The Judicial Council of California is the constitutionally created policymaking body of the California courts. The council meets at least six times a year for business meetings that are open to the public and videocast live via the California Courts website. What follows is a formatted and unedited transcript of the last meeting. The official record of each meeting, the meeting minutes, are usually approved by the council at the next business meeting. Much more information about this meeting, the work of the Judicial Council, and the role of the state court system is available on the California Courts website at *courts.ca.gov*.

>> During our technical checks, we have confirmed the attendance of a quorum of Judicial Council members. Based on our agenda, we plan to adjourn at about 12:20 p.m. Before we continue with the agenda, I would like to acknowledge the loss of an extraordinary member of our judicial family, Justice Marsha G. Slough. As you know, Justice Slough served nearly a decade on the council, where she helped shape the branch's response to the COVID-19 pandemic and other critical branch initiatives, including court technology and pretrial reform. Justice Slough was appointed to the Fourth District Court of Appeal, Division Two, in Riverside by Governor Jerry Brown in 2015. She made history as the first openly gay justice on that court. During her time on the council, Justice Slough chaired our Executive and Planning Committee and played a key role in drafting emergency court rules during the pandemic. Those emergency roles help curb the spread of COVID-19 in California jails, reduced evictions and foreclosures, and encouraged the use of remote technology to maintain access to our courts. Justice Slough also led the statewide workgroup on post-pandemic initiatives that examined and promoted innovative practices employed by courts during the pandemic. She also chaired our branch's Pretrial Reform and Operations Workgroup, which launched pretrial pilots that have since grown to include programs in all 58 counties. Justice Slough leaves behind a legacy defined by integrity, intellect, and an unwavering devotion to the fair administration of justice. Throughout her career, she brought not only sharp, solid legal judgment but also humanity to her work, which earned her the deep respect of all her colleagues throughout the council and across the judiciary. Her contributions to the court will be felt for many years to come. Thank you. I would just like to take a moment of silence to recognize Justice Slough. Thank you. Although I'm not sure she would like the silence part. Today we are welcoming our new Judicial Council members, and we are also thanking two departing members, court administrators, and legal practitioners to call upon to serve the governing body of our judicial branch and to help advance the key goals and objectives of the council. Last week, Justice Maria Hernandez. That has a good sound. Is she here in the audience? Justice Maria Hernandez. There she is. She was confirmed Fourth District Court of Appeal, Division Three. Unfortunately for us, under the California Rules of Court, Justice Hernandez leaves her service on the Judicial Council. During her more than three years of service on the council, Justice Hernandez brought thoughtfulness, humanity, and a deep commitment to the judicial branch. She was a valued voice on numerous council committees, including as chair of the Technology Committee,-or actually the Trial Court Budget Advisory Committee. On behalf of the council, I would like to thank her for her dedicated service and wish her every success in this new endeavor. We are going to miss you. Thank you. I also want to take a moment, although he is not here, right? Though we can still thank Senator Tom Umberg for his service on the Judicial Council. Today

is going to be his final day meeting with us after nearly six years on the council. As a legislative member, he has been a strong voice for our California justice system. Throughout his work, the council and Legislature have build a stronger partnership, and courts across California are better served as a result. I would like to thank Senator Umberg. I will thank him later for his service. I think he should also be recognized with a round of applause. Okay. Now, we also have six council members who have been reappointed to new terms. Thank you in advance for agreeing to do this yet again. Starting with Justice Carol Corrigan, and you can applaud at the end for everybody. Judge Awoniyi. Thank you. Judge Crompton. If you wave to me, you commit again to do this. Judge Moorman. Yes. Thank you. Our trial court executive officer, I will make an exception for Ms. Bieker, who is remote. And also Charles Johnson. Thank you. Okay. Thank you all for your continued leadership and contributions. Thank you. We are also pleased to welcome six new incoming members in addition to the new members who had already previously started. I will identify all of you as well. Judge Rodney Cortez from the San Bernardino Superior Court. And we also have Judge Nicole Bershon on from the Los Angeles Superior Court. She will serve as president of the California Judges Association. Judge Eric Wersching from the Orange County Superior Court. Commissioner Benjamin Cassady, Sacramento Superior Court. And the State Bar members. There are two. Ms. Marta Alcumbrac of Los Angeles. How do you pronounce your name correctly? Thank you. Of Los Angeles. And Alekxia Torres Stallings from Bakersfield. Thank you to all of you. Okay. We are looking forward to your fresh perspectives. Please speak up. We appreciate your thoughts as well as continued support in delivering equal access to all Californians in this new capacity. I will recite the oath of office for our new and reappointed members. So, if you agree, please say I do at the end of this. I will take your word that you are all doing it. Please raise your right hand. Yeah . Okay. I do solemnly swear that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic, that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California, that I take this obligation freely without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties upon which I am about to enter. Please say I do.

>> I do.

>> Great. Thank you. Yes. I have memorized. We will now begin a public comment period. We welcome public comments and appreciate the time and effort that members of the public have taken to provide us your thoughts, whether in writing or in person. All comments are noted, and comments on specific agenda items or on more general topics of judicial administration are both noted. They help us to better understand the issues that Californians face when accessing our court system. Where further consideration or response is warranted, we will follow-up appropriately. However, it is important to note that the council and its members cannot intervene on behalf of any party or in any particular case or offer legal advice to anyone. I will now turn it over to the chair, Administrative Justice Brad Hill.

>> Thank you very much, Chief. And thank you to all those who have joined us today for taking the time to be with us. I just got a moment ago the list, and we have an extensive group of people. I understand that all of you have designated, some to make remarks of about two minutes and others will be following up with remarks of about one minute ten. And so bear with me as I go through the list. I hope I get the names associated with the right group. But we will start with Elley Guanardo, followed by Alayna Lasiz, and Alayna, if you wouldn't mind stepping forward, you will both have two minutes. And then those members who have been designated as part of that group can step forward, and you will have one minute, ten seconds. Nice to have you with us. It will start momentarily. There is the clock, but we don't want to have my introduction of you take from your time, so you are all set.

>> Good morning. My name is Elley Guanardo. I am an attorney with California Indigenous Justice program. From 2020 to April 2026, the Judicial Council utilized a voice-to-text translation application to provide translation. The app was used in at least 32 courts across the state at counters, clerk windows, and self-help centers. During the nearly six years in which the Judicial Council piloted the program, the VTT made hundreds of transcription and translation errors across dozens of languages. In one instance, a Spanish-speaking court user asked for proof of their finalized DUI; however, the VTT transcribed DUI as DIU and translated as IUD. In a separate exchange, it mistranscribed for trial as phone trial, implying the trial could take place over the phone. In a particularly shocking exchange when the VTT could not identify the court user's language, the court staffer became so frustrated with the VTT's nonsensical translations, they refused to further assist the court user. Only two days after this group of advocates gave public comment at two Judicial Council advisory committees, urging the committees to reconsider use of machine translation, the Judicial Council posted a request for proposals looking to invest, expand, and implement a new machine translation program in the courts. Although the Judicial Council announced the cancellation of the request for proposals yesterday, we remain concerned about future efforts to employ AI for interpretation without proper guardrails. We urge the Judicial Council to desist from future use of the VTT or similar programs. Our communities need an expansion and investment in multilingual court staff and access to qualified human interpreters, not a next-generation expansion of the machine-based translation program that recent experience tells us does not work. Thank you.

>> Thank you very much. And next up, we have Alayna Ulias.

>> Good morning. My name is Alayna Ulias with the Language Justice Initiative, and I support my colleague Elley Guanardo's comments. I urge the Judicial Council to do a full evaluation of the 2015 Strategic Plan for Language Access to reject the use of AI interpreting and translation in any part of our courts and to ensure equal access to justice for California's many diverse language communities. Thank you.

>> Thank you very much. Following that, Mia Marietta.

>> Good morning. My name is Mia Marietta, and I support my colleagues' comments urging the Judicial Council to desist from further use of technologies like VTT and instead to invest and expand trained human interpreters and translation to ensure equal access to justice for all of California's court users. Thank you.

>> Thank you very much. Nice to have you with us. Let me call the three speakers. If you can kind of get in the queue, and the next three will be Igor, Naomi Gonzalez, and Mary Ma. If you wouldn't mind stepping forward. Please proceed. You can. Thank you.

>> Great. Good morning to all the members of the council. My name is Igor Sharamet. A California software company. Under the name of party, building family law specific software including the calculator. Recently applied for certification. I'm here to support item 26-139 for three reasons. First, common default for the low-income adjustment means every calculator starts the same family from the same number. Second, childcare, health care, and each parent's share belong on the first page of the results because many parents come to the courts without lawyers, and it provides them access to the right information, and third, accuracy between certifications for this software. The hard part is not the formula how these calculations are done. The hardest part is a complex calculation between the net disposable income, and a small error in those taxes changes the figure, all figures, after that. Taxes, laws change during the year, and the accuracy of those calculators deserves attention year-round. Whenever the committee wants a developer's perspective, we will be here for you, and thank you so much.

>> We appreciate you coming. Thank you. And Naomi Gonzalez Rocha.

>> Good morning. I am a California court-certified interpreter in Spanish, and I am also the chair of the California Association of Professional Interpreters and Translators Judicial Interpreters Committee. And I am here to speak in opposition of SB 26-05, which is item 26-122 on the agenda unless amended to include the following. One, to continue to allow individual courts and interpreters to negotiate individual rights. This rigid policy, if adopted as is, what for certified interpreters to decline assignments that don't meet the cost of living pressures faced in some regions. The Judicial Council's own 2025 California Court Interpreter Workforce study acknowledges those pressures. This policy would turn the right refusal into a legal finding of unavailability and then would call noncertified bilingual people with proven skills as interpreters to work in the courts. Because this policy doesn't define the process for securing certified or registered interpreters, staying silent on how it will guarantee that there is meaningful language access for the millions of Californians who need it. This is a draconian proposal on an issue that is really about internal budget management accountability. This proposal to control their budget by capping rates without negotiation is like a parent taking away the cookies from the entire family because they cannot control one child. Number two.

>> We do have the time limitation here. So if you wouldn't mind.

>> I will wrap up really briefly.

>> That would be great.

>> We invite JCC to conduct an impact assessment. It cannot impose something like this that would impede access or prevent access to the language system to over six million Californians who speak a language other than English. It just cannot be done without doing a study of that, I would say of that nature. Thank you so much.

>> Thank you very much. Now, we have Mary Ma. I would ask the speakers to try to watch your time and the lights that are popping on because we want to make sure everyone has a chance to speak.

>> Good morning, honorable council members. My name is Mary Ma. I am a certified Mandarin interpreter working full-time as a staff interpreter. I am also a CALI member. Despite Mandarin being the second most frequently interpreted language, according to the Judicial Council 2025 study, there are only four Mandarin staff interpreters in the entire region. Many qualified interpreters have told me personally that they don't want to be a staff interpreter because they can make at least twice as much as a contract interpreter. Courts face significant unmet needs in Mandarin and other less commonly spoken languages. Over the past decade, region 2 has lost staff interpreters in Arabic, Cantonese, Mandarin, Farsi, Hindi, Punjabi, and Vietnamese. With many positions left unfilled. The Alameda Superior Court has lost staff interpreters across the languages and half of its full-time Spanish interpreters since 2017, and similarly, San Mateo County has lost more than half of its Spanish staff interpreters over the same period. Without competitive salaries, courts will continue losing interpreters. The solution is clear. Raise staff interpreters' salaries to match the federal benchmark plus benefits to make court employment competitive and ensure meaningful language access for all. Thank you.

>> Thank you very much. Next up we have Jenny Faur, followed by Katie Van Zandt, followed by Joanne Lee and Norma Ventura. When you step forward, indicate your name and who you represent, and again, if you can watch the lights, we would appreciate it. Please proceed.

>> Good morning, honorable Chief Justice, honorable council members. Thank you for your time and attention today. My name is Jenny Faur. I am a court-certified Spanish-language interpreter and a proud member of CALI union. I have been an interpreter for almost 20 years, 15 years serving as staff interpreter for the Criminal Justice Center in the County of Los Angeles and currently serving as a staff interpreter in Sonoma County. I am here today because the ongoing wage disparity between staff employment and independent contracting is making it difficult to recruit and retain experienced interpreters. But the solution is in your hands. Federal compensation parity is more than just a salary proposal. It is a workforce stabilization strategy to retain experienced employees and encourage qualified contractors to consider permanent positions in the courts. We need a strong staff workforce and reliable contractor pool. Their ability to negotiate rates preserves the court's ability to secure their services when and where they are needed to deliver equal access to justice, and the solution is in your hands. The

California Court Interpreter Workforce Pilot Program is an important investment in developing new interpreters, and it is a wonderful idea. But after recruitment, how do we retain these professionals we just invested in? We risk preparing them for the profession without making public service a sustainable career choice, so they can just take their qualifications and experience into the private sector, where they can earn substantially more. A significant number of staff interpreters have left or retired because contracting is simply more lucrative. Staff salaries in the region are so low relative to the cost of living that they fall within low income, and the staff workforce shrinks. So courts become more dependent on contractors, driving up costs and weakening continuity. The Legislature established a framework to court delivery services that requires collaboration between the Judicial Council and the courts to establish and fund competitive staff compensation. We should not have to choose between fiscal responsibility and meaningful language access. The right policies can advance both. Federal compensation parity offers a path toward a more stable workforce in better stewardship of public funds. You have the opportunity to turn a longstanding challenge into a long-term solution, and together we can continue to meet the needs of the court. Thank you so much for your time.

>> Thank you very much. And we have Katie Van Zandt. I would ask, we don't have the rights to the Academy Awards playoff music or music that comes on, so we kind of rely on people watching the lights if you can. And we appreciate your help on that.

>> Good morning. My name is Katie Van Zandt. I am a full-time staff interpreter for Alameda County, where I have worked for over 20 years. I am also a union member at California Alliance of Legal Interpreters. California trial courts have a language access plan, constitutional and statutory protections, and high standards for interpreter competence. And yet they are still failing at language equity. Language access initiatives in the courts may look good on paper, but the courts have not followed through with implementation. We see this on the ground with the lack of interpreter resources, training, and compensation. And yet the shortage of interpreters serving the courts is seen as a perennial and insurmountable problem. Hard-pressed to meet service demands, court administrators and the Judicial Council repeatedly choose shortsighted and damaging workarounds such as lowering certification standards, expanding remote interpreting, adopting untested AI solutions like VTT, launching workforce pilots unlikely to produce qualified candidates, and relying on overpriced agencies and a pool of backup interpreters who have not shown a commitment to the courts. Imagine a school where half the teachers are substitutes on a daily basis. Would you send your kids there? This is the state of affairs for interpreter services in our courthouses. In collective bargaining with interpreters, administrators reject best practices for language access, reject remote interpreting limits to protect due process and participation, and reject setting salaries that will recruit and retain credentialed interpreters and dedicated public servants. Opting for good-enough measures rather than effective and lasting language solutions shows that for the courts and the JCC, the cost of inclusion is deemed a greater burden than the obligation to provide equitable access. This hierarchy of priorities reveals an implicit bias that must be addressed. The Judicial Council, the regions, and interpreter unions must work together to increase and improve

language access. Investment in the staff interpreter workforce and fully funding expansion to cover all court proceedings are fundamental if the council truly intends to honor its stated mission and meet the needs of linguistically marginalized communities seeking justice in our courts. Thank you.

>> Thank you very much. Now we have Joanne Lee with Norma Ventura.

>> Good morning. My name is Joanne Lee, and I'm special counsel with the Legal Aid Foundation of Los Angeles. Over the years, I have had the privilege of working with some of you on a federal DOJ language investigation in 2011 during the development of the Strategic Plan for Language Access in the California courts through its adoption in 2015 and as a member of the implementation task force which sunset in 2019. Although great strides have been made over the last 15 years, significant gaps remain, exposed by a global pandemic and rapid tech development that outpaces responsible legal and policy frameworks. As you know, this strategic plan and related changes made a deliberate plan for achieving meaningful language access for all inside and outside the courtroom to be completed by 2020. Now, with all three phases purportedly complete, too many courts across the state still claim they lack resources to provide interpreters and language support, while simultaneously asserting they have no obligation to do so, with the most misunderstood reference being the case priority system laid out in Evidence Code section 756. Our written comment submitted on behalf of 52 legal aid and community organizations illustrates on-the-ground stories absent from council progress reports. These are not isolated incidents. They are patterns, systemic barriers embedded at every level of court operations inside and outside the courtroom, from judges to courts to facilitators to self-help staff, leaving many court users unable to fully understand or participate in decisions affecting their families, housing, safety, and livelihoods. There is no doubt this strategic plan, accompanying legislation, court rules, and policies have been critical milestones, but unfortunately the work remains incomplete. We urge the council to fully evaluate the progress made and the challenges that persist and take steps to ensure that promises made over a decade ago are finally realized. Thank you.

>> Thank you very much. And did we have anyone? Yes. Go right ahead.

>> Good morning. My name is Norma Ventura. I am with California Rural Legal Assistance, and I'm here to support Joanne Lee's comments and urge the Judicial Council to evaluate the 2015 strategic plan and work to implement its promises for language access and to reject the use of AI translation and to ensure equal access for all, and in particular for California's diverse linguistic communities. Thank you.

>> Thank you very much. The next group I believe we have in discussions before us today, they are going to be taking about three minutes, and then the following individuals after that will be taking about a minute and 10 seconds. We have Francisca Camarillo, Dulce Perez, and Jessica Perez. If you wouldn't mind stepping forward. Welcome.

>> [Speaking in a non-English language] I am going to go ahead and interpret this in English. My native language, but I was denied an interpreter for today, so I am going to go ahead and let you know what I just mentioned in English. Good morning. My name is Francisca Camarillo, an Indigenous organizer. Recently an 18-year-old Indigenous youth who only speaks reached out to us because he had received a ticket as an unaccompanied minor. He was provided documents only in English, never asked for his communication preferences, and was unable to get assistance at the court. Because he had recently moved, he was also having trouble updating his address with the court system. Based on his social worker's advice, he contacted Micob, only to discover he had already a warrant for his arrest. While case records might make it appear he is noncompliant for missing court, the reality is that no one provided language support. A young adult seeking a better future was denied a fair chance to present his case simply because of the language barrier. Unfortunately, this is not an isolated incident in our country. Even though our language is the third most spoken language locally, we must address the gaps to ensure equal justice and access to everyone in our community. We expect the courts to uphold language access rights as mandated by law. Unfortunately, current practices do not reflect the lived experiences of our community. We respectfully ask the court to refrain from using third-party contracts involving voice-to-text devices. Public records demonstrate these technologies lack ethical interpretation and translation. When efficiency is prioritized over quality, our community pays a price. Now more than ever, their livelihoods and well-being depend on your commitment to justice. [Speaking in a non-English language] Thank you.

>> Thank you very much. Now I believe we have Dulce Perez and Jessica Perez with us. You want to step forward? And your name for the record?

>> Hi. My name is Dulce Perez. I am with California Legal Assistance. I support Francisca's comments this morning, and I urge the Judicial Council to evaluate the 2015 strategic plan to reject the use of AI translation and to ensure equal access for all California's diverse language communities.

>> Thank you very much. Now, Jessica Perez.

>> My name is Jessica Perez. I am a student in California. I support Francisca's comments, and I ask the council to evaluate the 2015 plan for language access. Thank you for your time.

>> Well, thank you for your time and for joining us today. We appreciate it.

>> You're welcome.

>> We have three coming up. Let us call Laura Villanueva, Lauren Klein, and Kathleen Tarr. If you don't mind, we will have Laura Villanueva first.

>> Good morning. I am a staff interpreter in San Francisco with almost years of public service and a pro CALI union member. My colleagues and I are on strike today over unfair labor

practices and extreme pay disparities. By any measure or comparison, staff interpreters are underpaid. Our wage growth has lagged far behind other employee groups while reporters, clerks, and judicial officers are paid on par with salaries. We are paid far, far less than our counterparts. Despite working less hours than we do, contractors are already paid above the benchmark, costing the courts more than our salaries and benefits combined. Our starting salary is 20 percent below the Bay Area low-income threshold. After more than 10 years on the job, my salary is still 12 percent below the low-income limit in this region. The court's longstanding resistance to recognizing our worth is deliberate. It undermines our labor rights, the employment system, and the reliability of public services. Region 2 courts have lost 42 percent of their staff interpreters, making them acutely dependent on contract labor. On average, contractor costs make up 39 percent of all interpreter expenditures statewide, and in region 2, it is 62 percent. The Interpreter Act reflects its intent that these services be provided by court employees with labor protections. The ongoing violations of the act have turned the system on its head with a shrinking workforce coupled with increasing contractor spending that has depleted the interpreter budget. As courts spend twice as much on contractors working fewer hours, they tell us that they can't afford federal parity for long-serving employees. This cannot stand. Courts need to build and maintain a stable workforce of employees and rein in the subcontracting of our unit work. Federal parity for staff interpreters will allow courts to increase resources and manage precious public resources responsibly. For language access to be more than lip service, ending the pay disparity is not only fair, it is a no-brainer. Thank you.

>> Thank you very much. We have Lauren Klein.

>> Good morning. My name is Lauren Klein. I am the director of advocacy at the Legal Aid Association of California. We are the statewide association for legal nonprofits that provide free civil legal assistance to low-income people and communities across California. We are here today to urge the Judicial Council to proactively address the ongoing issues of language access in the California court system. Today, more than a decade after the counsel's adoption of the Strategic Plan for Language Access in the California courts, the comprehensive and meaningful access for court users that the plan promised has yet to be fully realized. You have heard many examples of that this morning, and we provided many more examples for you in our written comments. Through my organization's statewide work, I can confirm that the reality across the state is a pattern of systemic barriers to language access at every level of court operations. The Judicial Council previously convened a joint working group to develop the language access plan and then a task force to implement it. Both of these bodies have long since sunset. We urge the Judicial Council to reconvene a dedicated body to address the ongoing issues of language access. Legal Aid participated in both of the prior bodies, and we would welcome the opportunity to again engage in a productive partnership with the council. Thank you.

>> Thank you, Ms. Klein. Kathleen Tarr?

>> My name is Kathleen Tarr. Please tell me what the public is supposed to do as we move for the judge to be recused. Believe to hate Black and brown people. He refused to self-recuse, and

the clerk stated that regardless of what CCP required, the superior court is going to select the judge itself, not reach out to this body. What are we supposed to do if the judicial performance refuses to investigate if the conduct in question can be trumped up to mistake no matter how egregious? What if those mistakes benefit white parties to the benefit of time and time again? If, for example, bench officers assert testimony that never happened and scientific facts that conflict with every known dynamic on planet Earth. If they refuse to apply multipliers, unwaivable defenses, and if that conduct hurts Black and brown people. Over and over again. And privileges white parties over and over again. What are we supposed to do when accountability does not seem possible? I recommended court waters. Was told yesterday my county's superior court is trying to allow court observers. Please, members of this esteemed body, implement solutions that will actually work. Because access to fairness and justice really needs solutions. Thank you.

>> Thank you very much. Julio Cesar, and that will be followed by Rui E. Lee, with interpretation from Crystal Vann. If you wouldn't mind stepping up and being in the queue for us.

>> Good morning, Chief Justice and the Judicial Council members. My name is Julio, and I'm a registered staff interpreter in one of the lesser diffusion languages. And I agree with all my colleagues. We are not in this alone. Independent contractors or staff interpreters, we are all in it together, so we should work together. We should not attack each other because maybe that is what they want, but you guys have been underserved, underpaid for a long time. Yeah. Deserve to pay the federal rate. That would be fair for you guys because you guys are underpaid. And I have a lot to say. But I would like to bring your attention to the SB 26-05 or on the counter 26-121. This is a big concern for us, the court staff interpreters and contractors. Californians are experiencing a shortage of court interpreters. According to the 2025 language need of interpreter study, it stated that there were 1,856 certified and registered interpreters, and as of March, there was 32 percent at the age of 65. And instead of pushing, retaining, and attracting new interpreters to come into this profession, with this proposal you are actually pushing new comers away from this by independent contractors and the lope. And also VRI is not providing equal access for LEP. And also the Governor understands, his office understands, the need of interpreters' budget of 2026 and 2027, 2028, for the interpreters. Also the proposal states that someone that is not available because they're not willing to accept the cap rate, they are deemed unavailable, and it is really not fair because then that will become a nonnegotiable rate and removing the AMS session or p.m. session in courts, it is not fair for interpreters. And also the time travel restrictions. That has really limited us from taking other assignments. And also the half-day rate. The consecutive four hours. That issue remains how it is. Like half-day and p.m. And the cancellation fees. They say it is enough hours to find another job. Motivating interpreters to come into this profession, we should not do this. We should not implement this proposal.

>> And it looks like that red light came on, so if you would not mind wrapping it up if you can.

>> I'm sorry, sir.

>> We have indicated, and I think some of you indicated that you would be agreeable to when someone makes some good points, you can second those points and indicate the names for the record. So keep that in mind as an option, but please proceed, and if you could wrap it up, that would be great.

>> Yes. And yeah, this goes about the view as contracting, as independent contractors. And yes, like I mentioned. And one of the programs that the judicial introduced is the workforce program. The workforce pilot program. That's the way to attract new interpreters, but also we should increase the rates for staff interpreters to the federal right. Thank you for your time. I have a lot more to say, but yeah. You should reject this proposal, 26-121. Thank you.

>> Thank you for joining us. Now we have Rui E. Lee with interpretation from Crystal Vann.

>> [Speaking in a non-English language]

>> I will be translating for Rui E. Lee because we were not provided with a Cantonese interpreter today. Good morning. My name is Rui E. Lee, and I am an outreach specialist at Chinese for Affirmative Action. We provide services for Chinese immigrants in San Francisco to help them navigate services, find resources, and understand their language rights. Non-English-speaking residents encounter long wait times, poor quality interpretation, and translation, and limited bilingual staff to assist them. If a new technology, specifically AI software, is not properly tested for quality and accuracy and reviewed by a qualified interpreter, it creates additional challenges for non-English-speakers trying to seek services. With the federal government weakening language access requirements, preventing language access at the state level takes on even greater importance. The failure to provide language access in the court system means people have a harder time fighting evictions, testifying in domestic violence or family court cases, or challenging traffic tickets, like we heard today. The Judicial Council must demonstrate their commitment to all court users, including immigrants, by making sure their language access policies provide meaningful access, equal treatment, and access to justice. Thank you.

>> Thank you very much. We had four people who had signed up but who had not signed in. I want to make sure that they didn't arrive late because I don't want to skip over them when we go to the remote speakers. Is Mary Lou Aron Garon here?

>> I am here, but I pass. We support.

>> Thank you very much. Thank you for your comments. Michelle Minsock.

>> Present as well. I also pass. I support comments by members.

>> Thank you. Llerena Bera. Not here? She had signed up. And Rinaldo? We will now turn to the remote speakers, and once your name is called, please turn on your camera, unmute your microphone, and begin by stating your name and, if applicable, your title and affiliation. Timer is displayed on the screen to help you keep track of your allotted time. The light will change from green to yellow when you have one minute remaining, and a red light will appear when your time has expired. I believe that the folks online will be speaking for about a minute, and we would ask you watch for that light. And we call the first remote speaker, Lauren Hammer Aguilera. We will come back. Do we have Ms. Aguilera? Mariana Bension Larkin?

>> Yes. Good morning.

>> Thank you.

>> I have comments on two items on the agenda. So should I address both items right now?

>> We will come back to you because we just have the two. Others were on the dropdown menu who actually are speaking to the interpreter issue. So we will get back to you. Thank you very, very much.

>> My comments are on the interpreters' issues.

>> That's perfect. Go right ahead. It wasn't noted, but we're happy to have you speak.

>> Okay. Thank you and good morning, members of the Judicial Counsel. My first comment is on agenda item 26-145, the two-year carryover that is being considered for individual sections of the court interpreting certification exam. I am sorry. I forgot to introduce myself. My name is Mariana Bension Larkin. I am a certified interpreter for Spanish, and I'm also the president of the Association of Independent Judicial Interpreters of California. I am here to express our organization's opposition to agenda item 26-145 regarding the changes in the certification exam, specifically this two-year carryover. Interpretation skills decline when they are not regularly used. The certification exam currently tests skills in simultaneous and consecutive interpretation and translation, and all those three are essential to interpreting competently in a court proceeding. Under this proposal, a candidate could, for example, pass the simultaneous translation components and fail the consecutive portion and then take up to two years to retake the consecutive portion without having to prove that they still have the minimum skills in the two components that they passed two years before. Most likely they will not. Certification should establish that an interpreter possesses the skills for the three components of the exam in one sitting or within a reasonable time frame, and this proposal would also create two tiers of certified court interpreters who obtain their credentials under different standards. This will impact the quality of language access in the courts, and finally this will not result in a shortage of interpreters willing to work for the courts. If court rates remain uncompetitive, eventually these newly certified interpreters will realize that there are better-paying opportunities elsewhere and not hesitate to do what is in their best financial interests. So because of all these

reasons, we respectfully urge the Judicial Council to reject the two-year carryover. If this change is implemented, the carryover period for passing scores should not exceed six months. So those were my comments regarding that agenda item. And I, is it okay to speak on the other agenda item? 26-122?

>> If you wouldn't mind, and if you could limit it to one minute, because we have a couple of other speakers and we are a bit behind, so a minute would be acceptable.

>> I will do my best. Again, I am speaking as an independent court interpreter on behalf of the Association of Interpreters of California regarding this item to change the proposed payment policy changes for independent interpreters. There is no question that the California courts need independent contractors to cover the language needs in the courts. Interpreters who are employed by the courts are not enough to cover the huge interpreting needs in the California courts. These changes that are being considered will make it very hard for the courts to attract both certified and registered court interpreters who work as independent contractors, and this will undermine language access in the courts for the following reasons. Number one, of course, the nonnegotiable rates. A nonnegotiable rate may eliminate competition among the courts, but it will not eliminate competition from language service providers, law firms, government entities, and other clients who also need interpreters, and if those court rates are lower than what independent interpreters can earn somewhere else, they will stop taking work from the courts. And then the other three items, which I will try to comment as fast as I can, this proposal would classify credentialed interpreters who declined the mandated rate as unavailable, even when they are available to work, this would allow the courts to appoint noncredentialed bilingual individuals. This policy should not create an incentive for the courts to move away from using credentialed interpreters as mandated by California law if those interpreters are available but cannot accept the proposed rate. And again, this is an economic reality. Then the elimination of compensation for travel time will also make assignments with the courts in distant locations for interpreters less attractive, and this will further reduce the pool of interpreters willing to serve the courts outside their area. At a minimum, we respectfully ask that you consider making an exception for jobs that exceed 50 miles. And finally, the proposal also abandons the existing morning-afternoon session structure in favor of a half-day rate for any consecutive four-hour period, even if it falls in the middle of the day. This creates another incentive for independent contractors to decline court work. So, for all these reasons, we oppose agenda item 26-122; however, if the Judicial Council votes to nonetheless approve this item today, respectfully ask for a one-year sunset and a requirement to review the impacts on the courts' ability to obtain certified and registered court interpreters who work as independent contractors. Thank you so much.

>> Thank you very much. We had two people by phone. One is Mike Schafer. And let us hear from Mike. And then we will go to the second and final remote appearance. I don't hear you, Mike. Do we have him on the line?

>> He is on the line. He is on mute.

>> If you wouldn't mind checking the mute button on your phone or computer. We will get back to Mike. Let's call the second speaker. It is K-H-A-T.

>> No. My name is, and I am one of only 11 certified interpreters in California. I am extremely disappointed and displeased at the JCC's proposed nonnegotiable rates, nonpayment of travel, and changes to certification requirements. Independent contractors may enjoy many advantages, but the most glaring disadvantage is not having any employer-paid benefits, which means fending for ourselves. Being unable to negotiate rates will significantly impact our desire and incentive to work with the courts, leaving a significant shortage of certified interpreters. Contrary to popular belief, being bilingual does not mean being able to interpret in a legal setting, and using noncertified and unqualified persons will endanger the rights of the limited-language individual. State law mandates that only a certified interpreter can interpret in court, and using noncertified persons due to the quote unquote unavailability is a violation of state law. The proposed changes to the certification requirements carry a note of unfairness and discrimination against the certified interpreters who had to go through the rigorous testing process. We were required to pass all components of the test in one sitting and cannot put portions that we did not pass on hold for later. Personally, I passed the test on the third try and wasn't afforded the peace of mind of knowing I had passed one or more components before the next try. I strongly urge the JCC to refrain from adopting this discriminatory policy and hold each candidate to the rigid standards to which the rest of us have been held so far so the quality of our interpreting profession will be safeguarded. And I also urge the JCC to not adopt the policy regarding the nonnegotiable rates and nonpayment of travel. Thank you so much .

>> Well, thank you very much. We will return just momentarily to Mike Schafer. Ask him to star 6 on his phone. Hopefully, we will unmute him. If not, we will ask next time for some written comments. We have received a number of written comments that are read as well. Mike, are you with us? Well, we are sorry to miss your comments today, but we will probably hear from you in the future. We want to thank all of the members of the public for joining us today in person and via the remote option that we have. This is an important part of the process, and we appreciate you all taking the time to share your thoughts and opinions with us, and with that, Chief, I turn it back to you.

>> Thank you, Justice Hill. I would like to echo your sentiments and thank everybody for your participation and your input today. Though we don't respond readily to the public comments, we take into consideration. It is clear you put a lot of thought and care a lot about these issues. We share your commitment to and concern about language access issues in our courts. It is just a question of how we get there, so we look forward to continuing to work on these issues. Thank you. Next on our agenda is my regular report as Chief Justice summarizing some of my engagements and ongoing outreach activities on behalf of the judicial branch since our last business meeting on July 17. September was an important month. As you know, that is when we celebrate Constitution Month. And it was particularly meaningful this year as we celebrate the 250th anniversary of our nation's founding. It was an opportunity to reflect on the principles

that guide our work and to engage also with the next generation. I had the privilege of visiting schools that were on through my annual Civic Learning Awards. These recognized students and schools that show outstanding leadership and civic engagement. I had the honor of personally presenting the Civic Learning Award of Excellence to three top outstanding schools. I was joined by judges, justices, legislators, and other civic leaders to recognize achievements of these inspiring students and educators. My first visit was to Natomas Pacific Pathways Prep Elementary School, in Sacramento. I was joined by Administrative Presiding Justice Laurie Earl, Justice Shama Mesiwala, and Presiding Judge Lawrence Brown of the Sacramento Superior Court as we celebrated accomplishments. Its civic engagement programs include civic circles, is what they call it. It encourages students to identify issues and generate ideas that are important for them and to take action on them. I then went to South Junior High School in Anaheim with Orange County Presiding Judge Sheila Hanson also in attendance. Presiding Judge Terry Flynn-Peister and Justice Hernandez were there as well, of the Fourth District Court of Appeal, to join me in recognizing the school's innovative civic engagement program. We observed student senators who were voting on school issues that matter most to them, and we learned how they're using a popular video game to teach students about real-world challenges. They actually do. We observed it on display in this game. They actually learned a lot about their communities and how to advocate for change that is important to them. I visited Norwalk High School in Los Angeles County and had the opportunity to meet with a small group of students in advance of the award ceremony. I learned about a program that brings government officials to their campus to demystify careers in government, their America 250 contest, mock elections, and a Constitution Day celebration. I was later joined at the award ceremony by Presiding Judge Ricardo Ocampo, who was there, Commissioner Paul Rivera, and Justice Cindy Panuco of the Second District Court of Appeal, and State Senator Bob Archuleta. There were a total of 26 schools and programs receiving the Civic Learning Awards this year, and judges across the state have visited schools to present the awards themselves too. And I'm grateful to all of them for their ongoing participation in our Power of Democracy initiative, whether at the award ceremony or as judges in the classroom program. I was also honored to deliver the keynote address at the IgniteHER Girls Summit, which is a joint effort of Girls Inc. of Orange County. Two hundred girls, grades 7 to 11, for financial training and career guidance. It was energizing to be in the room with all of them, to meet with them, and it was a privilege to share some insights about the California courts and how we operate. In San Francisco, we marked another milestone with the 30th anniversary of the California Access to Justice Commission. Three decades of work to expand access to the courts for lower- and middle-income Californians, including, to name a few examples, the establishment of the Equal Access Fund, support for the Civil Counsel Act, efforts to advance, as we heard, greater language access, and initiatives to encourage pro bono efforts by the private bar. Following that celebration in Sacramento, I attended the annual dinner of the California Rural Legal Assistance Foundation, whose members work tirelessly to serve communities that too often lack access to legal help. We heard again today. And I was honored to receive a Distinguished Service Award for my work on behalf of the judiciary. That same weekend, I was honored to receive the 2026 Judge of the Year Award for the California Asian-Pacific Bar Association at their annual event in San Diego. I am grateful for the recognition and the association's important work to promote

justice and equality and advance legal and policy matters that impact their community and the legal community more broadly. I was especially busy in my role as chair of the Commission on Judicial Appointments. As Governor Newsom's term is coming to a close, the commission held multiple hearings over multiple days, 15 so far, and counting. Remarkable appointments. These include all of the following: Second District Court of Appeal, I think they had the record with six appointments: Presiding Justice Rashida Adams. Division Three, Presiding Justice Tari Cody of Division Six, Justice Nicholas Daum, Justice Alexander Giza, Justice Denise Hippach, and Justice Cindy Panuco. To the Third Appellate District, there were two: Justice Lauri Damrell and Justice David Sapp. To the Fourth District Court of Appeal, four new justices: Justice Marsha Amin. Justice Maria Hernandez. Justice Juliet Macauley, and Justice Lisa Rodriguez. To the Fifth District Court of Appeal, only one, but a great pick, right? Justice Sonny Sandhu. To the Sixth, there were two justices: Justice Frederick Chung and Justice Charles Adams. I am happy to have them, and we await one more at least appointment, so we are all looking forward to that as well. Continuing our support of new members of the bench, I addressed our newest judges at the B. E. Witkin College. It plays a critical role in helping new judicial officers transition successfully into their roles. That is due in no small part to our fabulous faculty, which includes Justice Corrigan, thank you for your commitment. I think you're the favorite every year. I see a lot of nods. Okay. I also spoke at the Appellate Management Institute in Sacramento, which gives appellate court managers and supervisors a forum for refining their skills and ensuring innovative practices. Their work keeps our courts running smoothly every day. Another major milestone was the groundbreaking ceremony for the courthouse, the new courthouse for the Sixth District Court of Appeal. I was pleased to be able to join and participate alongside Administrative Presiding Justice Mary Greenwood. The court currently provides a lot of benefits, including easing overcrowding, addressing security and accessibility issues, and we got to wear our hardhats and break the ground as construction started immediately while we were still there.

>> She wore a pink hardhat.

>> Only because she asked me to.

>> Justice McConnell was the one who said that.

>> Yes. Thank you. And finally I participated in the Red Mass at the University of San Diego Law School recently, along with several colleagues from the San Diego Superior Court in the Fourth District Court of Appeal. This is an annual tradition that brings together judges, attorneys, law professors, students, and other government officials to reflect on our collective roles and responsibilities in the administration of justice. And that is all, and that concludes my report. Now we will hear from Administrative Director Shelley Curran.

>> Thank you, members of the council. I would like to add my own welcome to the new members of the council. We are very grateful that you are here, and I also want to congratulate Justice Hernandez on her confirmation last Friday, and thank you for your service as a member

of this body. The work that you have done, in particular related to information technology and trial court leadership, will make a lasting impact on court administration in California, so thank you for that. I would like to turn your attention to the regular written report on issues that represent a roundup of the Judicial Council work since your last meeting in July. I am going to mention just a few of those things that are included in that update. First, we have our new data dashboard up. It tracks court-reported civil arrests in and around California court facilities. It is now live on our California courts public website. Consistent with the report and Rule of Court 10.440, approved by this body at its April meeting, it shows that between June 1 and August 31, 2026, courts in 14 different counties reported 79 civil arrests in or around courthouses, with 77 individuals taken into custody. The dashboard presents both statewide and county-level information, and we update it monthly. We are also aware that the Attorney General's office has filed a lawsuit yesterday against the federal administration related to immigration enforcement in and around California courthouses. In that lawsuit, the AG cites some of the data posted on the dashboard and also includes anecdotal information of activities in several of our courts that they collected in Fresno, Los Angeles, San Bernardino, and Stanislaus Counties. Shifting to another tool that currently serves the public, I want to share an update on MyCitations, which is the online tool that allows individuals to request a reduction of their traffic fines and fees. The Superior Court of Solano County is the latest court to add an additional function to MyCitations, and that is online trials by written declaration. This allows people to contest by a guided online interview as an alternative to mailing a paper form, and including Solano, we are now up to seven different courts, including Amador, Imperial, Nevada, San Francisco, and Siskiyou Counties. This new feature also helps law enforcement because it allows law enforcement officers to use an officer portal to submit their statements online directly to the courts. Since the beginning of the calendar year through September, over 2,230 online trials by written declaration were filed in these courts. The written report also includes information on initiatives highlighted, with the focus of Goal I for the Judicial Council, which is access, fairness, diversity, and inclusion. First, the ongoing program of translation of Judicial Council forms. In the past year, 681 translations of Judicial Council forms were completed in Spanish, simplified Chinese, Korean, Vietnamese, and several other languages. This number reflects a continued growth in our translation efforts from previous years. Last year, we had 566 forms that were translated, and the year before that, we had 311 forms that were translated. So we continue to focus on that important area. Lots of discussion in public comment today around interpreter issues. The council continues the work that we have on that related to testing. We had testing occur over the summer. We had testing occur right now that we are waiting for results to come in on those issues for individuals to become certified interpreters here in California. We are also continuing work on our court interpreter pilot program, which, as you know, supports participants by providing reimbursement for training costs and exam fees. And we also have our continued work with the four cohorts that we have that work with individuals as they attempt to become interpreters in California courts. So we have our third cohort meant to begin in January, and the fourth cohort, or our final cohort, will begin after that. We have a high standard for becoming a credentialed court interpreter in California, which is very important, and we will continue to do what we can to support individuals as they are going through those examinations. Along the lines of continued education and training, we have also

conducted a lot of trainings. There have been over 40 since the council met in July. Those are programs offered to judicial officers, court personnel, and our justice system partners. We had a training on CARE Courts that was attended by 36 different counties and courts and highlighted emerging best practices and engagement with parties and on court operations. Earlier this month, I had the opportunity to participate in a Q&A session at our Judicial Branch Leadership Academy, building on the success of our first Leadership Academy, which occurred in 2024. Several members of the Judicial Council participated and served as faculty for that, including CEOs Kate Bieker, Chad Finke, Charles Johnson, and we thank you for that participation. I think the participants really appreciated all the work that you put into it, and it was a very good success. I have one final update that I want to highlight related to court facilities. On Wednesday, we received our official site acquisition approval from the state Public Works Board in relation to the construction of a new 12-courtroom courthouse in San Luis Obispo. The project will now move to the design-build phase. There are several additional phases that need to begin or need to be conducted, after which we anticipate the construction will start in 2029. I know this was a very long process for both our facilities team and the local court, so I do want to take a moment to acknowledge this very important milestone. We are spending a lot of time and effort here at the Judicial Council on the recent investment into our capital program. Generally, as noted before, the council received $1.9 billion influx of funds to our capital programs. We are continuing to work on that, along with an influx of funds related to very important deferred maintenance work that we have, so this major investment in California's construction, we are placing as a high priority building these courthouses and also doing the work that we can for very important deferred maintenance. We need to demonstrate efficiency and accountability for these important public dollars. That concludes my report, Chief.

>> Thank you for your report. Up next, we have our consent agenda. We have 48 items on the consent agenda. As you know, the council Executive and Planning Committee places items on the consent and discussion agendas to try to optimize the best use of our meeting time. The council's Rules Committee also has input into that process. But the fact that an item is on the consent agenda does not reflect its significance versus the discussion agenda, and any member can request to move an item from the consent to the discussion agenda. As always, we appreciate the many hours of work that our advisory committees and council staff have put into these recommendations. I will ask now if there are any comments on the consent agenda before I entertain a motion.

>> Chief, if I may make a brief comment.

>> Yes.

>> Thank you, Chief, and good morning, everyone. The consent agenda today includes 40 reports reviewed by the Rules Committee, led by our fantastic chair, Judge Tamara Wood. Together, the reports recommend 175 new or revised forms, 76 new or amended rules, and 29 new or revised criminal jury instructions. The proposals drew more than 300 comments from both internal and external stakeholders. Every comment was specifically addressed. The

resulting recommendations reflect the work of seven different advisory committees and their members, as well as the invaluable expertise and dedication of the Judicial Council staff. This council is committed to access to justice, and these recommendations help turn that commitment into concrete action across the state. Let me give you just one example, the Criminal Law Advisory Committee's proposed update to the form for findings and orders for pretrial release or detention. The revised form incorporates the latest case law addressing how courts set monetary bail and release or detention. By providing clear guidance to judges on this important and evolving area of law, the committee's work promotes consistency and uniformity for litigants across courts in our state. So on behalf, I recommend approval for the full consent agenda.

>> Thank you. I appreciate all the work that went into that. Sometimes it can be a thankless task, but we thank you. Is there a second?

>> Second.

>> Justice Corrigan. I heard her first. And it is seconded. All in favor, please say aye. Any noes? Any extensions? The entire consent agenda. We have six discussions. Our first item is the American Sign Language interpreter pilot program. This is item 26-124 in your materials. We welcome the presenters, Ms. Anabel Romero, vice-chair of the Court Interpreters Advisory Panel, and Mr. Russell McGregor, Judicial Leadership Support Services. Welcome to both of you.

>> Good morning, Chief Justice and members of the Judicial Council. My name is Anabel Romero, and I'm the vice-chair of the Court Interpreters Advisory Panel, also known as CIAP. Joining me is Russell McGregor. We also have Ms. Wendy, our American Sign Language interpreter, to assist with the interpretation of this meeting. Today, we are presenting the Court Interpreters Advisory Panel's recommendation to authorize a pilot program evaluating the limited use of qualified American Sign Language generalist interpreters in California courts. In developing this proposal, we incorporated valuable feedback from the deaf and hard of hearing community and received positive support from ASL interpreter representatives and other interpreter professionals. I will begin with some context on why the panel is bringing this recommendation forward. Following, Russell will walk us through the proposed policy and its safeguards. California has 52 certified American Sign Language, ASL, court interpreters on the Judicial Council's master list, and 19 of those are outside of California. At the same time, American Sign Language is the fourth most interpreted language in our courts. Our data shows the American Sign Language generalists are being used in approximately one out of every five ASL interpreted court evidence. For context, American Sign Language generalist is a professionally qualified sign language interpreter who does not hold a specialized court interpreter certification. So the question before us was whether we can develop a structured consistent framework for limited use of generalists while maintaining appropriate protections for the deaf and hard of hearing court users. This shortage developed over time. The initial council established its ASL framework in 1992 and later recognized California Coalition of

Agencies Serving the Deaf, also known as CCASD, and the Registry of Interpreters for the Deaf, also known as RID, as certifying entries. However, CCASD discontinued testing in 2006, and RID placed its special certificate legal on moratorium in 2016. Since then, no new interpreters have been able to obtain credentials. The council has taken steps to build the pipeline, including approving the Texas Board of Evaluation of Interpreters, or BEI, court certification pathway in 2023 and modernizing. These efforts have added 14 certified ASL interpreters to the council's master list, which is a registry of court interpreters in California. Developing additional court interpreters takes time, and the pipeline concerns remain. I will now turn it over to Russell to explain the pilot the Court Interpreters Advisory Panel is recommending.

>> Thank you, Anabel. There are three concepts that really define this proposal. It is limited, structured, and evaluated. This is not a proposal to replace certified ASL court interpreters. Instead, the pilot creates frameworks to determine when a qualified generalist may appropriately be used, what qualifications and trainings should be required, and what safeguards need to be in place. And most importantly, we will collect data before making any long-term policy decisions. The pilot has four primary goals. First, to expand access and appropriate limited settings. Second is to help address delays when certified ASL court interpreters are unavailable. Third is to create a structured pathway for experienced ASL generalist to gain court-related experience as they work toward court certification. And finally, we will use what we learn from the pilot to evaluate and revise the guidelines before returning to council with any future recommendations. The boundaries of the pilot are particularly important. Generalists will be limited to noncomplex, nonevidentiary settings. Things such as self-help, clerk interactions, court-ordered and court-provided programs, routine procedural hearings, some limited procedural emergencies, traffic matters, and the appropriate small claims matters. On the other side of the slide, though, are settings where generalists would not be permitted for the use of this pilot. Those include trials, testimonies, contested hearings, juvenile or domestic violence matters, matters involving waivers of rights, and other complex proceedings. And it is also an important operational safeguard here. A proceeding does not remain eligible simply because it starts out noncomplex. If the communication or proceedings become more complex, it must be paused and reassessed. So the pilot establishes a meaningful qualification threshold, participating generalists must hold an approved ASL certification, have at least five years postcertification experience. They must also complete 40 hours of legal interpreter training, pass the written examination, and complete the Judicial Council training and ethics requirements. So we are not talking about entry-level ASL interpreters. The pilot is intended for experienced, professionally credentialed ASL interpreters who have completed additional preparations specifically for the court environment. So the safeguards are really foundational to this pilot. A certified ASL court interpreter remains the preferred option. When one is not available, before using a generalist where a certified interpreter is required, the court must make a good faith effort to secure that interpreter. The judicial officer determines whether the use of a generalist is appropriate and is required to make the findings on record. A deaf or hard of hearing court user is informed that a generalist is being used and the interpreter is not court certified. Throughout the proceeding, communication and complexity must be continued

to be monitored. If either becomes concerned, the proceeding must be paused and reassessed by a judicial officer. These controls are designed to expand access without lowering the protections afforded to court users. So council will identify approximately 6 to 10 volunteer courts with the implementation beginning spring 2027 and continuing through December 2028, with the possibility of extending the time of the pilot if more data needs to be collected. We won't participate in courts that represent different sizes and geographical regions if the pilot gives us useful information across different court settings and that gives us enough variation to identify what works, what challenges arises, and what we need to change before considering anything broader.

>> This is ultimately an evaluation pilot. We will collect information from the generalist interpreters themselves. We will collect from producing in court, judicial officers and court staff, as well as feedback. We will also track complaints and performance concerns. We want to understand not just how frequently generalists are used but where they are effective, where they are not, where they do not have effectiveness, and whether the framework should be modified. The information will drive any recommendations that come back to CIAP and ultimately the council. Based on this framework, the Court Interpreters Advisory Panel recommends Judicial Council take two actions. First, authorize the American Sign Language generalist pilot program effective January 2027, and second, direct the Court Interpreters Advisory Panel to return to the council findings and recommendation for ASL generalist interpreter guidelines. This recommendation allows us to test the approach in a limited and controlled environment before considering any broad decisions. This concludes our presentation, and Russell and I are happy to answer any questions.

>> Any questions for our presenters, or any comments on this agenda item? Okay. Very comprehensive job. So who allows for a motion for approval of these recommendations?

>> So moved.

>> Thank you. Judge Wersching motions. Is there a second? Thank you. We have a first and a second. All in favor, say aye. Any noes? Any abstentions? The recommendations are approved.

>> Thank you.

>> You are not going anywhere, right? Our second item will be changes to certification requirements. We welcome our presenters on this agenda item, Ms. Anabel Romero again, Ms. Angela De Leon, Judicial Council Leadership Support Services.

>> Sorry.

>> Back on schedule.

>> Okay.

>> Good morning. Thank you. For the record, I will state my name again. Good morning, Chief Justice Guerrero and members of the Judicial Council. I am Anabel Romero, the vice-chair, and I am joined by Ms. Angela De Leon, supervising analyst for the court interpreter program. Today we will address California's court interpreter shortage and present recommended changes in the certification testing designed to responsibly grow the workforce. We will outline the urgency, propose testing reform, implementation needs, and the recommendations we're asking the council to consider for approval. We face a near-term retirement wave. Roughly 600 interpreters are retirement eligible, at least age 65+. From 2023 to 2025, only 100 candidates passed certification exams. That is a 6-to-1 replacement gap. Every new certified interpreter only offsets six likely retirements. To close this gap, Language Access Services partnered with the Court Interpreters Advisory Panel to modernize the certification and testing journey. These recommendations build on the California courts workforce to be presented to the council and the Legislature in December of 2025. The takeaway: The pipeline is not keeping the pace. We must create pathways to success while maintaining quality. There are several significant impacts if we do not take appropriate action. One, access risk. Limited-English-proficient court users face real barriers to meaningful participation without adequate interpreter coverage. Two, operational risks. Courts will experience more delays, continuances, and scheduling challenges reason court costs. Third, workforce risk. Retirements plus insufficient number of passers threaten short- and long-term sustainability. Our proposal targets these risks while preserving the high quality standards of certification. I will now turn it over to Angela to explain the recommendations that CIAP is making to the council.

>> Good morning. Candidates must pass the Bilingual Interpreting Examination, known as the BIE, which has four parts: consecutive, where the interpreter listens to a speaker and conveys a message in another language after the speaker pauses or finishes speaking; simultaneous, where the interpreter conveys the speaker's message in another language in real time with only a brief delay; inside translation, from English to target language and target language to English. This is where the interpreter reads a written document in one language and really renders its content in another language. Passing requires a minimum score of 70 percent in each part in one sitting. Our data shows that simultaneous is the most difficult section to pass. This is significant when we consider targeted reforms. We propose allowing candidates to carry over past sections for up to two years. Candidates would retake only the sections not passed. The two sight translation sections would be passed in the same setting, and it must be passed in the same setting. It is important to note that the passing score of 70 percent remains the same. Nothing else about the example changes. We want to reiterate that although previous public comment has been made to claim that the passing thresholds would be dropped to 60 percent, this is just not true. This aligns with practices in other states, lowers costs and stress for candidates, and supports the certification journey without lowering the bar. With a one-time retroactive application dating back to 2023, 15 candidates become immediately eligible for certification, contingent on three-year employment with the courts. Other candidates in subsequent groups needing to pass one or two sections would have two years to complete remaining sections under the same commitment. This approach provides an efficient, standard-aligned strategy to expand the

interpreter workforce. There are 15 immediate candidates eligible for the carryover benefit. They are distributed across two languages: 12 in Spanish and 3 in Mandarin. We also have a robust second-tier with 111 candidates that are only one section away from being fully credentialed, with 154 candidates to follow needing to pass two sections. This mix strengthens language access across the state, which is a meaningful step. These are languages where court interpreter shortages have been reported, so courts and the public would benefit. We propose mandatory orientation before testing. This will be a one-time session that will cover interpreter roles, ethics, courtroom protocols, exam content, and performance standards. These orientations will be mandatory for all candidates not grandfathered in. Other states use orientation as an initial screening and provide candidates with a realistic view of readiness and expectations of the court interpreter profession before investing their time and money. Several states require an oral proficiency examination, or an OPE, before moving forward to the oral examination. California already uses OPE for languages with an advanced high requirement for passing. Applying the OPE screening broadly should reduce unsuccessful BIE attempts and allow the court interpreter program to focus resources on candidates positioned to succeed. I will hand it back to Anabel to discuss implementation and our final recommendations.

>> Thank you, Angela. Implementation can be accomplished using Language Access Service staff and resources. Staff will coordinate with vendors and courts on carryover logistics, section-specific testing, and job placement. We will update tracking, partial exams, and communication systems to support this implementation. We will develop clear policies and supporting material for both new and prerequisites for the orientation and the OPE screening process. Judicial Council staff will implement these changes in a way that minimizes disruption, supports candidates, and supports the integrity of the certification process. In summary, we bring forward the following recommendations for council's consideration. One, require candidates to take a mandatory orientation prior to interpreter examinations. Two, require certified language candidates to demonstrate advanced high oral proficiency prior to taking the BIE. Approved BIE score carryover for up to two years, including a one-time retroactive application for eligible candidates as of 2023. These actions collectively, we believe, will continue to strengthen the quality while increasing the pipeline to certification. In conclusion, our goal is to uphold rigorous certification standards while implementing changes that support a candidate's journey toward certification. California's interpreter workforce faces a 6-to-1 replacement gap driven by eminent retirements and a limited certification throughput. We believe this proposal supports an interpreter's journey, which should not be a reflection of the quality of interpreter they can and will be. We invite any questions.

>> Thank you. Thank you, Mac, Ms. Romero, and Ms. De Leon. Issue is of concern and interest of the public. And we have the comprehensive report as well, which we all had an opportunity to review. I will ask if there are any questions or comments?

>> Yes. If I could just make a quick comment.

>> For the record.

>> Thank you very much, Chief. I just wanted to point out something. First of all, thanks for all the work on this. This is such an important policy. I hope it passes the council and gets implemented soon. I wanted to point out, from the Superior Court of Los Angeles County, how important this is for us. We have 370 authorized interpreter positions, 126 of which are currently vacant. That is not because we are not trying. We have been continuously trying to hire interpreters, and I think we pay a pretty competitive wage, and we just can't get people to come because there are not enough in the pool, and I think maybe more importantly, specifically to this issue, we chose to try to increase, to send 25 of our court employees through an interpreter training program, and unless I don't have the latest information from our court, despite the fact that they all went to that program, worked very hard, none of them were able to pass the test. I think some of them would likely qualify under some of this grandfathered policy, and so I think the opportunity to give them opportunities to be able to, maybe if they fail the one section, simultaneously they could go back. I think that is an important step and will help us with our language access issues that are so important to solve, so thank you very much for the report.

>> Thank you, Mr. Slayton.

>> I will make a motion as presented.

>> Judge seconds.

>> All in favor, say aye. Any noes or abstentions? I hate to do this or, but I should've asked before, any further discussion for the votes? No? Hearing none, thank you. This item and its recommendations are approved. Third, Ms. Romero will be joining us for this agenda item. We will consider payment policies for independent contractor interpreters. This is item number 26-122. The council welcomes, again, Ms. Anabel Romero, vice-chair of the Interpreter Payment Policy Subcommittee. We also welcome Mr. Jason Galkin, vice-chair of the Court Executive Advisory Committee, Interpreter Payment Policy Subcommittee. Welcome.

>> Good morning again. Good morning, Chief Justice Guerrero and Judicial Council members. Anabel Romero. I am the court executive officer of the Superior Court of San Bernardino County, and I serve as chair of the Interpreter Payment Policy Subcommittee, which is a subcommittee of the Court Executive Advisory Committee, also known as CEAC. I am joined by Mr. Jason Galkin, vice-chair of the subcommittee. Also with us is Ms. Rebekah Askew, senior analyst, Leadership Support Services. The subcommittee was established in January of 2025 to review, assess, and develop recommendations for the payment policies for independent contractor interpreters to address a statewide operational impact rising costs and expenditures. Today, we are presenting proposed revisions for independent contractor interpreters as drafted by the subcommittee and approved by CEAC. The goals of the revisions we will discuss today are to promote cost containment and rate stability through compliance with the Budget Act, operational efficiency for trial courts, and uniform policy application, and most importantly,

responsible stewardship of public funds. The revised policy aligns with the judicial branch strategic goals of access, fairness, diversity, and inclusion, as well as the quality of justice in service to the public. The policy has undergone periodic review and revisions over the years. It was originally adopted by the council in February of 2002, set forth uniform policies in several areas of contract interpreter compensation. In 2007, the council approved a proposal to increase and establish a regional approach to compensation rates. However, this approach affected many courts' ability to attract interpreters, and some courts were unable to match the rates of those neighboring counties. As a result, courts were competing with one another to attract interpreters, and the pressures caused by this dynamic led to the review and revisions of the policy in 2021. In 2021, the council approved a proposal to increase and standardize compensation rates throughout the state. While the standardized rates were intended to put courts on equal footing and diminish competition for interpreter services, the rate demands for a contract interpreter over the past few years have created conditions similar to those under the 2007 regional compensation model. This dynamic has again led to the review and proposed policy revisions. Over 200 languages are spoken in California. In fiscal year 2024-25, there were about 787,000 total court interpretations in the California trial courts. Since the pandemic years, court interpreter expenditures have seen an accelerated increase. Most recently, in fiscal year 2025-26, the court requested additional funding in the amount of $19 million above the $135 million annual appropriation. The main driver of the increase is contract interpreter cost. In fiscal year 2024-25, there was a 19 percent increase compared to prior years. As the chart shows, expenditures have exceeded the appropriation since 2023-24. Now that I've discussed some background and context, I would like to highlight five key revisions to the proposed policy. Number one, compensation rates. The revised policy increases the maximum compensation rates to those paid to certified interpreters in the federal courts. The Budget Act directs Judicial Council to set payment policies for court interpreters not to exceed the rate paid to interpreters in the federal court system. This increase acknowledges the rising cost of interpreter services due to the increase in rates the courts have seen over the past few years while maintaining full compliance with the Budget Act. Number two, rate exceptions. The revised policy removes the costs exceeding normal rate section, which provided courts discretion to negotiate compensation rates above those established in the policy to obtain services in extraordinary. The committee concluded that this section is no longer necessary as the proposed rates align with the federal maximum. This proposal seeks to change the current dynamic in which rate exceptions are treated as the norm. The compensation cap strengthens uniformity among 58 trial courts and provides contract interpreters with consistency and the rates they can expect to receive regardless of the court in which they are providing services. Number three, unavailability. The revised policy provides that an interpreter who is unavailable at the rate within the Budget Act may be considered unavailable. In this case, the proposed policy directs courts to follow California Rules of Court, rule 2.893, subdivisions (d) and (e), which outline the steps when there is no certified or registered interpreter available. Courts already use California rule of court 2.893 when necessary, and we acknowledge that this policy will likely increase its use. However, if contract costs continue in their current trend, courts will be forced to rely on it anyway as funding will be depleted. Number four, travel compensation. The revised policy establishes uniform travel compensation policies by prohibiting the

consolidation of travel and related business expenses into compensation rates. Instead, travel expenses and travel time will be compensated pursuant to the Judicial Council's travel and expense reimbursement guidelines for contractors and the new independent contract agreement template, which in the new policy is mandated to be used by all courts. Number five, video remote interpreting. The revised policy promotes the use of video remote interpreting as a tool to expand language access and improve interpreter service delivery when appropriate. Lastly, the proposed policy includes several additional enhancements aimed at clarifying and standardizing administrative procedures statewide. Those are discussed in the material you all received it today. I will now turn it over to Jason.

>> Thank you, Anabel, and members of the council. The proposal circulated for a two-week comment period and received 263 comments, each of which was reviewed by the subcommittee. Supporters generally agree with the need for cost control and standardized compensation across all 58 trial courts. Supporters include employee interpreters in the California Federation of Interpreters. However, the majority of comments oppose the key policy revisions. Most came from independent contractor interpreters and associations whose rates are governed by this policy. We understand and respect that perspective, as they are the group most directly affected by what courts may pay. We would like to address a few of the major themes from public comments. First, comments oppose establishing compensation caps and removing the language that permits rate exceptions, citing loss of negotiation opportunity. However, the revised policy is not intended to prevent interpreters from negotiating or setting their own rates. The cap limits what courts may pay under the annual Budget Act, not what a interpreter may ask or choose to accept, and it brings clarity and transparency to what California trial courts will pay. Commenters also oppose designating an interpreter who declines the maximum rate as unavailable, citing access to justice concerns for individuals with limited English proficiency if provisionally qualified interpreters are used instead. The revised policy is intended to ensure the needs of court users with limited English proficiency continue to be met alongside measures to contain costs. Courts use the provisional qualification in California rule 2.893 when necessary, and the revised policy will likely increase its use. These concerns are ultimately driven by funding and budget limitations rather than by the policy itself. When interpreter costs exceed available resources, courts already rely on provisional qualification, and a policy provides a consistent statewide structure for that situation. The proposed policy operates from the premise that a service which cannot be afforded with no limits set by the Legislature is not available to the court. Additionally, comments oppose changes to travel time compensation, particularly for distant and rural assignments. The subcommittee agrees that travel time compensation is important, and it will be addressed in the independent template. The full list of comments in the subcommittee's responses to the main points of opposition are included in the materials for today's meeting. The subcommittee reviewed each comment it found and raised any issue it had not already considered while developing the policy. We appreciate the great deal of interest in this important proposal. Given that cost containment is a key driver of the proposed policy, I would like to discuss the rationale behind the proposed rate cap. The annual Budget Act requires the Judicial Council set contractor rates that do not exceed those paid to federally certified interpreters. However, we found that courts are regularly paying contractors at rates

higher than the federal standards under the current exception process for, quote, costs exceeding normal rates. Among courts reporting pay data for fiscal year 2024-25, about 14 percent of full day and half day of work procured over the federal rate at the time. Some contractors routinely request $200 to $600 over the federal rate for full-day assignments. If contract interpreter spending continues at its current rate, the fund is projected to become insolvent. Absent corrective action, courts may need to reinterpret interpreter levels statewide potential affecting the available language access services throughout the judicial branch. The budget allocated for court interpreters is finite. This policy reinforces the limits on compensation rates in the annual Budget Act will continue to ensure court users with limited English proficiency receive interpreter services. The proposed policy removes the administrative burden associated with negotiating individual compensation rates, case by case and interpreter by interpreter, and searching for interpreters working at the established policy rate. It also eliminates great discrepancies and mitigates competition between courts. The estimated cost to align compensation rates with the federal levels is $7 million for fiscal year 2027-28, based on the current rates, and fiscal year 2024-25 per diem expenses of $43.6 million. The baseline compensation costs will increase, the proposed policy is anticipated to produce long-term savings by ending payment above the federal rate, standardizing travel, reducing competition between courts, and expanding the use of video remote interpreting. Program expenditures have exceeded the appropriation since fiscal year 2023-24, so the program is already operating at a deficit that is being covered on a temporary basis. The Budget Act of 2026 adds $20 million in each of fiscal years 2026-27 and 2027-28 and requires additional council-assessed cost-containment strategies for the program. This policy is consistent with that direction. The cap does not close the gap by itself, but it stretches available funding further than the current trajectory allows. In conclusion, CEAC recommends the Judicial Council, effective January 1, 2027, adopt revisions of the payment policies for independent contractor interpreters. CEAC will assess the revised policy through ongoing feedback from the courts and refine it as needed. We thank you for the opportunity to present today and will take any questions from council members at this time.

>> Thank you, Ms. Romero, Mr. Galkin. Are there any questions on this agenda item ? Yes? Mr. Finke?

>> Thank you, Chief. I just want to say by way of full disclosure, I was part of the court executives group that worked on this. So to be completely transparent, although my contributions were modest compared to my colleagues here, I really just wanted to, Jason and Anabel are too humble to take a victory lap. This was a tremendous amount of work that went into this. The group comprised court executives from all over the state, and I think we, as court executives, under rule 10.610 are constantly trying to balance a number of things. But in particular, we have a duty to enhance access to justice. We also, as my colleagues have noted, have a duty to be responsible stewards of public funds, and I think I am very supportive of this recommendation, and I think it does a very good job of helping us balance those two duties that we take very seriously. So I just wanted to thank my colleagues and echo or state my support for this.

>> Thank you, Mr. Finke. Anyone else? Mr. Slayton?

>> Yeah. I wanted to thank Anabel and Jason and the entire subcommittee for their work on this. I think it is important to start where the interpreters started in their public comments and their submitted public comments, which is language access is not a courtesy. It's how a person understands the proceeding that decides their liberty, their family, or their livelihood, and this policy is meant to protect that access, not dilute it. Here's the problem. The Legislature gives the branch a finite interpreter budget, as Jason said, and last fiscal year it was about $135 million. Contract interpreters continue to rise. The report points out rising 19 percent just the year before last. Came out about $5 million more than the estimate. And the budget included this year another $20 million because we would have run out of money in this fiscal year and been unable to provide interpreter services as we need to. That path is not sustainable, and when the cost to run the budget, the risk is the difference comes out of other things that our courts are required to do. Why is it happening? As Anabel and Jason pointed out, we have recreated the problem we had in 2007. Without a firm comment rate, courts are competing against each other for the same limited pool of interpreters, and when one court pays above the rate, the next court must match it. The branch pays more, and there is not one additional interpreter. In fact, the council tried to fix this with uniform rates in 2021, but exceptions were authorized, and those exceptions have now swallowed the rule. Courts are again paying above the established rates and, in some cases, above the federal rate that is authorized by the Budget Act. The Legislature has already told us what the ceiling should be, no higher than what the federal courts pay certified interpreters, and this policy raises our maximum to that level and makes it the same in all 58 courts. Let's be clear. The rates increase. It is not a cut. It is the most the law allows and the Budget Act applied fairly and predictably. And why this matters, in my opinion, to the branch is predictability and stewardship. Courts can plan, but your language access, and to spend scarce dollars on interpreting rather than bidding and negotiating against each other. A firm ceiling protects the fund that makes language access possible. Let me speak a little bit about why it matters to the Superior Court of Los Angeles County and what I see every day. As I mentioned a second ago, we have 370 authorized court interpreters, only 244 in our field, leaving 120 vacancies. Our employed interpreters are the backbone of language access. Available every day in courtrooms across our county, oftentimes moving from one courtroom to another or from one courthouse to another, accountable to the court. When contract workplace more than court employment, it becomes harder to recruit and keep employees, and we fill the gap with contractors at a premium. Sometimes seeing those same interpreters that were employees come back two weeks later, paying them more for the services they were employing as employees. We should not build a system that makes it more lucrative to leave court employment, and every above retailer comes from the same fund that supports our employees, the fund, the 244 interpreters that we have in L.A., and to fill 126 positions that we don't. So, as Jason pointed out, obviously this adds $7 million to the budget, and the committee will review the policy periodically, but the alternative is open-ended escalation that no court can predict or afford. Certified interpreters are central to justice. This policy pays them the most the law allows, ending a bidding war that helps no one and protects the funds that make language

access possible, including the court employee interpreters who anchor it, and I look forward to the council's adoption at the appropriate time.

>> Thank you, Mr. Slayton. Assembly Member Kalra?

>> I want to start by thanking the work of the subcommittee. I don't know as much as you all on this issue. First, I support standardizing the court interpreter rates and breaking down the significant costs the current means of providing interpretation represent. And I also want to reiterate that the courts at least strive to hire more court interpreters and reduce the reliance on contract work. And you know, the legislative side received a flood of comments and requests for meetings and information kind of flooding into my office and my judiciary committee office in recent days. Didn't mean to create a stir by making a suggestion that we put this off, but I think given the information I received, I'm certainly comfortable moving forward. Today, I wanted to offer some comments if I could. And part of the motivation, really, is to ensure that we are able to work with all stakeholders, you know? The representative interpreters, contract interpreters, the lawyers that work in the courts, obviously. Immigration advocates. Ensure that we have language access. And seeing that this is likely to move forward today, I wanted to offer a couple of thoughts. I certainly think that one-size-fits-all kind of proposal is something that would need to be certainly analyzed and taken a look at as time moves forward, as mentioned. The current approach has also created desperate impacts and created a ballooning of the budget. And so hopefully the one-size-fits-all approach will still allow for adequate access in all regions of California to interpretation and language access. I do have some worry about the unintended future consequences, as mentioned by our subcommittee members, of the portion proposal permitting use of noncertified reporters simply because a contractor will not accept a rate. And I think that is something also we have to keep a very close eye on, to see what the impacts of that will be. And if there is going to be a dramatic increase in noncertified interpreters, that would certainly be a concern, even though the status quo has already been leading in that direction. I think, again, we should strive to reduce the reliance on noncertified interpreters, you know? Based on the input that we have seen both today as well as public input, many folks spoke today, and I agree with some of their concerns. It certainly seems that the topic requires additional review and oversight. I certainly, from the legislative end, am more than happy to be part of that process to whatever extent I can. And you know, I also understand both the Budget Act and the need for this to move forward. But also, yes, there are budgetary constraints given what we, as a Legislature and Governor, allot to the courts. I know myself, as well as Senator Tom Umberg, have over the years made efforts to try to increase funding for the courts along all categories, and certainly language access is one area that I will continue to push for. I think the funding coming in the next couple fiscal years, I see that kind of as a bridge to, hopefully, allow us the opportunity and the time to figure out a long-term sustainability plan when it comes to language access and ensuring that we have interpreters, certified interpreters that are available and, most preferably in my opinion, that are working for the court system and not contracted out to the greatest extent possible.

>> Thank you. I personally appreciate you sharing your concerns with us and am committed to the same objectives of ensuring language access, and I appreciate your willingness to move forward, depending on the vote. If this is approved, I will commit to continuing to monitor these issues and work with you as you describe to avoid these unintended consequences or at least keep track of the consequences that result from the action that we take. Thank you. Anyone else? Okay.

>> Are you ready for a motion?

>> Are you ready? I will entertain a motion.

>> Thank you. First of all, I want to briefly say I agree with everything articulated by Mr. Slayton, and I want to say, although in smaller numbers, the same problems exist in rural courts. As someone who sits in a rural court and talks with other rural courts, the access to interpreters is in a crisis situation, and I think the recommendations from the committee, which, thank you very much for your work and your committee members, is, I'm sure it has been daunting. Very necessary. I'm pleased to move approval of the recommendations.

>> Thank you, Judge Moorman. Is there any further discussion? All in favor of the recommended adoption of the revised payment policies for independent contractor interpreters, please say aye.

>> Aye.

>> Any noes? Any abstentions? The item is approved. Thank you again to our presenters. We are going to schedule a break, but before I wanted to take a point of privilege a little bit out of order. Senator Umberg, this will feel like deja vu to some, but this will be your last meeting after working with us on the council for six years, I believe, and we wanted to thank you for your dedication and your commitment and really for partnering with us and advocating on behalf of the judicial branch, which we appreciate.

>> And Madam Chief Justice, I am pleased to have been able to spend some time with all of you presenting legislative perspective. I see my colleague right here who will do an excellent job of presenting the legislative perspective. But you and the council have worked through some very, very challenging times in the last few years, whether it has been called challenges with respect to remote access, and you and I have discussed often CARE Court, and I'm grateful to the commitment of the council to CARE Court. Having said all that, thank you. It has been an honor to serve with you all.

>> Thank you. We will be in recess for 10 minutes.

>> Please stay tuned. The Judicial Council meeting will resume shortly.

>> [Music]

>> We are back in session. We are going to start. We are going to turn it over again to Justice Hill. There was one additional public comment issued, so Justice Hill.

>> Thank you very much. We were having some technical issues, and Mr. Schafer is with us, and hopefully, he can hear us and we can hear him. He knows that we have two minutes allocated, and Mr. Schafer, the floor is yours.

>> Thank you very much. I apologize for the misunderstanding. I spent an hour and 10 minutes listening to 20 speakers this morning and learned quite a bit about the interpretation problems in the state. I want you to know I am committed and I am excited about this issue to point out a very simple problem that I have observed. I found that the statute dealing with exempt filings in our superior courts, Government Code 61103, quite clearly speaks about government filing cases and government officials filing cases in their official capacity. But when you look at the fee schedule of the whole state, the state fee schedule as well as the schedules of our superior court, they just say government and only government. They don't mention government officials. And we can't fault our judges and our clerks for following the fee schedule because the fee schedule in their opinion is the only. Really, the statute overrules the fee schedule. I submitted a little one-page story on this. I would be appreciative if each of you would take a look at it. Look at the fee schedule. And look at the statute. And you will find the statute includes governments and government employees. And government officials as well as government. So two separate people. I'm really not happy when the clerk says, Mr. Schafer, you are not a government. You can't file that. I give them a little memo that I am a government official in some official matter and capacity, and I get nowhere. I would like you to evaluate it. I would like you to fix it. I would like to congratulate the council on its anniversary. I would like to point out I am probably the oldest you have as a peer. Almost my law school classmate David Gill, in San Diego, rest in peace. He and I were in church down together, and he just passed away at 90. San Diego. I am very proud of our judicial system and proud to be an executive officer, constitutional officer, and the oldest one in the history of our state. When I talk to Jerry Brown, he reminds me he was the oldest governor. I said, Jerry, you are seventh. I am fifth. Take a look at Government Code 61103, and you'll see it includes us officials. We are all officials, and we have a right to exemption in cases of official business. Then look at the fee application in all of our superior courts, and you will see they all meant officials. They will say the only cases are government cases only. And for me to be told, Mr. Schafer, you are not a government, is totally inconsistent with Government Code 61103. There are only two people who can fix it, the Judicial Council or the Legislature. If you guys can fix it in 10 to 15 days, let me know. At my age, I don't think I will live to see the Legislature fix anything.

>> Thank you, Mr. Schafer. Nice to hear from you. Chief, I will turn it back over to you.

>> We appreciate your comments. Glad we were able to connect. We are going to next take up what we had previously identified as the sixth item on the agenda. This relates to court adoption

and permanency, item number 26-053. We welcome our presenters on this item, Judge Ana Espana, and we have our guardianship family, Chantel and Allison Johnson, who will be speaking. Welcome to you both.

>> Good morning and thank you, Chief Justice, and members of the California Judicial Council. Thank you again for this opportunity to talk about the role of the juvenile court and our impact on permanency in the lives of children in foster care. As an attorney, some of you know I represented thousands of foster children over a period of 24 years. In 2008, I was appointed to the bench. Have now been a juvenile court judge for nine years, with a fortunate assignment as juvenile presiding judge for the past seven. In that role, I have made orders that support permanency in the lives of these children. In all my work as an attorney and as a judge, I have spent significant time talking to children and families about the importance of permanency and have seen the positive lifelong impact it has had on their lives. I am happy to hear that for this 27-year anniversary of Adoption and Permanency Month, the Judicial Council is emphasizing the role of kinship care and legal guardianship in achieving permanency. Next slide. Thank you. One of our most recent efforts as a court, which you all heard about from Justice Cody last year, is to foster a kin-first culture. That means that all of us, from judges and social workers, probation officers, attorneys, and others, search for, consider, and support appropriate family members as a first option after removal. As reported to you, when children are first removed from parents and placed with kinship caregivers, they have far better outcomes than those who are not. Now, it is quite sad when reunification between a parent and child doesn't work out. Sometimes the other preferred permanent plan, adoption, isn't right either. And that is when guardianship becomes a consideration. For example, there are times, particularly with older youth, when a determination of their parents' rights just doesn't sit right with them. They might recognize the inability of their birth parents to be safe parents, but at the same time still feel a strong bond with them and want them to be involved in their lives. Sometimes we have relative caregivers like grandparents who don't want the parental rights of their adult child terminated, hoping their child can sometime heal from the struggles of addiction or mental illness and take on the parental role. In other cases, we might have siblings in different places whose relationships with each other are so strong they want to remain legally connected. So termination of parental rights might not be in their best interest. In these situations, there are caregivers who are willing and able to provide a stable and permanent home to legal guardianship. I highlight only a few examples. But there are many situations when the option of legal guardianship makes the most sense for the family. In 2025, approximately 10 percent of children who left foster care attained permanency through guardianship. And almost half of those were kin-gap guardianships; many of those youth were placed with a relative. Now, let me pause here and introduce Chantel Johnson, who will share with you her journey toward achieving guardianship with her niece. Chantel?

>> Good morning, Chief Justice Guerrero and members of the council. Thank you for recognizing Court Adoption and Permanency Month. My name is Chantel Johnson. I am a woman who has spent time in the foster care system, a professional advocate for youth in care, and a mother of a daughter named Allison, who is sitting next to me. Allison began life as my

niece. She was a toddler when I received a call asking if I could first care for her following an emergency in the foster care home. I was 22 years old. When people hear that I said yes, they sometimes imagine a moment of uncertainty. And I did know one thing for certain. Allison was my family, and I wanted her with me, but I was also afraid. I had not planned to become a parent. I wondered whether I knew enough, earned enough, or was prepared to give a young child everything she needed as a young, single adult. At 22, I could barely picture the rest of my own life. Now I was asked to consider a commitment that could last the rest of hers. Then, with the help of others, I had to learn how to live out that yes. At first, we thought Allison would come within a few days. I began making room for her in my life that I shared with my college roommates at the time and rearranging my life for her arrival. Then the plan changed. The agency had questions about whether I could care for her long-term, and her placement was delayed three months. That experience has always stayed with me because it revealed the difference between adult time and a child's time. Adults may need another hearing, or another month to work out a plan. Sometimes that is necessary. But children went through every day of uncertainty. For a toddler who had also experienced multiple changes in caregivers, three months was a substantial part of her life. When Allison finally arrived, I began learning how to parent her well. Her mother continued to receive reunification services, and those services were extended multiple times for years. I believed then, and I still believe now, that parents should have a meaningful opportunity to reunify with their children whenever it can be done safely. I also remember what that parade of time felt like inside our home. I was working. Arranging childcare. Getting Allison into preschool. At the same time, an unfamiliar county staff would pick her up from preschool each weekend, drive her two hours each way for visits with her mother, which continued for years. Allison was too young to understand reunification or a permanency plan, but she could understand that I came back at the end of the day, so I came back again and again, until those ordinary days became a foundation for family. Eventually I became Allison's legal guardian. By then, she had begun calling me Mom. Then her preschool director looked me in the eye and said, every baby needs someone to call Mom. Legal guardianship gave me authority to make decisions, and it brought greater predictability and less involvement from the child welfare system in our daily lives. For our family though, very little changed. Allison was too young to understand what guardianship meant. She knew where she lived, who she called Mom. There was a reason legal guardianship was the right plan at the time. I was young and barely making it financially. Full-time childcare was essential if I was going to continue working, and at the time, we could continue receiving the childcare subsidy if Allison remained in guardianship and unless I adopted her. I wanted to, but I could not afford to lose the childcare that was helping me provide the stable home we were trying to make permanent. So we chose guardianship . I think there is an important lesson in that experience. Legal permanency can determine which resources are available to them. Later we would encounter important resources that were available through adoption but not in guardianship. But we were the same family under either legal arrangement. Her needs did not change because of the permanency box checked on a court order. Family should not have to choose between the legal permanency option that is right for their family and the support they need to make the permanency successful. And when our case closed, no one ever came back to ask whether circumstances had changed or whether adoption might be possible for us. More than 15 years

later, we are now exploring that option again. Even as Allison approaches adulthood, the distinction between guardianship and adoption means little to her. They are legal terms that mean far more to adults than systems around us. On our best days and our worst days, we are mother and daughter far more than what legal permanency program we're in. It gives caregivers authority and creates important rights and responsibilities, but children and teens and parents experience permanency very different. Who comes home? Who takes care of them when they are sick? Who shows up? And who do they believe will still be there into adulthood? Guardianship was the right legal plan for us at that moment in our lives. Adoption might be right in another moment. Neither changes when a family becomes a family or eliminates a family's need for support. I was fortunate enough to find support and resources along the way. Free childcare was essential, as I mentioned. An early intervention therapist came to preschool to help with speech, motor skills, and development, and supportive relative caregivers helped me understand attachment and respond to needs. Later, a summer camp for children and kinship and adoption families gave support with other children and families who shared something in common. And perhaps most importantly, we had our chosen family. The people who helped with childcare elevated milestones and reminded me that loving did not require me to have every answer. We could not have done this alone, and we were never supposed to. The need for support did not disappear as Allison got older. The services a 3-year-old needs are not the services a 13-year-old or a 17-year-old needs. As those needs change, finding meaningful support often becomes harder, not easier. There were times I struggled to access services even when I knew our family needed additional help. Kinship caregivers need placement, but as children grow, their needs change. So I hope our experiences offers the Judicial Council answer questions throughout California. First, how can we help courts see time to a child's eyes? Careful decisions matter, but when more time is necessary, we should ask what stability and reassurance that child can have right now. Second, how can we make sure families can choose the permanency option that is right for them right now rather than the option that preserves access to the resources they need? Reunification, guardianship, and adoption are all different legal pathways, but children cannot become more or less deserving of support because of which pathways their family takes. Finally, how can we help families get support that lasts in the court order? Children grow. Circumstances change. The right permanency plan at one moment might not be the right one forever, and the services a family needs will evolve along with that. Courts can help families understand their options, know what services will remain available as a child grows, and know where to turn when their needs change. A court order can make a relationship legally permanent; helping the family remain strong requires a commitment that lasts just as long. When I received the call at 22, I thought I had to decide whether I could make a lifelong promise. I have made that promise, but I was able to keep it because other people helped us, often in practical or seemingly unremarkable ways that meant a road inside home. Today, Allison is approaching adulthood. She is my daughter, and I am her mom. That is what I hope we can celebrate this month: children who find safety and belonging, families who commit to them, and the many people whose work helps those commitments endure. Thank you for the part each of you plays and for giving me the opportunity to share our story.

>> Thank you, Chantel. Thank you.

>> Thank you also for joining us this morning. Thank you so much. Again, I would like to thank you, Chief Justice Guerrero, for this opportunity to receive a snapshot of the work of judges and permanency for foster youth. Leveraging guardianship to keep youth connected to family supports our continuing kin-first efforts and provides a pathway to safe, permanent placement for youth and children when reunification or adoption is not possible. And again, thank you very much for your support . At this time, I ask that the council approve the resolution proclaiming November 2026 to be Court Adoption and Permanency Month.

>> Thank you. I wanted to thank you, Judge. I will have a few remarks on that later. And I wanted to thank Ms. Johnson and Allison for sharing your beautiful story and some of the photos of your beautiful family. Are there any questions, or is there a motion?

>> So moved.

>> Thank you, Mr. Peters.

>> Crompton seconds.

>> Judge Crompton. All in favor, say aye.

>> Aye.

>> Any noes? Any abstentions? The resolution is now passed, but Judge Espana, you are retiring, and I wanted to take this moment to acknowledge you and to thank you. You are retiring, I believe, after 18 years on the bench.

>> Yes.

>> Thank you for your public service with the San Diego Superior Court. For the past eight years, Judge Espana has presided over San Diego's juvenile court. In addition to serving on the council's Family and Juvenile Law Advisory Committee, Judge Espana has also served on our Center for Judicial Education and Resources Juvenile Law Committee, among many other contributions. Even before she was appointed to the bench, she contributed to the work of the council on juvenile issues while serving as public defender in San Diego County. I believe Judge Espana exemplifies the very best in California's public servants who are committed to forging ahead for positive change and improvements in our juvenile justice system and the judicial branch more broadly. And on a personal note, you have been a wonderful mentor and friend. I am going to miss you, and thank you for your service.

>> Thank you very much.

>> Can I add something? Judge Espana, I am horrified you are retiring, frankly, but congratulations. I want to alert people to, if you never set in a juvenile court, juvenile courts across the state have this amazing list served. We share questions. We propose solutions, alternatives, educational opportunities, and all kinds of things in connection with our work in juvenile court. And Judge Espana has been such a dedicated leader, always offering her time, her energy, her experience, in terms of things that may have worked in her court or things she knows other people may have tried or worked. I just want to say on behalf of every juvenile court judge in this state, both now and in the past, thank you. You have been amazing.

>> Thank you so much. Thank you very much for the honor. It has been a pleasure to serve the public in this way, and I will be back as an assigned judge.

>> Yeah, I will hold you to that. And thank you guys again. I would like a round of applause.

>> [Applause]

>> Okay. Shifting now to the next agenda item, the Judicial Council Workload Study update. This is item number 26-157. We welcome our presenters, Mr. Jake Chatters. chair of the Data Analytics Advisory Committee. Okay, I'm sorry again, I am going out of order. I neglected one important additional recommendation.

>> Audrey, I see you trying to sneak out. Can you come back?

>> That was my fault.

>> We have a really important retirement that is happening with Judicial Council staff organization as well. Audrey has been with the council for over 30 years, which is remarkable, and she is retiring at the end of this month. She has done an amazing amount of work for the council and for children and families throughout California. We are very sad to see you go, and we are appreciative of everything you have done, so thank you.

>> Thank you. [Applause]

>> Thank you.

>> Child labor.

>> Okay. Thank you. We welcome in our presenters. Jake Chatters, the chair of the Data Analytics Advisory Committee, Judge Thomas Kuhnle, vice-chair of the Data Analytics Advisory Committee, Ms. Leah Rose-Goodwin, and Kristin Greenaway, Research Analytics and Data. We also have to welcome Mustafa Sagir. Welcome.

>> Good? All right. Thank you, Chief Justice. Good morning, barely, for members of the Judicial Council. I am Jake Chatters and the chair of the Data Analytics Advisory Committee, and as the Chief said, joining me today on my left, here is Judge Thomas Kuhnle, who is vice-chair of the Data Analytics Advisory Committee. And from Judicial Council, on my right, we have Mustafa Sagir and Kristin Greenaway. Mustafa will be doing most of the talking. The caseweights we use for 23 case types updating the judicial work year and updating the judicial workday value that contributes to our estimates of how many judges are needed throughout the state. These parameters reflect the foundation of how we measure judicial workload, and they will be applied to the judicial needs assessment that is the following item on today's agenda. Our committee has had continuous oversight of the study from its planning stages in 2025 to approval of the draft report at our August meeting this year, and the recommendations today reflect that review and extensive discussion. And before Mr. Sagir jumps into the substance here, Judge Kuhnle is going to have a few words.

>> Thank you. Our research rests on the participation of more than 1,200 judicial officers in 18 courts who recorded their time for four weeks during a very busy period in the courts. The study had a 90 percent participation rate. I want to thank the judicial officers and presiding judges and court executive officers who made that participation possible. The result is the most comprehensive picture of judicial workload this branch has ever had. And you will learn more about it because I'm going to turn it over to Mr. Sagir, who will present more detailed information on that study.

>> Thank you, Judge Kuhnle. I am Mustafa Sagir, project lead for the update. The presentation is organized into four sections. First, a brief overview of what the judicial workload study measures. Second, the update process. Third, the findings, the updated caseweights, and how they compare with 2019, the time survey in the focus group themes. And finally, the three parameter recommendations before the council today. This slide is the foundation for everything that follows. The judicial workload uses a weighted caseload model to estimate case-wide need: the year filings multiplied by caseweights divided by the workload value of the available case-related judicial officer per year. The top of the equation is the side. How many cases arrive, and how much time required on average? The three-year average filings smooth year-to-year fluctuations. Caseweights capture caseweight judicial minutes through filing post disposition. The capacity side has two components, the judicial work and the additional work here and the judicial work date. The essential logic is that because capacity has an upper bound, growth and demand eventually require additional resources rather than being absorbed with existing capacity. One framing point highlighted is on the slide as well. The study produces averages of observed practice used to estimate statewide judicial need. They are not standards, not benchmarks, not tools for evaluating individual judicial performance. When we say the filing takes 274 minutes on average, that is what the data show across courts, not how much time a judicial officer should spend on any individual case. The next two slides illustrate why caseweights matter. This three map shows the statewide three or average by case types. Now, infractions are dominant by 2.8 million filings a year, or 58.3 percent of all cases filed statewide. Felonies, one of the most time-demanding case types, represent last time 4 percent.

Filing flame tells us how many cases come through the door. It does not tell us how much judicial time each one requires. And this three map shows the filings multiplied by their caseweights. The picture changed significantly. Felonies, under 4 percent of filings, now account for 27.5 percent of statewide judicial workload. Family combined matters combined for 21.9 percent. Together, felony and family account for roughly half of the statewide workload. So filings measure volume, caseweights help measure workload. That is why keeping the caseweights current matters. The update before you today is a recalibration of a new measure. The council adopted this in 2001, refined in 2004. With three-year average filings and approved full 2011 and 2019, each update refit the same framework to current data. The methodology is not changing. The parameters within it are. And the seven-year absence since 2019 reflects the pandemic-related deferral from 2023 to 2025. The update spent 18 months across five phases. Operation ran from March through July 2025, with plenty of meetings with presiding judges and 10 online training sessions. The centerpiece was a four-week time study in August and September 2025, as Judge Kuhnle highlighted in his opening remarks, with more than 1,200 judicial officers and 98 percent rate. It is the largest and most populous in California judicial work study history. The initial state courts and our office cleaned and analyzed the data and validated the preliminary caseweights. Sixteen focus groups followed in spring 2025, and the data analytics revealed the work at each stage from March through August 2026. I would like to acknowledge the participating judicial officers and courts, our partners at the National Center for State Courts, and my colleagues in Research Analytics and Data. It would not have been possible without them. Turning to the findings, here are the 2026 caseweights ranked from highest to lowest. Five case types are expressed here: appellate division appeals, complex civil, felony, juvenile dependency. Each require more than four hours of estimated judicial time per case from filing through post disposition. Continuing down the chart, four case types require less than 30 minutes per case: unlawful detainer, misdemeanor traffic, civil, and infractions. At the low end, infractions require 1.35 minutes of time as most resolve without any court appearances. Across both flights, nearly a four hundredfold range in judicial time. This chart compares the 2026 caseweights with those adopted in 2019, beginning with the largest increases. Four case types increased by more than 80 percent: unlawful detainer, small claims, domestic violence, and child support. And felony increased 34 percent, a meaningful change, given its share of statewide workload. Most case types increased, reflecting systemic changes in work process since 2019. This is the continuation of the chart showing case types with smaller changes than those that decreased. Three case types decreased: asbestos, complex civil, and estate interest. So the update did not move every case type in the same direction. The model captures real variation, including where judicial time per case declined. Alongside the time study, the National Center for State Courts time survey, the first time this instrument has accompanied a judicial workload update, 310 judicial officers across 16 courts responded. The survey did not change the caseweights. It informs the qualitative picture, and three findings warrant attention. First, time pressure across the day, the lowest-scoring item at 2.95 out of 5, time available for lunch and breaks. Second, respondents reported that cases have grown more time-consuming across almost every case type area. And third, resource and staffing constraints amplify workload. Shortages of interpreters, mental health evaluations, and court reporters contribute to hearings. These contribute, and with the focus group, the themes that follow. So,

to understand why case weights changed, we held 16 virtual focus groups in April and May 2026, with judicial officers from 17 of the courts. This matrix shows the seven themes that emerged across seven case type areas with case rate changes greater than 20 percent. Legislative and regulatory change was identified as a meaningful driver in every area. Resource and capacity gaps appear in six. Technology issues, a concentration of more time-consuming cases, and preparedness in civil concerns each appeared in five. Staff litigants and diversion-related issues appear in four. The conversions and consistency across courts matter. These changes are not isolated to one court or one case type. They reflect systemwide change, not artifacts of the study period. And this slide groups those drivers into four categories. New statutory workload, such as CARE Act, postdisposition relief, and sentencing. Diversion frameworks and retainer reform. On the technology side, AI-generated pleadings that require citation verification and growing volumes of digital evidence. On the case processing side, such as more self-represented litigants, fewer pretrial settlements, and a shift toward more contested and complex matters. And lastly, post-pandemic dynamics, such as changes in courtroom conduct and attorney preparedness, and staffing shortages, and interpreter gaps. The 2019 caseweights predate these changes, and 2025 times recaptured them. I will close with the committee's three recommendations. The first is to adopt 2026 caseweights for 23 case types. The 21 existing types plus 2 new categories, CARE Act at 205 minutes and caseweight exceptions are complex, civil across five courts, with substantial civil activity and asbestos, which uses a hybrid approach. The second recommendation is the judicial work year of 212 days: 365 calendar days minus 104 weekend days, 14 official holidays, and 35 days off, leave, and training. That yields 212, seven fewer than the 2019 value of 219. Two things drove the change. Vacation and sick leave days are drawn from the 2025 time study rather than a fixed assumption, and Juneteenth has been added as an official holiday. Last recommendation is a judicial workday value of 401 minutes of case-related time per day. The evaluation is 540 minute minus 90 minutes for lunch and breaks and 49 minutes of non-case-related activities such as administrative duties, meetings, and community outreach. The 49 minutes is now derived directly from 2025 times to the data rather than carried forward as an assumption. On the lunch and break alone, the committee considered both 60-minute and 90-minute options before yielding 431 minutes, and it proved 90 minutes alone at its August meeting. As highlighted on the slide, the workday really is a steady construct for estimating capacity. It is not a prescription for how a judicial officer must structure a day, nor a standard for evaluating individual performance and work hours. For context, this slide compares the 2026 workday value with the 2019 value. We will start with a 540-minute working day and the same 60-minute lunch. Two things changed. First the 2026 value includes a 30-minute break alone, which the 2019 value did not. Second, the non-case-related time, administrative duties, meetings, was assumed to be 120 minutes in 2019. In 2026, it is drawn from the 2025 time study, which observed 49 minutes. The net effect is 41 additional case-related minutes per day from 360 minutes to 401. With a 60-minute lunch and break alone, the value would have been 431 minutes. And that concludes the presentation, and I will turn it back.

>> All right. Thank you, Mustafa. The updated caseweights reflect documented changes. No superior courts in particular. Process cases and the new adequacy of time survey perceives how

judges receive their time and the time to find. And focus groups that provide a direct report to validate with the time study data showed. The time study Mustafa mentioned has reduced reliance on fixed assumptions and increased use of data-driven values, specifically related to judicial vacation, sick, training, and non-case-related time. So, on behalf of the Data Analytics Advisory Committee, the council is asked today to adopt three parameters: the 2026 caseweights for 23 case types, a judicial work year value of 212 days, and a judicial workday value of 401 minutes. If adopted, they take effect immediately today and will be applied to the next matter on the agenda. So, Chief Justice, that concludes our presentation, and Judge Kuhnle, Mustafa, Kristin, and I are available for questions.

>> Thank you. Are there any questions or comments for our presenters? Judge Moorman?

>> Yes. Thank you, Chief. Thank you for the presentation. I want to really not only thank you for being here today and presenting the materials, which are very good, very informative. The work of the committee and particularly the work of all the judicial officers that have participated in the study. Thank you. A 90 percent attendance rate is really pretty good in any classroom, right? So I want to speak to one thing, and I'm going to be pretty straightforward about it. I understand what the purpose of the report is. And I understand sort of the, I will call them caveats, that are built into the presentation of the material. But I am concerned about the broader and what I think will be negative implications of shortening a judicial workday in favor of taking more breaks. And if we adopt the recommendation, I think it is number two in the materials, about the judicial workday, essentially, it is saying that we, as a policy of the branch, are adopting the view that a judicial officer should spend less time on cases and more time taking a break. And I understand the pressures of the job. We all understand the pressures of the job. But I think this is a statement that will have quite broad implications. And I am just going to put my judicial branch budget hat on for a second and remind everybody that in July, we sent the Department of Finance approximately 21, 22, I don't remember exactly the number of budget change proposals, each of which we had identified as a critical need of the branch. And those critical needs included trying to get back our CPI adjustment because every day we don't have a CPI adjustment, we are losing money. We have millions of dollars in deferred maintenance. We are trying to get our lawyers that represent people on death row and the Courts of Appeal a living wage so not only can we recruit but we can retain, which is our constitutional obligation. We also have issues with courthouse and judicial officer security that are among the BCPs, among other things. Every single one of them was adopted as a critical need. And I believe adopting a policy, even in the context in which it is presented here, will negatively affect our ability to attain the goals that are stated in our BCPs, not only this year, next year and into the future. And I think it affects our credibility. Because the recommendation is that we spend, and I know it is 401 minutes versus 431 minutes, which doesn't sound like a lot of time, but it is the appearance of saying we are adopting a policy that we think a judicial officer should spend less time working on cases and more time taking a break. And I just want to know when I read the cover memo, this particular aspect of the recommendation was a steady implementation choice. It is not data-driven. It is a choice. And so as part of that choice, the committee adopted it as part of the recommendation, and I respect that. However, I think it

is an incorrect choice. I think we need to send the message to the Legislature, to the public, that we are committed to an eight-h our day. We are committed to working 431 minutes as a policy on our cases while doing our non-case-related work. And that we, as a branch, are not going to adopt a policy that shortens our day in favor of taking more breaks. I think the appearance of it is, will have negative consequences that we can't quite predict in this room. I think when I filled out the application, a recent application, it asked me if I could work eight hours. And I said yes. And I signed that application under penalty of perjury. So I am interested in what others think. But Chief, I'm going to move the adoption with one modification, and that is to recommendation number two. And the modification would be that we have a nine-hour workday. One hour for lunch, 49 minutes of non-case-related work, and 431 minutes of case-related time by a judicial officer, and that would define our judicial workday. In all other respects, I move to adopt the recommendations.

>> Chief, I second.

>> Judge Moorman. Justice Corrigan is a second. And the, just to clarify, it is the same as what was recommended with the exception of the lunch break time. The 60 minutes versus 90.

>> Versus a 15 minute break in the morning.

>> So it is the components. It is a total of 431 minutes. In a workday.

>> On case work. There is a motion and a second. Is there any further discussion?

>> Chief?

>> Yes.

>> Thank you, Chief. I want to concur with Judge Moorman's comments. I am one who participated in the workload study. We were so happy to be able to do that. I'm also from one of those counties that has a large judicial need. But I concur with the eight-hour day. It's not that our judges are not taking breaks. We do that elsewhere. And I really appreciate that 49 minutes of other time because, as I tell my judges when they start, your job isn't just about being in the courtroom from nine to four thirty. There are the things that you need to take on to help this court and help our judicial system. But the idea that we were appointed by governors and/or stand for election by governors and by our publics that we have committed to an eight-hour day and we are willing to do that, I think everyone in this room knows everyone on their bench is working that as a minimum. I think our compadres in the Legislature would agree that they sign on for a minimum eight-hour day as well, and we lose credibility if we do not support that eight-hour day, and I would concur with Judge Moorman's comments.

>> Thank you. I saw hands appear. I will go down in order.

>> Thank you, Chief. So I also want to thank the presenters here today and every member of the committee because I know how much work went into this. And I am very appreciative of that work. I just echoed Judge Moorman and Judge Dulcich's comments, though. I came to the branch in 2013 after over 25 years of working in the private sector. A large part of my law practice was advising California employers and employees on employment law. And those clients ranged throughout all kinds of fields and occupations, everything from medical professionals to chain restaurant owners, large corporations. I will just tell you, I never had a conversation with an employer when we were talking about either an exempt employee or a professional category employee where the discussion was ever about less than a minimum of eight hours a day. And I do think there is an unfair and inaccurate stereotype that exists that public servants work less than those in the private sector. I know that is not true. I am so proud of my colleagues across the state that work tremendous hours. But I have a concern that if we went with a recommendation that allowed for 90 minutes of rest breaks and meal periods and reduced it to the 401, that we are somewhat contributing to that inaccurate and unfair stereotype and that we are further distinguishing what occurs in the private sector. Under California law, I think it reduces public confidence in the branch, and I think it is really inaccurate with what is happening across our branch because I know the tremendous hours that all of our public servants put in. Not just judicial officers but also our court staff, our managers, our supervisors, our court reporters, our interpreters. And so I have the same concerns and I join in a motion to approve the recommendations with the modification that it be 431 minutes versus the 401. Thank you.

>> I'm going down again. Justice Greenwood?

>> Thank you very much. I think the subcommittee, I'm still new. Anyway, it did such an amazing job in this study and I was, I love data. I was so particularly impressed with the caseweighting and the consideration of all the new changes that have come in in terms of the impact on felonies. Very careful attention to detail and all the different case categorizations. What a service you have provided to the branch in doing that. That is so admirable. And I think we are all very grateful for it. And I am very grateful I did not have to do it, so thank you also for that. With that admiring comment, I also join with Judge Moorman. Just to be a little candid, I will be a little cruder, it is partly a question of optics. It is damaging, I think, to adopt the workday measure that you are suggesting at this time or you're recommending at this time for all the reasons that have been so eloquently stated. But also I, in my district, I can't think of a judge who would say that is my day, even though I know that you based it on responses from judges, and I am not questioning that. This is not what they are doing. They are really, really working all the time, really hard, and in some way to portray it, as I am taking these breaks, I am doing this. I am spending this time on education during my day. That's, I don't think it accurately reflects what is happening with them and their perception of their job either. I think it would be upsetting to our colleagues on the bench to have their work portrayed that way. So for those reasons, I join Judge Moorman, and thank you for the work that you have done that is going to be so important to the branch moving forward.

>> Thank you, Justice Greenwood. I just wanted to clarify. If I understood the presentation, the responses, the feedback was received on different matters. The time it took to complete a task, not that the judges were responding that they take this additional break time. Is that accurate?

>> Yeah. Thank you for clarifying that. Correct. So the judges' surveys they received track your time. Judge Kuhnle under here, does not include asking how long you spend on lunch, how long you spend on a break. It asked what work are you doing? So that did capture how much time do you work on non-case-related work . But both a lunch and to the extent there is a break, that is an assumption in the model. That is not a data-driven value.

>> Okay. Mr. Slayton?

>> I have a different take than Judge Moorman, and I think if the studies had what Judge Moorman had laid out about the judges should work less than eight hours, I would agree wholeheartedly with her. Actually the study says the current, and for the past 25 years, the council's workload studies for judges have said judges should work 360 minutes a day on case-related work and 120 minutes a day on non-case-related work. So whether this council adopts 401 or 431, it is an increase in the amount of work that judges will be spending on cases. In fact, if the council were to adopt the 401 amount, that would be an 11.4 increase in the amount of time judges are expected in this state to spend on cases than what is currently, as of today, before this vote, expected of them on the model. If the council adopts the 431, we will be telling them we expect them to work 20 percent more than the current model expects them to work today. So I think that is concerning. And whatever you look at, one of the factors obviously is breaks. The research that is out there says that, there is multiple research studies that shows when judges work a four-hour period without taking a break, that it reduces the quality of their judgments. And I think it is worth thinking about whether or not judges taking some breaks for some matter of minutes is in the good of the public interest. And so that was another thing that I think is important. And then the last point I will make is that the study, one of the big changes in the study, was to go from 120 minutes of non-case-related study work, which was an assumption for the last 25 years about how much time judges would spend on non-case-related work, to 49 minutes, which was measured. It was measured at a time when there were 66 vacancies in the branch and judicial officers. So, yes, judges were spending more time than what they might otherwise spend and the adequacy of time study which we did for the first time ever this year from the lowest-rated score from judges was they didn't have time to take a break. And so I think one of the things I hope the council will think about is not that we are saying judges should work less than eight hours a day; that is not happening, and that is not what the reports suggest. What the council is adopting is a number of minutes the judges should spend on case-related work, and the recommendation from DAAC is to go from 360 to 401. We are not saying judges should take 30 more minutes of break or the workday should be less than eight hours. That the things we have been asked or increases in the caseweights to adopt a number of minutes to work on case-related work per day, which under either the recommendation or the alternative, is more than what the current is. And that the year value should be 212, which I don't think anyone is questioning at this point. I will add one more

point, and then I will rest my case, which is the primary driver in the increase in judicial need in the state is not the factors about how many minutes a day judges should be spending. If you kept the numbers the same as they have been for the past 25 years on the number of minutes judges should be spending on cases per day, it would show that between the last time, at which the judicial need in this state is 415 judicial officers. The reason why the bio has gone up so much is because the complications of the work have increased. That is why it is so much higher. And so while I understand that the data would show that 401, or 431 depending on how you look at it, is the number, under either circumstance, those will be higher than what is expected now, so I would never want the public to think anyone up here is suggesting, including DAAC, that judges should work less. Both recommendations show judges should work more, and my recommendation, although I don't have the for making a motion, would be that you stick with the 401. With that, I will rest my case. Thank you very much.

>> Thank you.

>> I appreciate what you just said, Mr. Slayton. And it has made me think about it in slightly a different way. I, however, agree with Justice Greenwood's very pointed comments. Those are of grave concern to me as articulated and as made by the motion by Judge Moorman. I appreciate what DAAC has done, and I am concerned, too, about the perception. And I don't think that the reality is the judges in this state only work eight hours a day on case-specific matters. To that point, I think you're exactly right. But I think we could have argument after argument about what it looks like. But I think that what Judge Moorman has moved is appropriate under the circumstances.

>> Thank you. And I saw Judge Cortez, your hand up?

>> Yes. I spoke a little with Mr. Slayton when this was first presented to us a few months ago. And that was one of the things that I raised, what Judge Moorman brought up, not as eloquently as she presented it, but I did have that question about this numerical value given to lunches because I thought, in what alternate world are we living? And I appreciate the work because I know that a lot of work went into this. But at the end of the day, there is that optics. And I think it is important that if we are using numerical values based on actual data, and my county, San Bernardino, was one of the counties that was part of this study, that it is important that we stick with data-driven information rather than saying, well, we are sticking with data, but now we are going to come up with a fictitious number we should have, which is 90 minutes. Not based on reality. And I think it is important to separate those things. And when looking at the perception from the public, because we are always being watched by the public, that we stick with something that they can look at and say, well, they are working hard. They certainly probably aren't getting 60 minutes, because I know I would love for my judges to be able to have 90 minutes, let alone having to work at night on warrants and then come back and work in a trial court the same day. So, if we are sticking with data, we shouldn't come up with fictitious numbers to support breaks that we aren't actually taking. But with that said, I do appreciate all

the work. But I also second the motion. I would support it if I were a voting member, as it were presented.

>> We appreciate your comments. And we do have a motion. It has been moved, and there has been a second. There doesn't appear to be any further discussion, so at this time, I will ask for all of you who are voting in favor of the motion, wish to clarify is to adopt the recommended work here, but the recommended workday has changed to 431 minutes, and the caseweights are also part of the recommendation. All in favor, say aye.

>> Aye.

>> Any noes? Any abstentions?

>> Peters abstains.

>> This item is passed, and I think we are taking our next item on the agenda, which is, I think, the final. Right? On the agenda? It has been a long day. We will consider the 2026 update of the judicial needs assessment. This is item 26-158. We have the same presenters on this item, but there will need to be an adjustment to one component of it, so I will turn it over to you.

>> Thank you, Chief Justice. Maybe I will talk slower than normal, which only I don't talk slow anyway, to give Mustafa a quick chance to update the presentation. This next item is the companion to the workload study you just approved. Every two years, the Judicial Council reports to the Legislature and the Governor on how many each court requires, and that is a report that is required by Government Code section 69614. The judicial needs assessment is a result of staff applying the parameters of the additional workload study, parts of which you just moved to modify, and the Judicial Council's established criteria for prioritizing judgeships. Based on the judicial needs assessment, the Data Analytics Advisory Committee is recommending the council allocate the 13 judgeships funded in this year's act based on the 2026 judicial needs assessment, which will be shared with you in just a moment here. And with that, are you ready? I will turn it over to Mustafa again.

>> Thank you, Jake. I would like to say one thing up front. The numbers in these slides are prepared based on a 401-minute workday value based on the decision in the last item. The figures should be updated, but I will explain the changes while I present. So, in this presentation, I will cover three things: what the 2026 assessment shows, where the need is located, and how positions are prioritized ending with that recommendation. Starting statewide in 2022, all positions exceeded by about 100 FTE. In 2026, that has reversed. Again, based on the decision in the last item, the figures in this presentation should be updated. However, the statewide need reported in the slide still will be more than 100 percent need compared to the 2022 update. So two things drive the change: filings from the three most recent fiscal years and updated caseweights and workyear values from the previous item. And the statewide gap understates the need because a surplus in one court can offset a shortfall in another. Court by

court, that adds up to 159 judgeships across 18 courts. You see 231 in 22 on the slide. But it needs to be updated with 159 and 18 courts. Please refer to Attachment B of the report. And compared to the 2022 study, 61 judgeships will be needed compared to the 2022 assessment.

>> Real fast here? Since the slides in front of you have slightly different numbers, there is in the report that was submitted to the council an appendix, I think it is Attachment B. At the bottom of that, it will show you the total number. Mustafa was saying 2026, 231 judgeships needed based on the actions the council just took with the amended number of minutes per judge. That 231 is 159. So there are still 159 judgeships needed throughout the state.

>> 18 .

>> And 18 courts instead of 22 courts now. That is the only change on the slide. That 231 is 159. Does that make sense?

>> Thank you. Thank you, Jake. The need is concentrated. Account for about half of the need if we add the next five, Orange, Sacramento, San Joaquin, the top eight account for about more than 18 percent. Even if we change for the workday value, these numbers still stay. And the remaining courts lost judgeships combined. Several courts are short by roughly 30 to 40 percent of their current positions. So large absolute need in a few large courts and large proportional need in small courts. That is the balance to strike. Geographically, the need is clustered inland. Inland Empire, San Bernardino account for most of the positions. The Central Valley from the continuous bend from San Joaquin to Kern. Several northern courts have small numbers but large proportional need relative to their size. And on the other hand, most coastal and Bay Area courts are at or below the authorized levels, with Orange the main exception. So how are the need positions put in order? The council has used the same methodology since 2001. It is adopted from the Huntington Hill method used to apportion seats in Congress, and it works in three steps. First, courts are ranked by absolute need. Second, that ranking is weighted by proportional need, so courts high on vote measures rise. And third, each court's first position gets extra weight, which spreads positions across the state. So the order comes from the formula. That brings me to that recommendation, which has two parts. First, the assessment is informational; they will be translated to the Legislature and Governor with the updated number by November 1, as the statute requires. And second, the action item. The Data Analytics Advisory Committee recommends that the council allocate 13 judgeships funded by the Budget Act of 2026, as shown in Table A.2 of the report, contingent on court readiness and availability of funding, effective upon approval of the judicial work study update. This slide shows where those 13 judgeships go in a location order.

>> Let me jump in there, actually. So this is what the order was under a 231-minute. No, I'm sorry, 230?

>> This is 231.

>> Correct. So this is based on the 200 or 401 minutes, not the 431 minutes. So there are still 13 judgeships. The last page of this report is the updated table that shows you the ranking of judgeships. The only change is that Orange County would not be in this list of receiving a judgeships out of the first 13, and instead.

>> Riverside will get a fourth.

>> Riverside will get a fourth position. That is the only change. Otherwise, it stays the same. If you want to see those, also the recommendation on the prior page. Just so you know, the report itself will be updated based on your action. So A.2 will be replaced by the final chart, the pages that are at the end of the material. So you will look at Table 2 of Attachment B. That lays out the 13 you would be approving. Is that helpful?

>> Yes. And we have the written materials, which have an attachment. And we all received that attachment. This is Attachment B, a chart of judgeships based on the 431 minutes, which we previously adopted, and the associated allocation.

>> That is correct. Again, this chart in front of you. Would not receive a judgeship of 13, and Riverside would receive a fourth.

>> And Chief, we will redo the entire needs assessment report and then resubmit it back to you as an informational item just so you can see the full report with all the changes made.

>> Thank you. Justice Hill?

>> I just wanted to move approval with a brief comment, and that comment is to thank you for all of your work. About 28 years ago I chaired the very first judicial needs committee. And the work that you have done is light-years ahead of what we did. I mean, it was, it is just amazing looking at the detailed work, the data-driven work. It makes ours look very anecdotal by comparison. We did our best. But to see what we are presenting to the Legislature and what we are presenting to the public and the work you have put into this is extraordinarily impressive, and I just wanted to thank you for all of that. I wanted to thank all of the members of the council for their thoughtful discussions. It is a difficult issue to figure these things out. I think we have done it, but it is with all of your very hard work over the last couple of years. With that, I will move.

>> Is there a second?

>> And if you don’t mind, Chief, I wanted to underscore both Judge Cortez’s comments on the last one and Justice Hill’s comments on, you know, the trust that not only the other branches of government but that the public has in us is because we are open. We are transparent. We have moved into an era where we are truly data-driven. And when we have to make policy decisions, we are making those policy decisions with our eye keenly focused on access in every capacity,

including how many hours that our overworked judges need and do commit day in and day out to those court users who come into all 58 counties. So, Chief, I just wanted to underscore that I think the conversation for this particular motion and the last one really sort of underscores why our public in this state has so much confidence in this branch. Because of the thoughtful, considerate data-driven way we make our decisions. Thank you.

>> Okay. Thank you. We do have a motion to move approval of this item, and as I previously stated, this does include the attachment, which is Attachment B to the materials, Table 1 based on a 431-minute workday value and the associated allocations. So 159 is the number we are working on. I will ask if there's any further discussion. If not, we will take a vote. Okay. All those in favor, say aye.

>> Trying to get your attention.

>> First want to clarify it is Table 2, not Table 1.

>> It is Table 1.

>> Attachment A.

>> So Table 1 sets out the prioritization list. I'm sorry, Table 1 shows you the total number. Table 2 shows you the prioritization list, how the 13 would be allocated.

>> Okay. That's what we are moving on. Thank you. Thanks . At least I got that Attachment B part right. All in favor, say aye.

>> Aye.

>> Any noes? Any abstentions? Okay. This item is approved. Thank you. And that does conclude our meeting. Our next regularly scheduled business meeting is on December 11. Thank you again.