



Judicial Council of California

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June 29, 2023

Hon. Thomas J. Umberg, Chair
Senate Judiciary Committee
1021 O Street, Suite 6530
Sacramento, California 95814

Subject: Assembly Bill 432 (Mike Fong), as revised April 11, 2023—Support if amended
Hearing: Senate Judiciary Committee—July 11, 2023

Dear Senator Umberg:

The Judicial Council has adopted a support if amended position on Assembly Bill 432 (Mike Fong), which creates, until January 1, 2030, the California Court Interpreter Workforce Pilot Program to be administered by the Judicial Council to develop training and increase the number of eligible applicants for employment as court interpreters.

We have raised a number of concerns about important requirements that are missing from the bill in print and have had productive discussions with the author's office and sponsor about necessary amendments to the bill.

Amendments are required to ensure that the pilot program courts can make informed recommendations on who should participate in the program. For example, requiring background checks prior to enrollment and confidence for the program participants to be able to successfully pass the interpreter exam and become certified. We have also requested amendments that would require successful participants work for the courts for three years and if they fail to do so, be required to pay back at least some of the training costs based on the portion of the three-year requirement they are not meeting, unless it is through no fault of their own or if the court chooses to forgive repayment in instances of significant hardship.

We note for the committee that the Budget Act of 2023 just signed by the Governor ([SB 101 Skinner, enrolled June 15, 2023](#)) contains budget control language to implement and fund the

California Court Interpreter Workforce Pilot Program that includes language that addresses our concerns:

0250-494—Reappropriation, Judicial Branch. The balance of the appropriation provided in the following citation is reappropriated for the purposes provided for below, and shall be available for encumbrance or expenditure until June 30, 2029.

0932—Trial Court Trust Fund

- (1) Up to \$6,800,000 of the amount appropriated in Schedule (4), Item 0250-101-0932, Budget Act of 2021 (Chs. 21, 69, and 240, Statutes of 2021), for implementation of the California Court Interpreter Workforce Pilot Program.
 - (a) The California Court Interpreter Workforce Pilot Program is hereby created. The amount reappropriated in this item, \$6,800,000 shall be allocated to the Judicial Council to administer the pilot program. The pilot program shall commence by July 1, 2024, and end June 30, 2029.
 - (b) The pilot program shall include the participation of a minimum of four superior courts, one of which must be Los Angeles. Up to 10 applicants wanting to be a certified court interpreter will be selected by the Judicial Council per superior court, per year. Depending on local court needs, training participants for the pilot program may be selected for registered languages. The pilot program will cover the costs of training, coursework and up to three interpreter exam fees for applicants.
 - (c) Training participants must pass a background check prior to participating in the pilot program and must also pass a background check a second time prior to any offer of employment by the participating courts.
 - (d) Upon successful completion of the coursework, passage of the required examinations, and enrollment with the Judicial Council, the participating local court shall offer employment as a court interpreter employee to successful training participants, subject to available funding and open positions.
 - (e) Training participants must agree to work in the courts for at least three years after they successfully pass all the required examinations and enroll with the Judicial Council as a court interpreter. Participants who are hired and remain employed with the court for a minimum of three years are not required to pay back any costs. Participants who leave court employment prior to the end of three years may be required to pay back the costs of training, coursework, and exam fees on a prorated basis based on length of employment. Participants who are hired by the court for any length of time but are subsequently laid off, terminated, or otherwise released from

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employment not of their own volition or due to any fault of their own are not required to pay back any costs for training, coursework, and exam fees. The court may waive, at its discretion, the repayment of costs of training, coursework, and interpreter exam fees if a participant leaves court employment prior to the end of three years due to a significant personal hardship.

- (f) Of the amount reappropriated, the Judicial Council shall be allocated \$150,000 each fiscal year for administrative support of the California Court Interpreter Workforce Pilot Program.


California's judicial branch serves an increasingly diverse population. Goal I of the [Strategic Plan for the California Judicial Branch](#) is Access, Fairness, Diversity, and Inclusion. All persons will have equal access to the courts and court proceedings and programs. Court interpreters play a critical role in ensuring court proceedings are understandable to court users.

As discussed in the [Strategic Plan for Language Access in the California Courts](#), the passage rate for interpreter certification examinations is low and many individuals give up on the process of becoming certified or registered due to the cost of repeated exams. One of the major goals is to expand high quality language access through the recruitment and training of language access providers, including interpreters. It is vital to enhance recruitment efforts to address current shortages of court interpreters now and in the future. As stated in the Language Access Plan; "Without meaningful language access, Californians who speak limited English are effectively denied access to the very laws created to protect them."

For these reasons, the Judicial Council supports AB 432 if amended.

Should you have any questions or require additional information, please contact me at 916-323-3121.

Sincerely,



Cory T. Jasperson

Director, Governmental Affairs

CTJ/ML/lmm

cc: Members, Senate Judiciary Committee

Hon. Mike Fong, Member of the Assembly, 49th District

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Ms. Amanda Mattson, Counsel, Senate Judiciary Committee

Ms. Morgan Branch, Policy Consultant, Senate Republican Office of Policy

Ms. Jessica Devencenzi, Deputy Legislative Affairs Secretary, Office of the Governor

Ms. Millicent Tidwell, Acting Administrative Director, Judicial Council of California

Ms. Shelley Curran, Chief Policy & Research Officer, Judicial Council of California