



JUDICIAL COUNCIL OF CALIFORNIA

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REPORT TO THE JUDICIAL COUNCIL

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Title

California's Language Access Plan: Update
on Language Access in the Courts of Appeal
and Supreme Court

Agenda Item Type

Information Only

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Submitted by

Ad Hoc Working Group of the Language
Access Plan Implementation Task Force
Hon. Jonathan K. Renner, Cochair

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Executive Summary

Recommendation 67 of the Judicial Council's *Strategic Plan for Language Access in the California Courts* states that the "California Courts of Appeal and Supreme Court of California should discuss and adopt applicable parts of [the] Language Access Plan [LAP] with necessary modifications." The Language Access Plan Implementation Task Force and Judicial Council staff convened the Ad Hoc Working Group on Language Access in the Supreme Court and Appellate Courts, consisting of appellate court justices and appellate and supreme court staff, to identify LAP recommendations that would be suitable for adoption by the Courts of Appeal and Supreme Court. This update describes the group's findings and next steps.

Previous Council Action

This is one of a series of updates to the Judicial Council made by the Language Access Plan Implementation Task Force concerning language access in California courts. This is the first update to the Judicial Council regarding language Access in the Supreme Courts and Appellate Courts.

Methodology and Process

Judge Steven K. Austin, chair of the task force's Budget and LAP Monitoring Subcommittee, asked Associate Justice Jonathan K. Renner, Third Appellate District of the Court of Appeal, to develop an approach for implementing Recommendation 67 of the Judicial Council's *Strategic Plan*.¹

In December 2015, a survey measuring language needs and interpreter usage in the Courts of Appeal and Supreme Court identified relatively few instances where those courts thus far have needed to provide language assistance to limited-English-proficiency (LEP) persons. The survey also noted that there are limited services and accommodations, like forms or signage in other languages, available to non-English speakers in the appellate courts.

The chair of the task force, Supreme Court Justice Mariano-Florentino Cuéllar, asked the clerk of the Supreme Court and the administrative presiding justices of the appellate courts to appoint individuals to participate in the Ad Hoc Working Group to focus on adapting the LAP for the appellate courts.

The working group—consisting of justices, clerk/administrators, and clerk's office staff—was convened by working group cochairs Renner and Maria P. Rivera, Associate Justice of the First Appellate District of the Court of Appeal, at an in-person meeting in April 2016. Members reviewed a proposed list of 37 LAP recommendations that the chairs had preliminarily identified as applicable to the Supreme Court and Courts of Appeal, though their discussion ultimately covered all of the LAP recommendations. Each of the recommendations was thoroughly discussed. Recognizing that many of the LAP recommendations were drafted with the trial courts in mind, the working group initially discussed whether the activities or actions identified in the LAP were also applicable to the Courts of Appeal and Supreme Court. The working group also spent a considerable amount of time discussing the course of action that might be needed to implement each recommendation and how to do so in the most efficient and effective manner.

From an original list of 75 LAP recommendations, the group identified 35 recommendations potentially applicable in the Supreme Courts and Courts of Appeal. Very broadly, the recommendations can be grouped into two categories: (1) items that are also being implemented at the trial court level and therefore can be coordinated or adapted to include the appellate courts (e.g., multilanguage signage); and (2) items that will require initial implementation in the appellate courts such as providing self-represented parties with qualified interpreters at oral argument.

The working group also discussed that some recommendations might need to be phased in gradually to match demand for services. For example, LAP Recommendation 28 states that

¹ Judicial Council of Cal., *Strategic Plan for Language Access in the California Courts* (Jan. 22, 2015), p. 87, www.courts.ca.gov/documents/CLASP_report_060514.pdf.

courts should conduct outreach to recruit bilingual staff who can provide assistance in commonly used languages in their jurisdiction. The working group recommended that full implementation of this proposal would be contingent on whether the need for that service was sufficient, but partial implementation could entail simply identifying existing bilingual staff who might be called on to provide language assistance when needed.

The report at Attachment A, *Implementing Language Access in the Courts of Appeal and Supreme Court: A Report of the Ad Hoc Working Group*, describes in more detail the working group's activities, findings, and final recommendations. The report has been shared with the task force's Budget and LAP Monitoring Subcommittee and, at the , October 17, 2016, meeting, the full task force unanimously approved the recommendations and approved submitting them to the Judicial Council as an informational update. During the October 2016 task force meeting, no public comments were made or received about this specific item.

Policy and Cost Implications

The cost of implementing these recommendations is unknown, because anticipating the future demand for language access services at the appellate level is difficult. Although the 2016 survey referenced above revealed that requests for language services at the appellate level have been infrequent, whether the expansion of interpreter services at the trial court level will cause the need for language services to increase is unknown.

In addition to the direct cost of implementing recommendations, working group members noted there will likely be indirect costs attendant to the coordination activities required in some recommendations.

Additionally, it should be noted that existing funding for reimbursement of interpreter services (Program 0150037) is designated for exclusive use in the trial courts and is unavailable for reimbursement of interpreter services provided in the Courts of Appeal and Supreme Court.

Although costs to implement the proposals applicable to the appellate courts are expected to be modest at the onset, the Judicial Council may wish to periodically measure usage and need for language access in the appellate courts to determine whether the workload has increased to the point where additional funding is needed and seek that funding as necessary.

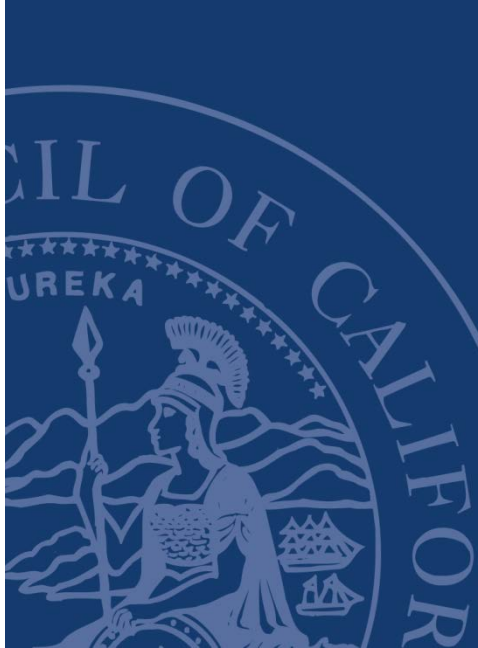
Next Steps

By the time that the Judicial Council receives this report, Justice Renner will have met with the administrative presiding justices to discuss the status of this work and to request that each appellate district and the Supreme Court designate a language access resource person. It is anticipated that the people designated to serve in this capacity will meet and review the Ad Hoc Working Group's findings and recommendations and determine how best to implement the applicable LAP recommendations, including identification of any anticipated funding needs. As appropriate, a follow-up report will be submitted to the council regarding LAP implementation

progress in the appellate courts, which will include any anticipated funding needs that are identified.

Attachments and Links

1. Attachment A: *Implementing Language Access in the Courts of Appeal and Supreme Court: A Report of the Ad Hoc Working Group*



Implementing Language Access in the Supreme Court and Courts of Appeal

A REPORT OF THE AD HOC WORKING
GROUP

JULY 8, 2016

Submitted to the Budget and Language Access
Plan Monitoring Subcommittee of the Language
Access Plan Implementation Task Force

Chairs

Justice Jonathan K. Renner, Court of Appeal,
Third Appellate District

Associate Justice Maria P. Rivera, Court of
Appeal, First Appellate District, Division Four

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Background

This report summarizes the steps taken to implement Recommendation 67 of the *Strategic Plan for Language Access in the California Courts* (Language Access Plan [LAP]), which states, “[t]he California Courts of Appeal and the Supreme Court of California should discuss and adopt applicable parts of [the] Language Access Plan with necessary modifications.”¹

All 75 Language Access Plan recommendations were divided among four subcommittees and assigned for review and possible implementation. The chair of the Language Access Implementation Task Force’s Budget and LAP Monitoring Subcommittee asked Associate Justice Jonathan K. Renner, Third Appellate District of the Court of Appeal, to develop an approach for implementing Recommendation 67. To develop a more complete understanding of the need for language access assistance in the Supreme Court and appellate courts, a survey of language needs and interpreter usage in those courts (described more fully below) was conducted. After the survey results were received, the chair of the Language Access Implementation Task Force asked the clerk of the Supreme Court and the administrative presiding justices of the appellate courts to appoint individuals to participate in an ad hoc working group on adapting the Language Access Plan for the appellate courts (see Appendix A for the working group roster). The Ad Hoc Working Group on Language Access in the Supreme Court and Appellate Courts was duly appointed and convened, and it submits this report.

Survey of the Courts of Appeal and Supreme Court

In November 2015, a short survey was distributed to the six Courts of Appeal (eight separate court locations) and the Supreme Court asking about interactions with or accommodations for people with limited English proficiency (LEP). The survey focused on interactions in the courtroom and at the clerk’s counter, signage, and the availability of printed materials and forms in languages other than English. (See Appendix B for the survey.)

All of the courts responded to the survey, providing information regarding the types of language access requests that the Courts of Appeal and Supreme Court have received over the last five years and the procedures or services the courts have in place to address those requests. The survey also asked whether current resources were adequate to provide a full range of language access services to LEP court users, and whether needs were unmet in areas not addressed by the survey. The responses are summarized below.

Oral Argument

Over the five-year period covered by the survey, half of the Courts of Appeal had received requests for interpreters at oral argument. The Supreme Court had received no such requests. (See table 1.) All requests for interpreters were made by the parties or litigants, with the exception of one request, which was made by the court (Second Appellate District) itself. Languages interpreted included Russian, Spanish, and Swahili, and family members or friends

¹ Judicial Council of Cal., *Strategic Plan for Language Access in the California Courts* (Jan. 22, 2015), p. 87, www.courts.ca.gov/documents/CLASP_report_060514.pdf.

were used as interpreters. None of the family members or friends appeared to be certified, registered, or provisionally qualified interpreters. In the case of the request made by the court, a registered interpreter was used to provide interpretation in Burmese.

Table 1: Requests Made for Interpreters at Oral Argument Over Last Five Years

Court	Number of Requests	Granted?
Supreme Court	0	N/A
First Appellate District	0	N/A
Second Appellate District	3–4	Yes
Third Appellate District	3	Yes
Fourth Appellate District	Division 1: 2	Yes
	Division 2: 1	Yes
	Division 3: 0	N/A
Fifth Appellate District	0	N/A
Sixth Appellate District	0	N/A

Clerk's Window

All of the appellate courts reported having parties or individuals approach the clerk's window/counter in need of assistance in another language. However, the frequency varied from infrequent requests to 2 to 3 requests per month, depending on the court location. In the Second Appellate District, requests for language assistance occurred more frequently over the phone (about 10 to 12 times a month). The courts generally use bilingual staff from the court or Judicial Council to handle these needs, usually in Spanish only. Two of the six courts have a documented procedure in place.

The Supreme Court reported more frequent requests for language assistance at the counter. The court's current procedure is to use bilingual staff members to provide interpretation, when possible. The languages most frequently requested at the Supreme Court are Spanish, Chinese (not specified whether Cantonese or Mandarin), and Russian on occasion.

Public Information/Signage

The forms and informational materials for self-represented litigants or parties in the Courts of Appeal are available only in English, although the Judicial Council website has some self-help information about appeals available in Spanish.² In terms of signage, only the Second Appellate District reported providing signage in languages other than English (Chinese, Korean, Spanish, and Vietnamese). The Fourth Appellate District, Division One, indicated that it provides holiday closure information in various languages.

² See www.courts.ca.gov/12429.htm?rdeLocaleAttr=eS.

The Supreme Court's forms and information for self-represented individuals are available only in English, as is its signage. Bilingual staff can provide some assistance at the counter or on the phone.

Miscellaneous

The respondents did not identify the need for language access assistance in ways other than those described in the survey.

All but one court indicated that additional funding would be needed to provide a full range of language access services using qualified interpreters or translators.

In summary, at present, instances when the Courts of Appeal and Supreme Court are asked to provide services to persons of limited English proficiency appear to be relatively few. Likewise, very few parties request language assistance for oral argument. Requests for language assistance at the counter or on the phone are more frequent, but limited in comparison to the number of requests at the trial courts. When those services are necessary, the courts rely on bilingual court staff to assist users; otherwise, few processes are in place to assist users in a more structured manner. In cases where self-represented litigants seek assistance in other languages, the forms and information available are almost exclusively in English. Signage in languages other than English is also very rare.

Review of LAP Recommendations in Preparation for Working Group Meeting

Prior to convening the in-person meeting of the Ad Hoc Working Group, Justices Renner and Rivera reviewed the 75 recommendations from the Language Access Plan and tentatively identified 37 that were or could be applicable to the Courts of Appeal and Supreme Court. They circulated the list to the working group members before the meeting, asking members to respond with any comments, corrections, or examples of how the various recommendations had been implemented in their own courts. One member submitted comments on a few of the recommendations, and those comments were considered and incorporated into the final review document that formed the basis of the discussion at the meeting.

Review of LAP Recommendations at Working Group Meeting

On April 6, 2016, the Ad Hoc Working Group convened in San Francisco for an all-day meeting to discuss the Language Access Plan recommendations that applied to the Courts of Appeal and Supreme Court and determine how best to implement the applicable recommendations. All of the working group members were in attendance. (Mr. Jorge Navarrete, Clerk of the Supreme Court, joined by phone.)

In addition to receiving the list of recommendations for review before the meeting, members received a packet containing other relevant materials to review, including the following:

- Judicial Council fact sheet, *Language Access* (Mar. 2016)

- Judicial Council fact sheet, *Court Interpreters Program* (Apr. 2017)
- Sample “I speak” card
- Evidence Code section 756
- Government Code section 68561
- California Rules of Court, rule 2.893
- Judicial Council forms INT-100-INFO, INT-110, INT-120, and INT-200
- Language Access Services Complaint Form and instructions
- Statewide Model Notice
- Memo to court executive officers designating a language access representative

The Judicial Council’s Language Access Services staff gave brief presentations about court interpreter resources at the Judicial Council, including testing, certification, and resource availability. Justice Rivera gave an update of the status of the implementation of the Language Access Plan. And Judicial Council staff gave an overview of the appellate survey results described above.

The group then reviewed the list of recommendations that had been identified by Justice Renner and Justice Rivera as applicable to the Courts of Appeal and Supreme Court. The group had a vigorous discussion about each of the items, first deciding whether the recommendation was applicable to the Courts of Appeal and Supreme Court and then deciding the course of action to implement each recommendation and any necessary modifications. Appendix C contains the list of recommendations reviewed and notes summarizing the discussion.

Because the recommendations in the Language Access Plan were primarily geared for the trial courts, in ascertaining the relevance of each item to the Courts of Appeal and Supreme Court. As a threshold matter, the group discussed whether the activities or actions identified in the LAP as needing language access services in the trial courts were ones that take place in the Supreme Courts and Courts of Appeal. The group also attempted to identify which court participants would have the kind of “significant interest” in the appellate proceedings such that interpretation services should be provided.

Consequently, a significant amount of time was spent discussing the level of implementation that would be needed to carry out the recommendations. For example, Recommendation 48 provides that courts should identify standards of proficiency for bilingual court staff who may need to engage with non-English-speaking members of the public. Because the survey results and discussion at the April 6 meeting suggested that interactions with non-English speakers are relatively few, either in person or at the counter, adopting this recommendation would be a worthy aspiration but is not as urgent as in the trial courts.

Of the original list of 37 identified recommendations, 2 were determined not to be applicable to the Courts of Appeal and Supreme Court. Recommendation 11 concerned provision of interpreter services for court-ordered programs, such as anger management; such programs

are not part of appellate proceedings. Recommendation 52 had to do with the provision of bench cards to assist judges in identifying available language access services where a need arises unexpectedly during court proceedings; in the group's discussion, it became clear that this situation was relevant in a trial court setting but not at the appellate level.

The group's deliberations also covered funding for language access services. The program that pays for language access services in the trial courts (Fund 0150037, formerly called the "Program 45.45 Fund") is available only to trial courts and only for specific types of reimbursements. Therefore, any cost-generating policy or program adopted by the Courts of Appeal and Supreme Court will need to be paid for with existing resources or will require a new source of funding. Additional funds could be obtained by including the Courts of Appeal and the Supreme Court in the Program 45.45 Fund or through augmentation of the budget for appellate courts. If new funds are not provided, the costs of implementation will displace funding used for other services. However, because the current language access needs at the appellate level appear to be relatively light, the funding issue may not be urgent but will require future consideration should demand for these services increase. As a result, some of the implementation proposals were structured so that a level of implementation could be achieved with existing funding; a more aspirational level would be contingent on receipt of new funding.

The group also discussed the steps to implement each of the recommendations in the Courts of Appeal and Supreme Court and the parties responsible for implementing them. Because a significant number of recommendations are being implemented by Judicial Council staff on behalf of *trial courts*, the group determined that the best course of action would be to request that Judicial Council staff coordinate with or include the Courts of Appeal and Supreme Court when those recommendations are implemented. The majority of the recommendations applicable to the Courts of Appeal fell into that classification. With respect to the recommendations that would be implemented primarily by the Courts of Appeal and Supreme Court, the group discussed, among other things, the feasibility of reporting language services activities in the Appellate Court Case Management System and the feasibility of creating consistent coding to track usage, need, and cost across all the courts. Additionally, the group identified recommendations that would require training or development of training curricula relevant to the Courts of Appeal and Supreme Court.

Significantly, the group expressed concern about the LAP's recommendations that a dedicated staff person would be assigned responsibility for staying abreast of all language access resources and providing guidance regarding all language access inquiries. All court representatives observed that their staffs were already stretched very thin and that the imposition of additional duties on any staff members could be unacceptably burdensome.

Finalizing the Work of the Ad Hoc Working Group

Following the meeting, the chairs and program staff finalized a set of documents showing the Ad Hoc Working Group's list of recommendations that should be implemented in the Courts of Appeal and Supreme Court, notes from the April 6 discussion, and proposals to implement

those recommendations. (See Appendix C.) A separate list of the recommendations was also created, grouped by “responsible entity”—either the Courts of Appeal/Supreme Court or the Judicial Council/staff in conjunction with Implementation Task Force activities in the trial courts. (See Appendix D.)

Both documents were circulated to working group members in late May for their review and approval. Two members responded that the documents comported with their recollection of the discussion. A third member agreed with the documents as proposed, but also cited a recent proceeding in her court in which an appellant submitted a brief that was written entirely in another language. This situation was not addressed in any of the Language Access Plan recommendations, so the chairs opted not to incorporate this issue into the working group’s work, but to raise it to the Implementation Task Force, through this report, as an item for future consideration.

Next Steps

The Ad Hoc Working Group awaits the Implementation Task Force’s approval or remand of its recommendations. If the recommendations are accepted and approved, the leadership of the Courts of Appeal and Supreme Court will be asked to carry out those proposals within their purview, and Judicial Council staff will be asked to ensure that the recommendations to be implemented in the trial courts will also include the Courts of Appeal and the Supreme Court.

Roster of the Ad Hoc Working Group on Language Access
in the Supreme Court and Appellate Courts

Hon. Jonathan K. Renner, Cochair

Associate Justice of the Court of Appeal
Third Appellate District

Hon. Maria P. Rivera, Cochair

Associate Justice of the Court of Appeal
First Appellate District
Division Four

Hon. Cynthia G. Aaron

Associate Justice of the Court of Appeal
Fourth Appellate District
Division One

Hon. Terence L. Bruiniers

Associate Justice of the Court of Appeal
First Appellate District
Division Five

Ms. Deena Fawcett (Ret.)

Clerk/Administrator of the Court of Appeal
Third Appellate District

Ms. Janet Gamboa

Administrative Specialist of the Court of
Appeal
Fourth Appellate District

Ms. Susan Graham

Assistant Clerk/Administrator of the Court of
Appeal
First Appellate District

Mr. Kevin J. Lane

Clerk/Administrator of the Court of Appeal
Fourth Appellate District

Hon. Miguel A. Márquez (Ret.)

Associate Justice of the Court of Appeal
Sixth Appellate District

Ms. Candace Mortelliti

Assistant Deputy Clerk of the Court of
Appeal
Second Appellate District

Mr. Jorge Navarrete

Clerk of the Supreme Court

Hon. Rosendo Peña, Jr.

Associate Justice of the Court of Appeal
Fifth Appellate District

Ms. Mary Urena

Senior Deputy Clerk
Fourth Appellate District

Court Name and Location: _____

CALIFORNIA APPELLATE COURTS LANGUAGE ACCESS SURVEY***Oral Argument***

1. In the last five years, has the court received requests for an interpreter at oral argument?

Yes ____ No ____ If yes, how many requests? _____ How many were granted? _____

2. How many requests were made by an attorney or a self-represented party? Attorney _____ Party _____

3. If the request was made by an attorney, was it for him/herself or for a party observing the proceedings? _____

4. Who selected the interpreter(s)? _____

5. Who paid for the interpreter(s)? _____

6. Was the interpreter(s) registered or certified by the Judicial Council? _____

7. Was the interpreter(s) a family member of a party? _____

8. What language(s) did the party speak? _____

Clerk's Window

1. Have people approached the clerk's window who required language assistance?

Yes ____ No ____ If yes, how often does this occur? _____

- a. Do you have a procedure for addressing that need? Yes ____ No ____

- b. What is your procedure? _____

- c. What languages are the most commonly involved in these requests? _____

Public Information

1. Does the court make information available for self-represented people that explains how to pursue an appeal?

Yes ____ No ____ If yes, please describe: _____

- a. Is that information available in a language other than English? If yes, which language(s)?

2. Does the courthouse have signs providing guidance and directions to the public? Yes ____ No ____

- a. Are these signs in a language other than English? If yes, which language(s)?

3. Does the court have a telephone information line? Yes ____ No ____

- a. Is there a process for assisting callers with limited English proficiency? If yes, describe the process:

Miscellaneous

1. Have you observed the need for language access assistance in ways that are not described above?

Yes ____ No ____ If yes, please describe: _____

2. Given the level of need in your court, would additional funding be required in order for you to provide a full range of language access services using qualified interpreters or translators? Yes ____ No ____

No.	RECOMMENDATION	WORKING GROUP NOTES	IMPLEMENTATION PROPOSAL
	<p align="center">Goal 1</p> <p align="center">Identify Need; Provide Notice To Public Of Language Resources; Record Data</p>		
1.	<p>Courts will identify the language access needs for each LEP (Limited English Proficient) court user, including parties, witnesses, or other persons with a significant interest, at the earliest possible point of contact with the LEP person. The language needs will be clearly and consistently documented in the case management system and/or any other case record or file, as appropriate given a court's existing case information record system, and this capability should be included in any future system upgrades or system development. (Phase 1)</p>	<p>Discussion of meaning of persons of significant interest: for DCAs/SC (District Courts of Appeal/Supreme Court) the group agreed that "persons with a significant interest" would include only (1) self-represented litigants and (2) parties to the case who are present in the courtroom. The group concluded that at this time it would not be practical to offer interpreting services to parties who are in a remote location or to non-parties in the courtroom who may have an interest in the case. The group agreed this question should be revisited after the DCAs/SC have had more experience with the provision of such services. The group agreed the provision of services to "witnesses" would not be applicable to the DCAs/SC.</p> <p>Discussion of the tracking needed: there was a consensus that ACCMS (Appellate Court Case Management System) could be coded (in "case notes") to provide this information.</p> <p>Recommendation that Notice of Appeal, Request for Oral Argument form, and Civil Case coversheet should be revised to track this information.</p> <p>The recommended Statewide Model Notice was passed around and the group discussed adding it to the appeal packet and posting it on the website.</p> <p>The group recommended that if funding were provided (e.g., include DCAs/SC in 45.45 fund), this should be a rule of court; without funding, it should be adopted as a standard of judicial administration or an IOPP with appropriate caveats.</p>	<p>1a. The DCAs and SC should revise their notices and forms in order to assist court users in identifying language access needs, and should prepare a Model Notice of Free Language Services (those services described in Recommendations 8, 10, and 27) that might be included in the appeal packet sent to counsel/parties in appellate cases.</p> <p>1b. The DCAs and the SC should adopt new codes for the ACCMS system to identify and track language access needs in appellate cases (including for court-ordered mediation);</p> <p>1c. The JC (Judicial Council) should work with the DCAs and the SC to identify a source of funding for language access services in those courts, including consideration of adding the appellate courts to the 45.45 fund. If funding for language access is secured, the JC should initiate a revision to the appellate rules of court to include language access requirements and standards. Until such funding is secured, the DCAs and SC should work together to develop a uniform Standard of Judicial Administration (SJA) or Internal Operating Policy and Procedure (IOPP) for language access. Any proposed rule, SJA, or IOPP should include the standards set forth in Recommendations 22, 23 and 24, adapted to appellate practice and procedure (e.g., probably no need to include "absent exigent circumstances)."</p>

2.	A court's provision or denial of language services must be tracked in the court's case information system, however appropriate given a court's capabilities. Where current tracking of provision or denial is not possible, courts must make reasonable efforts to modify or update their systems to capture relevant data as soon as feasible. (Phases 1, 2)	Discussion of the tracking needed- confirmation that ACCMS "case notes" could be coded to track this information. Also training would need to be provided to ensure consistent data entry.	See recommendation 1b.
4.	Courts will establish mechanisms that invite LEP persons to self-identify as needing language access services upon contact with any part of the court system (using, for example, "I speak" cards [see page 56 for a sample card]). In the absence of self-identification, judicial officers and court staff must proactively seek to ascertain a court user's language needs. (Phase 1)	See responses to #1, 27, 5	<p>4a. The JC should ensure that "I Speak" cards are distributed to all DCA and SC clerks who work at the public counters.</p> <p>4b. Any mechanisms established for trial court staff to identify LEP persons who need language services should be disseminated to the DCAs and SC for adaptation to their systems.</p>
5.	Courts will inform court users about the availability of language access services at the earliest points of contact between court users and the court. The notice must include, where accurate and appropriate, that language access services are free. Courts should take into account that the need for language access services may occur earlier or later in the court process, so information about language services must be available throughout the duration of a case. Notices should be in English and up to five other languages based on local community needs assessed through collaboration with and information from justice partners, including legal services providers, community-based organizations, and other entities working with LEP populations. Notice must be provided to the public, justice partners, legal services agencies, community-based organizations, and other entities working with LEP populations. (Phase 1)		See recommendations 1a and 4a

Appendix C

6.	The Judicial Council and the courts will continue to expand and improve data collection on interpreter services, and expand language services cost reporting to include amounts spent on other language access services and tools such as translations, interpreter or language services coordination, bilingual pay differential for staff, and multilingual signage or technologies. This information is critical in supporting funding requests as the courts expand language access services into civil cases. (Phase 1)	<p>Discussion that clerk administrators are able to track costs.</p> <p>Group agreed that DCAs should use a standard code to track expenditures to capture costs of language services.</p> <p>Training would need to be provided to ensure consistency in reporting.</p>	<p>6a. The DCAs and SC should adopt consistent codes in Oracle (the financial software used by the Courts of Appeal and Supreme Court) to track costs of all language services.</p> <p>6b. The DCA and SC Clerk-Administrators should develop categories of language services that should be tracked in Oracle and should provide training to ensure consistency.</p>
	Goal 2 Provide Qualified Language Services In All Judicial Proceedings		
8.	Qualified interpreters must be provided in the California courts to LEP court users in all court proceedings, including civil proceedings as prioritized in Evidence Code § 756 (see Appendix H), and including Family Court Services mediation. (Phases 1 and 2)	<p>Discussion about who are LEP users (litigants, people who are legally bound to the case in question). Discussion that most of the appellate work is in writing and in English and what would need to be provided in another language? Agreed that Evidence Code §756 would not be applicable to DCAs and SC.</p> <p>In responding to the Implementation Task Force, the group proposed stating that if funding were provided, this should be a rule of court; without funding, it will be adopted as a standard.</p>	<p>8a. The DCAs and the SC will provide qualified interpreters at oral argument upon request and with adequate notice where (1) oral argument is being presented by the LEP party in propria persona, or (2) the LEP party is present in court for oral argument. If the provision of an interpreter is beyond the court's resources, the DCAs and the SC will work with the JC to secure the resources necessary to achieve this goal in full by the year 2017 (see Goal 2) (See recommendation 1c regarding how this should be implemented.)</p> <p>8b. The JC should direct JC staff to work with DCAs and the SC to develop guidelines for Justices on how to manage oral argument when it is being provided through an interpreter; this would include, for example, arranging for pre-hearing meeting with LEP individual and interpreter, and suggestions as how best to facilitate interruptions or clarifications that may be needed during oral argument.</p>

Appendix C

9.	Pending amendment of California Rules of Court, rule 2.893, when good cause exists, a noncertified or nonregistered court interpreter may be appointed in a court proceeding in any matter, civil or criminal, only after he or she is determined to be qualified by following the procedures for provisional qualification. These procedures are currently set forth, for criminal and juvenile delinquency matters, in rule 2.893 (and, for civil matters, will be set forth once the existing rule of court is amended). (See Recommendation 50, on training for judicial officers and court staff regarding the provisional qualification procedures, and Recommendation 70, on amending rule 2.893 to include civil cases.) (Phases 1 and 2)	Rule amendment should either include the DCAs and SC or a new rule should be created in the appellate rules, but would only apply to oral argument.	9a. The Judicial Council should direct the Appellate Rules committee to either prepare an amendment to Rule 2.893 to include the appellate courts (but limited to oral argument), or to draft a new appellate rule for provisional qualification of non-certified, non-registered interpreters for oral argument.
10.	Beginning immediately, as resources are available, but in any event no later than 2020, courts will provide qualified court interpreters in all court-ordered, court-operated programs, services and events, to all LEP litigants, witnesses, and persons with a significant interest in the case. (Phase 1, 2 and 3)	The only DCA program to which this applies would be mediation; the group discussed that interpretation would be limited to the parties. In responding to the Implementation Task Force, the group proposed stating that if funding were provided, this should be a rule of court; without funding, it will be adopted as a standard.	10a. The DCAs and the SC will work with the JC as necessary to provide qualified interpreters at court-ordered mediation upon request and with adequate notice where the LEP party attends the mediation. If the provision of an interpreter is beyond the court's resources, the JC will work with the DCAs and the SC to secure the resources necessary to achieve this goal in full by the year 2020 (recommendation 10). (See recommendation 1c regarding how this should be implemented.)
12.	The use of in-person, certified and registered court interpreters is preferred for court proceedings, but courts may consider the use of remote interpreting where it is appropriate for a particular event. Remote interpreting may only be used if it will allow LEP court-users to fully and meaningfully participate in the proceedings. (Phase 1)	This item was put back on the list by the chairs after the meeting. It would apply to oral argument only in the DCAs and SC.	12a. See recommendation 1c. Additionally, the JC should direct JC staff to work with the DCAs and SC to develop cost-effective means for locating and hiring qualified interpreters in each region.

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13.	When using remote interpreting in the courtroom, the court must satisfy, to the extent feasible, the prerequisites, considerations and guidelines for remote interpreting set forth in Appendix B. (Phase 1)	<p>During the group discussion, this item was deemed to not be applicable to the DCAs because the need to view a person's body language is not as applicable in the DCAs as it is at the trial court level.</p> <p>After reconsidering, this item was put back on the list by the chairs following the meeting.</p>	13a. The DCAs and SC should monitor closely any use of remote interpretation to ensure the LEP court users are "fully and meaningfully participat[ing] in the proceedings." This also applies to #15]
15.	Courts using remote interpreting should strive to provide video, used in conjunction with enhanced audio equipment, for courtroom interpretations, rather than relying on telephonic interpreting. (Phase 1)	<p>Determined to not be applicable to the DCAs. The need to view a person's body language is not as applicable in the DCAs as it is at the trial court level.</p> <p>After reconsidering, this item was put back on the list by the chairs following the meeting.</p>	See recommendation 13a.
18.	The Judicial Council should continue to create multilingual standardized videos for high-volume case types that lend themselves to generalized, not localized, legal information, and provide them to courts in the state's top eight languages and captioned in other languages. (Phase 1)	Agreed that JC should include appellate courts in this effort, but that it would be up to the JC to determine how to prioritize it.	18a. The DCAs and SC request that the JC consider the development of videos for their courts (for example, a video in other languages that describe, step by step, how to pursue an appeal).
19.	Effective January 2015, pursuant to Government Code § 68561 (g) and (f), judicial officers, in conjunction with court administrative personnel, must ensure that the interpreters being appointed are qualified, properly represent their credentials on the record, and have filed with the court their interpreter oaths. (See Recommendation 50, which discusses training of judicial officers and court staff on these subjects.) (Phase 1)	<p>This was determined to be a training issue and was grouped with other items that required further training.</p> <p>Video on this topic available at: http://www.courts.ca.gov/lap-toolkit-courts.htm</p>	See recommendation 50a.

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20.	The Judicial Council should expand the existing formal regional coordination system to improve efficiencies in interpreter scheduling for court proceedings and cross-assignments between courts throughout the state. (See Recommendation 30, addressing coordination for bilingual staff and interpreters for non-courtroom events.) (Phase 2)	The group determined that any expansion of the regional coordination system should include the DCAs and SC.	20a. The entity responsible for expanding the formal regional coordination system to improve efficiencies in interpreter scheduling, should include in its planning the needs and perspectives of the local DCAs and the SC.
22.	Absent exigent circumstances, when appointing a noncertified, nonregistered interpreter, courts must not appoint persons with a conflict of interest or bias with respect to the matter. (Phase 1)	For this item, as well as #23 and 44, I noted that this was not applicable to the Appellate Courts in the manner described; if modified (e.g. striking out "absent exigent circumstances"), the recommendation 1c would apply.	See recommendation 1c.
23.	Minors will not be appointed to interpret in courtroom proceedings nor court-ordered and court-operated activities. (Phase 1)	Not applicable to the Appellate Courts in the way described.	See recommendation 1c.
24.	Absent exigent circumstances, courts should avoid appointing bilingual court staff to interpret in courtroom proceedings; if the court does appoint staff, he or she must meet all of the provisional qualification requirements. (Phase 2)	Not applicable to the Appellate Courts in the way described.	See recommendation 1c.
	Goal 3 Provide Language Services At All Points Of Contact Outside Of Judicial Proceedings		
25.	The court in each county will designate an office or person that serves as a language access resource for all court users, as well as court staff and judicial officers. This person or persons should be able to: describe all the services the court provides and what services it does not provide, access and disseminate all of the court's multilingual written information as requested, and help LEP court users and court staff locate court language access resources. (Phase 1)	Discussed that this should be adopted, but that so many unfunded mandates like this are piling up and overstressing staff. Discussed whether it would be useful to quantify the time needed to perform this function in case funding could be obtained.	25a. Each appellate/supreme court location should designate a resource person who will become and remain informed about language access policies and procedures. If resources are unavailable because staff is already working at or over capacity, the JC should work with the DCAs and the SC to develop funding to carry out this recommendation, which may require JC staff to provide an estimate of the amount of time this work would involve. If JC staff are developing a curriculum to train the Language Access resource persons in the trial courts, it should consider whether the same or a different training would apply to the resource persons in the appellate courts.

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26.	Courts should identify which points of contact are most critical for LEP court users, and, whenever possible, should place qualified bilingual staff at these locations. (See Recommendation 47, which discusses possible standards for the appropriate qualification level of bilingual staff at these locations.) (Phase 1)	Discussion on how this is aspirational, but lacking a critical mass to require implementing changes at this point in time. Currently, courts seem to be able to meet the need with existing employees; should the need increase, it may warrant a discussion with HR about pay differentials that could be offered and implementation of proficiency standards.	26a. The DCAs and the SC should monitor the level of need for language services outside of the courtroom, so as to ensure the needs can be met with bilingual staff wherever possible. Where need is not met the DCAs/SC should place a priority on the recruitment of bilingual staff.
27.	All court staff who engage with the public will have access to language assistance tools, such as translated materials and resources, multi-language glossaries and “I speak” cards, to determine a court user’s native language, direct him or her to the designated location for language services, and/or provide the LEP individual with brochures, instructions, or other information in the appropriate language. (Phase 2)	This recommendation was not originally on the list for consideration, but given its relationship to #4, the group suggested adding it (the two columns to the left reflect the original notations for this item when the full list of 75 recs were sent to the working group.)	See recommendations 4a and 50a.
28.	Courts should strive to recruit bilingual staff fluent in the languages most common in that county. In order to increase the bilingual applicant pool, courts should conduct outreach to educational providers in the community, such as local high schools, community colleges, and universities, to promote the career opportunities available to bilingual individuals in the courts. (Phase 1)	Discussion on how this is aspirational, but lacking a critical mass to require implementing changes at this point in time. Currently, courts seem to be able to meet the need with existing employees; should the need increase, it may warrant a discussion with HR about pay differentials that could be offered and implementation of proficiency standards.	See recommendation 26a.
29.	Courts will develop written protocols or procedures to ensure LEP court users obtain adequate language access services where bilingual staff are not available. For example, the court’s interpreter coordinator could be on call to identify which interpreters or staff are available and appropriate to provide services in the clerk’s office or self-help center. Additionally, the use of remote technologies such as telephone access to bilingual staff persons in another location or remote interpreting could be instituted. (Phase 2)	This was discussed in conjunction with #4	29a. JC staff shall work with a working group of clerks to develop a model protocol/procedure. See recommendation 4b.

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30.	The Judicial Council should consider adopting policies that promote sharing of bilingual staff and certified and registered court interpreters among courts, using remote technologies, for language assistance outside of court proceedings. (Phase 2)	At one point, the group discussed grouping this with other items they felt that the JC should include appellate courts in this effort; at another point discussed whether should wait for JC to come up with a branchwide plan or develop something for DCAs.	30a. The entity responsible for creating the policies that will promote sharing among courts of language resources needed outside of the courtroom, using remote technologies, should include in its planning the needs and perspectives of the local DCAs and the SC.
31.	The courts and the Judicial Council should consider a pilot to implement the use of remote interpreter services for counter help and at self-help centers, incorporating different solutions, including court-paid cloud-based fee-for-service models or a court/centralized bank of bilingual professionals. (Phase 2)	Agreed that JC should include appellate courts in this effort.	31a The entity responsible for developing a pilot project to implement use of remote interpreting for counter help using different models should include in its planning the needs and perspectives of the DCAs and the SC.
	Goal 4 Provide Multilingual Translations and Signage		
37.	The Judicial Council staff will work with courts to provide samples and templates of multilingual information for court users that are applicable on a statewide basis and adaptable for local use. (Phase 1)	Agreed that JC should include appellate courts in this effort.	37a. The Judicial Council and staff should include the needs of the DCAs and the SC when providing samples and templates of multilingual information.
38.	The Judicial Council's staff will post on the California Courts website written translations of forms and informational and educational materials for the public as they become available and will send notice to the courts of their availability so that courts can link to these postings from their own websites. (Phase 1)	Agreed that JC should include appellate courts in this effort.	38a. JC staff should include the Clerk-Administrators of all DCA locations and of the SC in its list of persons to be notified of the availability of translations of forms and informational/educational material.

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39.	The staff of the Judicial Council should assist courts by providing plain-language translations of the most common and relevant signs likely to be used in a courthouse, and provide guidance on the use of internationally recognized icons, symbols, and displays to limit the need for text and, therefore, translation. Where more localized signage is required, courts should have all public signs in English and translated in up to five other languages based on local community needs assessed through collaboration with and information from justice partners, including legal services providers, community-based organizations, and other entities working with LEP populations. At a minimum, all such materials should be available in English and Spanish. (Phase 2)	<p>Agreed that JC should include appellate courts in this effort.</p> <p>Revisited at another point in the conversation and determined that there was limited application in the DCAs. This is mainly wayfinding and DCAs can self-implement; major funding would be needed to implement in the manner described.</p>	<p>39a. The JC should include all DCA/SC locations when it provides translations of the most common and relevant signs, and when it provides guidance on the use of icons, symbols and displays.</p> <p>39b. The DCAs and the SC should have language accessible way-finding signs to the extent feasible. The cost of installing permanent way-finding signs in up to five languages could be prohibitive; where necessary, the JC and JC staff should work with the DCAs and the SC to provide interim solutions suitable for each location.</p>
	Goal 5 Expand Language Access Through Recruitment and Training		
47.	Courts must ensure that bilingual staff providing information to LEP court users are proficient in the languages in which they communicate. All staff designated as bilingual staff by courts must at a minimum meet standards corresponding to "Intermediate mid" as defined under the American Council on the Teaching of Foreign Languages guidelines. (See Appendix F.) The existing Oral Proficiency Exam available through the Judicial Council's Court Language Access Support Program (CLASP) unit may be used by courts to establish foreign-language proficiency of staff. Courts should not rely on self-evaluation by bilingual staff in determining their language proficiency. (Phase 1)	Discussion on how this is aspirational, but lacking a critical mass to require implementing changes at this point in time. Currently, courts seem to be able to meet the need with existing employees; should the need increase, it may warrant a discussion with HR about pay differentials that could be offered and implementation of proficiency standards.	47a. The DCAs and the SC should consult with JC staff to determine whether and how bilingual employees who provide language services outside of the courtroom should be tested for proficiency in the language and in legal terminology.

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48.	Beyond the specified minimum, the Judicial Council staff will work with the courts to (a) identify standards of language proficiency for specific points of public contact within the courthouse, and (b) develop and implement an online training for bilingual staff. (Phase 1)	Agreed that JC should include appellate courts in this effort.	48a. The JC staff responsible for working with “the courts” should include the DCAs and the SC when (1) identifying standards of language proficiency for specific points of public contact and (2) developing an online training program for bilingual staff.
	Goal 6 Provide Judicial Branch Training on Language Access Policies and Procedures		
50.	Judicial officers, including temporary judges, court administrators, and court staff will receive training regarding the judicial branch’s language access policies and requirements as delineated in this Language Access Plan, as well as the policies and procedures of their individual courts. Courts should schedule additional training when policies are updated or changed. These trainings should include: <ul style="list-style-type: none"> • Optimal methods for managing court proceedings involving interpreters, including an understanding of the mental exertion and concentration required for interpreting, the challenges of interpreter fatigue, the need to control rapid rates of speech and dialogue, and consideration of team interpreting where appropriate; • The interpreter’s ethical duty to clarify issues during interpretation and to report impediments to performance; • Required procedures for the appointment and use of a provisionally qualified interpreter and for an LEP court user’s waiver, if requested, of interpreter services; • Legal requirements for establishing, on the record , an interpreter’s credentials; • Available technologies and minimum technical and operational standards for providing remote interpreting; and • Working with LEP court users in a culturally 	JC staff mentioned that curriculum is being developed, but attendees felt that they could be more nimble and create their own training and meet via videoconference as a study group. Discussed getting a trial court resource to help, join the CLASP listserv in formation, share info at Appellate Clerks meetings.	50a. The entity responsible for developing curricula for training judicial officers and administrative staff with respect to language access should include in its planning the needs and perspectives of the DCAs and the SC. 50b. The Presiding Justices and Clerk-Administrators of the DCAs and the SC should consider developing a curriculum for language access training that is geared to appellate court needs and practices, assisted by JC staff. 50c. The DCAs and SC request that CLASP staff add them to the ListServ regarding language access.

	competent manner. The staff of the Judicial Council will develop curricula for trainings, as well as resource manuals that address all training components, and distribute them to all courts for adaptation to local needs. (Phase 1)		
	Goal 7 Conduct Outreach to Communities Regarding Language Access Services		
	Goal 8 Identify Systems, Funding & Legislation Necessary to Implement LAP (Language Access Plan) and Language Access Management		
60.	The Judicial Council will create a Language Access Implementation Task Force (name TBD) to develop an implementation plan for presentation to the council. The Implementation Task Force membership should include representatives of the key stakeholders in the provision of language access services in the courts, including, but not limited to, judicial officers, court administrators, court interpreters, legal services providers, and attorneys that commonly work with LEP court users. As part of its charge, the Task Force will identify the costs associated with implementing the LAP recommendations. The Implementation Task Force will coordinate with related advisory groups and Judicial Council staff on implementation, and will have the flexibility to monitor and adjust implementation plans based on feasibility and available resources. (Phase 1)	The specific issue of cost identification was flagged by this group to highlight the need to track expenditures in the manner described in #6.	To the extent this pertains to DCAs and the SC, see recommendations 6a and 6b.

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63.	Individual courts will develop a process by which LEP court users, their advocates and attorneys, or other interested persons may file a complaint about the court's provision of, or failure to provide, appropriate language access services, including issues related to locally produced translations. Local courts may choose to model their local procedures after those developed as part of the implementation process. Complaints must be filed with the court at issue and reported to the Judicial Council to assist in the ongoing monitoring of the overall implementation and success of the Language Access Plan. (Phase 1)	<p>Draft form and rule were circulated (rule circulated after meeting). In the meeting, discussion was to make sure DCAs were included/form was applicable to DCAs.</p> <p>A Working Group member commented: I think the rule would work for the appellate courts as far as the process. It's too bad the rule has to be in Title 2 section as our only real distinction would be in (c)(1) where it specifies trial court services rather than a general category such as court administration. Perhaps if the rules committee could find another generic section (maybe in the Title 10 section) where it would apply to all levels that would be more inclusive. Either way, I think the procedure would work.</p> <p>Subsequent comment from a Working Group member as to whether including it in Title 10 would imply requiring the DCAs to provide interpreters.</p>	63a. The entity responsible for developing a process by which the LEP court users and their representatives may file a complaint about the provision of, or failure to provide language access services, including the development of a rule of court and JC form, should include the needs and perspectives of the DCAs and the SC.
67.	The California Courts of Appeal and the Supreme Court of California should discuss and adopt applicable parts of this Language Access Plan with necessary modifications. (Phase 1)		See complete list of recommendations from DCA/SC working group.
70.	The Judicial Council should amend rule of court 2.893 to address the appointment of non-credentialed interpreters in civil proceedings. (Phase 1)	Agreed that JC should include appellate courts in this effort.	See recommendation 9a.
73.	The Judicial Council should update the interpreter-related court forms (INT-100-INFO, INT-110, INT-120, and INT-200) as necessary to be consistent with this plan. (Phase 2)	The group concluded that no changes were needed on the form at this time, but that appellate courts should be kept in mind if any revisions are made to the form.	73a. Any future revisions of interpreter-related forms should include input from the DCAs and SC.

Appendix D: Implementation Proposals Grouped by Responsible Entity

Rec.	Proposals the Supreme Court and Appellate Courts Should Implement Directly
1a.	The DCAs and SC should revise their notices and forms in order to assist court users in identifying language access needs, and should prepare a Model Notice of Free Language Services (those services described in Recommendations 8, 10, and 25) that might be included in the appeal packet sent to counsel/parties in appellate cases.
1b.	The DCAs and the SC should adopt new codes for the ACCMS system to identify and track language access needs in appellate cases (including for court-ordered mediation).
6a.	The DCAs and SC should adopt consistent codes in Oracle (the financial software used by the Courts of Appeal and Supreme Court) to track costs of all language services.
6b.	The DCA and SC Clerk-Administrators should develop categories of language services costs that should be tracked in Oracle and provide training to ensure consistency.
8a.	Courts: The DCAs and the SC will provide qualified interpreters at oral argument upon request and with adequate notice where (1) oral argument is being presented by the LEP party in propria persona, or (2) the LEP party is present in court for oral argument. JC: If the provision of an interpreter is beyond the court's resources, the DCAs and the SC will work with the JC to secure the resources necessary to achieve this goal in full by the year 2017 (see Goal 2) (See recommendation 1c regarding how this should be implemented.)
10a.	Courts: The DCAs and the SC will provide qualified interpreters at court-ordered mediation upon request and with adequate notice where the LEP party attends the mediation. JC: If the provision of an interpreter is beyond the court's resources, the JC will work with the DCAs and the SC to secure the resources necessary to achieve this goal in full by the year 2020 (recommendation 10). (See recommendation 1c regarding how this should be implemented.)
13a.	The DCAs and SC should monitor closely any use of remote interpretation to ensure the LEP court users are "fully and meaningfully participat[ing] in the proceedings." (This proposal would also address #15.)
25a.	Courts: Each appellate/supreme court location should designate a resource person who will become and remain informed about language access policies and procedures. (See below if resources for this recommendation are unavailable.) JC: If resources are unavailable because staff is already working at or over capacity, the JC should work with the DCAs and the SC to develop funding to carry out this recommendation, which may require JC staff to provide an estimate of the amount of time this work would involve. If JC staff are developing a curriculum to train the Language Access resource persons in the trial courts, it should consider whether the same or a different training would apply to the resource persons in the appellate courts.

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26a.	The DCAs and the SC should monitor the level of need for language services outside of the courtroom, so as to ensure the needs can be met with bilingual staff wherever possible. Where need is not met the DCAs/SC should place a priority on the recruitment of bilingual staff.
39b.	Courts: The DCAs and the SC should have language accessible way-finding signs to the extent feasible. The cost of installing permanent way-finding signs in up to five languages could be prohibitive; JC: Where necessary, the JC and JC staff should work with the DCAs and the SC to provide interim solutions suitable for each location.
50b.	Courts: The Presiding Justices and Clerk-Administrators of the DCAs and the SC should consider developing a curriculum for language access training that is geared to appellate court needs and practices. JC: Assisted by JC staff.
Rec.	Proposals Judicial Council Staff Should Implement for the Supreme Courts and Appellate Courts
	Proposals that could be implemented immediately:
4a.	The JC should ensure that “I Speak” cards are distributed to all DCA and SC clerks who work at the public counters.
9a.	The Judicial Council should direct the Appellate Rules committee to either prepare an amendment to Rule 2.893 to include the appellate courts (but limited to oral argument), or to draft a new appellate rule for provisional qualification of non-certified, non-registered interpreters for oral argument.
50c.	CLASP staff should add the DCAs and SC to the ListServ regarding language access.
	Proposals requiring long-term or on-going coordination:
1c.	The JC should work with the DCAs and the SC to identify a source of funding for language access services in those courts, including consideration of adding the appellate courts to the 45.45 fund. If funding for language access is secured, the JC should initiate a revision to the appellate rules of court to include language access requirements and standards. Until such funding is secured, the DCAs and SC should work together to develop a uniform Standard of Judicial Administration (SJA) or Internal Operating Policy and Procedure (IOPP) for language access. Any proposed rule, SJA, or IOPP should include the standards set forth in Recommendations 22, 23 and 24, adapted to appellate practice and procedure (e.g., probably no need to include “absent exigent circumstances”).

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4b.	Any mechanisms established for trial court staff to identify LEP persons who need language services should be disseminated to the DCAs and SC for possible adaptation to their systems.
8a.	<p>Courts: The DCAs and the SC will provide qualified interpreters at oral argument upon request and with adequate notice where (1) oral argument is being presented by the LEP party in propria persona, or (2) the LEP party is present in court for oral argument.</p> <p>JC: If the provision of an interpreter is beyond the court's resources, the DCAs and the SC will work with the JC to secure the resources necessary to achieve this goal in full by the year 2017 (see Goal 2) (See recommendation 1c regarding how this should be implemented.)</p>
8b.	The JC should direct JC staff to work with DCAs and the SC to develop guidelines for the Justices on how to manage oral argument when it is being provided through an interpreter; this would include for example, arranging for pre-hearing meeting with LEP individual and interpreter, and suggestions as how best to facilitate interruptions or clarifications that may be needed during oral argument.
10a.	<p>Courts: The DCAs and the SC will provide qualified interpreters at court-ordered mediation upon request and with adequate notice where the LEP party attends the mediation.</p> <p>JC: If the provision of an interpreter is beyond the court's resources, the JC will work with the DCAs and the SC to secure the resources necessary to achieve this goal in full by the year 2020 (recommendation 10). (See recommendation 1c regarding how this should be implemented.)</p>
12a.	See recommendation 1c. Additionally, the JC should direct JC staff to work with the DCAs and SC to develop cost-effective means for locating and hiring qualified interpreters in each region.
18a.	The DCAs and SC request that the JC consider the development of videos for their courts (for example, a video in other languages that describe, step by step, how to pursue an appeal).
20a.	The entity responsible for expanding the formal regional coordination system to improve efficiencies in interpreter scheduling, should include in its planning the needs and perspectives of the local DCAs and the SC.
25a.	<p>Courts: Each appellate/supreme court location should designate a resource person who will become and remain informed about language access policies and procedures.</p> <p>JC: If resources are unavailable because staff is already working at or over capacity, the JC should work with the DCAs and the SC to develop funding to carry out this recommendation, which may require JC staff to provide an estimate of the amount of time this work would involve. If JC staff are developing a curriculum to train the Language Access resource persons in the trial courts, it should consider whether the same or a different training would apply to the resource persons in the appellate courts.</p>

Appendix D: Implementation Proposals Grouped by Responsible Entity

29a.	JC staff shall work with a working group of clerks to develop a model protocol/procedure to ensure LEP court users obtain adequate language access services where bilingual staff are not available.
30a.	The entity responsible for creating the policies that will promote sharing among courts of language resources needed outside of the courtroom, using remote technologies, should include in its planning the needs and perspectives of the local DCAs and the SC.
31a.	The entity responsible for developing a pilot project to implement use of remote interpreting for counter help using different models should include in its planning the needs and perspectives of the DCAs and the SC.
37a.	The Judicial Council and staff should include the needs of the DCAs and the SC when providing samples and templates of multilingual information.
38a.	JC staff should include the Clerk-Administrators of all DCA locations and of the SC in its list of persons to be notified of the availability of translations of forms and informational/educational material.
39a.	The JC should include all DCA/SC locations when it provides translations of the most common and relevant signs, and when it provides guidance on the use of icons, symbols and displays.
39b.	Courts: The DCAs and the SC should have language accessible way-finding signs to the extent feasible. The cost of installing permanent way-finding signs in up to five languages could be prohibitive; JC: Where necessary, the JC and JC staff should work with the DCAs and the SC to provide interim solutions suitable for each location.
47a.	The DCAs and the SC should consult with JC staff to determine whether and how bilingual employees who provide language services outside of the courtroom should be tested for proficiency in the language and in legal terminology.
48a.	The JC staff responsible for working with “the courts” should include the DCAs and the SC when (1) identifying standards of language proficiency for specific points of public contact and (2) developing an online training program for bilingual staff.
50a.	The entity responsible for developing curricula for training judicial officers and administrative staff with respect to language access should include in its planning the needs and perspectives of the DCAs and the SC.
50b.	Courts: The Presiding Justices and Clerk-Administrators of the DCAs and the SC should consider developing a curriculum for language access training that is geared to appellate court needs and practices. JC: Assisted by JC staff.

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63a.	The entity responsible for developing a process by which the LEP court users and their representatives may file a complaint about the provision of, or failure to provide language access services, including the development of a rule of court and JC form, should include the needs and perspectives of the DCAs and the SC.
73a.	Any future revisions of interpreter-related forms should include input from the DCAs and SC.