, Signage and Tools for Courts Subcommittee

Subcommittee Lead Staff: Diana Glick

Recommendation: 42. The Judicial Council's staff will provide information to courts interested in better wayfinding strategies, multilingual (static and dynamic) signage, and other design strategies that focus on assisting LEP court users.

Status of Recommendation: Completed **Phase 2**

Progress Update: The subcommittee collaborated with NCSC on the development of the report, "Wayfinding and Signage Strategies for Language Access in the California Courts: Report and Recommendations," which contains specific recommendations with respect to wayfinding strategies and multilingual signage. The report was presented to the Task Force at their in-person meeting on January 30, 2017 and approved for presentation to the Judicial Council. It was presented to the Judicial Council on May 18, 2017, and has been posted to the Language Access Toolkit.

Date of Last Update: 6/12/2017

Goal 5: Expand High Quality Language Access Through the Recruitment and Training of Language Access Providers

Court Interpreters Advisory Panel Subcommittee

Subcommittee Lead Staff: Claudia Ortega

Recommendation: 43. Courts, the Judicial Council, and the Court Interpreters Advisory Panel (CIAP) will ensure that all interpreters providing language access services to limited English proficient court users are qualified and competent. Existing standards for qualifications should remain in effect and will be reviewed regularly by the CIAP.

Status of Recommendation: Completed **Phase 1**

Progress Update: The CIAP's review and update of rule 2.893 and related forms will be effective January 1, 2018. Otherwise, the CIAP will continue its role regarding interpreter standards for qualification.

Date of Last Update: 10/12/2017

Goal 5: Expand High Quality Language Access Through the Recruitment and Training of Language Access Providers

Language Access Education and Standards Subcommittee

Subcommittee Lead Staff: Mary Ann Koory

Recommendation: 44. The online statewide orientation program will continue to be available to facilitate orientation training for new interpreters working in the courts.

Status of Recommendation: Completed **Phase 1**

Progress Update: The online statewide orientation program was updated by the subcommittee and includes a new module on civil cases. The online orientation is available for free on the Court Interpreters Program web page.

Date of Last Update: 9/19/2018

Goal 5: Expand High Quality Language Access Through the Recruitment and Training of Language Access Providers

Language Access Education and Standards Subcommittee

Subcommittee Lead Staff: Mary Ann Koory

Recommendation: 45. The Judicial Council and the courts should work with interpreter organizations and educational providers (including the California community college and state university systems) to examine ways to better prepare prospective interpreters to pass the credentialing examination. These efforts should include:
• Partnering to develop possible exam preparation courses and tests, and
• Creating internship and mentorship opportunities in the courts and in related legal settings (such as work with legal services providers or other legal professionals) to help train and prepare prospective interpreters in all legal areas.

Status of Recommendation: Ongoing **Phase 1**

Progress Update: The NCSC assisted the Task Force regarding development of potential recommendations to assist near passers of the bilingual interpreting exam. These recommendations were shared with the public at the Task Force's March 2017 Community Outreach Meeting. The Court Interpreters Program will continue to focus on education programs that will assist near passers of the bilingual interpreter exam and to identify and support internship opportunities of prospective interpreters.

Date of Last Update: 1/11/2019

Goal 5: Expand High Quality Language Access Through the Recruitment and Training of Language Access Providers

Language Access Education and Standards Subcommittee

Subcommittee Lead Staff: Mary Ann Koory

Recommendation: 46. The Judicial Council, interpreter organizations, and educational groups should collaborate to create training programs for those who will be interpreting in civil cases and those who will be providing remote interpreting.

Status of Recommendation: Partially implemented **Phase 1**

Progress Update: The NCSC assisted the Task Force regarding development of curriculum for court interpreters working in civil cases. Judicial Council staff will be working in 2018 on how best to develop this training into an online format and then will disseminate it to court interpreters. Training for court interpreters regarding remote interpreting is being developed in conjunction with the VRI Pilot Project.

Date of Last Update: 2/8/2018

Goal 5: Expand High Quality Language Access Through the Recruitment and Training of Language Access Providers

Language Access Education and Standards Subcommittee

Subcommittee Lead Staff: Mary Ann Koory

Recommendation: 47. Courts must ensure that bilingual staff providing information to LEP court users are proficient in the languages in which they communicate. All staff designated as bilingual staff by courts must at a minimum meet standards corresponding to "intermediate mid" as defined under the American Council on the Teaching of Foreign Languages guidelines. (See Appendix F.) The existing Oral Proficiency Exam available through the Judicial Council's Court Language Access Support Program (CLASP) unit may be used by courts to establish foreign-language proficiency of staff. Courts should not rely on self-evaluation by bilingual staff in determining their language proficiency.

Status of Recommendation: Completed **Phase 1**

Progress Update: This recommendation does not require further work. Courts should ensure that bilingual staff are proficient in non-English languages and may refer to the Court Interpreters Program webpage for additional information regarding the Oral Proficiency Exam.

Date of Last Update: 10/18/2017

Goal 5: Expand High Quality Language Access Through the Recruitment and Training of Language Access Providers

Language Access Education and Standards Subcommittee

Subcommittee Lead Staff: Mary Ann Koory

Recommendation: 48. Beyond the specified minimum, the Judicial Council staff will work with the courts to (a) identify standards of language proficiency for specific points of public contact within the courthouse, and (b) develop and implement an online training for bilingual staff.

Status of Recommendation: Partially implemented **Phase 1**

Progress Update: The subcommittee developed a draft points of contact document with recommended levels of proficiency for specific points of public contact within the courthouse. The document was approved by the Task Force at its January 30, 2018, meeting, and is available on the Language Access Toolkit. The NCSC assisted the subcommittee regarding development of curriculum for bilingual staff. Judicial Council staff will work in 2018 on how best to develop this training into an online format and then will disseminate it to bilingual staff.

Date of Last Update: 3/7/2018

Goal 5: Expand High Quality Language Access Through the Recruitment and Training of Language Access Providers

Budget and LAP Monitoring Subcommittee

Subcommittee Lead Staff: Douglas Denton and Elizabeth Tam

Recommendation: 49. The Judicial Council staff will work with educational providers, community-based organizations, and interpreter organizations to identify recruitment strategies, including consideration of market conditions, to encourage bilingual individuals to pursue the interpreting profession or employment opportunities in the courts as bilingual staff.

Status of Recommendation: Completed **Phase 2**

Progress Update: The NCSC assisted the Task Force and the Court Interpreters Program regarding development of recruitment strategies, which were shared with the public at the Task Force's March 2017 Community Outreach Meeting. Efforts are underway for the Judicial Council to develop a more robust statewide recruitment initiative. Recruitment of qualified bilingual staff and court interpreters will be an ongoing responsibility for the judicial branch.

Date of Last Update: 10/12/2017

Goal 6: Provide Judicial Branch Training on Language Access Policies and Procedures

Language Access Education and Standards Subcommittee

Subcommittee Lead Staff: Mary Ann Koory

Recommendation: 50. Judicial officers, including temporary judges, court administrators, and court staff will receive training regarding the judicial branch's language access policies and requirements as delineated in this Language Access Plan, as well as the policies and procedures of their individual courts. Courts should schedule additional training when policies are updated or changed. These trainings should include:
• Optimal methods for managing court proceedings involving interpreters, including an understanding of the mental exertion and concentration required for interpreting, the challenges of interpreter fatigue, the need to control rapid rates of speech and dialogue, and consideration of team interpreting where appropriate;
• The interpreter's ethical duty to clarify issues during interpretation and to report impediments to performance;
• Required procedures for the appointment and use of a provisionally qualified interpreter and for an LEP court user's waiver, if requested, of interpreter services;
• Legal requirements for establishing, on the record, an interpreter's credentials;
• Available technologies and minimum technical and operational standards for providing remote interpreting; and
• Working with LEP court users in a culturally competent manner.
The staff of the Judicial Council will develop curricula for trainings, as well as resource manuals that address all training components, and distribute them to all courts for adaptation to local needs.

Status of Recommendation: Completed **Phase 1**

Progress Update: In addition to being accessible on CJER Online, language access educational content for the branch is included in much of the existing education curricula, and judicial and court staff workgroups continue to explore how it can be woven throughout the curricula. Judicial and court staff education in this area is ongoing.

Date of Last Update: 9/26/2016

Goal 6: Provide Judicial Branch Training on Language Access Policies and Procedures

Translation, Signage and Tools for Courts Subcommittee

Subcommittee Lead Staff: Diana Glick

Recommendation: 51. Information on local and statewide language access resources, training and educational components identified throughout this plan, glossaries, signage, and other tools for providing language access should be readily available to all court staff through individual courts' intranets.

Status of Recommendation: Completed **Phase 2 and 3**

Progress Update: The promotional plan for the button link for intranet access to the Language Access Toolkit included a presentation to the Language Access Representatives, a written flyer to inform them of the button and share the code, the inclusion of an item on the Language Access Toolkit under the Strategic Planning section, the inclusion of an item on the Judicial Resources Network and advertisement on Court News Update. This work was completed in late Summer 2018.

Date of Last Update: 11/26/2018

Goal 6: Provide Judicial Branch Training on Language Access Policies and Procedures

Language Access Education and Standards Subcommittee

Subcommittee Lead Staff: Mary Ann Koory

Recommendation: 52. Judicial Council staff should develop bench cards that summarize salient language access policies and procedures and available resources to assist bench officers in addressing language issues that arise in the courtroom, including policies related to remote interpreting.

Status of Recommendation: Completed **Phase 1**

Progress Update: The Judicial Council, at its June 24, 2016 meeting, adopted a Bench Card: Working with Court Interpreters; a Resource Outline for judicial officers; and training curricula outlines for judicial officers and court staff. These documents address LAP Recommendation 52 and are available to judges, subordinate judicial officers and court staff on CJER Online. The Bench Card is also handed out at all of CJER's live statewide judicial education programs. Judicial and court staff education in this area is ongoing.

Date of Last Update: 10/6/2016

Goal 7: Conduct Outreach to Communities Regarding Language Access Services

Budget and LAP Monitoring Subcommittee

Subcommittee Lead Staff: Douglas Denton and Elizabeth Tam

Recommendation: 53. Courts should strengthen existing relationships and create new relationships with local community-based organizations, including social services providers, legal services organizations, government agencies, and minority bar associations to gather feedback to improve court services for LEP court users and disseminate court information and education throughout the community.

Status of Recommendation: Partially implemented **Phase 3**

Progress Update: The Judicial Council anticipates that it will work with a consultant in FY 2018-19 to develop a public outreach campaign (including strategy, multilingual print materials, signs, and recordings).

Date of Last Update: 2/14/2018

Goal 7: Conduct Outreach to Communities Regarding Language Access Services

Budget and LAP Monitoring Subcommittee

Subcommittee Lead Staff: Douglas Denton and Elizabeth Tam

Recommendation: 54. To maximize both access and efficiency, multilingual audio and/or video recordings should be used as part of the outreach efforts by courts to provide important general information and answers to frequently asked questions.

Status of Recommendation: Partially implemented **Phase 3**

Progress Update: The Judicial Council anticipates that it will work with a consultant in FY 2018-19 to develop a public outreach campaign (including strategy, multilingual print materials, signs, and recordings).

Date of Last Update: 2/14/2018

Goal 7: Conduct Outreach to Communities Regarding Language Access Services

Budget and LAP Monitoring Subcommittee

Subcommittee Lead Staff: Douglas Denton and Elizabeth Tam

Recommendation: 55. Courts should collaborate with local media and leverage the resources of media outlets, including ethnic media that communicate with their consumers in their language, as a means of disseminating information throughout the community about language access services, the court process, and available court resources.

Status of Recommendation: Partially implemented **Phase 3**

Progress Update: The Judicial Council anticipates that it will work with a consultant in FY 2018-19 to develop a public outreach campaign (including strategy, multilingual print materials, signs, and recordings).

Date of Last Update: 2/14/2018

Goal 8: Identify Systems, Funding, and Legislation Necessary for Plan Implementation

Budget and LAP Monitoring Subcommittee

Subcommittee Lead Staff: Douglas Denton and Elizabeth Tam

Recommendation: 56. The judicial branch will advocate for sufficient funding to provide comprehensive language access services. The funding requests should reflect the incremental phasing-in of the Language Access Plan, and should seek to ensure that requests do not jeopardize funding for other court services or operations.

Status of Recommendation: Ongoing **Phase 1**

Progress Update: This recommendation will be an ongoing responsibility for the judicial branch.

Date of Last Update: 1/11/2019

Goal 8: Identify Systems, Funding, and Legislation Necessary for Plan Implementation

Budget and LAP Monitoring Subcommittee

Subcommittee Lead Staff: Douglas Denton and Elizabeth Tam

Recommendation: 57. Funding requests for comprehensive language access services should be premised on the best available data that identifies the resources necessary to implement the recommendations of this Language Access Plan. This may include information being gathered in connection with the recent Judicial Council decision to expand the use of Program 45.45 funds for civil cases where parties are indigent; information being gathered for the 2015 Language Need and Interpreter Use Report; and information that can be extrapolated from the Resource Assessment Study (which looks at court staff workload), as well as other court records (e.g., self-help center records regarding LEP court users).

Status of Recommendation: Completed **Phase 1**

Progress Update: The subcommittee determined that existing trial court data collection systems can be modified to capture the additional information that is identified in LAP Recommendation 6. The Judicial Council, in collaboration with trial courts, will continue to improve on data collection. Current data, including CIDCS, Phoenix Financial System, the NCSC survey findings, and tracking the TCTF Program 0150037 (former Program 45.45), provide sufficient information to help support funding requests.

Date of Last Update: 10/12/2017

Goal 8: Identify Systems, Funding, and Legislation Necessary for Plan Implementation

Budget and LAP Monitoring Subcommittee

Subcommittee Lead Staff: Douglas Denton and Elizabeth Tam

Recommendation: 58. Judicial Council staff will pursue appropriate funding opportunities from federal, state, or nonprofit entities, such as the National Center for State Courts, which are particularly suitable for one-time projects, for example, translation of documents or production of videos.

Status of Recommendation: Ongoing **Phase 1**

Progress Update: This recommendation will be an ongoing responsibility for the judicial branch.

Date of Last Update: 1/11/2019

Goal 8: Identify Systems, Funding, and Legislation Necessary for Plan Implementation

Budget and LAP Monitoring Subcommittee

Subcommittee Lead Staff: Douglas Denton and Elizabeth Tam

Recommendation: 59. Courts should pursue appropriate funding opportunities at the national, state, or local level to support the provision of language access services. Courts should seek, for example, one-time or ongoing grants from public interest foundations, state or local bar associations, and federal, state, or local governments.

Status of Recommendation: Ongoing **Phase 1**

Progress Update: This recommendation will be an ongoing responsibility for the judicial branch.

Date of Last Update: 1/11/2019

Goal 8: Identify Systems, Funding, and Legislation Necessary for Plan Implementation

Budget and LAP Monitoring Subcommittee

Subcommittee Lead Staff: Douglas Denton and Elizabeth Tam

Recommendation: 60. The Judicial Council will create a Language Access Implementation Task Force (name TBD) to develop an implementation plan for presentation to the council. The Implementation Task Force membership should include representatives of the key stakeholders in the provision of language access services in the courts, including, but not limited to, judicial officers, court administrators, court interpreters, legal services providers, and attorneys that commonly work with LEP court users. As part of its charge, the task force will identify the costs associated with implementing the LAP recommendations. The Implementation Task Force will coordinate with related advisory groups and Judicial Council staff on implementation, and will have the flexibility to monitor and adjust implementation plans based on feasibility and available resources.

Status of Recommendation: Completed **Phase 1**

Progress Update: LAP Implementation Task Force was formed by the Chief Justice in March 2015. The Task Force will sunset on March 1, 2019. On December 17, 2018, the task force approved a resolution supporting the formation of a Language Access Subcommittee under the Advisory Committee on Providing Access and Fairness. The new subcommittee will be tasked with implementing the remaining and ongoing LAP recommendations after the task force sunsets on March 1, 2019. The subcommittee will work to ensure the continuation of efforts to achieve and maintain access to justice for California's LEP court users.

Date of Last Update: 1/11/2019

Goal 8: Identify Systems, Funding, and Legislation Necessary for Plan Implementation

Budget and LAP Monitoring Subcommittee

Subcommittee Lead Staff: Douglas Denton and Elizabeth Tam

Recommendation: 61. The Implementation Task Force will establish the necessary systems for monitoring compliance with this Language Access Plan. This will include oversight of the plan's effects on language access statewide and at the individual court level, and assessing the need for ongoing adjustments and improvements to the plan.

Status of Recommendation: Completed **Phase 1**

Progress Update: The Judicial Council developed a LAP Monitoring Database to provide regular progress reports regarding the implementation status of the LAP recommendations. The progress reports are available of the Task Force's web page (http:/www.courts.ca.gov/LAP.htm). The new Language Access Subcommitee will take over work on remaining LAP recommendations.

Date of Last Update: 1/11/2019

Goal 8: Identify Systems, Funding, and Legislation Necessary for Plan Implementation

Budget and LAP Monitoring Subcommittee

Subcommittee Lead Staff: Douglas Denton and Elizabeth Tam

Recommendation: 62. The Implementation Task Force will develop a single form, available statewide, on which to register a complaint about the provision of, or the failure to provide, language access. This form should be as simple, streamlined, and user-friendly as possible. The form will be available in both hard copy at the courthouse and online, and will be capable of being completed electronically or downloaded for printing and completion in writing. The complaints will also serve as a mechanism to monitor concerns related to language access at the local or statewide level. The form should be used as part of multiple processes identified in the following recommendations of this plan.

Status of Recommendation: Completed **Phase 1**

Progress Update: The Task Force developed a packet with a model complaint form and procedures, which is available on the Language Access Toolkit. Individual courts may choose to develop their local complaint form and process based on the materials contained in the model packet. California Rules of Court, Rule 2.851, became effective January 1, 2018. Under the provisions of Rule 2.851, each superior court must establish a language access services complaint form and related procedures to respond to language access services complaints that relate to staff or court interpreters, or to local translations. Courts will have until December 31, 2018, to implement the provisions of the rule. Separately, an online form is available on the Language Access web page for court users who want to submit a complaint regarding the Judicial Council's language access services.

Date of Last Update: 10/4/2018

Goal 8: Identify Systems, Funding, and Legislation Necessary for Plan Implementation

Budget and LAP Monitoring Subcommittee

Subcommittee Lead Staff: Douglas Denton and Elizabeth Tam

Recommendation: 63. Individual courts will develop a process by which LEP court users, their advocates and attorneys, or other interested persons may file a complaint about the court's provision of, or failure to provide, appropriate language access services, including issues related to locally produced translations. Local courts may choose to model their local procedures after those developed as part of the implementation process. Complaints must be filed with the court at issue and reported to the Judicial Council to assist in the ongoing monitoring of the overall implementation and success of the Language Access Plan.

Status of Recommendation: Completed **Phase 1**

Progress Update: The Task Force developed a packet with a model complaint form and procedures, which is available on the Language Access Toolkit. Numbers and kinds of complaints are captured through an annual survey conducted by the Language Access Services Unit. The Task Force is partnering with CIAP to sync the model complaint form and complaint rule with CIAP's review of procedures regarding interpreter competency as required by California Rules of Court, Rule 2.891 (see Recommendation No. 64).

Date of Last Update: 1/18/2019

Goal 8: Identify Systems, Funding, and Legislation Necessary for Plan Implementation

Court Interpreters Advisory Panel Subcommittee

Subcommittee Lead Staff: Claudia Ortega

Recommendation: 64. The Judicial Council, together with stakeholders, will develop a process by which the quality and accuracy of an interpreter's skills and adherence to ethical requirements can be reviewed. This process will allow for appropriate remedial action, where required, to ensure certified and registered interpreters meet all qualification standards. Development of the process should include determination of whether California Rule of Court 2.891 (regarding periodic review of court interpreter skills and professional conduct) should be amended, repealed, or remain in place. Once the review process is created, information regarding how it can be initiated must be clearly communicated to court staff, judicial officers, attorneys, and in plain language to court users (e.g., LEP persons and justice partners).

Status of Recommendation: Partially implemented **Phase 2**

Progress Update: Following a public comment period that took place in 2018, CIAP plans to present a proposed amendment to Rule 2.891, which includes a proposed court interpreter credential review and disciplinary process, to the council in 2019.

Date of Last Update: 1/18/2019

Goal 8: Identify Systems, Funding, and Legislation Necessary for Plan Implementation

Translation, Signage and Tools for Courts Subcommittee

Subcommittee Lead Staff: Diana Glick

Recommendation: 65. The translation committee (as described in Recommendation 36), in consultation with the Implementation Task Force, will develop a process to address complaints about the quality of Judicial Council–approved translations, including translation of Judicial Council forms, the California Courts Online Self-Help Center, and other Judicial Council–issued publications and information.

Status of Recommendation: Completed **Phase 3**

Progress Update: An online form is available on the Language Access web page for court users who want to submit a complaint regarding the Judicial Council meetings, forms, or other translations hosted on the California Courts website: www.courts.ca.gov.

Date of Last Update: 9/21/2018

Goal 8: Identify Systems, Funding, and Legislation Necessary for Plan Implementation

Translation, Signage and Tools for Courts Subcommittee

Subcommittee Lead Staff: Diana Glick

Recommendation: 66. The Judicial Council should create a statewide repository of language access resources, whether existing or to be developed, that includes translated materials, audiovisual tools, and other materials identified in this plan in order to assist courts in efforts to expand language access.

Status of Recommendation: Completed **Phase 1**

Progress Update: The Task Force is working with the NCSC to build out and maintain the Language Access Toolkit. The subcommittee worked with LAPITF staff to add recently-developed tools, including the Translation Protocol, the Translation Action Plan and the Notice of Available Language Access Services. LAPITF staff also updated the Judicial Resources Network (JRN) language access pages for court staff to make them more responsive to the needs of local courts.

Date of Last Update: 9/19/2018

Goal 8: Identify Systems, Funding, and Legislation Necessary for Plan Implementation

Budget and LAP Monitoring Subcommittee

Subcommittee Lead Staff: Douglas Denton and Elizabeth Tam

Recommendation: 67. The California Courts of Appeal and the Supreme Court of California should discuss and adopt applicable parts of this Language Access Plan with necessary modifications.

Status of Recommendation: Completed **Phase 1**

Progress Update: The subcommittee developed a plan for the adoption and implementation of appropriate LAP recommendations by Courts of Appeal and the Supreme Court, which was presented to the Task Force and approved at its October 17, 2016, meeting. At its May 2017 meeting, the Judicial Council received an informational report on this item with recommendations, including applicable parts of the LAP that should be adopted by the Courts of Appeal and Supreme Court. A supplemental report regarding implementation status will be presented to the council at a future date.

Date of Last Update: 3/7/2018

Goal 8: Identify Systems, Funding, and Legislation Necessary for Plan Implementation

Budget and LAP Monitoring Subcommittee

Subcommittee Lead Staff: Douglas Denton and Elizabeth Tam

Recommendation: 68. To ensure ongoing and effective implementation of the LAP, the Implementation Task Force will evaluate, on an ongoing basis, the need for new statutes or rules or modifications of existing rules and statutes.

Status of Recommendation: Ongoing **Phase 2 and 3**

Progress Update: This recommendation will be an ongoing responsibility for the judicial branch.

Date of Last Update: 1/11/2019

Goal 8: Identify Systems, Funding, and Legislation Necessary for Plan Implementation

Court Interpreters Advisory Panel Subcommittee

Subcommittee Lead Staff: Anne Marx

Recommendation: 69. The Judicial Council should establish procedures and guidelines for determining "good cause" to appoint non-credentialed court interpreters in civil matters.

Status of Recommendation: Completed **Phase 1**

Progress Update: In September 2017, the Judicial Council voted to adopt changes to Rule 2.893 and related forms, and it was agreed that no differences will be required in determining "good cause" to appoint non-credentialed court interpreters in juvenile, criminal, or civil matters. The changes will be effective January 1, 2018.

Date of Last Update: 10/13/2017

Goal 8: Identify Systems, Funding, and Legislation Necessary for Plan Implementation

Court Interpreters Advisory Panel Subcommittee

Subcommittee Lead Staff: Anne Marx

Recommendation: 70. The Judicial Council should amend rule of court 2.893 to address the appointment of non-credentialed interpreters in civil proceedings.

Status of Recommendation: Completed **Phase 1**

Progress Update: In September 2017, the Judicial Council voted to adopt changes to Rule 2.893 and related forms. The appointment of non-credentialed interpreters in civil proceedings will use the same process that exists for criminal/juvenile proceedings. The changes will go into effect January 1, 2018.

Date of Last Update: 10/12/2017

Goal 8: Identify Systems, Funding, and Legislation Necessary for Plan Implementation

Budget and LAP Monitoring Subcommittee

Subcommittee Lead Staff: Douglas Denton and Elizabeth Tam

Recommendation: 71. The Judicial Council should sponsor legislation to amend Government Code section 68560.5(a) to include small claims proceedings in the definition of court proceedings for which qualified interpreters must be provided.

Status of Recommendation: Completed **Phase 2**

Progress Update: In January 2018, the Judicial Council sponsored legislation on this recommendation which became Senate Bill 1155. Following amendments by the Legislature, the bill was opposed by the council but approved by the Legislature on August 31, 2018, and was signed by the Governor on September 27, 2018. The bill deletes the provision in Gov. Code section 68560.5(a) that excluded small claims proceedings from the definition of a court proceeding for purposes of the requirement to use certified or registered court interpreters set out in the current statutes that begin with section 68561, and thereby includes small claims cases within those requirements. The new statute is effective January 1, 2019.

Date of Last Update: 11/27/2018

Goal 8: Identify Systems, Funding, and Legislation Necessary for Plan Implementation

Budget and LAP Monitoring Subcommittee

Subcommittee Lead Staff: Douglas Denton and Elizabeth Tam

Recommendation: 72. The Judicial Council should sponsor legislation to amend Code of Civil Procedure section 116.550 dealing with small claims actions to reflect that interpreters in small claims cases should, as with other matters, be certified or registered, or provisionally qualified where a credentialed interpreter is not available.

Status of Recommendation: Completed **Phase 2**

Progress Update: In January 2018, the Judicial Council sponsored legislation on this recommendation which became Senate Bill 1155. Following amendments by the Legislature, the bill was opposed by the council but approved by the Legislature on August 31, 2018, and was signed by the Governor on September 27, 2018. Effective January 1, 2019, the bill repeals Code of Civil Procedure section 116.550 in its entirety. The practical effect of deleting section 116.550 accomplishes the intent of Recommendation No. 72, because the change to Gov. Code section 68560.5(a) described above means that interpreters in small claims cases should, as with other civil matters and absent good cause, be certified or registered, or provisionally qualified where a credentialed interpreter is not available.

Date of Last Update: 11/27/2018

Goal 8: Identify Systems, Funding, and Legislation Necessary for Plan Implementation

Court Interpreters Advisory Panel Subcommittee

Subcommittee Lead Staff: Anne Marx

Recommendation: 73. The Judicial Council should update the interpreter-related court forms (INT-100-INFO, INT-110, INT-120, and INT-200) as necessary to be consistent with this plan.

Status of Recommendation: Partially implemented **Phase 2**

Progress Update: The Judicial Council has updated INT-100 and INT-110 (See recommendations 9 and 70). Work is underway to review the other interpreter forms for any updates.

Date of Last Update: 1/11/2019

Goal 8: Identify Systems, Funding, and Legislation Necessary for Plan Implementation

Budget and LAP Monitoring Subcommittee

Subcommittee Lead Staff: Douglas Denton and Elizabeth Tam

Recommendation: 74. The Implementation Task Force should evaluate existing law, including a study of any negative impacts of the Trial Court Interpreter Employment and Labor Relations Act on the provision of appropriate language access services. The evaluation should include, but not be limited to, whether any modifications should be proposed for existing requirements and limitations on hiring independent contractors beyond a specified number of days.

Status of Recommendation: Completed **Phase 2**

Progress Update: The subcommittee developed an evaluation for the Task Force chairs. Any further work on this recommendation, including any proposed statutory changes, will be a long-term project for the judicial branch.

Date of Last Update: 1/11/2019

Goal 8: Identify Systems, Funding, and Legislation Necessary for Plan Implementation

Court Interpreters Advisory Panel Subcommittee

Subcommittee Lead Staff: Claudia Ortega

Recommendation: 75. The Implementation Task Force will develop a policy addressing an LEP court user's request of a waiver of the services of an interpreter. The policy will identify standards to ensure that any waiver is knowing, intelligent, and voluntary; is made after the person has consulted with counsel; and is approved by the appropriate judicial officer, exercising his or her discretion. The policy will address any other factors necessary to ensure the waiver is appropriate, including: determining whether an interpreter is necessary to ensure the waiver is made knowingly; ensuring that the waiver is entered on the record, or in writing if there is no official record of the proceedings; and requiring that a party may request at any time, or the court may make on its own motion, an order vacating the waiver and appointing an interpreter for all further proceedings. The policy shall reflect the expectation that waivers will rarely be invoked in light of access to free interpreter services and the Implementation Task Force will track waiver usage to assist in identifying any necessary changes to policy.

Status of Recommendation: Partially implemented **Phase 1**

Progress Update: CIAP plans to include this recommendation on its 2019 Annual Agenda.

Date of Last Update: 1/11/2019