

Developing California's Language Access Plan



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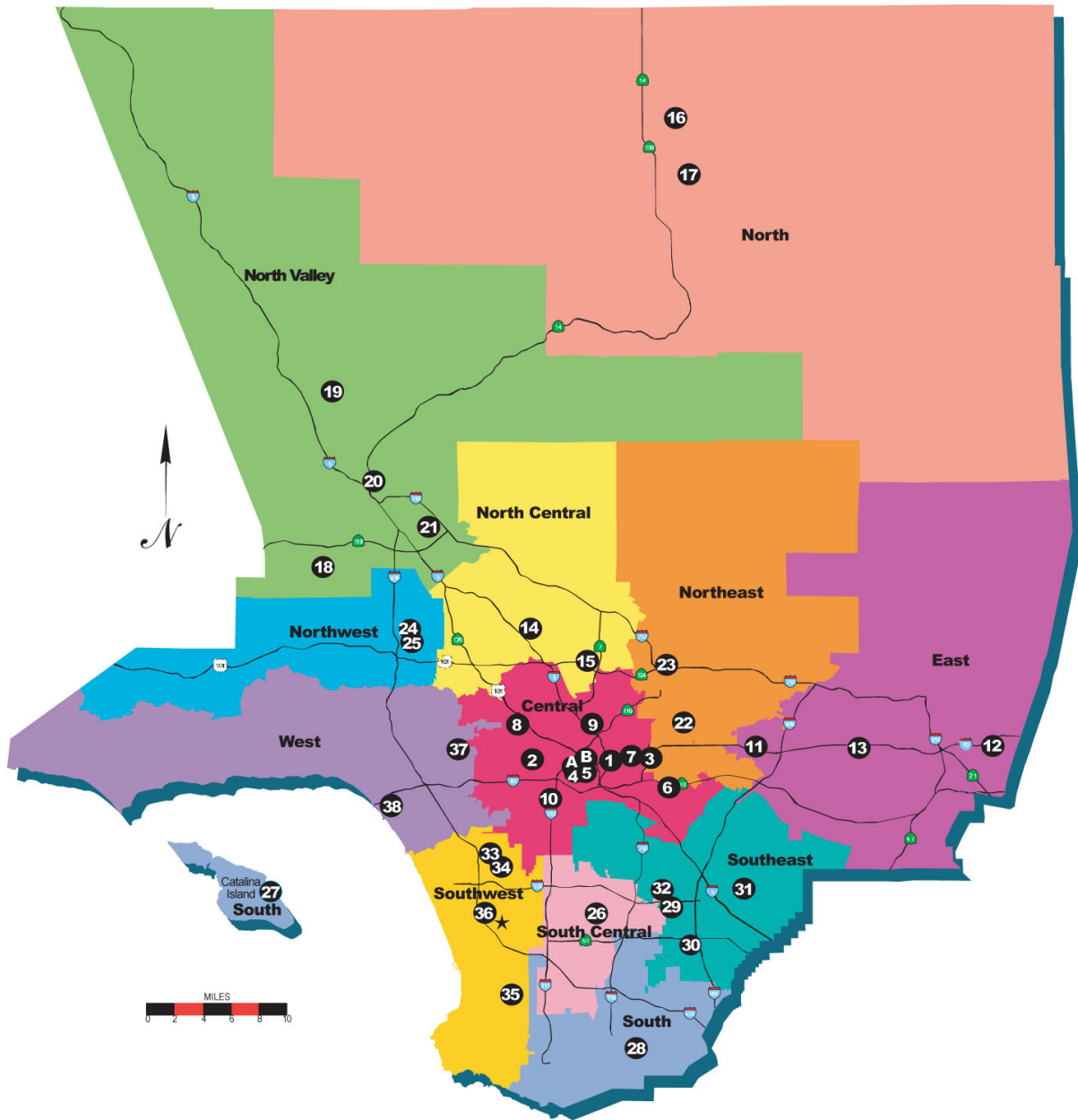
March 4, 2014

**The language of law must not be foreign to the ears of those who are
to obey it.**

Learned Hand

Superior Court of California, County of Los Angeles

**Interpreters are provided in 38 courthouses,
serving 10 million residents,
spread across 4,800 square miles.**



Superior Court of California, County of Los Angeles



More than 25,000 people come into Los Angeles courthouses each day.



Their language needs are unknown until they enter the courthouse.



Superior Court of California, County of Los Angeles

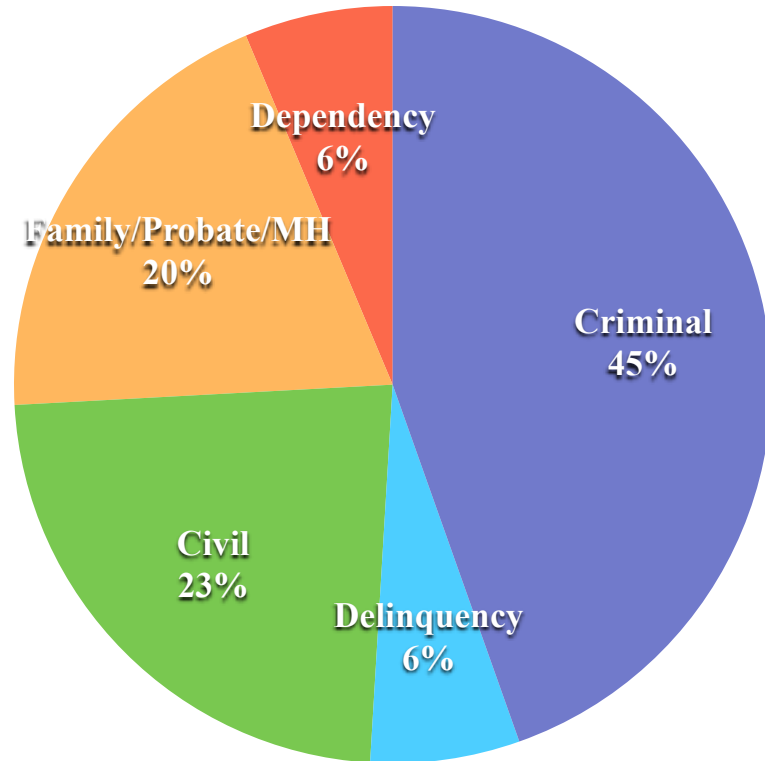
Languages interpreted in Los Angeles

Afghan (Pashto)	Finnish	Malayalam	Swedish
Albanian	French	Mam	Tagalog
Amharic	French Creole	Mandarin	Taiwanese
Arabic	Fukienese	Marshallese	Tajiki
Armenian Eastern	Gerogian	Mongolian	Tamil
Armenian Western	German	Nepali	Telegu
Assyrian	Greek	Pastho	Thai
Azerbaijani	Gujarati	Patois	Tigre
Bengali	Haitian Creole	Polish	Tigrinya
Bulgarian	Hebrew	Portuguese	Toisanese
Burmese	Hindi	Punjabi	Tongan
Cambodian (Khmer)	Hmong	Quiche	Turkish
Cantonese	Hungarian	Romanian	Tzeltal
Catalan	Ilocano	Russian	Ukrainian
Cebuano	Indonesian	Samoan	Urdu
Croatian	Italian	Serbian	Vietnamese
Czech	Japanese	Shanghainese	Wolof
Dari	Kanjobal	Sinhalese	Yiddish
Dorean	Khmer	Slovak	Yoruba
Farsi	Korean	Somali	Zapoteco De La Sierra
	Lao	Soninke	Zapoteco Del Valle
	Luganda	Spanish	
		Swahili	

Superior Court of California, County of Los Angeles

What would it cost to provide interpreters in non-mandated cases?

Statewide Workload by Litigation Type



Across the state, mandated case types account for roughly half the courts' total weighted caseloads.

	Los Angeles Costs
Mandated case types	\$32 million annually
Non-mandated case types	\$31 million annually (est)
Non-mandated case types with fee waivers only	> \$8 million annually (est)

Available statewide resources: \$13 million in one-time funding

Superior Court of California, County of Los Angeles

In these 24 languages, LASC employs more than 50% of the certified interpreters in the county

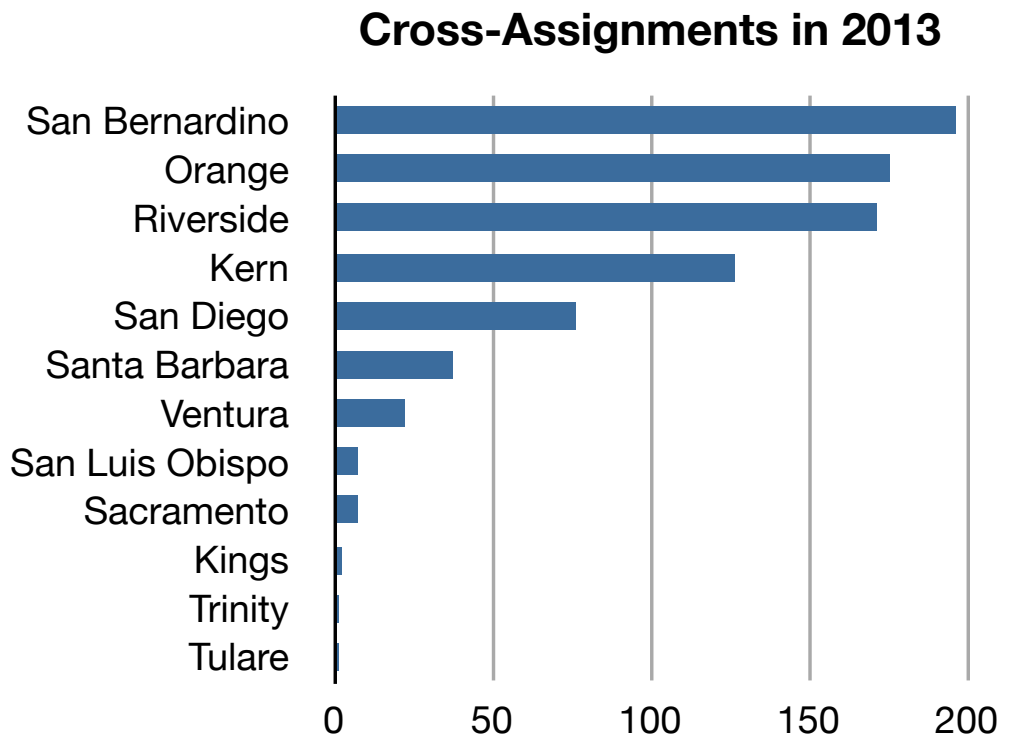
Amharic	Khmer (Cambodian)
Arabic	Pashto
Armenian-Eastern	Portuguese
Armenian - Western	Romanian
Cantonese	Tajiki
Catalan	Tigrinya/Tigre
Dari	Turkish
Fukienese (Chinese)	Ukrainian
Gujarati	Urdu
Harianvi	Vietnamese
Hebrew	Toisanese (Chinese)
Ilocano	Yiddish

**In the 6 languages highlighted above,
LASC employs 100%**

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Los Angeles provides interpreters across the state

In 2013, LASC provided interpreters to 12 counties,
in 18 languages,
for a total of 821 assignments —
equivalent to 4 FTEs





Superior Court of California, County of Los Angeles

Developing California's Language Access Plan

Testimony provided by Sherri R. Carter, Executive Officer/Clerk at the Public Hearing on California's Language Access Plan, March 4, 2014.

SERVICES CURRENTLY PROVIDED BY THE LOS ANGELES SUPERIOR COURT (LASC)

In 2013, LASC:

- Covered all needs in currently mandated case types (criminal and delinquency).
- Employed 388 certified/registered interpreters, and used an additional 200 independent contract interpreters, who interpreted court proceedings in 86 languages.
- Covered the courtroom language needs of litigants and witnesses in 38 courthouses spread across 4,800 square miles.
- Served a population of 10 million – 27% of whom say they speak English “less than very well.”
- Spent \$32 million on the services of certified interpreters.

In addition, the Court:

- Provided certified interpreters to assist in
 - 19,830 domestic violence cases,
 - Nearly 50,000 mental health cases, and
 - More than 400 elder and dependent abuse cases.
- Provided bonuses to 7% of the workforce to provide language assistance outside the courtroom.
- Provided assistance to more than 230,000 litigants in the court's self-help centers through the use of 125 JusticeCorps members who speak 15 languages.



Superior Court of California, County of Los Angeles

TWO KEY CHALLENGES FOR THE LANGUAGE ACCESS PLAN: INTERPRETER RESOURCES AND ADEQUATE FUNDING

1. Availability of qualified interpreters:

- In 24 languages, LASC employs at least 50% of available certified/registered interpreters in the county.
- In 6 of those languages, LASC employs 100% of available certified/registered interpreters in the county.
- In 2013, LASC provided 821 cross-assignments of interpreters in 18 languages to 12 courts across the state – from Trinity County to Orange County.

2. Funding needs for providing interpreters in non-mandated cases:

- In 2013, LASC spent \$32 million on interpreter services.
- LASC's weighted caseload in mandated areas is 51%; in non-mandated areas: 49%.¹
- Non-mandated case types do not typically include government agencies as the moving party, as happens in mandated case types, so interpreter need may be higher.

Assuming that interpreters are provided in non-mandated case types only in cases in which a fee waiver is issued (25% of such cases in Los Angeles), **funding needs in Los Angeles alone would be more than \$8 million annually.**

Funding for non-mandated case types is currently limited to **one-time funding of \$13 million.**

THE JUDICIAL BRANCH'S LANGUAGE ACCESS PLAN MUST ADDRESS THE FOLLOWING CONCERNS:

- Limited funding means that courts will need to establish priorities for providing language services in only a portion of non-mandated cases. Statewide priorities will facilitate consistency and will treat all LEP litigants and court users fairly throughout the branch.
- Without ongoing funding, courts must plan for the possibility that they will be forced to withdraw services from active cases once funding is exhausted.
- Given the limited availability of qualified interpreters, courts must consider alternatives such as:
 - Telephone interpreting,
 - Video remote interpreting and
 - Differentiated certification/service levels (e.g., at the Clerk's Window).
- Changes in the provisions of interpreter services may be subject to meet-and-confer obligations with the union representing interpreters.

¹ Based on the Judicial Council's weighted caseload methodology used to estimate judicial need.