



**Judicial Council of California**  
**Court Interpreters Advisory Panel Meeting**  
Hilton Hotel, Costa Mesa, California  
March 11, 2005

**Meeting Minutes**

<p><b><i>Panel Members Present</i></b> Hon. Eileen C. Moore, Chair Ms. Judy Arasé Mr. Charles D. Brown Mr. Gregory Drapac Ms. Maria Galvez Ms. Rosa Junquero Mr. Nestor O. Wagner</p> <p><b><i>Advisory Members Present</i></b> Ms. Susan S. Eadie Mr. Nestor O. Wagner</p> <p><b><i>Advisory Members Absent</i></b> Mr. Mark A. Arnold</p> <p><b><i>Panel Members Absent</i></b> Hon. Susan M. Breall Hon. Dan Thomas Oki Mr. Lorenzo Hurtado Ms. Sue Mi Jones Mr. Charles J. Légier</p> <p><b><i>Judicial Council Liaison</i></b> Mr. Alan Slater</p>	<p><b><i>Administrative Office of the Courts</i></b> <b>Executive Office</b> Ms. Pat Sweeten</p> <p><b><i>Human Resources Division</i></b></p> <p><b>Court Interpreters Program Unit</b> Ms. Berta Alicia Bejarano Ms. Debbie Chong-Manguiat Ms. Patricia Rivera Ms. Elizabeth Tam Ms. Janette Zupnik</p> <p><b>Cooperative Personnel Services</b> Ms. Kathy Tinios-Rose Ms. Nancy McCurry</p> <p><b>Others Present</b> Ms. Silvia Barden, President of California Federation of Court Interpreters (CFI) and Bay Area Court Interpreters (BACI) Mr. Arturo Casarez, President of California Court Interpreters Association (CCIA)</p>
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**I. Call to Order**

Justice Eileen C. Moore called the meeting to order at 1:07 p.m. and all participants introduced themselves.

**A. Assignments**

Ms. Judy Arasé was named timekeeper for the meeting.

Ms. Pat Sweeten was named assignment keeper for the meeting.

**B. Approval of the Previous Meeting's Minutes**

Ms. Arasé noted that on page 2, item 2C, the organization is the Southern California Chinese Court Interpreters Association, or SCCCIA.

**Motion.** A motion was made to correct the meeting minutes of July 26, 2004 on page 2.

**Second.** The motion was seconded.

Justice Moore noted that many of the interpreters' insecurities about the future of their profession have been resolved over the last few years, but that she is still concerned about the high turnover in the Court Interpreters Program (CIP) Unit staff. She asked Ms. Sweeten to address the staffing issues. Ms. Sweeten stated that the Administrative Office of the Courts (AOC) is currently recruiting to replace court services analyst Mr. José Manuel Muñoz and that she hopes interviews will be conducted soon. The announcement for the manager's position will be distributed soon. Ms. Sweeten added that an American Sign Language (ASL) analyst may be hired if a need is determined.

**II. New Member Orientation**

**A. New Rule of Court**

Ms. Sweeten provided a brief overview of the structure of the Judicial Council and the AOC. The new amendment to rule 6.51 of the California Rules of Court serves to focus the responsibilities of the Court Interpreters Advisory Panel (CIAP) and to decrease the number of panel members.

**B. Role of Committee and Membership**

Ms. Sweeten stated that the CIAP assists in the development of policy pertaining to recruitment, training, testing, certification, and continuing education, making recommendations in these areas to the council. The panel is not responsible for employment issues, bargaining issues, or human resource issues.

Ms. Sweeten stated that this year the Judicial Council has a number of initiatives in the Legislature, which include amendments to the Constitution. In addition, the AOC is conducting a public trust and confidence survey of California residents that will illuminate areas needing improvement, as well as acknowledge areas that are working. The results of that survey will be presented to the council at its annual planning meeting in June. Subsequently the council will lay out a blueprint

for advisory committees, the courts, and all AOC divisions to improve court administration and programs. The AOC staff will present those recommendations at the Statewide Judicial Branch Conference for the Judiciary in September.

Justice Moore stated that the Judicial Council is in the process of rewriting article VI, section 6 of the California Constitution, which relates to the courts. This proposed amendment will stabilize court funding and provide more term stability for judges. She emphasized that the Judicial Council will take over full management of the local courts.

Justice Moore stated that the advisory panel does not write rules or mandate procedure. Rather, the CIAP makes recommendations on interpreter use and the need for interpreters in court proceedings. In addition it makes recommendations on the following subjects: certification, registration, testing, recruiting, training, and professional conduct. The CIAP is also charged with reviewing and making recommendations to the council on the findings of the language needs survey that is mandated under Government Code section 68563.

C. 2005 CIAP Work Plan

Ms. Sweeten stated that the 2005 CIAP Work Plan was approved by the Executive and Planning Committee last month. Under this work plan, the CIAP is charged with (1) addressing disciplinary issues among certified and registered interpreters, (2) developing a framework for refresher courses for interpreters who are reentering the profession following a period of inactivity, (3) finalizing revisions to the Ethics Manual, (4) developing guidelines for team interpreting, (5) developing translation standards for documents, (6) developing a plan for addressing American Sign language (ASL) interpreting in the courts, and (7) collaborating with higher education institutions to develop programs for court interpreters. These topics were addressed as follows:

1. Justice Moore noted that discipline issues did not come under the auspices of the CIAP before Senate Bill 371, so this is a relatively new focus. Mr. Alan Slater addressed the complexities involved in drawing the line between discipline issues relating to licensing and those relating to labor employment. Mr. Greg Drapac suggested the CIAP focus on the education of attorney and the bench first. The types of crimes to be addressed by the discipline rule are currently being decided.

2. Ms. Janette Zupnik stated that there were past discussions concerning the refresher course for interpreters reentering the field, but no decisions were made. To date, there are six interpreters on inactive status, and only one has shown interest in taking a refresher course. The possible content of the course is complicated by the fact that it would be open to interpreters of different languages.

3. This item is discussed in general updates later on (IV (A)).

4. Ms. Silvia Barden stated that the union recently reached a tentative agreement with Region 1 regarding team interpreting guidelines. Mr. Nestor Wagner gave presentations to the various regional committees, instructing participants about interpreter fatigue and the circumstances that warrant team interpreting.

5. This item is discussed below (D).

6. Ms. Susan Eadie stated that though there is a tremendous effort to train and certify ASL legal interpreters, only a small number of them are certified annually in the state of California. This is due to the relatively low salary levels of court interpreters, in comparison to freelance interpreters, as well as to work availability, a lack of continuity, and breakdowns that may occur in the interpreting process. Ms. Eadie then asked what the status was in the recruitment of an ASL analyst in the CIP Unit, as she is unable to proceed without assistance. Ms. Sweeten stated that the position is on hold for the moment.

7. Ms. Zupnik stated that the Judicial Council budget does not currently provide for assistance in helping institutions develop courses for the other- than-Spanish (OTS) languages. The general response from the schools she has contacted is that they are interested in developing OTS courses, but they are financially constricted and it is difficult to find interpreters who are interested in teaching.

Mr. Wagner stated that the Southern California School of Interpreting (SCSI) has looked into initiating some OTS programs. However, at the moment they are not financially feasible. Though the West Coast population might not be big enough to support programs, he suggested targeting a national audience. He noted that SCSI is now developing various language programs for Internet access.

D. Statute for Language Needs Survey

Ms. Berta Alicia Bejarano stated that the Judicial Council is mandated to conduct a language needs survey every five years. In 2000, the survey was administered by a consulting firm. Based on the survey results, it is determined which new interpreter certification tests will need to be developed. Ms. Bejarano is currently awaiting a copy of the 2000 Request for Proposal (RFP) for review, and will move forward with the new survey once it is received.

E. Translation Survey Findings

The CIP Unit conducted a minisurvey of guidelines and policies for translations of documents in the courts. Judges and attorneys often request that documents be translated by a certified translator. The only entity that currently provides certification for translators is the American Translators Association, but the Judicial Council has not approved it. Utah, one of the few courts that responded to the survey, uses guidelines for translation that will now be reviewed.

### **III. Presentations From the Public**

#### **A. California Court Interpreters Association (CCIA)**

Mr. Arturo Cásarez, president of CCIA, addressed his concerns about interpreter representation on the CIAP, the cause of noncertified/nonregistered interpreters in the courts, and the effects of the 100-day limitation on independent contractors. He emphasized that these issues, along with compensation, will have a major effect on interpreter recruitment and retention.

#### **B. California Federation of Interpreters (CFI) and Bay Area Court Interpreters (BACI)**

Ms. Silvia Barden, president of CFI/BACI, stated that with the merging of CFI and BACI this year, it is now the largest professional organization for interpreters in the State of California. She expressed her views on the benefits of CFI/BACI's serving as a liaison between working interpreters and the CIAP, and she requested that the council reconsider its position on the exclusion of professional organizations from the CIAP.

### **IV. General Updates**

#### **A. Ethics Manual**

Ms. Bejarano stated that she continues to work on the third edition of the Ethics Manual with the Testing and Education Subcommittee. The revisions are now with the Office of General Counsel (OGC) for review.

#### **B. Training Videos**

Ms. Bejarano stated that she is still in the process of obtaining training videos for dissemination to the courts. She received recommendations from the panel and found one that could be used.

#### **C. Advisory Committee Survey**

Ms. Bejarano stated that tab 3 of the CIAP binder explains the purpose of the survey, according to the Secretariat office. The Executive Office requested the survey to gather feedback from advisory committees and taskforce members. Ms. Debbie Chong-Manguiat will contact panel members with the details of an online brief survey, before the next CIAP meeting.

### **V. Testing Program Updates (Closed Session)**

### **VI. Purpose and Status of Subcommittees**

Justice Moore opened a discussion of her suggestion to eliminate the CIAP subcommittees and replace them with task forces, to accomplish the 2005 Work Plan agenda. Ms. Chong-Manguiat explained the need for the Education and Testing Subcommittee in terms of maintaining adequate review of course works of Court Interpreters Minimum Continuing Education (CIMCE) applicants. Ms. Bejarano stated the need for this subcommittee's involvement with the Ethics

Manual. Justice Moore agreed to keep the Education and Testing Subcommittee intact.

Justice Moore presented her plan to create four task forces on the CIAP. The first will address the discipline rule, the Ethics Manual, and the team interpreting guidelines. The second will address the translation standards. The third will address the ASL program and its review. The fourth will collaborate with institutions of higher learning and address the issue of a refresher course.

*Regional Legal Authority Task Force (Discipline and Ethics)*

Ms. Rosa Junquero, Chair  
Mr. Mark Arnold  
Judge Susan Breall  
Ms. Barbara Fox  
CIP Staff: Ms. Berta Alicia Bejarano

*Translation Standards Task Force*

Mr. Charles Brown, Chair  
Ms. Sue Mi Jones  
Ms. Judy Arasé  
Ms. Maria Galvez  
Judge Thomas Oki  
Mr. Nestor Wagner  
CIP Staff: Ms. Berta Alicia Bejarano

*ASL Program Task Force*

Ms. Susan Eadie, Chair  
Mr. Gregory Drapac  
Mr. Lorenzo Hurtado  
CIP Staff: Ms. Elizabeth Tam

*Collaboration with Institutes of Higher Learning and Refresher Course Task Force*

Mr. Nestor Wagner, Chair  
Mr. Charles Légier  
Mr. Gregory Drapac  
CIP Staff: Ms. Janette Zupnik

Justice Moore directed Ms. Bejarano to notify Mr. Charles Légier in writing that he will be dropped from the committee if he cannot add the CIAP panel to his e-mail list. She also suggested that all task forces meet telephonically within the next two weeks, and provide her with a report to be included in the items distributed before the next meeting in June.

**The meeting was adjourned at 3:54 p.m.**

The next meeting is scheduled for June 10 in Northern California.