



## Judicial Council of California

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# REPORT TO THE JUDICIAL COUNCIL

*Item No.: 26-122*

For business meeting on October 16, 2026

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## **Court Interpreters: Payment Policies for Independent Contractor Interpreters (DRAFT)**

### Judicial Council Report Details

**Rules, Forms, Standards, or Statutes Affected**

None

**Effective Date**

January 1, 2027

**Recommended by**

Court Executives Advisory Committee  
David Slayton, Chair

**Date of Report**

September 24, 2026

**Report Type**

Action Required

**Contact**

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### **Executive Summary**

The annual Budget Act instructs the Judicial Council to set policies and compensation rates for contract court interpreters, not to exceed the rates paid to certified court interpreters in the federal court system. In response to increasing interpreter expenditures and challenges in managing interpreter resources, the Court Executives Advisory Committee (CEAC) recommends revising *Payment Policies for Independent Contractor Interpreters* to promote short- and long-term cost containment measures. These include implementing nonnegotiable rates, establishing uniform travel compensation, standardizing contractual obligations for services rendered, and additional revisions to clarify and standardize administrative procedures across the state. To implement the required rate structure, CEAC proposes raising the maximum daily compensation rate for independent contractor interpreters to not exceed the rate paid to federally certified interpreters, as required by the annual Budget Act.

## Recommendation

The Court Executives Advisory Committee recommends that the Judicial Council, effective January 1, 2027, adopt revisions to *Payment Policies for Independent Contractor Interpreters*.

The proposed revised policies are included in Attachment A.

## Relevant Previous Council Action

In February 2000, the Judicial Council approved *Payment Policies for Contract Court Interpreters*, which set forth uniform policies in several areas of contract court interpreter compensation, including daily compensation rates. Effective July 1, 2000, the daily compensation rate for certified and registered interpreters was set at \$265 for a full day and \$147 for a half day. The daily compensation rate for noncertified and nonregistered interpreters was set at no more than \$175 for a full day and \$92 for a half day.

In August 2007, the Judicial Council approved a proposal to increase the daily compensation rate for certified and registered interpreters to \$282 for a full day and \$156 for a half day.<sup>1</sup> The rates for noncertified and nonregistered interpreters were not increased. The proposal outlined a regional approach to setting compensation rates. Although the regional approach was intended to allow courts to recommend rates that reflected local markets, this approach affected many courts' ability to attract interpreters. Some courts were unable to match the rates of courts from neighboring counties, which resulted in variation in interpreter availability across counties. As a result, courts were competing with one another to attract interpreters, and the pressures caused by this dynamic led to the review and revision of the policies in 2021.

In March 2021, the Judicial Council approved an increase in the daily compensation rate for certified and registered interpreters to \$350 for a full day and \$175 for a half day, and for noncertified and nonregistered interpreters to \$220 for a full day and \$110 for a half day. The standard rate approach outlined in a 2021 report to the Judicial Council was intended to put courts on an equal footing and diminish competition for interpreter services.<sup>2</sup> Recent increases in interpreter service costs have created conditions similar to those under the 2007 regional compensation model, with courts frequently paying amounts above established rates and, in some cases, above federal rates, or incurring additional travel-related expenses to secure interpreter services.<sup>3</sup> These conditions have contributed to increases in overall statewide interpreter expenditures, creating budget impacts that courts must address within existing funding levels. Consequently, in January 2025, CEAC established a subcommittee to review, assess, and develop recommendations for *Payment Policies for Independent Contractor*

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<sup>1</sup> Judicial Council of Cal., [minutes](#) (Aug. 23, 2007), item 11, p. 19.

<sup>2</sup> Judicial Council of Cal., Advisory Com. Rep., [Court Interpreters: Payment Policies for Contract Court Interpreters](#) (Feb. 17, 2021).

<sup>3</sup> A list of the average full- and half-day rates paid to interpreters by region in fiscal year 2024–25 is included in Attachment B.

*Interpreters* (Link A) to address the statewide operational impacts of rising court interpreter expenditures.

## **Analysis/Rationale**

Consistent with the annual Budget Act, CEAC recommends that the Judicial Council, effective January 1, 2027, adopt revisions to *Payment Policies for Independent Contractor Interpreters* (policy). The proposed revisions aim to address the statewide operational challenges associated with increasing interpreter costs by (1) raising daily compensation rates for contractors while ensuring these rates do not exceed those paid to federally certified interpreters, as required by the Budget Act,<sup>4</sup> and (2) establishing a uniform statewide framework so that all courts follow the same administrative procedures and contract terms when procuring interpreter services.

The Court Interpreters Program, funded within the Trial Court Trust Fund, provided an annual allocation for court interpreter expenses of approximately \$135 million for fiscal year (FY) 2025–26. Due to rising costs that exceeded the annual allocation, the Governor’s 2026 May Revision included an additional \$20 million for FY 2026–27 and \$20 million for FY 2027–28 to maintain current levels of interpreter services. Contract interpreter costs are the primary driver of overall cost increases and rose by 19 percent in FY 2024–25 compared to the prior fiscal year.<sup>5</sup> For example, per diem expenditures for FY 2024–25 were originally estimated at \$38.4 million, but actual per diem expenditures came in at \$43.6 million, reflecting increased demand for higher compensation rates and the resulting increase in interpreter service costs. The rise in contractor pay has occurred alongside stagnant or declining spending on court employees, resulting in an imbalance. Some court employees are quitting or retiring early and moving to contract interpreting because it is seen as more lucrative.

Recent data show that courts are paying contract interpreters full- and half-day rates that approach, and in some cases exceed, the rates paid to federally certified court interpreters. To address these rising costs and comply with Budget Act requirements, it is necessary to establish a rate not to exceed federal rates to prevent further escalation of contractor compensation and to establish statewide uniformity. This approach will create long-term predictability and stability in expenditures, while also strengthening alignment across all 58 trial courts.

The committee is also considering additional cost-containment measures, including expanded use of video remote interpreting (VRI) when appropriate. To ensure responsible stewardship of public funds and consistency with statutory limits, rates paid to contract interpreters should not exceed those paid to federally certified court interpreters.

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<sup>4</sup> The Budget Act of 2025, provision 18 of item 0250-101-0932, states: “[T]he Judicial Council shall set statewide or regional rates and policies for payment of court interpreters, not to exceed the rate paid to certified interpreters in the federal court system.” This text has appeared in the Budget Act for several years.

<sup>5</sup> See Judicial Council of Cal., [Trial Court Interpreters Program Expenditure Report for Fiscal Year 2024–25: Report to the Legislature and Department of Finance](#) (June 30, 2026).

## **Proposed policy revisions**

The proposed policy revisions are outlined below.

### ***Applicability:***

Establish the applicability of the policy to all modes of interpretation, all litigation and event types, and all service delivery methods. The policy does not apply to sign language interpretation, which is currently governed by Evidence Code section 754(i).

### ***Compensation rates:***

Raise the daily compensation rates to the federal levels to address increased interpreter costs while ensuring compliance with the statutory limit that rates not exceed those paid to federally certified court interpreters. The proposed maximum compensation rates are listed below.

| <b>Certified/Registered</b> |       | <b>Noncertified/Nonregistered</b> |       |
|-----------------------------|-------|-----------------------------------|-------|
| Half day:                   | \$349 | Half day:                         | \$305 |
| Full day:                   | \$617 | Full day:                         | \$540 |
| Hourly:                     | \$87  | Hourly:                           | \$76  |

Remove the “Costs Exceeding Normal Rates” section, as the proposed rates are aligned with the maximum allowable compensation rates set forth in the annual Budget Act.

Clarify instances in which additional rates are not permitted. Specifically, additional rates based on the type of service (e.g., hearing, trial), or for interpretation of multiple language pairs, or at multiple locations within the same court on the day of service are not permitted.

Standardize payment for interpreters providing services in both certified and uncertified languages. Under these circumstances, the interpreter will be compensated at the certified rate for all languages rendered.

### ***Standardized contracting requirements:***

Mandate the use of the standardized *Independent Contractor Interpreter Agreement* template to ensure statewide consistency in the terms governing contract interpreter services.

Clarify that interpreters must remain available to the court for the entire contracted period, whether it be a half day, a full day, or hourly.

### ***Half-day and hourly rate structures:***

Adjust the half-day rate parameters to remove fixed schedules based on morning and afternoon court sessions. Payment at the half-day rate applies when services are delivered within any consecutive four-hour period.

Expand the use of hourly rates beyond video remote interpreting and night sessions. The hourly rate will be paid upon agreement or if the interpreter is required to work additional hours beyond those initially established.

***Cancellation fees:***

Expand the cancellation fee payment options to include hourly engagements, in addition to half-day and full-day arrangements. For hourly engagements, the court will pay a reasonable estimate of the total fee that would have been incurred.

Streamline cancellation procedures by removing the court executive officer's authority to approve cancellation fees exceeding the limits outlined in the policy.

***Unavailability:***

Establish procedures the court should follow when an interpreter is unavailable. An interpreter is considered unavailable if they cannot provide services on the requested date or are unwilling to accept the maximum compensation rate established in the policy. If, after a diligent search, a certified or registered interpreter is unavailable, a nonregistered or noncertified interpreter may be appointed as outlined in California Rules of Court, rule 2.893(e).

***Video remote interpreting:***

Incorporate a VRI clause to promote the use of VRI as a tool to expand language access and improve interpreter service delivery statewide. The Judicial Council maintains a list of vendors to which additional statewide providers may be added.<sup>6</sup>

***Business-related travel expenses:***

Require a consistent policy application statewide by prohibiting the consolidation of travel and related business expenses into compensation rates.

Shorten the "Business-Related Travel Expenses" section for overall policy concision. Travel expenses must adhere to, and may not exceed, the limits stated in *Judicial Council's Travel and Expense Reimbursement Guidelines (Contractors)* (Link B) and must be authorized in advance.

***Technical and formatting improvements:***

Incorporate minor revisions to language and formatting throughout the policy.

**Policy implications**

The revised policy furthers the committee's goal of ensuring there are sufficient independent contractor interpreters for court business. The proposal is consistent with the judicial branch's strategic goals of Access, Fairness, Diversity, and Inclusion and Quality of Justice and Service to the Public.

**Comments**

The proposal was publicly posted as part of the Invitation to Comment process for a two-week period and received 363 comments. The main points of opposition and support are summarized below. Due to the high volume of comments, the committee has provided its responses to the

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<sup>6</sup> See "Limited Telephonic & Remote Interpreter Services" on the ["Procurements" page](#) of the California Courts website.

primary points of opposition below. A chart with the full text of the comments received is attached at pages 10–208.

### ***Supporting comments***

Supportive comments generally agree with the need for cost control and standardized compensation. Some see the proposal as a way to make budgeting more predictable and to address the fiscal impact of rising court interpreter expenditures.

### ***Opposing comments***

#### ***Compensation caps***

- **Comments:** The policy should retain the ability to negotiate above the maximum rate in exceptional cases, such as for rare languages, urgent assignments, or when travel is required. Compensation caps may discourage qualified interpreters from accepting assignments.
- **Response:** The proposal is consistent with the annual Budget Act, which instructs the Judicial Council to set policies and compensation rates for contract court interpreters not to exceed the rates paid to certified court interpreters in the federal court system. The proposal raises the maximum daily compensation rates to federal levels to address the increased cost of interpreter services and establishes a uniform statewide framework to promote consistency and cost containment.

#### ***Regional interpreter scarcity and rare languages***

- **Comments:** The policy should allow for regional rate adjustments or exceptions for rare languages, reflecting local market rates and interpreter scarcity.
- **Response:** As addressed in the “Alternatives considered” section below, the committee considered establishing regional compensation rates, but concluded that regional rates would increase the administrative burden associated with negotiating rates. Furthermore, the regional rate approach established in 2007 made it difficult for courts to attract interpreters when rates were higher in neighboring counties. The pressures caused by this dynamic led to the review and revision of the policy in 2021.

#### ***Periodic rate review and adjustment***

- **Comments:** The compensation rates should be reviewed and adjusted regularly to keep pace with inflation and changes in the federal schedule.
- **Response:** The committee agrees that the policy should be reviewed periodically and plans to do so. Please note that the final proposed policy in this report reflects the new federal rates effective October 1, 2026.

#### ***Travel compensation***

- **Comments:** The policy should maintain compensation for travel time and expenses. Eliminating or restricting travel compensation may make it financially unfeasible to accept distant assignments, especially in rural or underserved areas.

- Response: The policy provides that travel expenses will be reimbursed per *Judicial Council's Travel Expense Reimbursement Guidelines (Contractors)*, and the *Independent Contractor Interpreter Agreement*.

#### *Access to justice and certified interpreter availability*

- Comments: The policy should not designate as unavailable an interpreter who declines the maximum rate. The policy could adversely impact access to justice for individuals with limited English proficiency if qualified interpreters are unavailable at the federal rate and provisionally qualified interpreters are used in their place.
- Response: California Rules of Court, rule 2.893(d) provides that if, after a diligent search, a certified or registered interpreter is not available, the judicial officer in the proceeding may appoint a noncertified or nonregistered interpreter who has been provisionally qualified. Please note that rule 2.893(e)(4) outlines limitations on provisional appointment.

#### *Defined session boundaries*

- Comments: The policy should maintain clear morning and afternoon session definitions for half-day assignments, rather than allowing any consecutive four-hour period to count as a half day.
- Response: The committee concluded that the session boundaries in the revised policy promote a more responsible use of public funds but will take this input into consideration in future reviews of the policy.

#### *Availability requirements*

- Comments: The policy should not require interpreters to remain available for the full contracted time period if they are no longer needed.
- Response: The revised policy clarifies that interpreters are obligated to the court for the entirety of the contracted time so they can be available for other interpreter duties within the court system.

#### *Cancellation policy*

- Comments: The policy should allow for cancellation policies that compensate interpreters for cancellations beyond those described in the policy.
- Response: Cancellation fees are payable when the court cancels with less than 24 hours' notice or on the first business day of the workweek without one business day's notice. Cancellation fees under other circumstances are not permitted as the committee concluded that 24 hours is sufficient notice for interpreters to seek other assignments and is consistent with other industry practices.

### **Alternatives considered**

The committee considered establishing regional compensation rates but concluded that doing so would increase the administrative burden associated with negotiating rates. In addition, the regional rate approach implemented in 2007 made it difficult for courts to attract interpreters

when neighboring counties offered higher rates. The resulting pressures prompted a review and revision of the policy in 2021.

The committee also considered maintaining the existing policy. However, given the statewide operational impacts of rising interpreter payment expenditures, the committee concluded that an increase to the compensation rates is necessary to comply with the direction provided in the Budget Act and to promote statewide consistency when procuring interpreter services.

## **Fiscal and Operational Impacts**

### **Fiscal impacts**

The proposal advocates raising the daily compensation rate for interpreters to the rates paid to those in the federal court system. According to FY 2024–25 data in the Court Interpreter Data Collection System, the average interpreter compensation is already approaching, and in some cases exceeding, the federal rates. The estimated annual cost to match the federal rates is approximately \$7 million. Additional funding may be needed to support these rate increases.

Due to limited funding, courts must continue to closely monitor their interpreter expenses, including both employee and contractor costs. Recent data also indicate that impacts would vary by language, with some contractors receiving higher rates and others seeing rate reductions where current compensation exceeds the federal rate. See Attachment B for a list of the average full- and half-day rates paid to interpreters by region in FY 2024–25.

The current policy provides courts with the option to negotiate above the daily rate in *extraordinary circumstances*; however, the use of this option varies across the state due to the rising costs of interpreter services. The proposal could provide long-term cost savings by capping the compensation rates at the maximum allowable rates in the Budget Act and establishing a uniform statewide framework under which all courts operate when engaging interpreter services, thus mitigating competition between courts and eliminating negotiations above the maximum rates.

Although the proposed revisions will increase baseline compensation costs, the following measures included in the policy proposal are expected to produce long-term savings, ensure rate predictability, and improve operational efficiency:

- Rate stability resulting from nonnegotiable rates capped at the federal rates per the annual Budget Act;
- Uniform travel compensation policies in adherence to *Judicial Council’s Travel and Expense Reimbursement Guidelines (Contractors)* (Link B) and the *Independent Contractor Interpreter Agreement*;
- Minimized competition between courts for interpreter services resulting from the statewide uniform policy application and contract terms; and

- Expanded use of VRI as an additional, more cost-efficient tool to promote access to justice.

### **Operational impacts**

The proposal recommends revisions intended to standardize and clarify administrative procedures, promoting uniform policy application statewide and reducing the administrative burden for interpreter coordinators and related staff. The proposal seeks to significantly reduce the administrative burden associated with negotiating, contracting, monitoring, and maintaining independent contractor interpreter relationships across the state.

To ensure compliance with the updated policy, some courts may need to adjust local practices or amend existing interpreter services contracts. The revised policy is intended to facilitate greater consistency in interpreter service engagements across the state and promote responsible use of public funds while ensuring the language access needs of court users continue to be met.

### **Attachments and Links**

1. Chart of comments, at pages 10–208
2. Attachment A: *Payment Policies for Independent Contractor Interpreters* (effective Jan. 1, 2027)
3. Attachment B: *FY 2024–25 Average Full-Day and Half-Day Contractor Payments by Language and Region*
4. Link A: [Payment Policies for Independent Contractor Interpreters](#) (effective July 1, 2021)
5. Link B: [Judicial Council’s Travel and Expense Reimbursement Guidelines \(Contractors\)](#)

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                          | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      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| Adriana Martinez<br>Interpreter<br><br><b>Comment on behalf of org?: No</b>                                                                        | Do not agree with proposed changes | Do not agree with proposed changes                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           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| Adriana Rangel de Wegner, Spanish Certified Court Interpreter.<br>Spanish Certified Court Interpreter<br><br><b>Comment on behalf of org?: Yes</b> | Do not agree with proposed changes | <p>Dear Members of the Judicial Council of California and Court Executives Advisory Committee:</p> <p>In response to the Judicial Council's proposed revisions and Policies for Independent Contractor Interpreters with due consideration I would like to state my position as follows:</p> <p>Although I recognize the Judicial Council's responsibility to manage public funds, I respectfully oppose the proposal of a non-negotiable rates for independent-contractor interpreters.</p> <p>California's counties do not have the same cost of living, housing, transportation, insurance, parking, tolls, fuel, and other business expenses that vary substantially from one county and region to another. The economic realities faced by an interpreter accepting an assignment in Los Angeles, Orange, San Diego, San Francisco, Santa Clara, Riverside, Imperial, or a rural Northern California county are not necessarily comparable. Therefore, a single statewide rate cannot be expected to represent the fair market value of professional interpreting services throughout California.</p> <p>Certified independent court interpreters operate independent businesses. We are responsible for our own business expenses, including self-employment taxes, certification and registration requirements, health insurance, transportation, equipment, technology, administrative expenses and so forth. As independent contractors, we should be able to negotiate our rates.</p> <p>This position is consistent with the California Labor Code §2776 which addresses bona fide business-to-business contracting relationships, expressly listing the ability of the business service provider to "negotiate its own rates" as one of the conditions supporting independent-contractor treatment.</p> <p>Additionally, under the same proposal, a certified interpreter who is willing and qualified to perform an assignment may be considered "unavailable" simply because the interpreter cannot accept the court's non-negotiable compensation rate. If the court then turns to a noncertified interpreter because the certified interpreter declined the imposed rate and is considered "unavailable", the result could be deeply problematic and concerning.</p> <p>This is extremely critical to reconsider because the person who ultimately bears the consequences is the limited-English-proficient defendant facing criminal consequences. This can affect the person's ability to understand the proceeding, communicate with counsel, assist in their defense, and meaningfully participate in the judicial process. Even what would seem a minor interpretation error can change the meaning of testimony or cause a person to misunderstand what is occurring in court.</p> <p>Court certified interpreters undergo rigorous education and specialized training to obtain our certification. We are required to participate in education classes to maintain our professional skills. The quality of court interpreting should remain the highest priority.</p> <p>A significant concern in the proposal is hiring the independent contractors on an hourly basis. I respectfully believe the current half day/full day structure should be preserved. The proposed measure could represent that the interpreter loses the opportunity to earn a full day's income even though the court has reserved a significant portion of the interpreter's availability. This results in the courts ability to save money by only paying three hours, while the interpreter loses the economic opportunity to work a half or full day. A policy designed to save money per hour should not inadvertently make qualified interpreters less available to the courts.</p> <p>For example, if an interpreter is contracted for a three-hour assignment this can prevent an interpreter from accepting other assignments. The hearing could take longer than anticipated; the matter could be delayed; multiple cases could be scheduled during the same session; the court needs the interpreter for several related matters; the interpreter must remain available while the court handles other matters; or the proceeding cannot be accurately predicted in advance.</p> <p>If the interpreter were to get another assignment he/she needs to account for security and courthouse entry procedures; parking; potential delays; the possibility that the proceeding will run beyond the anticipated time; the geographic location of the second assignment; the time necessary to travel between courthouses; and the uncertainty of finding another assignment that begins immediately after the first one.</p> <p>An additional concern on the proposal is travel time. For an independent contractor, time is a business asset. Reasonable compensation for travel time is not an excessive benefit to the interpreter. It is a mechanism that allows courts to continue accessing qualified professionals who otherwise may decline assignments because the uncompensated travel makes the assignment economically unreasonable. It should be treated as part of the cost of obtaining and providing professional interpreting services, not as uncompensated personal time.</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                             | Position                                  | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
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|                                                                                                                       |                                           | <p>Regarding remote interpretation, services should be limited to short proceedings before the court. Remote interpreting presents challenges that could be more demanding than in-person interpreting. Being removed from the court room introduces risks. The court interpreter ends up deal with background noise in the courtroom, not being able to hear and respond properly; the probability of losing internet connectivity and so on. However, interpreters are expected to maintain the same standards of accuracy and professionalism as in person interpreters.</p> <p>Accordingly, remote interpreting services should be compensated at the same rate as in-person interpreting services. Remote services should be viewed as an option not as standard practice.</p> <p>I urge the Judicial Council to carefully review and reconsider their proposed policies, taking into consideration the potential impact on independent contractors, the quality of the interpretation provided to the courts, and ultimately, access to justice for limited-English-proficient individuals.</p> <p>Sincerely,</p> <p>Adriana Rangel de Wegner</p> <p>Spanish Certified Court Interpreter</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <p>Albert Valdez<br/>Certified Interpreter<br/>Independent Contractor</p> <p><b>Comment on behalf of org?:</b> No</p> | <p>Do not agree with proposed changes</p> | <p>Position on Proposal<br/>Do not agree with proposed changes</p> <p>Comments<br/>This proposal is step backwards for the profession and language access rather than the step forward it is being presented as. It would affect language access for the most vulnerable people in California during a very critical time by establishing conditions that could very well drive away experienced contractors and replace them with less than qualified remote interpreters.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <p>Alejandra Gravier<br/>CA State Court Certified Interpreter</p> <p><b>Comment on behalf of org?:</b> No</p>         | <p>Do not agree with proposed changes</p> | <p>Dear Judicial Council,</p> <p>I submit these comments in strong opposition to the proposed revisions in SP26-05.</p> <p>The proposal's non-negotiable rate structure, rigid four- and eight-hour blocks, removal of clear morning/afternoon session definitions, and tightly restricted travel rules will significantly reduce the willingness of certified interpreters to accept court work. Once experienced interpreters leave or limit their availability, the courts will face greater difficulty covering calendars with qualified professionals.</p> <p>Of particular concern is the proposal's definition of "unavailability." The draft states that an interpreter is considered unavailable if they "are unwilling to accept the maximum compensation rate established in the policy." Once that finding is made, and after a diligent search, the court may appoint a nonregistered or noncertified interpreter under rule 2.893. This provision turns a simple rate refusal into a legal finding of unavailability. In practice, it creates a direct financial incentive to replace a certified interpreter who declines the capped rate with someone who has never passed a certification examination. Limited English Proficient court users are never informed that this substitution has occurred. Certification exists because neither the judge nor counsel can evaluate the accuracy of the interpretation in real time. By converting a cost-control measure into a structural preference for less-qualified interpreters, the proposal undermines the very safeguard the credential was designed to provide. This is not language access. It is the appearance of language access at the expense of accuracy and due process.</p> <p>This outcome directly affects California's Limited English Proficient population—approximately 6.4 million people, or one in six residents. Meaningful language access is a due-process requirement, not an optional expense. When certified interpreters are driven away by inflexible and non-negotiable terms, the quality of interpretation declines. Errors, continuances, and in the worst cases mistrials or miscarriages of justice become more likely. Any short-term budget savings will be outweighed by the long-term costs of remedying those failures.</p> <p>California has long recognized the importance of language access in a diverse state. This proposal moves in the opposite direction. I urge the Judicial Council to reject the current draft and maintain the flexibility necessary to attract and retain qualified certified interpreters.</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                        | Position                                | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
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| Alejandra Serrano<br>Interpreter<br><br><b>Comment on behalf of org?: No</b>                                                     | Do not agree with proposed changes      | <p>Dear Judicial Council,</p> <p>Proposal SP26-05 will reduce the availability of qualified certified interpreters in our courts. When experienced professionals leave because rates are capped and inflexible, Limited English Proficient Californians—approximately one in six residents—lose meaningful access to justice. I ask the Council to reject these changes and preserve the ability of courts to secure competent interpretation.</p> <p>Thank you for your time and consideration in this matter.</p> <p>Respectfully,<br/>Alejandra Serrano<br/>Certified Interpreter</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Alejandro L. Franco<br>Court Certified, State and Federal Courts<br><br><b>Comment on behalf of org?: No</b>                     | Do not agree with proposed changes      | <p>As an interpreter who has worked in many Superior Courts in California, I was always proud to provide my interpretation services to different counties--Southern, Central and Northern California. I'm certified in State Court and Federal Courts. As an independent contractor I also provide my services at conferences, business meetings, depositions, etc. I haven't provided services to the Ca Superior Courts for at least 15 years. As an independent contractor I have to provide for my own Medical Insurance, retirement vacations and other benefits that employees receive as part of their employment package; if you were to take this into consideration you would realize that in comparison to employees we are underpaid. This new proposal will make it more unprofitable for many independent interpreters to provide interpreter services to the state courts. In many ways you are treating us as employees, limiting our abilities to offer our services at a fair market price. I see this new proposal as:</p> <ul style="list-style-type: none"> <li>- An attempt to use uncertified interpreter.</li> <li>- Adding more hours to the assignments that contractors accept.</li> <li>- You are driving Independent Contractors away.</li> <li>- This proposal is one sided.</li> <li>- I hope that Independent contractors who plan to make this a lifetime career realize how one sided proposal is.</li> <li>- I would advise independent contractors not to put up with your plan. Walk away from the State Courts</li> <li>- Look for other interpreting opportunities. I did, and it worked really well for me.</li> <li>- Ultimately you are hurting the non English speakers who need the services of Certified Interpreters by providing inferior Interpretation services.</li> </ul> |
| Aleksandr Fesenko<br>Court Interpreter, full-time staff<br>Sacramento Superior Court<br><br><b>Comment on behalf of org?: No</b> | Do not agree with proposed changes      | <p>SP26-05 - August 24, 2026</p> <p>Do not agree with proposed changes</p> <p>I disagree with the proposed changes because they severely limit the free market negotiations power of independent contractor interpreters, will lead to a degradation of interpretation quality when the courts begin using interpreters lacking qualifications, and will ultimately result in a miscarriage of justice by providing less and less of quality interpreting services to court users with limited English.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Aleksandr L.<br>Certified and Registered<br>Court Interpreter<br><br><b>Comment on behalf of org?: No</b>                        | Do not agree with proposed changes      | <p>The policies proposed deny the language professionals an ability to function in a free-market economy. You need to understand (and even though you do understand in the back of your minds anyway; yet, refuse to acknowledge this) that the proposed changes are representative of a socialist economy- one rate, non-negotiable, no adequate compensation for travel time, and, a limit to the number of assignments. This is, in essence, an elimination of the concept of "independent contractor", a person who strives to earn a living in a free economy. In addition, this degrades the overall role of a professional interpreter, i.e., it leads a consumer to believe that understanding of language of justice is not so material.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Alessandra Luissi-Beltran<br>Court Certified Interpreter<br><br><b>Comment on behalf of org?: No</b>                             | Agree with proposed changes if modified | <p>Good afternoon,</p> <p>I support the Judicial Council's efforts to create greater consistency in the compensation of independent contractor interpreters, including the proposed statewide maximum rates of \$566 for a full day, \$320 for a half day, and \$80 per hour.</p> <p>However, I disagree with the proposed revisions as currently written because they do not clearly address compensation for travel time. Travel time and travel expense reimbursement are two separate issues.</p> <p>We independent contractors accept assignments requiring substantial travel, particularly when courts need interpreters in languages or locations where qualified interpreters are not readily available.</p> <p>Eliminating, reducing, or leaving this compensation unclear could create a financial disincentive for interpreters to accept assignments requiring significant travel.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                   | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
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|                                                                                                                                             |                                    | <p>I ask that the revised policy expressly recognize compensation for reasonable travel time as separate from reimbursement of travel expenses. Travel-time compensation can be standardized across courts so that interpreters receive the same compensation.</p> <p>A statewide policy should encourage qualified interpreters to accept assignments where they are most needed. Clear and fair compensation for travel time would further that goal while providing both courts and independent contractor interpreters with predictable and consistent rules.</p> <p>For these reasons, I support many of the proposed revisions but respectfully disagree with the proposal as currently written unless the issue of travel-time compensation is clarified and protected.</p> <p>Thank you,</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <p>Alex Ferrer<br/>Private Investigator<br/>Federally Certified Court Interpreter - Spanish</p> <p><b>Comment on behalf of org?: No</b></p> | Do not agree with proposed changes | <p>Why is the Federal rate the ceiling? Here's a comparison of State vs Federal Court admin compensation.</p> <p>Court Administrators (Court Executive Officers at the state level vs. District Court Executives and Clerks of Court at the federal level) oversee courthouse operations, multi-million-dollar budgets, facilities, and hundreds to thousands of staff.</p> <p>In California's highest-paying counties, top county court executives earn substantially higher salaries than their federal counterparts due to the absence of the strict federal statutory salary cap.</p> <p>1. Executive Leadership</p> <p>California Superior Court Executive Officer (CEO / Clerk of the Court):</p> <p>In top counties (e.g., Los Angeles, Santa Clara, San Francisco, Orange, Alameda), CEOs are appointed by the bench and negotiate individualized executive compensation packages.</p> <p>Base salaries typically range from \$230,000 to \$330,000+ per year (with Los Angeles and Bay Area counties paying at the top of the scale).</p> <p>Total annual compensation packages (including executive leave cash-outs, vehicle allowances, and county pension contributions) routinely reach \$350,000 to \$450,000+.</p> <p>Federal District Court Executive (DCE) / Clerk of Court:</p> <p>Classified as Court Unit Executives (CUE) under the Judiciary Salary Plan (JSP) or Court Personnel System (CPS Band CL-32/33).</p> <p>Salaries in high-cost California districts (Northern and Central Districts of California) hit the federal statutory compensation cap (Executive Level IV), capping base pay at approximately \$191,900 to \$204,000/year.</p> <p>The Difference: County CEOs earn \$40,000 to \$130,000+ more in base pay than top federal court administrators, who are constrained by federal executive pay ceilings.</p> <p>2. Mid-Level &amp; Senior Court Managers</p> <p>(e.g., Chief Deputy Clerks, Operations Directors, HR/Finance Directors)</p> <p>California Superior Court Directors &amp; Chiefs:</p> <p>Mid-to-senior level administrators (managing civil, criminal, family law, IT, or finance divisions) generally earn between \$140,000 and \$240,000/year.</p> <p>Federal Deputy Unit Executives &amp; Division Managers:</p> <p>Typically graded at CPS CL-29 through CL-31.</p> <p>In the Northern and Central Districts, these positions range from \$125,000 to \$185,000/year.</p> <p>The Difference: County mid-level administrators maintain a slight to moderate salary advantage, particularly at the director level in Silicon Valley and Los Angeles.</p> <p>Compensation &amp; Scope Summary</p> <p>Salary Advantage: California County Courts. The federal pay ceiling limits what federal court executives can earn, while California county courts offer competitive executive packages to attract talent from the private and municipal sectors.</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                                                                                                                         | Position                                                   | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
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|                                                                                                                                                                                                                                                   |                                                            | <p>Scale of Responsibility: California county trial courts are vast. For example, the Los Angeles County Superior Court operates nearly 40 courthouses with over 4,500 staff members, making the CEO role comparable to managing a large corporation.</p> <p>Retirement Structure: County administrators participate in local defined-benefit pensions (such as CalPERS or LACERA) with high pensionable salary caps, compared to the federal FERS defined-benefit formula + Thrift Savings Plan (TSP) matching.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <p>Alexander Cruz Lerma<br/>Diamonds<br/>California State Certified<br/>Administrative Interpreter<br/>— Independent Contractor<br/>Alexander Diamonds<br/>(DBA) — Long Beach,<br/>California</p> <p><b>Comment on behalf of<br/>org?: No</b></p> | <p>Agree with<br/>proposed<br/>changes if<br/>modified</p> | <p>I agree with the goals of creating greater consistency, administrative clarity, and responsible cost management in the payment of independent contractor court interpreters. However, I believe SP26-05 should be modified before adoption.</p> <p>As a California certified interpreter with decades of professional experience, I am concerned that rigid, non-negotiable compensation limits may unintentionally make it more difficult for courts to obtain experienced and qualified interpreters.</p> <p>Independent contractor assignments are not all equal. Language scarcity, travel distance, location, scheduling requirements, assignment complexity, and the amount of time an interpreter must reserve can greatly affect whether an assignment is economically reasonable to accept.</p> <p>I therefore respectfully recommend that the Judicial Council preserve reasonable flexibility allowing courts to exceed standard rates or provide additional compensation when documented circumstances involving scarcity, travel, scheduling, complexity, or interpreter availability justify doing so.</p> <p>A qualified interpreter who is available to perform an assignment but cannot reasonably accept the compensation offered should also not simply be treated as "unavailable" if that results in replacing the interpreter with a less-qualified person.</p> <p>Cost containment is a legitimate goal. However, the long-term costs of interpreter shortages, delayed proceedings, reduced professional participation, and inaccurate interpretation should also be considered.</p> <p>California should pursue both goals: responsible use of public funds and reliable access to highly qualified professional interpreters.</p> <p>I respectfully recommend approval only with modifications that preserve enough flexibility to accomplish both.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <p>Alexandra Goldburt<br/>California Court Certified<br/>Spanish and Russian<br/>Interpreter</p> <p><b>Comment on behalf of<br/>org?: No</b></p>                                                                                                  | <p>Do not<br/>agree with<br/>proposed<br/>changes</p>      | <p>To whom it may concern:</p> <p>I am a California Court Certified Russian and Spanish interpreter. I have been working as a free-lance interpreter for the courts in Tulare, Fresno and Madera counties since 2017. I'm concerned with the proposal in its present form, and would like to share my thoughts on how and why it should be modified.</p> <p>The proposal states that its goal is to safeguard public funds. Surely, this is a noble goal. But how you go about safeguarding matters. Poorly thought of measures may backfire badly, causing problems more serious than the ones they attempt to solve.</p> <p>Below, I'll outline the most important portions of the proposal that, in my firm opinion, must be modified, and give the reason why I think so.</p> <p>1. "Clarify instances in which additional rates are not permitted. Specifically, additional rates based on the type of service (e.g., hearing, trial) or for interpretation of multiple language pairs or at multiple locations within the same court on the day of service are not permitted."</p> <p>This part absolutely must be changed. The type of service an interpreter performs matters. Mental fatigue of interpreting during a trial or other evidentiary hearing is incomparably greater than that of interpreting for an arraignment or a status conference, and it's only reasonable to reflect it in rates. There definitely can exist a situation where an interpreter can and should be paid more for the trial. Ideally, there should be at least two interpreters at the trial, working as a team. With some languages, this might simply not be possible. In this case, a court administrator will be absolutely justified in telling the interpreter, "unfortunately, we cannot find another interpreter, but to compensate you for working alone where there should be a team of interpreters working, we'll offer you an extra payment of... [whatever amount is reasonable under the circumstances]." It is ill-advised to tie the administrator's hands in negotiating. This may result that for some trials an interpreter simply will not be found.</p> <p>2. "...interpretation of multiple language pairs..." This seems to be an attempt to save money, but this can have the opposite results. For example, a certified Russian and Spanish interpreter may be called for a Russian case in the morning. She might finish with the Russian case early, and then help with some Spanish cases for an additional pay,</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                               | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
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|                                         |                                    | <p>negotiated between her and the court administrator, which is less than a normal half-day rate. If the court administrator is not able to offer an extra compensation, the Russian interpreter may simply refuse to do an additional language, and a Spanish interpreter will have to be hired, for the full half-day rate. Instead of savings, there'll be extra expense. So much for safeguarding the public funds! (I'm using Russian/Spanish combo just as an example here. It would work the same way with an other pair.)</p> <p>3. "Adjust the half-day rate parameters to remove fixed schedules based on morning and afternoon courts sessions. Payment at the half-day rate applies when services are delivered within any consecutive four-hour period."</p> <p>There is a good reason why an assignment that starts at 11 am and ends at 2:45 pm is currently being paid as full day rather than the half day. The payment takes into account the opportunity cost. An interpreter who works from 8:30 am to 12 pm is able to make herself available for the afternoon assignment, while the one who works from 11 am to 2:45 pm cannot. For the sake of fairness, this should stay the way it is.</p> <p>4. Business related travel expenses.</p> <p>In San Joaquin valley (area that covers Fresno, Kern, Kings, Madera, Merced, San Joaquin, Stanislaus, and Tulare counties) where I live and work, there is severe shortage of Spanish interpreters. Currently, these counties pay the interpreters for the travel time, in addition to paying them mileage. Considering the shortage of interpreters, and specific geography of the area (sparsely populated, compared to, for example, Los Angeles county), this makes sense, and helps the court administrators to ensure that the interpreting assignments are covered. When it comes to paying the interpreters travel time, things should stay as they are.</p> <p>5. "The proposal seeks to significantly reduce the administrative burden associated with negotiating, contracting, monitoring, and maintaining independent contractor interpreter relationships across the state." This sounds very good in theory, but in practice it brings about the results just the opposite of what's intended: an increased burden on the court administrators, who'll find themselves unable to find qualified interpreters to cover the assignments, as their hands will be tied and their ability to negotiate severely limited.</p> <p>California has 58 counties, and they are all different. For example, Tulare county is very different from Los Angeles county, which in turn is very different from San Francisco county. It is not right to impose the same standard on all counties. It's important to understand that a court administrator in Fresno county or Kings county or Madera county knows the specific, on-the-ground situation in her county the way that Judicial Council in Sacramento will ever be able to. Again, I want to stress that I do not doubt the noble intentions of the Judicial Council, namely, to safeguard the public money. However, this noble goal should not be achieved by tying the hand of the administrators on the ground, and ultimately increasing, not decreasing, the shortage of interpreters. Finally, the proposal seems to aim to safeguard public money by imposing the strict upper limit at how much the interpreters can be paid. In other words, to impose price control. I don't want to start an economic dissertation on the ineffectiveness of price control (many prominent economists have done this already), but I know this: whenever and wherever price control has been tried, from the Roman Emperor Diocletian in 3rd century BCE to the socialist countries in the 20th century, it resulted in shortages. And there is no doubt in my mind that, if the price control is imposed on the court interpreters, if the court administrators, who know the specific situation on the ground better than anyone else, will be denied the ability to offer higher rates to the interpreters when it's warranted, some assignments simply will not be covered. In the past, before the interpreters' compensation by the courts was increased, many interpreters (myself included) preferred to work in the private sector, because it simply paid better. If the interpreters are no longer compensated for the travel time, for interpreting more than one language on the same day, for interpreting at the trial, if they are not paid full day rates for working from 11 am to 3 pm, many will opt to work in private sector again rather than in the courts.</p> <p>Even if the proposal actually saves the state money, one thing is important to remember: justice is priceless. We don't want to return to the dark days, before the interpreting became a respectable profession, when unqualified people were used to interpret in the courts, with very sad results for justice.</p> <p>Respectfully submitted,</p> <p>You can count on me to be on time.</p> |
| Alfonso Garate<br>Certified Interpreter | Do not agree with proposed changes | <p>Dear Judicial Council,</p> <p>Proposal SP26-05 should be rejected.</p> <p>Under the banner of a rate increase, the Council is imposing non-negotiable ceilings, forcing interpreters to remain for entire blocks regardless of actual need, erasing clear session boundaries, and severely restricting travel reimbursement. The predictable result is that many certified interpreters will simply stop accepting Superior Court work.</p> <p>The proposal creates a direct financial incentive to replace certified interpreters with provisionally qualified ones. When a certified interpreter declines the non-negotiable rate, the draft allows the court to declare that interpreter "unavailable" and appoint someone who has never passed a certification exam. The LEP party is not told this has happened. Errors by non-credentialed interpreters are rarely caught in the moment.</p> <p>Turning a rate refusal into a legal finding of unavailability converts a cost-control measure into a structural preference</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
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|                                                                                                          |                                    | <p>for less-qualified interpreters. This is not language access. It is the appearance of language access at the expense of accuracy and due process.</p> <p>California has 6.4 million Limited English Proficient residents—one out of every six people in the state. These court users have a constitutional right to understand the proceedings that affect their liberty, families, and livelihoods. When the State makes it economically and practically unattractive for qualified interpreters to serve, it is the non-English-speaking public that pays the price through delayed cases, inaccurate interpretation, mistrials, and miscarriages of justice.</p> <p>Cutting interpreter flexibility to save money is false economy. The real cost will appear later in repeated hearings, appeals, and damaged public confidence in the courts. The Judicial Council should not balance budgets on the backs of Limited English Proficient Californians.</p> <p>I urge the Council to withdraw this proposal.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <p>Amalia Chavarria, CMI</p> <p><b>Comment on behalf of org?: No</b></p>                                 | Do not agree with proposed changes | <p>To whom it may concern:</p> <p>This is in reference to the proposed legislation and how it will affect us.</p> <p>As interpreters we rely on this type of work as our lively hood many freelance and independent contractors have set budgets and if this passes many of us will be affected financially, also less productivity, since it proposes the use of qualified interpreters. What does this mean that in order to save a penny or two you will be providing unlicensed/uncertified interpreters to administer services, but with risk of errors, omissions and lack of proficiency. I urge you to reconsider any decisions that maybe hasty thank you for your time in this matter as this affects me as well as my colleagues.</p> <p>Best regards,<br/>Amalia Chavarria, CMI</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <p>Amalia Silvestri Mata<br/>Certified Court Interpreter</p> <p><b>Comment on behalf of org?: No</b></p> | Do not agree with proposed changes | <p>Dear Judicial Council,</p> <p>I submit these comments in strong opposition to the proposed revisions in SP26-05.</p> <p>The proposal's non-negotiable rate structure, rigid four- and eight-hour blocks, removal of clear morning/afternoon session definitions, and tightly restricted travel rules will significantly reduce the willingness of certified interpreters to accept court work. Once experienced interpreters leave or limit their availability, the courts will face greater difficulty covering calendars with qualified professionals.</p> <p>Of particular concern is the proposal's definition of "unavailability." The draft states that an interpreter is considered unavailable if they "are unwilling to accept the maximum compensation rate established in the policy." Once that finding is made, and after a diligent search, the court may appoint a nonregistered or noncertified interpreter under rule 2.893. This provision turns a simple rate refusal into a legal finding of unavailability. In practice, it creates a direct financial incentive to replace a certified interpreter who declines the capped rate with someone who has never passed a certification examination. Limited English Proficient court users are never informed that this substitution has occurred. Certification exists because neither the judge nor counsel can evaluate the accuracy of the interpretation in real time. By converting a cost-control measure into a structural preference for less-qualified interpreters, the proposal undermines the very safeguard the credential was designed to provide. This is not language access. It is the appearance of language access at the expense of accuracy and due process.</p> <p>This outcome directly affects California's Limited English Proficient population—approximately 6.4 million people, or one in six residents. Meaningful language access is a due-process requirement, not an optional expense. When certified interpreters are driven away by inflexible and non-negotiable terms, the quality of interpretation declines. Errors, continuances, and in the worst cases mistrials or miscarriages of justice become more likely. Any short-term budget savings will be outweighed by the long-term costs of remedying those failures.</p> <p>California has long recognized the importance of language access in a diverse state. This proposal moves in the opposite direction. I urge the Judicial Council to reject the current draft and maintain the flexibility necessary to attract and retain qualified certified interpreters.</p> <p>Respectfully,</p> <p>Amalia Silvestri Mata<br/>Certified Court Interpreter</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                                               | Position                                              | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
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| <p>Ana Cecilia Campos<br/>Certified Court Interpreter<br/>English/Spanish<br/>Los Angeles Superior<br/>Court (LASC)</p> <p><b>Comment on behalf of<br/>org?: No</b></p> | <p>Do not<br/>agree with<br/>proposed<br/>changes</p> | <p>I am a certified court interpreter in Spanish employed by Los Angeles Superior Court (LASC). The above-mentioned proposal to revise payment policies for independent interpreters has flaws in my opinion.</p> <p>First, the law of supply and demand cannot be changed. Putting limits on fees does not solve the problem. There is a critical shortage of interpreters. LASC is short one hundred headcount. They optimistically tried to train a class of 25, but, to my knowledge, none has been certified.</p> <p>Interpreting is a difficult and demanding profession – we cannot pick just anyone off the street for this education. You as the Council should know this, or you wouldn't have a certification procedure. What is the pass rate? Not at all high, the BAR exam has a higher pass rate.</p> <p>Then, what are you going to do to increase the supply? Lower the standard to pass? I hope not, that would be a disservice to LEPs and the profession. The JCC should take on a plan to entice qualified candidates for interpreting programs. The courts cannot do it alone.</p> <p>Back to the law of supply and demand, this is the first problem – supply is short and only you can attempt to correct that.</p> <p>Second, when supply is short, the price increases. The band-aid effort to limit the price will not work. The demand for interpreters, private sector and courts is high and the JCC cannot do anything about that.</p> <p>Independent contractors are getting significantly higher wages than court employees. We are losing staff to the private sector and retirement. If the wages for employees were increased to federal wages many would be enticed to work for the court and the courts would retain their employees. But that would increase the demand for the private sector, causing the fees to increase for independents and you would be back to square one; however, the courts would have less need for independents.</p> <p>Third, determining if a certified interpreter is unavailable, especially in Spanish, Rule 2.893 (f) makes it easy for judges to appoint non-certified. I firmly believe that would be the case regardless of the Advisory Committee Comment. In addition, asking an LEP to waive the right to a certified interpreter is just for cosmetic purposes. What would they know? Of course they will answer yes. Appointing a non-certified interpreter could cause a subpar interpretation. LEPs have a right to the best interpretation which can only be provided by a certified interpreter.</p> <p>The independent contractors are up in arms and I join their objections. They are a powerful group and we are standing together since what is detrimental to one group is detrimental to all.</p> <p>The JCC should have the brainpower to work towards a better solution. This is a futile effort. The funds for interpreters are provided by the federal government since it is a constitutional right. Correct me if I'm wrong. California has a huge demand for interpretation due to its diversity and population not found elsewhere. Request more funds, make your case if budgeting is a problem.</p> <p>Respectfully,<br/>Ana Cecilia Campos</p> |
| <p>Ana Elvia Sanchez<br/>Certified Simultaneous<br/>Interpreter<br/>Med legal, community and<br/>education</p> <p><b>Comment on behalf of<br/>org?: No</b></p>          | <p>Do not<br/>agree with<br/>proposed<br/>changes</p> | <p>August 24, 2026<br/>To: Judicial Council of California<br/>Re: Public Comment-Due today _ Independent Contractor Interpreter Payment Policies</p> <p>I respectfully submit this public comment in OPPOSITION to the current proposed payment policies for independent contractor interpreters.</p> <p>I have been a certified medical and civil service interpreter for 26 years in the City of San Diego. As interpreters we provide an essential, constitutionally mandated language access, yet the policies treat us as expendable rather than career professionals.</p> <p>I strongly protest:</p> <ol style="list-style-type: none"> <li>1.- Below-Market Compensation: Rates do not reflect the high skill, liability, certification, and years of training required for, medical, legal and civil service interpreting. This will drive certified interpreters away from medical fields, courts and community council meetings and other government agencies.</li> <li>2.- No Fair Payment for Time Worked: The refusal to guarantee full-day payment, two hour minimums, and the compensation for late cancellations means interpreters lose income for time reserved that cannot be replaced.</li> <li>3.- Delayed and Unequal Payment: Contractors wait 60-90 days for payment for the same work employees perform, with complex, county -specific invoicing that creates unpaid administrative labor.</li> <li>4.- Impact on Language Access: If contracting remains financially unsustainable, LEP court users will face delays, continuances and reduced quality of justice. In the medical field: lives are endangered because of the ignorance of medical, scientific and biological terminology.</li> </ol> <p>I urge the Council to REJECT these payment provisions and instead adopt: fair market rate with annual COLA, Statewide standardized prompt payment in 30 days, and full compensation for cancelled assignments when interpreter has appeared.</p> <p>Thank you for your commitment to justice. I welcome further discussion,<br/>Ana Elvia Sanchez, CHI<br/>Med legal, community and education</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                        | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
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|                                                                                                                  |                                    | <p>Certified Simultaneous Interpreter<br/> In person, VRI and OPI<br/> Voice/text (858) 775-1955<br/> dialogue007@gmail.com</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <p>Ana Ocampo<br/> California Spanish<br/> Certified Interpreter</p> <p><b>Comment on behalf of org?:</b> No</p> | Do not agree with proposed changes | <p>Do not agree with proposed changes</p> <p>I do not agree with hiring non certified interpreters if we don't agree with proposed payment. What's the use of going through all the lengthy, expensive and hard process of becoming certified and keep studying if courts will just go ahead and hire non certified interpreters. What will keep courts just hiring non certified interpreters altogether just to save money?</p> <p>Our time is valuable, just like everyone else's, so it's only fair to get compensated for the time we spend going to courts far away from home</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <p>Ana Rios</p> <p><b>Comment on behalf of org?:</b> No</p>                                                      | Do not agree with proposed changes | Do not agree with proposed changes                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <p>Ana Sevilla<br/> California Certified Court<br/> Interpreter</p> <p><b>Comment on behalf of org?:</b> No</p>  | Do not agree with proposed changes | <p>Dear Members of the Judicial Council,</p> <p>I am writing to formally express my strong opposition to the proposed changes regarding court interpreter compensation, availability, and business-related travel.</p> <p>While I understand the Judicial Council may be seeking ways to manage costs and improve the availability of interpreters, I am deeply concerned that these proposed changes could have significant unintended consequences for the quality, integrity, and professionalism of interpreting services throughout the California legal system.</p> <p>1. Making the proposed rates non-negotiable</p> <p>The proposed compensation structure would make the new rates effectively non-negotiable. This does not recognize the substantial differences in experience, certification, specialization, availability, and working conditions among interpreters.</p> <p>Certified court interpreters have invested significant time and resources in obtaining and maintaining their credentials. They are also required to comply with professional standards and continuing education requirements. Compensation should reflect the professional qualifications and responsibilities required of certified interpreters.</p> <p>2. Expanding the definition of an "unavailable" interpreter</p> <p>My greatest concern is the proposed expansion of the definition of an "unavailable" interpreter to include interpreters who are unwilling to accept the maximum proposed compensation of \$566.</p> <p>This creates a serious concern because an interpreter could essentially be considered "unavailable" simply because they decline to work for the proposed maximum rate. If that occurs, the court could then be permitted to appoint a non-certified or non-registered interpreter.</p> <p>This raises several important questions:</p> <ul style="list-style-type: none"> <li>- Who will monitor and enforce interpreter availability?</li> <li>- Who will determine whether a certified interpreter is genuinely unavailable versus simply unwilling to accept the proposed compensation?</li> <li>- Who will monitor the qualifications and quality of interpreters who are not certified or registered?</li> <li>- What standards will be used to evaluate their competency?</li> </ul> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter | Position | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
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|           |          | <p>- Who will be responsible for addressing errors or inadequate interpreting that could affect a person's legal rights?</p> <p>These are not merely administrative or financial issues. They directly affect the integrity of the judicial process and the rights of the people who depend on accurate and competent interpretation.</p> <p>There is also a much broader concern. If the Judicial Council establishes a precedent that non-certified or non-registered interpreters may be used when certified interpreters decline a particular rate, what prevents other areas of the legal system from adopting the same practice?</p> <p>For example, could this eventually become a standard for depositions, hearings, arbitrations, or other legal proceedings? If so, the consequences could extend far beyond the courts.</p> <p>3. The purpose of certification and continuing education</p> <p>If courts can routinely use interpreters who have not obtained certification or registration when a certified interpreter does not accept the maximum compensation, it raises a fundamental question:</p> <p>What is the purpose of maintaining certification, passing rigorous examinations, complying with professional requirements, and completing continuing education if those qualifications can be bypassed based on compensation and availability?</p> <p>Certified interpreters are held to a higher professional standard precisely because interpretation in legal proceedings is not simply a matter of speaking two languages. Court interpreting requires specialized knowledge, accuracy, ethics, impartiality, confidentiality, and the ability to perform under significant pressure.</p> <p>The certification process exists to protect the public and the integrity of the legal system. The Judicial Council should be strengthening that system—not creating circumstances in which certification can be bypassed.</p> <p>4. Business-related travel compensation</p> <p>I am also concerned about the proposed changes concerning business-related travel. While mileage compensation is addressed, the proposal does not adequately recognize the interpreter's time spent traveling.</p> <p>Travel for an assignment is not simply a matter of vehicle mileage. It represents time that the interpreter must commit and during which the interpreter is unable to accept other assignments. For interpreters who travel significant distances to provide court services, failing to compensate that time appropriately effectively reduces the actual compensation for the assignment.</p> <p>I respectfully urge the Judicial Council to reconsider these proposed changes and, at a minimum, conduct a thorough review of their potential impact on the professional interpreting community and the quality of court proceedings.</p> <p>The availability of interpreters should not be solved by creating a system in which certified interpreters are considered "unavailable" simply because they decline to accept a predetermined maximum rate. Nor should financial considerations result in the routine use of individuals who have not demonstrated their competency through the established certification or registration process.</p> <p>The Judicial Council has an important responsibility to protect both access to justice and the quality of justice. Qualified, certified interpreters are an essential part of that process.</p> <p>I respectfully ask the Judicial Council to reject these proposed changes and to work collaboratively with certified court interpreters and their professional representatives to develop a compensation and availability system that is fair, sustainable, and consistent with the high standards expected of California's judicial system.</p> <p>Thank you for your consideration.</p> <p>Respectfully,</p> <p>Ana Sevilla<br/>California Certified Court Interpreter</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                           | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
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| Anabella Tidona<br><br><b>Comment on behalf of org?: No</b>                                                                                         | Do not agree with proposed changes | <p>Proposal SP26-05 will reduce the availability of qualified certified interpreters in California's courts. When experienced professionals leave or limit their availability because rates are capped and inflexible, the consequences extend far beyond the interpreters themselves. Limited English Proficient Californians (approximately one in six residents) may face greater difficulty accessing qualified interpretation and, ultimately, meaningful access to justice.</p> <p>California has long been a national leader in language access, and our courts should not move backward. I urge the Judicial Council to reject these changes and preserve the flexibility courts need to secure competent, experienced interpreters and ensure meaningful access to justice for all Californians.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Anabelle Garay<br>Certified Court Interpreter,<br>SPANISH<> ENGLISH<br>linguaficient.com<br><br><b>Comment on behalf of org?: No</b>                | Do not agree with proposed changes | <p>Dear Judicial Council,</p> <p>I urge you to reject Proposal SP26-05.</p> <p>This proposal imposes non-negotiable maximums despite what the market in a region actually dictates, erases clear session boundaries, and severely restricts travel reimbursement. At a time when the courts actually need certified and registered interpreters, the measure will cause many certified interpreters will simply stop accepting Superior Court work.</p> <p>The proposal creates a direct financial incentive to replace certified interpreters with provisionally qualified ones. When a certified interpreter declines the non-negotiable rate, the proposal would erroneously allow the courts to claim that a certified interpreter was "unavailable" and appoint someone who has never passed the certification exam. Turning a rate refusal into a legal finding of unavailability converts a cost-control measure into a structural preference for less-qualified interpreters. This is not language access. It is the appearance of language access at the expense of accuracy and due process.</p> <p>In the end, the limited English proficient court user will remain unaware and vulnerable. Errors by non-credentialed interpreters are rarely caught in the moment, but lead to devastating repercussions after.</p> <p>California has 6.4 million Limited English Proficient residents—one out of every six people in the state. All of them have a constitutional right to understand the proceedings that affect their liberty, families, and livelihoods. It is the non-English-speaking public that pays the price through delayed cases, inaccurate interpretation, mistrials, and miscarriages of justice. This would negatively affect not just the LEP court users, but the entire system and the people who are seeking justice from it.</p> <p>Cutting interpreter flexibility to save money is the wrong answer. The real cost will appear later in repeated hearings, appeals, and damaged public confidence in the courts. The Judicial Council should not balance budgets on the backs of Limited English Proficient Californians.</p> <p>I urge the Council to withdraw this proposal.</p> |
| Analia Szyszlican<br>Certified Medical Interpreter<br>National Board for Certified Medical Interpreters<br><br><b>Comment on behalf of org?: No</b> | Do not agree with proposed changes | <p>Do not agree with proposed changes</p> <p>I urge the Judicial Council to reconsider Proposal SP26-05. Rigid, non-negotiable rates and reduced flexibility will drive experienced certified interpreters away from court work. California's 6.4 million Limited English Proficient residents deserve consistent access to qualified interpreters so their due-process rights are protected.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| andres marquez wall<br>Court Certified Interpreter<br><br><b>Comment on behalf of org?: No</b>                                                      | Do not agree with proposed changes | <p>Dear Judicial Council,</p> <p>Proposal SP26-05 has to be rejected, since it is an affront to the industry I have served for 30 years plus already.</p> <p>Hiding behind the attractive label of a "rate increase", the Council wants to impose non-negotiable ceilings, force interpreters to remain for entire blocks regardless of actual need, erase clear session boundaries, and severely restrict travel reimbursement. This'll definitely result in many of the best certified interpreters simply not accepting Superior Court work.</p> <p>Under the proposal the Council is looking to replace certified interpreters with provisionally "qualified" interpreters, because if a certified interpreter does not accept the non-negotiable rate, the court will be allowed to declare that interpreter "unavailable" and simply assign an "interpreter" who has never passed the certification process. The LEP individual will never know this, and errors are bound to happen most of the time undetected.</p> <p>Turning a rate refusal into a legal finding of unavailability converts a cost-control measure into a structural preference for less-qualified interpreters. This is not language access. It is the appearance of language access at the expense of accuracy and due process.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

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|--------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                      |                                                            | <p>California has 6.4 million Limited English Proficient residents—one out of every six people in the state. These court users have a constitutional right to fully understand the proceedings that affect their liberty, families, and livelihoods. When the State makes it economically and practically unattractive for certified interpreters to serve, it is the non-English-speaking public that pays the price through delayed cases, inaccurate interpretation, mistrials, and miscarriages of justice.</p> <p>Cutting interpreter flexibility to save money is false savings. The real cost will appear later in repeated hearings, appeals, and damaged public confidence in the courts. The Judicial Council should not balance budgets on the backs of Limited English Proficient Californians.</p> <p>Finally, I've always received accolades and signs of deep, sincere gratefulness from public defenders, district attorneys, and Judges, not to mention the LEP individuals, so this desire to once again undermine the profession to which my colleagues and I have dedicated a big part of our lives to, is being brought upon by individuals that wanna cut costs, and are ignoring the seriousness and the gravity that a measure like this could have in the interest of justice. To the people putting this proposal on the table I ask this very question:</p> <p>How would you like it if someone or some group would be proposing a similar dishonest measure that would undermine and affect their livelihoods and the livelihoods of the people they serve?</p> <p>I urge the Council to withdraw this misleading proposal.</p> <p>Sincerely yours,</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <p>Andrew Gomez<br/>CA Court Interpreter<br/>golden state language<br/>solutions</p> <p><b>Comment on behalf of<br/>org?: No</b></p> | <p>Agree with<br/>proposed<br/>changes if<br/>modified</p> | <p>We support statewide uniformity. A consistent statewide framework is preferable to a system in which interpreters and courts must navigate different compensation practices from county to county. We also recognize the need for responsible stewardship of public funds and predictable budgeting. The proposal correctly identifies these as legitimate objectives.</p> <p>However, uniformity should not be confused with rigidity. A statewide maximum rate may create administrative simplicity, but a one-size-fits-all ceiling does not necessarily account for differences in language availability, assignment complexity, geographic location, urgency, interpreter qualifications, or the actual opportunity cost imposed on an independent contractor.</p> <p>We therefore recommend retaining an extraordinary-circumstances exception. The current proposal removes the ability to exceed the established rate, even though courts may encounter circumstances in which qualified interpreter availability is limited. A narrowly defined exception, subject to appropriate documentation and authorization, would give courts a safety valve without recreating the inconsistent rate-negotiation system the proposal seeks to eliminate. The proposed rate should be treated as the standard maximum, not an absolute prohibition against reasonable exceptions. The distinction matters. The state can establish \$X as the presumptive rate while still permitting a court to obtain authorization for a higher rate when necessary to secure a qualified interpreter. Interpreter availability should be considered an economic reality, not simply an administrative variable. The proposal itself acknowledges substantial variation in compensation among languages and regions. If a court cannot obtain a qualified interpreter at the established maximum, declaring that interpreter “unavailable” does not necessarily solve the underlying language-access problem.</p> <p>The policy should therefore include an “availability exception.” If a court makes a documented, good-faith effort to secure a qualified interpreter at the statewide rate and cannot do so, the court should have a clearly defined mechanism to authorize additional compensation rather than simply moving down the qualification hierarchy.</p> <p>The four-hour half-day structure is reasonable, but the reserved-time issue needs clarification. The proposal requires an interpreter to remain available for the entire contracted period. If an interpreter reserves four hours for a court, that block of time is effectively removed from the interpreter's ability to accept other work. The policy should clarify when an interpreter is released from that obligation and whether the interpreter may accept another assignment once the court releases them.</p> <p>The cancellation provision should provide a clear and objective deadline. Cancellation without charge should require notice received by the interpreter no later than the close of regular business hours on the second business day preceding the scheduled assignment. For purposes of this provision, business days should exclude Saturdays, Sundays, and California trial court holidays.</p> <p>The cancellation rule should apply consistently regardless of whether the court communicates by telephone, email, electronic scheduling system, or another method. What matters should be when the cancellation is actually received by the interpreter, not merely when the court attempts to transmit it.</p> <p>Travel compensation should be clearly separated from interpreting compensation. Mileage, travel time, parking, tolls, lodging, and other authorized expenses represent costs associated with performing the assignment and should not be treated as part of the interpreter's compensation ceiling. The proposed policy should make this distinction unmistakable.</p> <p>Advance authorization requirements should not become a trap for interpreters. If a court requests or materially changes an assignment in a way that creates additional travel expenses, the policy should establish a straightforward mechanism for obtaining authorization after the change rather than automatically shifting an administrative failure onto the contractor.</p> <p>VRI should be treated as a tool, not simply a cost-cutting substitute for in-person interpretation. We support VRI where appropriate, but the method of interpretation should take into consideration the nature of the proceeding, technological reliability, interpreter qualifications, confidentiality, the needs of the parties, and the complexity of the</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                         | Position                                       | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
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|                                                                                                                   |                                                | <p>matter. The proposal itself identifies VRI as part of its cost-efficiency strategy.</p> <p>The state should establish a periodic review mechanism. Compensation ceilings should not remain static while the cost of operating an independent professional practice increases. The policy should provide for periodic review of rates based on federal rates, inflation, market conditions, interpreter availability, and actual court data.</p> <p>The Judicial Council should collect interpreter-availability data after implementation. If the purpose of the policy is to contain costs while maintaining language access, the state should measure both sides of that equation. Relevant metrics should include assignment acceptance rates, cancellation rates, unfilled assignments, use of noncertified interpreters, VRI utilization, travel distances, and instances in which courts are unable to obtain qualified interpreters at the established rate.</p> <p>The goal should not simply be to pay the lowest permissible rate. The goal should be to obtain qualified interpreters at a predictable and fiscally responsible rate while preserving the ability of courts to respond when the market does not provide sufficient availability at that rate.</p> <p>Recommended framework<br/>I recommend the following framework:</p> <ol style="list-style-type: none"> <li>1. Establish the statewide rate.</li> <li>2. Make it the presumptive maximum.</li> <li>3. Retain a narrowly defined extraordinary-circumstances exception.</li> <li>4. Permit additional compensation when a documented good-faith search fails to secure a qualified interpreter at the standard rate.</li> <li>5. Clearly protect cancellation compensation and authorized travel expenses.</li> <li>6. Clarify the obligations created by reserving an interpreter's time.</li> <li>7. Review the rates and availability data periodically.</li> </ol> <p>This would accomplish what the proposal is trying to accomplish, predictability, statewide consistency, and fiscal discipline, without turning the statewide rate into a hard ceiling that may ultimately interfere with the very language-access services the policy is intended to protect.</p> <p>We're not asking for a blank check. We're asking for a safety valve.</p> <p>The Judicial Council can establish a statewide rate, control expenditures, standardize contracts, and discourage unnecessary rate competition without eliminating the ability of a court to pay more when the circumstances genuinely require it.</p> |
| <p>Andy Benzo<br/>President<br/>American Translators Association</p> <p><b>Comment on behalf of org?: Yes</b></p> | <p>Do not agree with proposed changes</p>      | <p>The American Translators Association submits that the proposed SP26-05 payment policies may unconstitutionally reduce the availability of qualified, certified court interpreters. No linkage is made between the policy and the constitutional mandate to provide certified interpreters. (see, <i>People v. Aguilar</i> (1984) 35 Cal.3d 785.) California Rules of Court, Rule 2.893 allows the court to make a finding that a certified interpreter is unavailable (form INT-120). Yet, no data is provided to show how frequently such findings are made, to show where such unavailability may be concentrated, and what communities are most impacted. The policy appears to be based on subjective bias and anecdotal problems, rather than a thoughtful empirical study to address the availability of qualified interpreters. The emphasis of the policy appears to focus only on total expenditures rather than focus on the most economically efficient way to fulfill the constitutional mandate to preserve the rights of limited English-speaking individuals. ATA therefore urges the Judicial Council and the CEAC to reconsider the proposal and adopt a policy to address shortages where they truly exist.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <p>Angelica Ortiz-Cichocki<br/>Certified Spanish Interpreter</p> <p><b>Comment on behalf of org?: No</b></p>      | <p>Agree with proposed changes if modified</p> | <p>Dear Ms. Askew and Members of the Court Executives Advisory Committee:</p> <p>I submit this comment as an independent contractor interpreter certified by both the federal and California state court systems, in response to Invitation to Comment SP26-05.</p> <p>The proposed increase in daily compensation rates is a welcome step. It reflects the significant investment interpreters make in passing certification exams, meeting continuing education requirements, investing in materials and technological tools, staying current with new trends in the field, and pursuing additional credentials to remain in good standing as language professionals, as well as the increasing cost of living in our state. However, several aspects of the proposal, as currently written, risk undermining language access quality and compliance with current standards.</p> <p>The proposal's expansion of the definition of "unavailable" to include interpreters unwilling to accept the maximum rate is a significant concern. Under this standard, a certified or registered interpreter who declines an assignment at the proposed rate is treated the same as one who is genuinely unavailable, opening the door for the court to appoint a noncertified or nonregistered interpreter instead. Government Code section 68561 sets certification as the default standard for court interpretation, permitting deviation only for good cause; redefining a rate objection as unavailability turns a pay dispute into a workaround for that standard. Noncertified and nonregistered interpreters in languages where certification and registration exists, not only lack the tested credentials the law establishes, but they are also typically unfamiliar with court procedures and ethics standards, which can often undermine the integrity of proceedings.</p> <p>Additionally, the proposed policy virtually eliminates the ability to negotiate rates. This especially for high-demand or low-coverage languages, makes courts less competitive against private-sector work and shrinks the pool of certified interpreters willing to take court assignments.</p> <p>The proposal also removes hourly pay for travel. Interpreters often drive long distances to reach courts, especially in areas with few local interpreters, and that time is time they cannot bill elsewhere. It should be compensated proportionately, not absorbed by the interpreter.</p>                                                                                                               |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                 | Position                                       | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
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|                                                                                                                                           |                                                | <p>Assignments beginning between 11:00 a.m. and 1:30 p.m. raise a similar issue. Given how court sessions are scheduled, an assignment in this window occupies both halves of an interpreter's day, yet the proposal would pay it at the half-day rate. Paying the full-day rate for assignments in this window would reflect its real effect on an interpreter's schedule.</p> <p>Maintaining competitive terms is not only consistent with the cost of living and the realities of today's California market, it safeguards the quality of language access that Government Code section 68560 recognizes as necessary to equal justice under the law, and it encourages new professionals to pursue certification, raising the standard of language services rather than lowering the bar to save funds.</p> <p>I appreciate the opportunity to comment and the Committee's attention to the long-term sustainability of California's interpreter workforce. I would welcome the chance to discuss any of these points further.</p> <p>Respectfully,<br/>Angelica Ortiz-Cichocki<br/>California Certified Court Interpreter</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <p>Angie Birchfield<br/>California Court Certified Spanish interpreter<br/>ABInterpreting</p> <p><b>Comment on behalf of org?: No</b></p> | <p>Agree with proposed changes if modified</p> | <p>Dear Members of the CEAC Committee:</p> <p>My name is Angie Birchfield, and I want to thank you for the opportunity to comment on the upcoming Revision to Payment Policies for Independent Contractor Interpreters. I am a California Court Certified Spanish interpreter. I work exclusively as an Independent Contractor in courts, private sector and as a referral agency.</p> <p>I contracted as a pre-booked independent contractor for the Ventura courts since 2001 (25 years) until due to budgetary issues in the court, the independent contractors were removed from their pre-booked status and switched to "on call". This was devastating for me personally since I had spent most of my career serving the Ventura Courts. I built relationships with the judges and court staff, and it was a pleasure to work in that positive environment. A list was put into place which placed me at an unreachable level since I commute from Santa Clarita, California and was billing mileage.</p> <p>I have been a member of the Judicial Council subcommittees participating in the Language Access Plan Pilot Program, VRI Pilot Program, LAP Budget Committee and I am currently a member of the Court Interpreter Advisory Panel along with its sub-committees. I am very proud to participate in these programs and be the voice of Independent Contractor interpreters.</p> <p>I have also advocated in the legislature on behalf of interpreters assisting in authoring AB2370 (Chau; 2014); AB2257 (Gonzalez; 2020); SB1155 (Hueso; 2018); SB1370 (Mendoza; 2015-2016); SB1160 (Mendoza; 2015-2016).</p> <p>I would respectfully suggest that your committee appoint an Interpreter Advisor so that we can offer our perspective and expertise within the profession. I believe that it would encourage our colleagues to be more interactive knowing that their voices are heard.</p> <p>COMMENTS</p> <p>Compensation rates</p> <p>The courts are trying to come up with ways to solve the interpreter "shortage" issue. One of the reasons for the shortage is because the courts are competing with the private sector to recruit interpreters since:</p> <ol style="list-style-type: none"> <li>1. The pay is better in the private sector; and</li> <li>2. Most interpreters prefer to be independent and not bound by the 100-day rule.</li> </ol> <p>The current Federal Rate schedule is slightly below what the current rates in the private sector but will become competitive when the federal rate increase takes place in October 2026. Since this committee's proposal would go into effect January 2027, the October 2026 rates should be published rather than those that will expire as of October 1, 2026. The rates should be negotiable especially since our OTS/Languages of Lesser Diffusion colleagues appear to be included in this all-inclusive rate schedule. Their rates are different than that of court certified Spanish Interpreters.</p> <p>Also, if an interpreter is working for the same county but different courthouses the courts MUST consider the distance between the two since for example: Los Angeles County, Ventura and Santa Barbara County have courts that are an hour to an hour and a half away from one another. Interpreters should be compensated for the mileage and travel time.</p> <p>Standardized contracting requirements</p> <p>Acceptable.</p> <p>Half-day and hourly rate's structure</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter | Position | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
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|           |          | <p>Whether in person or remotely an Independent Contractor interpreter works on a half-day (0-3 hours) full day (3-6 hour) basis and charges an hourly rate if it goes over the 6-hour mark. Assignments that begin at 10:30 am through 1 pm are considered FULL days. With any private sector court matters, the interpreters bill a “Flat” Rate per session. That is from 8:30 through 12 pm and 1:30 pm to 5 pm unless it is booked as a “Full” day. Contracting at any time within the morning session should end when the morning session ends and the same for the afternoon session.</p> <p>Cancellation fees</p> <p>Interpreters in the private sector have shifted their cancellation policy to TWO business days or portions thereof (not including holidays or weekends).</p> <p>Unavailability</p> <p>This policy should not apply to Spanish Interpreters. If the interpreter cannot appear in person, they should be given the option to appear via zoom.</p> <p>Policies within the courts should be in place preventing them from waiting until after 3 pm the day before an assignment to contact an interpreter. The courts should contact interpreters at least 24 hours prior to the assignment or use a pre-booking system.</p> <p>Proof should be provided that a court completed their due diligence in contacting the interpreters in a timely manner.</p> <p>Video remote interpreting</p> <p>VRI should be considered when an in-person interpreter is not available. Especially since courts are now equipped with the equipment to do so and this would free up the in person interpreters so that they can cover those matters. The exception should be for Felony matters and any evidentiary hearing.</p> <p>Business-related travel expenses</p> <p>Travel expenses should be in accordance with the reimbursement schedule however, driving from home to the court and back is “production” work hours. It is part of the assignment and should be billed accordingly.</p> <p>Closing Comment</p> <p>Since the passage of AB5, independent contractors are careful not to skirt the conditions of the law as it pertains to their contract conditions and verbiage to assure that they aren’t unintentionally entering into a possible “employee/employer” description as described below**</p> <p>Once again, I would like to thank you for the opportunity to share my expertise in this matter and would like to offer my assistance in any way that I can to improve the interpreter and court relationship. We are a lively group to say the least but our commitment to the court and the LEP community that we serve is of the utmost importance. As a daughter of immigrant parents, I entered into this wonderful profession because of my desire to not only act as a catalyst between the language barrier but to make these encounters less stressful for all involved.</p> <p><b>**THE BORELLO TEST</b></p> <p>The Borello test evaluated multiple factors to determine whether an individual was an independent contractor. Not all of the factors had to be met to establish independent contractor status. The principal factor of the Borello test was whether the “person to whom service is rendered has the right to control the manner and means of accomplishing the result desired.” The test also included nine additional factors:</p> <ol style="list-style-type: none"> <li>(1) right to discharge at will, without cause;</li> <li>(2) whether the one performing the services is engaged in a distinct occupation or business;</li> <li>(3) the kind of occupation, with reference to whether, in the locality, the work is usually done under the direction of the principal or by a specialist without supervision;</li> <li>(4) the skill required in the particular occupation;</li> <li>(5) whether the principal or the worker supplies the instrumentalities, tools, and the place of work for the person doing the work;</li> <li>(6) the length of time for which the services are to be performed;</li> <li>(7) the method of payment, whether by the time or by the job;</li> <li>(8) whether or not the work is part of the regular business of the principal; and</li> <li>(9) whether or not the parties believe they are creating a relationship of employer-employee.</li> </ol> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                    | Position                                       | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
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| <p>Annette Changala<br/>Certified Interpreter</p> <p><b>Comment on behalf of org?: No</b></p>                | <p>Do not agree with proposed changes</p>      | <p>Dear Judicial Council,</p> <p>I am writing to strongly oppose the proposed revisions in SP26-05. The rigid scheduling blocks, capped rates, and tight travel rules will drive certified interpreters away from court work. This will make it much harder for courts to find qualified professionals.</p> <p>I am deeply concerned about the new definition of "unavailability." Labeling an interpreter as "unavailable" simply because they decline a capped rate is wrong. It allows courts to replace certified experts with noncertified individuals who have never passed a credential exam. Limited English Proficient (LEP) court users will not even know this switch happened. This turns a cost-control rule into a preference for less-qualified staff, risking accuracy and due process.</p> <p>True language access affects 6.4 million Californians. It is a legal right, not an optional expense. Driving away certified interpreters will lead to costly errors, delays, and mistrials. I urge the Judicial Council to reject this draft and keep the flexibility needed to retain qualified professionals.</p> <p>Respectfully,<br/>Annette Changala<br/>Certified Interpreter</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <p>Anselmo Moreno<br/>California Certified Court Interpreter</p> <p><b>Comment on behalf of org?: No</b></p> | <p>Agree with proposed changes if modified</p> | <p>Dear Court Executives Advisory Committee:</p> <p>Thank you for the opportunity to comment on SP26-05. I am a California Certified Court Interpreter who works as an independent contractor serving multiple Superior Courts throughout the Central Valley.</p> <p>I support the Judicial Council's efforts to create clearer statewide standards and greater consistency in the use of independent contractor interpreters. However, I am concerned that a rigid statewide compensation ceiling does not adequately account for the significant differences in interpreter availability that exist across California.</p> <p>California's 58 trial courts do not all operate in the same interpreter market. Courts in large metropolitan areas may have access to a substantial pool of certified interpreters within a relatively small geographic area. Many Central Valley courts operate under very different conditions. The pool of local certified contractors can be smaller, distances between counties and courthouses are greater, and courts frequently depend on interpreters willing to travel significant distances.</p> <p>For that reason, I believe courts should retain limited discretion to compensate independent contractors above the statewide standard when local market conditions, interpreter availability, geography, or operational needs justify doing so.</p> <p>Rate containment is not necessarily cost containment</p> <p>One of my primary concerns is the assumption that limiting the daily compensation rate necessarily reduces the overall cost of interpreter services.</p> <p>In practice, that is not always true.</p> <p>A court may determine that paying a dependable local certified interpreter \$650 or \$700 for a full day is more economical than paying the standard statewide rate to an interpreter traveling from another county. Once mileage and travel-time reimbursement are included, the total cost of bringing in an out-of-area interpreter can exceed \$900-\$1,000 for the same day of service.</p> <p>In that circumstance, paying the local interpreter a somewhat higher daily rate is not excessive spending. It may actually save the court money.</p> <p>I have also experienced the opposite situation, where a court maintains the federal daily rate for local contractors but regularly pays substantially more in total expenditures to bring interpreters from outside the area. Once compensation, travel time, and mileage are included, the court may spend approximately \$900+ for a day of interpreting that could potentially have been performed by a local contractor for less total cost if the court had greater flexibility to offer a competitive local rate.</p> <p>This illustrates an important distinction:</p> <p>Rate containment is not necessarily cost containment.</p> <p>A policy designed to reduce expenditures should consider the total cost of filling an interpreter assignment, not simply the amount categorized as daily compensation.</p> <p>If a rigid ceiling causes courts to lose local contractors and increasingly rely on interpreters traveling from other regions, the policy may reduce the compensation line item while increasing total spending.</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter | Position | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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|           |          | <p>Local discretion can help level the geographic playing field.</p> <p>Compensation flexibility can help Central Valley courts compete for and retain qualified contractors despite having access to a smaller local interpreter pool.</p> <p>Some degree of competition for qualified professionals is a natural result of differences in supply.</p> <p>A Central Valley court offering a somewhat higher rate to retain a local certified interpreter is not necessarily engaging in irresponsible bidding. It may be responding rationally to a genuine shortage.</p> <p>A statewide standard rate can provide consistency and predictability without becoming an absolute ceiling.</p> <p>I respectfully recommend that courts retain narrowly defined authority to approve higher compensation when they can document circumstances such as limited local availability, significant travel requirements, difficulty filling assignments, or demonstrated total cost savings compared with importing an interpreter from another area.</p> <p>This would preserve statewide accountability while recognizing that courts across California face very different labor markets.</p> <p>Certification is essential, but contractors are not interchangeable</p> <p>I am also concerned that an absolute compensation ceiling can effectively treat all certified interpreters as interchangeable.</p> <p>Certification is essential and establishes an important professional qualification. However, it does not measure every quality that matters in an independent contractor relationship.</p> <p>Courts also depend on interpreters who are reliable, professional, punctual, responsive, prepared, and easy for court staff and judicial officers to work with.</p> <p>Over time, courts develop experience with individual contractors. They know which interpreters consistently honor their commitments, communicate promptly, arrive on time, handle demanding calendars professionally, and provide dependable service.</p> <p>Those qualities have operational value.</p> <p>A contractor who accepts the lowest available rate but frequently cancels, arrives late, is difficult to reach, or creates scheduling uncertainty can generate additional costs through staff time, backup scheduling, repeated communications, and last-minute efforts to secure replacement coverage.</p> <p>Those costs may not appear on the contractor's invoice, but they are real.</p> <p>Conversely, a contractor with a demonstrated record of professionalism and reliability can reduce administrative workload and scheduling risk.</p> <p>For that reason, the lowest-priced certified interpreter is not necessarily the least expensive interpreter for the court to use.</p> <p>Courts should retain reasonable discretion to consider demonstrated reliability, professionalism, experience, responsiveness, and prior performance when determining how best to secure interpreter services.</p> <p>This does not require unrestricted negotiation or favoritism. Any compensation above the statewide standard could require written administrative approval and documentation explaining why the exception is justified.</p> <p>A reasonable statewide approach</p> <p>I am not suggesting that every court should freely negotiate its own rates without limitation.</p> <p>The statewide federal-equivalent rate could remain the presumptive compensation rate.</p> <p>However, the policy should preserve a limited exception process when a court can demonstrate that additional compensation is justified by:</p> <ul style="list-style-type: none"> <li>- limited availability of certified interpreters in the geographic area;</li> <li>- significant travel requirements for available out-of-area interpreters;</li> <li>- difficulty filling assignments at the standard rate;</li> <li>- demonstrated total cost savings from retaining a local contractor;</li> <li>- specialized assignment needs;</li> </ul> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                                                            | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
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|                                                                                                                                                                                      |                                    | <p>- a contractor's established history of reliability and professional performance; or</p> <p>- other documented operational circumstances.</p> <p>This approach would create a consistent statewide framework while allowing courts to respond to real local conditions.</p> <p>Conclusion</p> <p>I support the Judicial Council's goal of establishing a predictable and responsible statewide system for independent contractor interpreters.</p> <p>However, statewide consistency should not eliminate local judgment.</p> <p>Central Valley courts do not necessarily have the same interpreter resources available to them as courts in larger metropolitan areas. Compensation flexibility can help those courts attract and retain qualified local professionals, reduce unnecessary travel expenditures, and maintain reliable language access.</p> <p>Courts should also be able to consider more than certification status and price. Reliability, professionalism, responsiveness, and demonstrated performance all have operational and economic value.</p> <p>For these reasons, I respectfully recommend that the statewide rate remain the presumptive standard while preserving limited, documented local discretion to approve higher compensation when justified by interpreter scarcity, geography, total cost, contractor performance, or other legitimate operational needs.</p> <p>The goal should be a statewide system that controls costs while still allowing each court to obtain qualified and reliable interpreter services in the market in which that court actually operates.</p> <p>Thank you for considering my comments.</p> <p>Respectfully submitted,<br/>Anselmo Moreno<br/>California Certified Court Interpreter</p> |
| <p>Antonio Verdiny<br/>State Certified Spanish Interpreter<br/>California Association of Professional Interpreters and Translators.</p> <p><b>Comment on behalf of org?:</b> Yes</p> | Do not agree with proposed changes | <p>Do not agree with proposed changes</p> <p>This doesn't take into account the many freelancers out there and the agencies that need them. The logistics in the administrative hearings and med-legal interpreting profession are different and such a "one size fits all" proposal will greatly disrupt the system.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <p>Anysia Jihyoe<br/>Han/Certified Korean Interpreter<br/>Certified Korean Interpreter<br/>Certified Korean Interpreter</p> <p><b>Comment on behalf of org?:</b> No</p>              | Do not agree with proposed changes | <p>I urge the Judicial Council to reconsider SP26-05. SP26-05 will reduce the availability of qualified certified interpreters in our courts. When experienced professionals leave because rates are capped and inflexible, Limited English Proficient Californians lose meaningful access justice. I ask the council to reject these changes and preserve the ability of courts to secure competent interpretation.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <p>Aracely Cornwell CMI<br/>Certified Medical Interpreter (CMI)<br/>CMI</p> <p><b>Comment on behalf of org?:</b> No</p>                                                              | Do not agree with proposed changes | <p>Dear Judicial Council,</p> <p>I submit these comments in strong opposition to the proposed revisions in SP26-05.</p> <p>The proposal's non-negotiable rate structure, rigid four- and eight-hour blocks, removal of clear morning/afternoon session definitions, and tightly restricted travel rules will significantly reduce the willingness of certified interpreters to accept court work. Once experienced interpreters leave or limit their availability, the courts will face greater difficulty covering calendars with qualified professionals.</p> <p>Of particular concern is the proposal's definition of "unavailability." The draft states that an interpreter is considered unavailable if they "are unwilling to accept the maximum compensation rate established in the policy." Once that finding is made, and after a diligent search, the court may appoint a nonregistered or noncertified interpreter under rule 2.893. This provision turns a simple rate refusal into a legal finding of unavailability. In practice, it creates a direct financial incentive to replace a certified interpreter who declines the capped rate with someone who has never</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                  | Position                                  | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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|                                                                                                                            |                                           | <p>passed a certification examination. Limited English Proficient court users are never informed that this substitution has occurred. Certification exists because neither the judge nor counsel can evaluate the accuracy of the interpretation in real time. By converting a cost-control measure into a structural preference for less-qualified interpreters, the proposal undermines the very safeguard the credential was designed to provide. This is not language access. It is the appearance of language access at the expense of accuracy and due process.</p> <p>This outcome directly affects California's Limited English Proficient population—approximately 6.4 million people, or one in six residents. Meaningful language access is a due-process requirement, not an optional expense. When certified interpreters are driven away by inflexible and non-negotiable terms, the quality of interpretation declines. Errors, continuances, and in the worst cases mistrials or miscarriages of justice become more likely. Any short-term budget savings will be outweighed by the long-term costs of remediating those failures.</p> <p>California has long recognized the importance of language access in a diverse state. This proposal moves in the opposite direction. I urge the Judicial Council to reject the current draft and maintain the flexibility necessary to attract and retain qualified certified interpreters.</p> <p>Respectfully,</p> <p>Aracely Cornwell CMI</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <p>Association of Independent Judicial Interpreters of California et. al.</p> <p><b>Comment on behalf of org?:</b> Yes</p> | <p>Do not agree with proposed changes</p> | <p>August 24, 2026</p> <p>To Whom It May Concern:</p> <p>The Association of Independent Judicial Interpreters of California (AIJIC) is a nonprofit organization that represents freelance court interpreters with Judicial Council of California certification and registration.</p> <p>We are contacting you to convey our concerns, and those of our members, regarding your current proposal to revise the payment policies for independent contractor interpreters (SP26-05). We strongly believe that if the proposal is implemented without major changes, it will adversely impact court operations for cases that require interpreters booked by the courts.</p> <p>Concerns raised by the current proposal include the following:</p> <ol style="list-style-type: none"> <li>1. The new rates proposed would be non-negotiable.</li> </ol> <p>This goes against one of the fundamental principles of independent contracting: the ability of the service provider to determine—or at least negotiate—the price of his or her services. Indeed, California Labor Code section 2776 expressly identifies the ability of a business service provider to “negotiate its own rates” as one of the conditions associated with a bona fide business-to-business independent contracting relationship. Eliminating rate negotiation while continuing to classify these interpreters as independent contractors moves the relationship in precisely the opposite direction.</p> <p>Independent contractor interpreters are not court employees. They do not receive the salary, health insurance, paid vacation, sick leave, retirement benefits, job security, or other protections that accompany employment. They operate as independent professionals, absorb their own business expenses, pay their own self-employment taxes, health insurance and assume the financial risk that comes with having no guarantee of steady work. Their compensation should reflect that distinction, and court rates should be comparable to what independents make working on their own.</p> <p>There is also a basic economic problem with imposing a single non-negotiable rate. The market for court interpreters is not uniform. Availability varies significantly by language, geographic area, travel requirements, and the number of credentialed interpreters available on a particular date. A Spanish interpreter working in a large metropolitan area and an interpreter for a language in which only a handful of credentialed professionals may be available statewide do not operate under identical market conditions. Supply and demand in an economy do not disappear simply because the entity retaining the service happens to be a court.</p> <p>If a court cannot obtain the services of a credentialed independent contractor at the offered rate, the appropriate response is to allow the court and the interpreter to negotiate a rate that reflects the circumstances, not to declare that the government's price is the only price the independent professional may accept. The current system recognizes this reality by currently allowing higher rates to be negotiated under specified circumstances. The proposed policy would eliminate that flexibility at precisely the time when the courts should be preserving every reasonable tool available to attract credentialed interpreters.</p> <p>A non-negotiable rate also creates an unusual imbalance: the interpreter remains “independent” when it comes to receiving no employee benefits but suddenly becomes considerably less independent when deciding what his or her professional services are worth.</p> <p>The courts should not be able to retain all the financial advantages of using independent contractors while eliminating one of the defining economic freedoms associated with independent contracting. For these reasons, the proposed rates</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

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|           |          | <p>should operate as standard or presumptive rates, not mandatory non-negotiable rates. Courts should retain authority to negotiate higher compensation when market conditions, interpreter availability, language scarcity, travel, or other circumstances justify doing so.</p> <p>The Judicial Council believes that the proposal could provide long-term cost savings by capping the compensation rates at the maximum allowable rates in the Budget Act and establishing a uniform statewide framework under which all courts operate when engaging interpreter services, thus mitigating competition between courts. From an administrative perspective, it is understandable that the Judicial Council would want to give all courts equal access to interpreter resources. From a practical perspective, eliminating competition among the courts does not eliminate competition for interpreters.</p> <p>Independent contractor interpreters do not work exclusively for the California courts. They can accept assignments from law firms, language agencies, and other clients. Some interpreters can also provide remote services to clients far beyond one county — or even the state — in which they live. The Judicial Council itself has recognized that competition from other industries is one of the factors affecting interpreter availability. Therefore, establishing a non-negotiable statewide rate may prevent one Superior Court from outbidding another, but it cannot prevent the private market, another government entity, or the federal courts from doing so. This distinction is critical.</p> <p>If Court A is paying \$566 and Court B is paying \$700 for the same scarce interpreter, imposing a mandatory rate of \$566 may indeed stop Court B from competing with Court A. But if that interpreter can earn \$700 elsewhere, the likely result is not that Court A now gets the interpreter. Neither court does, because the interpreter will simply take the better-paying assignment outside of the California court system.</p> <p>California already faces significant interpreter shortages with geographic limitations, a retiring workforce, difficulty passing credentialing examinations, and competition from other sectors contributing to the problem. A policy that makes court work financially less competitive risks shrinking the available contractor pool even further.</p> <p>There is also a serious retention issue. Credentialed interpreters who currently accept court assignments at negotiated rates higher than the proposed mandatory rate will have no incentives to continue working for the courts. If they can earn substantially more from providing services in depositions and other proceedings through language service providers and direct clients, they will inevitably reduce or discontinue their work for the California courts. This would produce exactly the opposite of the intended result, because instead of having multiple courts competing for a limited number of interpreters, the courts would find themselves collectively offering a rate that an increasing number of credentialed interpreters are unwilling to accept. Those courts would certainly be on equal footing, but they would be standing together without an interpreter.</p> <p>The better solution is not to eliminate competition by suppressing the ability of courts to respond to market conditions. It is to establish reasonable statewide baseline rates while preserving the authority of individual courts to negotiate higher compensation when necessary, due to language scarcity, geography, travel requirements, or demonstrated difficulty securing a credentialed interpreter.</p> <p>Ultimately, the relevant question should not be whether one California court is paying more than another. It should be whether California courts are offering sufficient compensation to attract and retain credentialed professionals necessary to provide meaningful language access in the courts. A policy that successfully prevents 58 trial courts from competing against one another but causes credentialed interpreters to take their services somewhere else has not solved the interpreter shortage.</p> <p>Additionally, the proposed \$566 ceiling is tied to a federal rate that will become outdated by the time that the new rates become effective in January 2027. Beginning October 1, 2026, federal rates for interpreters will be \$617 for a full day, \$349 for a half day, and \$87 for hour of overtime. These updated rates should be incorporated as a baseline—not a ceiling—when calculating compensation.</p> <p>The proposal also indicates that rates are being raised to the federal levels “to address increased interpreter costs while ensuring compliance with the statutory limit that rates do not exceed those paid to federally certified court interpreters.”</p> <p>The Judicial Council's phrase “statutory limit” may give the impression that California law affirmatively prohibits courts from ever paying an independent contractor more than the federal rate. The evidence does not support that proposition. Indeed, the Judicial Council's own workforce study says contractors have been negotiating rates above the federal rate. The Legislature expressly recognized that California had a shortage of certified and registered court interpreters that impaired meaningful access to justice and stated that “every effort must be made to recruit and retain credentialed interpreters to work in the state courts.”</p> <p>The “statutory limit” in the proposal seems to refer to the provisional language governing the Trial Court Trust Fund appropriation for court interpreter services. Indeed, the Judicial Council's 2025 workforce study quotes the relevant language from Provision 18 of Item 0250-101-0932 of the Budget Act of 2025: “The Judicial Council shall set statewide or regional rates and policies for payment of court interpreters, not to exceed the rate paid to certified interpreters in the federal court system.” This is by no means a general statutory cap in California law governing what</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

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|           |          | <p>an independent interpreter may charge and it should not be misconstrued as precluding an individual court from negotiating with an independent contractor compensation above that rate.</p> <p>2. The definition of "unavailable" interpreters has been expanded to those unwilling to accept the maximum compensation proposed. This would allow the courts to appoint non-certified or non-registered bilingual individuals.</p> <p>There is an important distinction here that should not be blurred. An interpreter who is already booked, out of town, ill, or otherwise unable to accept an assignment is unavailable. An interpreter who tells the court, "I am available, but my rate for this assignment is \$750," is available. Those are two very different circumstances.</p> <p>California Government Code of California Section 68561 specifically mandates that except for good cause, any person who interprets in a court proceeding using a language designated by the Judicial Council under subdivision (a) of Section 68562 shall be a certified court interpreter. Similarly, California Rule of Court 2.893 makes certified and registered interpreters the preferred professionals for court proceedings and establishes that a non-certified or non-registered bilingual individual may be provisionally appointed only when, after a diligent search, a certified or registered interpreter is not available. Even then, the judicial officer must make findings on the record concerning the use and qualifications of the non-certified or non-registered bilingual individual.</p> <p>Court interpreting is not simply bilingual communication. A court interpreter must listen to testimony or legal arguments in one language, comprehend it instantly, retain it, convert it accurately into another language, and deliver it without adding, omitting, explaining, simplifying, or improving what was said. Depending on the proceeding, the interpreter may have to perform consecutive interpretation, simultaneous interpretation, and sight translation, sometimes switching among those modes within the same assignment. This must be done while attorneys speak quickly, witnesses ramble, judges interrupt, objections are made, specialized terminology appears without warning, and multiple people occasionally speak at once.</p> <p>The certification process exists precisely because speaking two languages does not establish that someone can perform these tasks competently. The Judicial Council's own examination data demonstrates just how demanding these skills are. To become a certified spoken-language court interpreter, a candidate must first pass the written examination and then pass the Bilingual Interpreting Examination (BIE) in a single sitting, achieving at least 70 percent in every section. The BIE tests bilingual language knowledge and fluency as well as the ability to perform the three modes of court interpreting and specialized vocabulary. The passing rates are remarkably low.</p> <p>According to the Judicial Council's 2025 California Court Interpreter Workforce Study, only 14 percent of candidates taking the Bilingual Interpreting Examination passed in 2021. The pass rate remained 14 percent in 2022, fell to 9 percent in 2023, and dropped to just 8 percent in 2024. In 2024, only 33 of 404 candidates passed. Those numbers matter, because they demonstrate that the ability to speak English and another language—even at a relatively high level—does not necessarily translate into the ability to interpret accurately in the courtroom. If more than nine out of ten candidates taking the certification examination in 2024 were unable to satisfy the required standard, it is difficult to justify a policy that could make it easier to bypass interpreters who have demonstrated those skills simply because they will not accept a government-imposed rate.</p> <p>The potential consequence of the new compensation policy is therefore backwards. A court could locate a certified interpreter who has passed the rigorous Judicial Council examination and demonstrated the ability to perform courtroom interpretation, determine that the interpreter is available but will not work for \$566, declare that interpreter "unavailable" for purposes of the policy, and then turn to someone who has not demonstrated the same competency through certification.</p> <p>More troubling still, the policy could create a perverse financial incentive. If credentialed independent contractors increasingly decline court work because the mandatory rate is below what they can earn elsewhere, courts will become increasingly dependent on non-certified or non-registered bilingual individuals. The very policy intended to control interpreter expenditures could therefore contribute to shrinking the pool of credentialed professionals willing to work for the courts. This would undermine years of effort by the Judicial Council to professionalize court interpreting through testing, certification, continuing education, ethics requirements, and credentialing.</p> <p>Certification should mean something. The purpose of interpreter credentialing is not to create an impressive badge. It is to protect the integrity of the judicial process and the rights of people who cannot meaningfully participate in that process without accurate interpretation, both of which will be undermined by the new policy.</p> <p>3. Changes to business-related travel include mileage but not hourly compensation.</p> <p>This will significantly affect courthouses that regularly or occasionally rely on interpreters traveling from other counties to cover assignments that cannot be filled locally.</p> <p>For an independent contractor, travel time is not free time. An interpreter who spends two hours driving to a courthouse and another two hours returning home has devoted four additional hours to that assignment, hours during which the interpreter cannot accept a deposition, hearing, arbitration, or other paid work. Mileage reimbursement covers the cost of operating a vehicle but does not compensate the interpreter for the professional time lost getting to</p> |

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|           |          | <p>and from the assignment.</p> <p>The impact will be particularly significant for courts that already have difficulty finding credentialed interpreters locally. These courts depend on interpreters willing to travel considerable distances to fill gaps in coverage. Eliminating compensation for travel time gives those interpreters a powerful financial reason to decline distant assignments in favor of jobs closer to home that pay more.</p> <p>For example, a \$566 assignment requiring four hours of round-trip travel is not economically equivalent to a \$566 assignment at a courthouse thirty minutes away. Yet under the proposed system, the interpreter's additional four-hour commitment would essentially be treated as having no monetary value beyond reimbursement for mileage.</p> <p>The result is not hard to predict: interpreters who currently travel across county lines will restrict the geographic area in which they are willing to work, and courts that depend on them will face an even smaller pool of credentialed interpreters, increasing the likelihood of unfilled assignments, delays, or reliance on non-certified or 'registered interpreters. This also goes against the Judicial Council's goal of giving all courts equal access to interpreter resources, since courthouses in remote areas or with a limited number of interpreters will suffer the most.</p> <p>4. SP26-05 expressly proposes abandoning the existing morning/afternoon session structure and instead applying the half-day rate whenever services fall within any consecutive four-hour period.</p> <p>Under the current structure, half-day assignments generally correspond to a morning or afternoon court session. This gives an independent interpreter at least some opportunity to accept another assignment during the other half of the day. The proposed policy eliminates those fixed morning and afternoon parameters.</p> <p>Consider an interpreter booked from 11:00 a.m. to 3:00 p.m. Technically, the assignment fits neatly within four consecutive hours and therefore qualifies for half-day compensation. Economically, however, it can consume virtually the interpreter's entire working day. An 11:00 a.m. start makes accepting a normal morning deposition, court appearance, arbitration, or other assignment practically impossible, particularly when travel is involved. A 3:00 p.m. finish likewise makes accepting a conventional afternoon assignment somewhere else impractical or impossible. Add travel time to and from the courthouse, parking, security screening, checking in, and the ordinary uncertainty surrounding when a court proceeding will actually conclude, and a four-hour booking in the middle of the day can easily prevent the interpreter from earning income from any other assignment that day. Yet the interpreter would receive only the half-day rate.</p> <p>That creates a significant distinction between four hours of work and four hours that effectively control the contractor's entire workday.</p> <p>Again, an independent contractor does not receive a guaranteed salary. The court does not guarantee that interpreter another assignment tomorrow, next week, or even later that month. The contractor therefore must evaluate an assignment not simply according to the number of minutes spent interpreting, but according to the other income opportunities that must be declined to accept it. The proposed policy ignores this reality.</p> <p>The problem becomes even clearer when comparing two assignments. An 8:00 a.m.–12:00 p.m. assignment may allow an interpreter to accept a 1:30 p.m. deposition elsewhere. A 1:00–5:00 p.m. assignment may permit the interpreter to work elsewhere in the morning. But an 11:00 a.m.–3:00 p.m. assignment can eliminate both opportunities.</p> <p>The proposed change therefore creates another potential incentive for credentialed independent contractors to decline court work. An interpreter offered a half-day court assignment from 11:00 a.m. to 3:00 p.m. will instead accept a private full-day assignment—or two compatible half-day assignments—that produce substantially greater income. At a minimum, the policy should preserve defined morning and afternoon half-day sessions or provide that a four-hour assignment spanning substantial portions of both sessions qualifies for full-day compensation.</p> <p>Conclusion</p> <p>California courts rely on independent contractor interpreters to meet language-access needs that cannot be satisfied by court employees alone. If the courts expect credentialed independent professionals to continue accepting these assignments, compensation and working conditions must remain reasonably competitive with those available elsewhere in the interpreting market.</p> <p>Several provisions of SP26-05 risk accomplishing the opposite. Non-negotiable rates, the elimination of compensation for travel time, a half-day structure that can effectively consume an interpreter's entire working day, and a definition of "unavailability" that includes credentialed interpreters who decline the mandated rate all create new financial disincentives for independent credentialed interpreters to accept court work. These concerns are particularly significant at a time when California is already struggling with a shortage of credentialed interpreters.</p> <p>Courts that already struggle to secure credentialed interpreters—particularly those that depend on contractors traveling from other counties—may face more difficulty filling assignments, greater risk of delays, and increased reliance on non-certified or non-registered individuals. Ultimately, it is the administration of justice that will bear the</p> |

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|                                                                                                                                                     |                                         | <p>consequences when qualified interpreters are unavailable.</p> <p>Cost containment, consistency, and responsible use of public funds are legitimate goals. But a compensation policy cannot be considered successful simply because it reduces what courts are permitted to pay. It must also ensure that courts can actually obtain the qualified professionals they need. A sustainable policy should make court assignments more attractive to credentialed interpreters, not less.</p> <p>We appreciate the opportunity to comment on SP26-05 and respectfully ask the Judicial Council to reconsider these provisions and adopt a more flexible approach—one that establishes reasonable statewide baseline rates while preserving courts' ability to respond to market conditions, compensate necessary travel time, structure half-day assignments fairly, and prioritize credentialed interpreters before resorting to non-certified or non-registered bilingual individuals.</p> <p>The AIJIC Board</p> <p>Board of Directors and Officers 2026:</p> <ul style="list-style-type: none"> <li>• Mariana Bension-Larkin, Spanish California and Federally Certified Court Interpreter (President)</li> <li>• Lorena Barrett, Spanish California and Federally Certified Court Interpreter (Secretary)</li> <li>• Ana Sevilla, Spanish California Certified Court Interpreter (Treasurer)</li> <li>• Sona Roesler, Eastern Armenian California Certified Court Interpreter</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <p>Aurora Macias-Dewhirst<br/>Certified Healthcare Interpreter<br/>Certified Healthcare Interpreter</p> <p><b>Comment on behalf of org?: No</b></p> | Do not agree with proposed changes      | <p>Dear Judicial Council,</p> <p>Proposal SP26-05 should be rejected.</p> <p>Under the guise of a rate increase, this proposal imposes non-negotiable caps, forces interpreters to remain for entire service blocks regardless of actual need, eliminates clear session boundaries, and severely restricts travel reimbursement. Consequently, many certified interpreters will likely stop accepting Superior Court assignments.</p> <p>Furthermore, the proposal creates a direct financial incentive to replace certified interpreters with provisionally qualified individuals. When a certified interpreter declines the non-negotiable rate, the draft allows the court to declare that interpreter "unavailable" and appoint an uncertified substitute without notifying the Limited English Proficient (LEP) party. Errors by non-credentialed interpreters are rarely caught in real time. Turning a rate refusal into a legal finding of unavailability transforms a cost-control measure into a structural preference for less-qualified interpreters, compromising accuracy and due process.</p> <p>California has 6.4 million LEP residents—one out of every six people in the state—who have a constitutional right to understand the proceedings affecting their lives. Making it economically and practically unfeasible for qualified interpreters to serve will result in delayed cases, inaccurate interpretation, mistrials, and miscarriages of justice.</p> <p>Reducing interpreter flexibility to cut costs is a false economy. The true costs will emerge later through repeated hearings, appeals, and eroded public confidence in the courts. The Judicial Council must not balance its budget at the expense of Limited English Proficient Californians.</p> <p>I strongly urge the Council to withdraw this proposal.</p> <p>Sincerely,</p> <p>Aurora Macias-Dewhirst<br/>Certified Healthcare Interpreter</p> |
| <p>Baljit S. Ghai<br/>Registered Hindi Interpreter<br/>AIJIC</p> <p><b>Comment on behalf of org?: No</b></p>                                        | Agree with proposed changes if modified | <p>TO WHOM IT MAY CONCERN</p> <p>I respectfully agree with the AIJIC response to these changes, especially regarding eliminating the morning and afternoon sessions and not compensating the interpreters for driving time to the courts (consider restricting compensation to only for distances exceeding 30 miles each way to make it more reasonable).</p> <p>We thank you for the opportunity to work with you.</p> <p>Regards<br/>Baljit S Ghai</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

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| <p>Betsy Lombard<br/>Fine Artist<br/>Court Certified Spanish Interpreter<br/>Court Interpreters Program</p> <p><b>Comment on behalf of org?: Yes</b></p>                                                        | <p>Do not agree with proposed changes</p>      | <p>To: Court Interpreters Program<br/>Judicial Council of California</p> <p>I am writing to address the proposed changes in payment for freelance certified interpreters in California. I'd like to begin by stating that the majority of certified interpreters have studied and practiced in legal, immigration, and workers' compensation settings for decades. Gaining the skills to become a state certified interpreter is not easy. Schooling is just the beginning. The real work and learning is on the job. Every day we are thrown into environments where we must be ready to interpret a huge variety of subject areas with challenges of many kinds.</p> <p>I do understand that for some interpreters, the mandate to pay the federal rate constitutes a raise. The idea of travel time not being paid is a huge problem.</p> <p>I also have questions about what is meant by the interpreter "remaining available" for the full time period she is being paid for. Does this mean we stay in the courthouse even though we are done with our assignments? That is not acceptable. Our job is to interpret, completing the assignments we are given.</p> <p>Right now, if a coordinator would call me after I'd already left, I would definitely turn around and go back to the courthouse immediately.</p> <p>Rural counties like Sutter and Yuba have large caseloads, and often, certified interpreters live an hour or more away. These counties need us and must have the discretion to pay travel time.</p> <p>Keep in mind that freelance workers do not have paid medical, disability or retirement. We cover those things ourselves.</p> <p>The state's proposal will mean that non-certified interpreters will take over the market in rural counties. This is a violation of the standard which has always been insisted upon in the courts.</p> <p>The phrase, "due to the unavailability of a certified interpreter....." will be frequently heard in the halls of justice if these changes occur. This is a poor and untruthful excuse for an action that devalues our achievements as certified interpreters, and may result in the public receiving inferior interpreting services, affecting their rights to due process and potentially resulting in damaging errors.</p> <p>Please respect our profession and the Courts and cancel this attempt to lower our compensation.</p> <p>Very truly yours,<br/>Betsy Lombard</p> |
| <p>Bobbe Skiles</p> <p><b>Comment on behalf of org?: No</b></p>                                                                                                                                                 | <p>Do not agree with proposed changes</p>      | <p>Position on Proposal<br/>Do not agree with proposed changes</p> <p>Comments<br/>Proposal SP26-05 will reduce the availability of qualified certified interpreters in our courts. When experienced professionals leave because rates are capped and inflexible, Limited English Proficient Californians—approximately one in six residents—lose meaningful access to justice. I ask the Council to reject these changes and preserve the ability of courts to secure competent interpretation. I, for one, am doubtful I will continue to work under these conditions.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <p>Bosco Boksh<br/>California Court Certified Interpreter</p> <p><b>Comment on behalf of org?: No</b></p>                                                                                                       | <p>Do not agree with proposed changes</p>      | <p>Hello,<br/>I urge the Judicial Council to reconsider Proposal SP26-05. Rigid, non-negotiable rates and reduced flexibility will drive experienced certified interpreters away from court work. California's 6.4 million Limited English Proficient residents deserve consistent and fair access to qualified interpreters so their due-process rights are protected.</p> <p>Thank you very much.<br/>Sincerely,<br/>Bosco Boksh</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <p>California Federation of Interpreters et. al.<br/>California Federation of Interpreters, CFI Local 39000, TNG-CWA<br/>California Federation of Interpreters</p> <p><b>Comment on behalf of org?: Yes</b></p> | <p>Agree with proposed changes if modified</p> | <p>Position Paper in Support of SP26-05</p> <p>Revisions to Payment Policies for Independent Contractor Interpreters</p> <p>CFI's Position</p> <p>The California Federation of Interpreters (CFI) thanks the Court Executives Advisory Committee and the Judicial Council of California for the opportunity to comment on SP26-05. CFI is the largest labor union representing court interpreter employees in California. Our members provide language access every day in trial courts throughout the state and experience directly how compensation policy impacts employee retention, court operations, public funds, and the adverse effects they have on ensuring court users' right to due process.</p> <p>CFI supports SP26-05 as it provides a meaningful step forward to guarantee employee retention. The proposed statewide rate ceiling, non-negotiable compensation structure, standardized agreement, full-period availability requirement, travel controls, and expanded use of video remote interpreting are necessary responses to an increasingly unsustainable contractor system. However, the proposal should be strengthened so that travel-time compensation cannot overlap with already paid service hours, distant assignments do not become a profit strategy, and savings are used to stabilize the employee interpreter workforce.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

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|           |          | <p>The Proposal's Record Confirms the Need for Immediate Reform</p> <ul style="list-style-type: none"> <li>• Contract interpreter costs rose 19 percent in fiscal year 2024-25 and are identified as the primary driver of overall interpreter cost increases.</li> <li>• Per-diem contractor expenditures were estimated at \$38.4 million but reached \$43.6 million, exceeding the estimate by \$5.2 million.</li> <li>• California Courts are paying above established rates and, in some cases, above federal rates, while also incurring additional travel-related costs.</li> <li>• Employee-interpreter spending has remained stagnant or declined while contractor spending has increased.</li> <li>• SP26-05 expressly acknowledges that employees are quitting or retiring early and moving into contract work because contracting is seen as more lucrative.</li> <li>• The Judicial Council separately reported that the employee-interpreter workforce declined from 799 employees in 2021-22 to 717 in 2023-24.</li> </ul> <p>1. Contractor Compensation Is Pulling Interpreters Out of Employment</p> <p>CFI has warned for years that the growing difference between employee wages and contractor compensation would destabilize the interpreter workforce, which weakens non-English speaking Californian resident's due process. Employee wages remain stagnant while contractors have been able to negotiate higher daily rates, travel-time payments, mileage, lodging, cancellation fees, and other favorable terms. The predictable result is now stated in the proposal itself: employees are leaving or retiring early because contracting is more lucrative, concurrently making it more difficult for California Superior Courts to adequately staff cases that require language access.</p> <p>That loss cannot be measured only by comparing a daily employee wage with a contractor invoice. Employees provide dependable daily availability, remain subject to court schedules and personnel rules, assist multiple courtrooms, handle unscheduled matters, maintain institutional knowledge, and support long-term quality and accountability. When an experienced employee leaves, the court often replaces one reliable source of continuing coverage with repeated contractor engagements at a higher total cost.</p> <p>California Government Code section 71802 establishes an employee-first structure by directing trial courts to appoint employees rather than independent contractors, subject to specified exceptions. Subdivision (c)(3) prohibits more favorable contractor working conditions when used to discourage employment. Paying a contractor more for the same work, adding travel-time compensation, and allowing early departure from a paid period is inequitable and discriminatory in effect: it penalizes employment status and undermines the Legislature's policy.</p> <p>2. CFI Fights for Language-Access Funding That Is Being Consumed by Escalating Contractor Costs</p> <p>CFI fights every year for increased funding for court interpreting and language access. Those efforts are intended to expand services, recruit and retain qualified employees, improve wages, fill vacancies, support less commonly spoken languages, and ensure that court users are not excluded from their right to due process. It is deeply frustrating, as we fight to secure additional public funding, only to see an increasing share absorbed by above-rate contractor fees and travel arrangements that do not create additional interpreter capacity and fair compensation.</p> <p>The proposal shows the scale of the diversion of funds. A \$5.2 million per-diem overrun represents money that could have supported employee recruitment, retention, training, technology, and many additional interpreted proceedings. The issue is not whether qualified contractors should be paid fairly. They should. The issue is whether public funds should support open-ended, individually negotiated charges that make the same work substantially more expensive and reduce the number of court users the program can serve.</p> <p>3. Self-Defined 'Market Rates' Cannot Control a Public Program</p> <p>Contractors providing other services to the courts do not have an unrestricted right to impose whatever price they label as market value. Public contracts are governed by an approved scope, maximum rates, reimbursement rules, documentation, procurement controls, and available funding. Court interpreter contracts should be subject to the same discipline.</p> <p>The current fragmented system has allowed some contractors to present inflated personal rate demands as the market rate and to use one court's emergency payment as leverage against another court. These demands do not reflect a functioning competitive market. The courts are spending from one statewide public system, serving the same public mission, and frequently competing for the same small pool of interpreters. An emergency price paid by one court should not become the minimum price demanded from every other court.</p> <p>Individual contractors are free to make business decisions, but they do not bear responsibility for preserving the statewide interpreter budget or ensuring that the next court user receives service. When the compensation system rewards maximizing a single invoice without accounting for its effect on other courts and court users, it demonstrates misalignment with the public obligation of language access. The policy—not individual bargaining—must protect that obligation.</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter | Position | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         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|           |          | <p>4. Inter-Court Competition Raises Costs Without Creating More Interpreter Capacity</p> <p>SP26-05 correctly recognizes that California's courts are again competing against one another. When one court negotiates above the standard rate, contractors can redirect their availability to the highest bidder. Another court must then match the rate, continue the matter, or recruit an interpreter from farther away and add travel costs. The statewide system pays more, but it does not gain another interpreter, another employee, or another hour of language access.</p> <p>CFI is particularly concerned that local contractors have refused assignments in their own communities while accepting work at distant courts because travel-time compensation makes the distant assignment more profitable. The local court must then bring in a different contractor from another area. Court A pays someone to travel from Court B's community, while Court B pays someone else to travel into the area that its local contractor left. This circular exchange is wasteful and depletes statewide funds.</p> <p>5. Travel Reimbursement Must Reflect Real Costs, and Travel Time Must Not Be Paid Twice</p> <p>Travel expenses and travel-time compensation are different. The Judicial Council's contractor travel guidelines describe reimbursement for actual and reasonable transportation, lodging, meal, and incidental expenses that are authorized in advance. SP26-05 appropriately requires those expenses to remain separate from the interpreting rate and within statewide limits. A reimbursement should reimburse a real, necessary, and verifiable cost—not a hypothetical cost, an inflated distance, a presumed address that was not the actual point of origin, or a lump-sum estimate unrelated to what was incurred.</p> <p>Travel time is a separate form of compensation. It becomes duplicative when a contractor is paid a half-day or full-day rate, is released early, and then bills travel time during hours for which the court has already purchased the contractor's availability. The contractor is still on the court's clock. Paying a second time for those same clock hours is not reimbursement; it is overlapping compensation.</p> <p>SP26-05's full-period availability requirement is therefore essential. A half-day, full-day, or hourly payment must purchase the contractor's availability for that entire period. If the contractor leaves early, travel occurring before the end of the paid period must be treated as occurring within that already compensated period. Any travel-time payment should begin only after the contracted service period ends and only when every additional eligibility requirement is satisfied.</p> <p>6. Exhausted Interpreter Funds Create a Domino Effect That Erodes Language Access</p> <p>Interpreter funding and general court operations funding are separate budget buckets. When a court exhausts its interpreter allocation and the interpreter program goes into deficit, the obligation does not disappear. The court may be forced to use general operating funds to cover contractor invoices. That transfer places other court services and employees at risk because money intended for ordinary court operations is redirected to an avoidable interpreter overrun.</p> <p>The resulting choices are unacceptable. Courts may be placed in the position of denying or deferring interpreter coverage, leaving critical vacancies unfilled, reducing other services, or placing other court employees at risk of reduced hours or furloughs. A contractor compensation policy should never force a court to choose between language access and the staff needed to keep courtrooms, clerks' offices, and essential operations functioning.</p> <p>The harm then reaches court users. If an interpreter cannot be secured, hearings are delayed and unplanned continuances occur. Court users miss additional work, pay for additional transportation and childcare, and may incur additional attorney fees. In proceedings where publicly funded coverage is not provided, some court users may feel forced to hire an interpreter at substantial personal cost. Those who cannot afford a trained professional may resort to relatives or friends, compromising accuracy, confidentiality, neutrality, and meaningful participation.</p> <p>This is the domino effect of uncontrolled contractor spending: inflated rates and travel payments exhaust the budget; exhausted budgets reduce coverage; reduced coverage produces continuances and improvised interpreting; and those failures erode trust in the courts and meaningful language access. Cost containment is not hostile to language access. Responsible cost containment is necessary to preserve it.</p> <p>7. SP26-05 Is a Necessary Start and Should Be Adopted</p> <p>CFI supports the proposal's core reforms and urges that they remain in the final policy:</p> <ul style="list-style-type: none"> <li>• A statewide maximum rate aligned with the federal ceiling and not subject to individual negotiation.</li> <li>• A standardized Independent Contractor Interpreter Agreement used consistently by all trial courts.</li> <li>• A requirement that contractors remain available for the entire paid half-day, full-day, or hourly period.</li> <li>• A prohibition on premiums based on proceeding type, multiple language pairs, or multiple locations within the same court.</li> <li>• Travel expenses that are separately stated, authorized in advance, and limited by statewide reimbursement rules.</li> </ul> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter | Position | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         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|           |          | <ul style="list-style-type: none"> <li>• Use of hourly compensation and VRI to match payment and delivery methods to the court's actual need.</li> <li>• A clear determination that a contractor who refuses the authorized maximum rate is unavailable, allowing the court to continue its diligent search under rule 2.893.</li> </ul> <p>8. CFI Urges the Following Additional Safeguards</p> <ol style="list-style-type: none"> <li>1. Prohibit overlapping travel-time compensation. Travel time must not be paid for any hour that falls within an already compensated half-day, full-day, or hourly service period. Early release does not convert paid availability into separately billable travel time.</li> <li>2. Limit travel time to genuine shortage languages. Paid travel time should be available only for languages of lesser diffusion when no reasonably available local employee or contractor can provide the service and the court documents why in-person interpretation is required.</li> <li>3. Require a distance threshold for travel time. Travel-time compensation should apply only when the interpreter's verified actual point of origin is outside a 120-mile one-way radius from the assignment location. The standardized agreement should prohibit local exceptions based solely on contractor preference or negotiation.</li> <li>4. Set a meaningful mileage threshold. Mileage reimbursement should be authorized only when the verified actual travel exceeds 60 miles one way. Eligible mileage should use the applicable federal mileage rate, the shortest reasonable route, and the interpreter's actual point of origin—not a hypothetical business address or inflated route.</li> <li>5. Make VRI the default for assignments that would otherwise require contractor travel. Unless the court documents that in-person interpretation is required for the hearing or that VRI is technologically infeasible, VRI should be mandatory. Travel should be the exception, not the financially preferred service method. If VRI is used, the court shall report to JCC efforts to identify and recruit more employees.</li> <li>6. Require advance approval and actual-cost documentation. Every travel expense and any eligible travel-time payment must be approved in the Service Request before the assignment. Lodging, airfare, parking, tolls, and other expenses must be supported by required receipts and may not be bundled into compensation.</li> <li>7. Adopt an employee-first assignment and reinvestment policy. Courts should assign available employees before day-to-day contractors, consistent with Government Code section 71802, and verified savings should support employee wages, recruitment, retention, staffing, training, and technology.</li> <li>8. Require transparent statewide reporting. Employee compensation, contractor service rates, travel time, mileage, lodging, meals, cancellation fees, and other contractor payments should be reported separately. The Judicial Council should annually evaluate whether contractor compensation continues to discourage employment or deplete language-access resources.</li> <li>9. Include CFI in implementation and review. As the largest union representing court interpreter employees, CFI should be consulted on the standardized agreement's workforce effects and on future revisions that affect employee retention, assignment practices, or language-access funding.</li> </ol> <p>Conclusion</p> <p>SP26-05 is a necessary response to a contractor payment structure that has become more lucrative than employment, encouraged employees to leave, placed courts in competition with one another, rewarded avoidable travel, and consumed funds that CFI and others have fought to secure for language access. Paying more for the same work while employee wages stagnate is inequitable, wasteful, and destructive to the long-term interpreter workforce.</p> <p>CFI urges the Judicial Council to adopt SP26-05 and strengthen it with firm non-overlap rules, narrow travel-time eligibility, a 120-mile travel-time threshold, a 60-mile one-way mileage threshold, mandatory VRI for travel-dependent assignments unless an in-person exception is documented, employee-first assignment practices, transparent reporting, and reinvestment in employee interpreters. These reforms will protect public funds, stabilize the workforce, reduce unplanned continuances, and preserve meaningful language access for California court users.</p> <p>Investing in employee retention and recruitment is also the more cost-effective operational choice. A stable employee roster reduces the time interpreter coordinators and court staff must spend searching for contractors, negotiating terms, preparing agreements, confirming assignments, reviewing travel requests, and resolving invoices. That time can instead be used to manage coverage proactively and to advance language-access projects, training, technology, data quality, and outreach. The result is greater court productivity, fewer avoidable delays, improved access, and higher satisfaction for court users.</p> <p>Final request. Adopt SP26-05 as the beginning of a broader correction: invest in employees, reduce avoidable contractor administration, and return coordinator time and public funds to the work of expanding language access.</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                                                                                       | Position                                              | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      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| <p>Carla Huey<br/>Certified freelance<br/>independent contractor<br/>court interpreter<br/>California Court-Certified<br/>Interpreter –<br/>Spanish/English</p> <p><b>Comment on behalf of<br/>org?: No</b></p> | <p>Do not<br/>agree with<br/>proposed<br/>changes</p> | <p>To the Members of the Court Executives Advisory Committee:</p> <p>Please accept this formal public comment submitted on my own behalf as a certified freelance independent contractor court interpreter. I am writing to express my strong, complete opposition to the payment policy updates outlined in SP26-05. While the proposal frames these changes as standardizations, the policy forces employee-level restrictions on individual independent professionals while stripping away the legal protections, rate-setting freedoms, and scheduling flexibility guaranteed under California law.</p> <p>Below, I have broken down the core economic and operational problems with this proposal, alongside a realistic look at how these rules unfairly trap independent contractors.</p> <p>1. The Economic Injustice of Capped Rates and Out-of-Pocket Benefits</p> <p>My current negotiated market rates for Spanish/English services legitimately exceed the caps proposed in SP26-05. As an independent contractor, my gross rate is not pure profit; it must cover the high, rising costs of out-of-pocket health insurance, professional liability coverage, self-employment taxes, short-term and long-term disability insurance, and retirement planning. The state provides absolutely zero safety net or employee benefits to cover this overhead. Imposing an artificial, non-negotiable ceiling on my rates amounts to a forced, state-mandated pay cut that ignores the basic financial realities of running an independent business.</p> <p>2. Infringement on Schedule Agility and the Reality of Travel Time</p> <p>Independent contractors manage their businesses through scheduling flexibility. Currently, if a court department finishes its calendar early because Spanish-language cases were heard quickly, I keep the freedom to leave the building right away. This agility allows me to accept last-minute afternoon assignments from private agencies, maximizing my daily income to make up for the slow days when no court assignments are available. Forcing independent interpreters to stay stuck in an empty courtroom doing nothing is a direct violation of our scheduling freedom. Furthermore, the policy's handling of travel is completely detached from reality. For many years in my career, traveling to my assigned courthouse required a 50-mile commute each way, taking a minimum of 1 hour of driving time in the morning and up to 1 hour and 20 minutes on the way back home. That real-life experience proved that standard mileage reimbursement only covers vehicle wear-and-tear; it does absolutely nothing to pay for 2.5 hours of lost professional billing time behind the wheel. Prohibiting courts from paying an independent contractor for travel time forces us to absorb heavy business losses.</p> <p>3. The Hypocrisy of Lowering Standards and Bypassing Certification</p> <p>The hypocrisy of this proposal is stunning. The Judicial Council set the extraordinarily high benchmarks required to become a Certified Court Interpreter. In my specific case, after earning my college degree here in the United States, I spent a grueling 1.5 years intensively studying and paying for specialized interpreting education—which was not cheap—to properly prepare for and comply with the state's rigorous credentialing requirements. The Judicial Council is attempting to treat credentialed-independent interpreters as an undervalued commodity that can be bought at a flat, non-negotiable rate.</p> <p>Furthermore, it is deeply alarming that the Council intends to expand the usage of non-certified individuals under the guise of an "unavailability" crisis. An independent contractor choosing to reject a financially unviable contract rate is an economic reality, not a true labor shortage. High-quality court interpreting is not simply a matter of speaking more than one language; it requires intense cognitive processing and advanced legal precision, which is the exact reason a state certification exam exists. Just as the state requires a licensed automotive technician, a licensed electrician, or a licensed framing contractor to ensure complex systems are built or repaired correctly and to avoid dangerous, substandard conditions, the justice system must demand certified professionals. In legal proceedings, a subpar interpretation creates a dangerous condition that directly compromises public safety and constitutional due process. For the Council to intentionally break its own strict rules just to use uncertified staff completely dismisses what it actually takes to do this job. Passing a certification exam is just the baseline. Truly mastering court interpreting requires years of constantly perfecting interpreting techniques, expanding specialized legal vocabulary, and maintaining extreme mental stamina under pressure. It is a highly perishable skill that cannot be replicated by someone without this deep, long-term commitment. Lowering the bar to allow uncertified individuals into legal proceedings invites severe procedural errors, risks overturned cases, and undermines the fundamental accuracy that the California judicial system is legally obligated to protect.</p> <p>4. The Objective Data on Language Access Demand</p> <p>The financial strain currently facing the Trial Court Trust Fund cannot be solved by artificial rate caps that ignore real demographic numbers and state-mandated constitutional obligations. According to data tracked directly by the Judicial Council of California's Language Access Services Program, California is home to nearly 6.4 million Limited English Proficient (LEP) residents who cannot access the courts without significant language assistance. Official U.S. Census Bureau American Community Survey data confirms that California holds the absolute largest LEP population in the entire United States, housing approximately 25% of the entire nation's limited-English-proficient individuals.</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

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|           |          | <p>Crucially, this demand spans the full breadth of the state's certified court languages. U.S. Census profiles confirm that California contains the nation's largest populations of non-English speakers for a majority of our certified languages, including Armenian, Punjabi, Farsi, Tagalog, Vietnamese, Chinese (Mandarin and Cantonese), and Korean. These vast communities rely entirely on certified court interpreters for baseline legal access and civil rights protections. The Judicial Council cannot balance its structural budget deficits by suppressing the individual independent businesses that are legally required to keep these courtrooms functional.</p> <p>5. Disregard for Established Precedents in State-Funded Contracting</p> <p>The argument that operating within a state-allocated budget requires uniform, non-negotiable contract caps is thoroughly disproven by how California courts and municipalities manage other independent service providers. Independent court reporters, contract private investigators, and per-diem contract nurses all regularly provide essential services within state-budgeted frameworks. Yet, the state routinely respects their independent contractor status by allowing market-driven, flexible, or locally negotiated rate structures that account for short-notice availability, geographic overhead, and specific language or skill scarcity. Court interpreting should be treated no differently. The state budget should dictate the courts' overall capacity to buy services, not serve as a tool to micro-manage schedules, eliminate local rate flexibility, and suppress the independent businesses providing those services.</p> <p>6. Openness to Constructive, Mutually Beneficial Alternatives</p> <p>Rather than imposing a rigid, one-size-fits-all framework that leaves no room for local flexibility, the Judicial Council should step back from SP26-05 and engage directly with independent contractors to develop a more balanced approach. I understand the state's goal of achieving long-term predictability and managing public funds responsibly. However, those goals cannot be reached by forcing severe economic penalties on the independent workforce that keeps the courtrooms running. I am entirely open to discussing structural revisions and policy changes, provided they protect our legal rights as independent business owners, maintain the highest standards of professional language access, and create mutually beneficial solutions that work realistically for both the courts and freelance contractors.</p> <p>THE ULTIMATE LEGAL CONTRADICTION: W-2 CONTROL VS. 1099 LIABILITY</p> <p>The foundational flaw of SP26-05 is its blatant disregard for California labor law. Under California Labor Code § 2778 (codified via AB 5 and refined by AB 2257), court interpreters are granted an exemption from the rigid "ABC Test" only under the strict condition that they operate as genuine business entities. The law mandates that to remain independent contractors, we must keep the right to set our own rates, negotiate our own terms, and control our own schedules.</p> <p>By stripping away my rate-renegotiation rights, mandating a rigid uniform contract, and forcing me to remain available for fixed time blocks, the Judicial Council is removing the exact legal criteria required to maintain my independent contractor status. The Council is trying to execute an illegal double standard: enjoying the tax and benefit savings of an independent contractor workforce while exerting total control of an employer.</p> <p>As a 1099 independent contractor, I am hit with a self-employment tax rate of at least 15.3% just to cover Social Security and Medicare. Because I am an independent business, I am forced to pay both the employee and employer portions of this tax myself—effectively doubling the baseline tax rate that a W-2 court employee pays out of pocket. This massive overhead is paid entirely on top of the additional state and federal income taxes I must fully manage on my own. I receive zero employer pension matching from CalPERS, zero paid sick leave, zero paid time off, and zero state-backed disability protections. W-2 court employees have their health insurance subsidized heavily by the court system and are automatically covered by state-mandated disability networks if they fall ill or get injured. I must pay for my health insurance and my short- and long-term disability completely out of pocket. To enforce rigid, non-negotiable W-2 caps and take away my ability to pick up private agency work—while forcing me to absorb these massive operational tax penalties and overhead costs alone—is an unconscionable economic penalty that completely violates the worker protection parameters of AB 2257.</p> <p>In conclusion, if SP26-05 is adopted, the Judicial Council will effectively decimate its contract interpreter pool. Highly educated, experienced, well-versed certified professionals will understandably withdraw from the court system and take their services exclusively to the private market where their credentials and independent business rights are respected. I urge the Committee to reject this proposal.</p> <p>Respectfully submitted,<br/>Carla Huey</p> |

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| <p>Carlota Mejia-Araujo<br/>Interpreter</p> <p><b>Comment on behalf of org?: No</b></p>                                                                 | <p>Do not agree with proposed changes</p> | <p>RE: Standardized contracting requirements</p> <p>Please Clarify: "Interpreters must remain available to the court for the entire period, whether it be a half day, a full day, or hourly".</p> <p>Does this mean that on a full day, the interpreter will be required to stay on site until 5:00 p.m., like an employee, just in case something comes up at the last minute? This is not a reasonable expectation. Most Courts have staff employees that can cover in such a situation. Freedom to leave once our respective assignments are completed, is a major incentive for independent contractors WITHOUT benefits of any kind. Requiring us to STAY like an employee, will deter many from working in the courts. Will the Interpreter Coordinator of each county still have the discretion to release the Interpreter once the Interpreter's services are no longer needed?</p> <p>RE: Half-day and hourly rate structures</p> <p>This will be a deterrent for many contract interpreters if the half-day assignment is modified to any 4-hr. Period in a day (e.g 10:00-2:00) who would like to work Half Days in court only (8:00-12:00) and plan other work assignments after that or tend to other personal matters.</p> <p>I have worked in the Court system for about 24 years and have worked alongside Non-Certified Interpreters who were permitted to interpret in Felony cases including a murder trial. This is a lack of due process for the defendant and can ultimately lead to an overturning of the case on appeal. New trials, new expenses, etc. Many Non-Certified are unqualified, unprepared and sadly not willing to abide by the Code of Ethics due to fear of losing work. They will not Clarify on the Witness stand nor Correct the Record. Our Certification obligates us to safeguard the record to the best of our ability, as we are bound by a Code of Professional Conduct and Ethics. This in turn protects the Judicial Court on an Appeals Process.</p> <p>Sincerely,</p> <p>Carlota Mejia-Araujo</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <p>Carmen Barrera Islas,<br/>California Court Certified<br/>Spanish Interpreter<br/>Spanish Interpreter</p> <p><b>Comment on behalf of org?: No</b></p> | <p>Do not agree with proposed changes</p> | <p>To Whom It May Concern:</p> <p>Although SP26-05 appears well intentioned, the proposal, as currently drafted, raises significant concerns regarding the autonomy and professional independence of contract court interpreters as set forth in AB5. In particular, the proposed compensation structure should not interfere with independent interpreters' ability to negotiate their rates as freelance professionals.</p> <p>To be clear, I strongly support an increase to the Judicial Council of California's base rate. The current rate is substantially below industry standard rates and is, in my view, a significant contributing factor to the shortage of certified interpreters available to courts throughout California. However, the proposed rates should serve as a base rate or starting point for negotiation—not as a ceiling or cap on an independent interpreter's earning potential.</p> <p>The language should instead preserve the flexibility reflected in the prior payment policy, under which costs exceeding standard rates could be authorized at the discretion of the individual courts. A rigid maximum rate fails to account for market conditions, interpreter qualifications, assignment complexity, geographic considerations, and the realities of contracting with highly qualified professionals.</p> <p>There is also insufficient clarity regarding whether the proposed rates, which claim to move toward current federal compensation levels, will be adjusted periodically to account for inflation and increases in the cost of living. Without a clear adjustment mechanism, interpreters may effectively be bound by rates established using 2023 figures until the next revision, which could be years away. Any compensation policy intended to address interpreter recruitment and retention should include a transparent and predictable process for regular review and adjustment.</p> <p>The proposal also raises concerns regarding interpreter availability and scheduling. Requiring independent contractors to remain available or on standby after their contracted assignment has concluded is not consistent with standard freelance practice. Such a requirement may have the opposite of its intended effect. Many freelance interpreters choose independent contracting specifically because they retain control over their schedules and are not tied to a single client for a full or half day unless they have explicitly agreed to be.</p> <p>Similarly, it is not standard practice to require an interpreter to reserve four consecutive hours regardless of the assignment's actual start time or duration. Freelance interpreters do not contract exclusively with the courts. We serve multiple clients whose assignments are often scheduled around morning and afternoon sessions. If accepting a mid-morning court assignment prevents an interpreter from accepting other work later that day, the assignment may result in a significant loss of earning opportunity.</p> <p>From a practical standpoint, if a court assignment beginning mid-morning interferes with the ability to accept a higher-paying afternoon assignment from another client, I may reasonably decline the court assignment. The result is not increased availability; rather, the proposed structure may render qualified interpreters less available to the courts.</p> |

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|                                                                                                                                               |                                           | <p>The proposal's treatment of interpreter "unavailability" also causes concern. If a certified interpreter is considered unavailable because they have another assignment or because they are unwilling to accept the maximum compensation offered, the proposal permits the appointment of a non-certified interpreter. This raises important questions regarding regulation and accountability.</p> <p>Will courts be required to document their efforts to secure a certified interpreter before appointing a non-certified interpreter? What evidence will be required to establish that a certified interpreter was actually contacted and unavailable? Who will oversee this process to ensure that certified interpreters are not bypassed for budgetary reasons or administrative convenience?</p> <p>These questions are particularly important because the consequences extend beyond budget considerations. The use of a non-certified interpreter may increase the risk of misunderstandings, errors on the record and disputes concerning the quality or accuracy of the interpretation provided. Certified interpreters are subject to established standards of practice and ethical obligations. Certification represents demonstrated competence through education, training, examination, and professional experience. Bilingual ability alone is not equivalent to professional interpreting competence.</p> <p>For limited English proficient individuals, meaningful language access is not a matter of convenience. The quality of interpretation can directly affect a person's ability to understand and participate in judicial proceedings. Any policy that expands the circumstances under which non-certified interpreters may be appointed should therefore include meaningful safeguards, documentation requirements, and oversight.</p> <p>Finally, independent certified interpreters should have a meaningful voice in decisions that directly affect their profession and livelihood. We are the professionals performing this work out in the field on a daily basis, and our input should be given substantial consideration when developing policies intended to address interpreter compensation, availability and procedures.</p> <p>I respectfully urge the Judicial Council to revise SP26-05 to ensure that it does not unnecessarily restrict the autonomy of independent contractors or establish compensation policies that ultimately discourage certified interpreters from accepting court assignments. The proposal should promote a system that balances fiscal responsibility with professional independence, fair compensation, interpreter recruitment and retention, and the need to provide meaningful language access to the public.</p> <p>As currently drafted, SP26-05 does not adequately serve the interests of independent certified interpreters and risks undercutting the professional standards and progress that interpreters have worked diligently to establish.</p> <p>Thank you for your time and consideration of these comments.</p> |
| <p>Carmen Cristina Munday-Madrid<br/>Certified Court Interpreter<br/>Madrid Interpreters LLC</p> <p><b>Comment on behalf of org?: Yes</b></p> | <p>Do not agree with proposed changes</p> | <p>Dear Judicial Council,</p> <p>Proposal SP26-05 should be rejected.</p> <p>Under the banner of a rate increase, the Council is imposing non-negotiable ceilings, forcing interpreters to remain for entire blocks regardless of actual need, erasing clear session boundaries, and severely restricting travel reimbursement. The predictable result is that many certified interpreters will simply stop accepting Superior Court work.</p> <p>The proposal creates a direct financial incentive to replace certified interpreters with provisionally qualified ones. When a certified interpreter declines the non-negotiable rate, the draft allows the court to declare that interpreter "unavailable" and appoint someone who has never passed a certification exam. The LEP party is not told this has happened. Errors by non-credentialed interpreters are rarely caught in the moment.</p> <p>Turning a rate refusal into a legal finding of unavailability converts a cost-control measure into a structural preference for less-qualified interpreters. This is not language access. It is the appearance of language access at the expense of accuracy and due process.</p> <p>California has 6.4 million Limited English Proficient residents—one out of every six people in the state. These court users have a constitutional right to understand the proceedings that affect their liberty, families, and livelihoods. When the State makes it economically and practically unattractive for qualified interpreters to serve, it is the non-English-speaking public that pays the price through delayed cases, inaccurate interpretation, mistrials, and miscarriages of justice.</p> <p>Cutting interpreter flexibility to save money is false economy. The real cost will appear later in repeated hearings, appeals, and damaged public confidence in the courts. The Judicial Council should not balance budgets on the backs of Limited English Proficient Californians.</p> <p>I urge the Council to withdraw this proposal.</p> <p>Thank you for your consideration.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                           | Position                                  | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
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| <p>Carmen Ramos<br/>California Cert. Court Interpreter</p> <p><b>Comment on behalf of org?: No</b></p>                              | <p>Agree with proposed changes</p>        | <p>Dear Court Executives Advisory Committee,</p> <p>I am writing to express my support for the Revision for Payment policies to ICs. I believe this is exactly what is needed to ensure equality and fairness for the court interpreters that serve California Courts; both for employees and ICs.</p> <p>Sincerely,<br/>Carmen Ramos<br/>California Cert. Court Interpreter</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <p>Carmen Strickland<br/>State Certified Court Interpreter<br/>Cert. # 301388<br/>r</p> <p><b>Comment on behalf of org?: No</b></p> | <p>Do not agree with proposed changes</p> | <p>Dear Sir or Madam,</p> <p>Proposal SP26-05 will reduce the availability of qualified certified interpreters in our courts. When experienced professionals leave because rates are capped and inflexible, Limited English Proficient Californians—approximately one in six residents—lose meaningful access to justice. I ask the Council to reject these changes and preserve the ability of courts to secure competent interpretation.</p> <p>Respectfully,<br/>Carmen Strickland</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <p>Carol Shulman-Mora<br/>Professor of interpretation</p> <p><b>Comment on behalf of org?: No</b></p>                               | <p>Do not agree with proposed changes</p> | <p>Please receive these comments in strong opposition to the new JC proposed fee schedule and conditions for independent contractor court interpreters in California.</p> <p>I have been a California and Federally certified court interpreters for over thirty years, hold an MA in Spanish Translation and Interpretation, have been a professor of interpretation for 17 years (training generations of interpreters) and have been both an employee court interpreter of a region 2 court and am currently engaged as an independent contractor for several local courts. I have watched this profession struggle and grow for the past thirty years and am aghast at the JC's misguided efforts to bring coherence to a system that is clearly broken and in dire need of reconstruction.</p> <p>This latest proposal purportedly attempts to address runaway IC interpreter budgets while simultaneously bringing uniformity to the fee schedule and across the state. These are lofty and laudable goals, but it is already an impossible task, if taken at a whole of California approach, when some regions have an abundant supply of interpreters, while others suffer from chronic shortages. Some counties have extremely high costs of living (my city has recently been named the city with the most expensive housing in all of the United States) and others are rural in nature, with significantly lower housing and other costs.</p> <p>The fact that the daily interpreter fees have been left to stagnate for so many years while inflation has decimated our economy during and after the pandemic, has left many courts to face dire interpreter shortages and forced them to negotiate fees directly with interpreters that far exceed the JC official daily rate.</p> <p>These shortages have been addressed (at least in the Bay Area) by "importing" interpreters from across the state (and even from other states) and paying them exorbitant amounts in travel fees and expenses. This has led to a perversion of the daily rate system and significantly increased interpreter costs for courts. In fact, in one of the largest courts in the state, local interpreters have been asking for higher rates for years and have largely declined to work locally as the courts have not only not raised daily rates, but in fact lowered them for local interpreters. They have thus had to resort to hiring traveling interpreters that come from across the state and make their money via travel reimbursement as opposed to actual interpretation fees. This has become a perversion of the system and even reeks of mismanaged public funds as interpreters are paid to travel, not to work.</p> <p>The solution has always been clear: raise daily rates to appropriate market levels and allow interpreters to mostly work where they live and live where they work.</p> <p>While the new proposal does this on its face, it actually undermines the goal by setting the fee schedule well below what most interpreters have negotiated with courts and have been accustomed to. This proposal will result in most local interpreters taking a 30% pay cut on daily fees.</p> <p>This proposed policy will force many seasoned and experienced interpreters to leave court work entirely and move to private market or other work, which will only exacerbate the current shortage.</p> <p>The daily rate proposed by the JC is based on an outdated federal court daily rate (which moves to \$618 in less than two months). The daily rate needs to be AT LEAST the \$618/day or higher based on cost of living in different California regions. A sufficiently competitive daily rate will incentivize many more certified interpreters (who currently work in the private market) to offer availability to local courts. These rates need to be supplemented by reasonable payment for required travel only when a local interpreter is not available. An example of a reasonable daily rate that has been working in our Bay Area court is \$750 for local interpreters, more for those who travel. Setting low caps and limiting travel reimbursement will only worsen the current problem.</p> <p>In addition, the notion that a non-certified interpreter can be legally hired if a certified interpreter declines an offer with this new rate cap is preposterous and an affront to language access and the current certification process. I would also like to address the language in the proposal which requires interpreters' availability for the entire period for which they are contracted. This language should be modified to make clear that when independent-contractor interpreters are finished with the assignments they were hired to complete and when no other work is available for</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

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|                                                                                                                                 |                                    | <p>them, they may remain available in an on-call status, but not necessarily physically present, as that requirement upends decades of past practice and mistakes independent-contractor interpreters for employees, who have set schedules, locations and hours of work.</p> <p>Please do consider the unintended consequences of this proposal which, as described above, will force many IC interpreters out of the market at a time where they are most needed to provide language access.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <p>Carol Tonelli<br/>Certified California and<br/>Federal Court Interpreter</p> <p><b>Comment on behalf of<br/>org?: No</b></p> | Do not agree with proposed changes | <p>Dear Judicial Council,</p> <p>I submit these comments in strong opposition to the proposed revisions in SP26-05.</p> <p>At a time when immigrants are being attacked around the country, California needs to stand by its historic protection of their rights, including their right to an interpreter in mandated proceedings.</p> <p>I have worked both in and out of court for 25 years and view this proposal as a disaster for my profession and for the quality of linguistic assistance Limited English Proficient residents of our state.</p> <p>The proposal's non-negotiable rate structure, rigid four- and eight-hour blocks, removal of clear morning/afternoon session definitions, and tightly restricted travel rules will significantly reduce the willingness of certified interpreters to accept court work. Once experienced interpreters leave or limit their availability, the courts will face greater difficulty covering calendars with qualified professionals.</p> <p>Of particular concern is the proposal's definition of "unavailability." The draft states that an interpreter is considered unavailable if they "are unwilling to accept the maximum compensation rate established in the policy." Once that finding is made, and after a diligent search, the court may appoint a nonregistered or noncertified interpreter under rule 2.893. This provision turns a simple rate refusal into a legal finding of unavailability. In practice, it creates a direct financial incentive to replace a certified interpreter who declines the capped rate with someone who has never passed a certification examination. Limited English Proficient court users are never informed that this substitution has occurred. Certification exists because neither the judge nor counsel can evaluate the accuracy of the interpretation in real time. By converting a cost-control measure into a structural preference for less-qualified interpreters, the proposal undermines the very safeguard the credential was designed to provide. This is not language access. It is the appearance of language access at the expense of accuracy and due process.</p> <p>I am already receiving emails from Florida agencies stating their practice of hiring a nonregistered interpreter if a certified one cannot be found; obviously they are anticipating this unwise and dangerous bill's passage.</p> <p>This outcome directly affects California's Limited English Proficient population—approximately 6.4 million people, or one in six residents. Meaningful language access is a due-process requirement, not an optional expense. When certified interpreters are driven away by inflexible and non-negotiable terms, the quality of interpretation declines. Errors, continuances, and in the worst cases mistrials or miscarriages of justice become more likely. Any short-term budget savings will be outweighed by the long-term costs of remediating those failures.</p> <p>California has long recognized the importance of language access in a diverse state. This proposal moves in the opposite direction. I urge the Judicial Council to reject the current draft and maintain the flexibility necessary to attract and retain qualified certified interpreters.</p> <p>Respectfully,</p> <p>Carol Tonelli</p> <p>Certified California and Federal Court Interpreter</p> |
| <p>Carolina Hnizdo<br/>CCL, FCCI</p> <p><b>Comment on behalf of<br/>org?: No</b></p>                                            | Do not agree with proposed changes | <p>Dear JCC Members,</p> <p>Thank you for the opportunity to comment on proposal SP26 05. I write to express my strong opposition to SP26-05. I am concerned about several elements of the proposal and the potential impact on credentialed Certified Court Interpreters (CCIs), and what is even more serious on the constitutional rights of the Limited English Proficient (LEP) persons CCIs serve. What is being proposed under SP26-05 will affect the quality of services LEP communities receive. LEP litigants who rely on certified professionals to ensure access to equal justice and due process.</p> <p>Title VI of the Civil Rights Act of 1964: Prohibits national-origin discrimination, requiring entities receiving federal funding to take reasonable steps to provide meaningful access to LEP individuals.</p> <p>According to the American Community Survey Report of 2011, 22.4 percent of the U.S. population spoke English "not well" or "not at all." Title VI of the Civil Rights Act of 1964, Executive Order 13166, and numerous State laws</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

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|           |          | <p>and regulations require language services to ensure meaningful access to programs and activities for these individuals. Providing this assistance in judicial settings is particularly important for victims, defendants, civil litigants, and witnesses; and requires the services of well-trained and highly skilled professional interpreters and translators. The changes outlined in SP26 05 will significantly affect the right of individuals to a meaningful defense.</p> <p>This multi-layered proposal disguised as a “cost-containment” measure is a head-on assault on the role and the profession of Certified Court Interpreters. It is unheard of in professions that require rigorous testing and credentialing, and if it is approved, it might disproportionately affect all contract Certified Court Interpreters currently serving California’s State courts. It might have serious impact to the entire Certified Interpreter’s role in the Courts System. For comparison, court reporters, another group of highly trained professionals must capture everything said on the record, but only in one language. Certified Court Interpreters, by contrast, are responsible for accurately interpreting all spoken content in two languages, in real time. These two court roles are clearly distinct professions, yet comparable in the level of skill, training, and responsibility involved.</p> <p>Certified Court Interpreter Skills. Consider for a moment the level of skill, vocabulary and specialized training and practice this profession entails: Court interpreters must master a wide span of legal domains because cases move fluidly across criminal, civil, family, juvenile, traffic, and administrative matters. This includes core criminal procedure, civil litigation, family law issues like custody and restraining orders, juvenile delinquency and dependency, traffic infractions, and immigration related consequences that arise in criminal court. They also need strong command of evidence rules, constitutional rights, mental health law, financial and business concepts, medical, expert and forensic terminology, drug related language, real Estate and property terms, and everyday courtroom procedure. In practice, this means interpreters operate across more than a dozen legal areas, each carrying its own specialized vocabulary and concepts. To put it in perspective, achieving high levels of accuracy and completion takes years of dedicated effort and resources.</p> <p>Some of the professional skills shared among Certified Court Interpreters include:</p> <ul style="list-style-type: none"> <li>• Learning languages from an early age to achieve a strong command of linguistics skills in both working languages. This learning involves college-level education or equivalent in both working languages.</li> <li>• A solid knowledge of false cognates to prevent confusion such as using the word <i>discusión</i> in English, versus <i>discusión</i> in Spanish, just to cite an example. Two completely different words that might sound as an exact match.</li> <li>• An in-depth understanding of between 10,000 to 20,000 not just legal terminology or phrases, but concepts and procedures.</li> <li>• Strong command of both working languages across formal, standard, casual, and low register register in both working languages, with the ability to shift seamlessly between them as required by the speaker and the context, including idioms and popular sayings.</li> <li>• Years of dedicated practice to master the different techniques that are needed on a daily basis, such as Simultaneous Interpretation, Consecutive Interpretation, and Sight Translation.</li> </ul> <p>Like Certified Court Reporters, Certified Court Interpreters are considered Officers of the Court and they are highly skilled language professionals, therefore they must be recognized as such.</p> <p>VRI Interpreting. The idea that VRI assignments would now automatically be covered by “Non-Certified”, or “Qualified Interpreters” under proposal SP26-05 is short-sighted and outrageous and it will undermine the trust in California’s Judicial System. I am strongly opposed to VRI interpreting as it involves it’s own set of challenges that negatively impact the quality of interpreting services and it must never become normalized. This practice alone will lead to miscarriages of justice against the most vulnerable, let alone if it is performed by non-certified individuals.</p> <p>Travel Time. As any other non-employee professional who spends long hours on the roads of the State as part of their assignment, Professional CCIs must be compensated for travel time when they need to cover long distances to meet the State’s needs, not their own. This can be addressed by placing caps (60 miles each way) on the number of miles interpreters may travel. However, this measure might also lead to further shortages and drive costs up if not managed properly.</p> <p>Contract interpreters are not employees. Contract interpreters work on a per assignment basis; once the assignment is complete, they should be free to leave without additional administrative obligations, this is according to the Borello standard, which California has historically applied to contractual relationships. The standard helps determine who is an employee and who does not qualify as one. Fixed schedules or rates designed for staff interpreters are not applicable to contractors.</p> <p>Qualified individuals or Non-Certified Individuals. “Qualified” individuals or other non certified individuals should not even be referred to as interpreters, as this is a misleading use of the word. Although their efforts towards certification should be recognized, this group should be referred to as: “Non-Certified individuals” as they have not passed the certification exams required to demonstrate proficiency. Judges, attorneys, and litigants must be clearly</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

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|           |          | <p>informed when language services are provided by someone who has not met certification standards.</p> <p>One important consideration is that errors in interpretation are a significant threat to the integrity and fairness of judicial proceedings, as it can distort witness testimony, impact the outcome of proceedings, it might lead to appealable errors, and lead to unnecessary delays that undermine the administration of justice and due process. Non-certified individuals simply are not equipped to substitute Certified Court Interpreters and should be NOT asked to cover assignments meant for Certified Court Interpreters. The two are not interchangeable. This especially true for VRI assignments where the challenges to a true accurate interpretation are even greater.</p> <p>Severe harm to the CCI's role and entire profession. Relying on non certified individuals when certified interpreters are available is not only disingenuous and openly harmful to the LEP community, but it also poses a long term threat to the integrity of the Certified Court Interpreter profession and credentialing process. It dilutes the tremendous efforts behind the Court Interpreter Certification and it is harmful to how CCI's are generally perceived.</p> <p>No freeze to CCI fees. I also strongly disagree with establishing a fixed, non negotiable rate for contract interpreters. CCIs are Sole Proprietors or own LLC's, which clearly makes them not an employee on a fixed salary and therefore must be able to negotiate their compensation, as other similar contract professionals providing services to the courts, take again the instance of Certified Court Reporters.</p> <p>Additionally, the newly approved FCCI rate is \$620, not \$566, and the new hourly rate is \$87, not \$80. Because contract interpreters do not receive any kind of benefits, such as pensions, 401 K retirement accounts, health insurance, sick leave, parental leave, paid vacations, other than their compensation, and are not State employees, in California they are compensated based on supply and demand. The (updated) rates proposed could be incorporated as a baseline, not a ceiling. Contract CCI's professional rates are individually set by each individual contractor with an agreed upon rate on hourly travel compensation. Eventually, it is up to each County Coordinator and their supervisors to reach agreements with contractors so that proceedings in the courtrooms are not delayed, continued, and so that the rights of the LEP community are maintained.</p> <p>Getting CCI's Involved in genuine cost-containment strategies that maintain CCI Quality and Ethical standards.</p> <p>While I recognize the State's budget challenges, a negotiated rate above \$620 as an incentive for interpreters to remain within their home counties can be a sensible policy that will permit reducing long distance travel and ultimately lead to savings for the Court System. This measure alone can result in significant savings and will keep CCI's in the State.</p> <p>California is privileged to have interpreters that have completed graduate studies from MIIS, the internationally acclaimed interpreter graduate schools par excellence. Consider too that California is a benchmark when it comes to their CCI Program and it is recognized by it's high standards when it comes to compliance with Title VI of the Civil Rights Act of 1964.</p> <p>A sustainable system cannot be built on a win lose framework. A modest yet meaningful win-win agreement is entirely achievable when changes are developed thoughtfully and in genuine collaboration with active Certified Court Interpreters.</p> <p>The importance of open door, In-Person Public comment hearings. To ensure transparency and prevent policies that are short sighted or harmful to the CCI profession, actively practicing Certified Court Interpreters from different regions of the State must be included in these closed door Committee discussions. CCI's involvement is essential to avoid blindsiding the CCI community with proposals like SP26-05 and to uphold the integrity of the profession moving forward.</p> <p>I strongly urge the JCC to reject SP26-05 and involve CCI's in the debate so that Certified Court Interpreter compensation in California may effectively reflect constitutional requirements, recognize and appreciate the specialized character of expertise and skills needed for the profession, and recognizes California's geographic and economic realities and compensates CCI's accordingly.</p> <p>Thank you for your attention to these concerns.</p> <p>Carolina Hnizdo</p> <p>CCI, FCCI</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

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| <p>Caroline Carrera<br/>California Certified Court Interpreter (TAGALOG)<br/>Translator (Tagalog-English)</p> <p><b>Comment on behalf of org?: No</b></p> | <p>Do not agree with proposed changes</p> | <p>As an independent contractor for TAGALOG/FILIPINO, a language considered as one of lesser diffusion, I would like to voice out my concerns on the seeming violations of language rights of LEP in the following instances:</p> <ol style="list-style-type: none"> <li>1. The unavailability of a certified interpreter (page 5) will now be primarily dependent on how "diligent" the search is conducted. It looks like very arbitrary when INT-120 won't even be followed now. Am I correct? Since I work in different counties to be fully employed, there are instances when my colleagues and I don't even get called by counties for their felonies and trials. Among these counties I've worked for in the past are San Joaquin, Placer, (who has put out their own guidelines ahead of the JC for parties to bring "any above 18" - see their website), Contra Costa, Orange and Riverside. How do we find out? I have personally asked a LAR and was told that their own internal policy is what they follow, not the JC's. They do the same for Registered languages, like Ilocano. This LAR even instructed his office coordinator not to answer my emails and I was called only "by mistake". Imagine when you give them more discretion. Don't they work under the CEO?</li> <li>2. Under Rule 2.893. Appointment of interpreters in court proceedings, <ul style="list-style-type: none"> <li>(2) Required record</li> </ul> <p>A noncertified or nonregistered interpreter may be appointed on a temporary basis, if, in addition to the requirements of (d)(2), the judicial officer in the proceeding finds on the record that:</p> <p>(A) The LEP person has been informed of their right to an interpreter and has waived the appointment of a certified or registered interpreter or an interpreter who could be provisionally qualified by the judicial officer in the proceeding, as provided in (e);</p> <p>(B) Good cause exists to appoint an interpreter who is not certified, registered, or provisionally qualified; and</p> <p>(C) The interpreter is qualified to interpret that proceeding, following procedures adopted by the Judicial Council (see forms INT-100-INFO and INT-140).</p> <p>This requirement, which sounds similar to notice announced by a temporary Judge sitting in a case, is not even followed in some courts when I was partnered with a noncertified. This even allows one much lesser in qualifications than a provisionally-qualified one. And who best to get than someone on their side? I would like to suggest that noncertified's be easily identifiable in the courtroom, so judges, attys and LEP's are aware who is interpreting for them, like a conspicuous yellow badge. I've spoken to pubic defenders &amp; conflicts panel attys. They know the rule and assume the courts do their job. They were not aware that the interpreter in their case wasn't certified or that we were being bypassed.</p> <p>Even in depositions, there's a medical certified interpreter who used the number for the medical certification, without indicating the kind of certification. I've been told this by certified's who review depo transcripts and court reporters who assumed this person was certified.</p> </li> <li>3. Basically, these guidelines are in response to a funding issue. How do you explain that there are counties who call us first despite being paid more than federal rates? Are these counties suffering financially, too? If the interpreter fund is coming from one specific state fund, are these funds being audited in each specific county? I've had instances when my 1099 was overstated, one time by \$30K. Where do the monies I returned for offsetting the amounts I earned on a cancellation of a trial with what I earned on another court job go? Does it go back to the state or the court operating expenses? How about the numerous times an assignment has been vacated days ago and I wasn't canceled at all, the court having to pay my cancel fee?</li> <li>4. Uniform rates won't work if I'm paid the same when I work in my county versus traveling 2, 3 to 6 hours to another county, getting a hotel, working there and coming back. I will do the work, but it can't be the same rates as working locally.</li> <li>5. Cancellation Fees (page 4) removing the CEO's authority to approve cancellation fees exceeding the limit. Have you considered when interpreters reserve so many days for a trial or preliminary hearing, thereby declining all other offers to keep their commitment to the court and suddenly that proceeding is canceled through no fault of their own? Those offers are gone when we decline and we're lucky if another offer comes. Because there's a lot of noncertified's who are called also in depositions, the competition is with them, too.</li> <li>6. We are contractors, we pay taxes on our pay on our own. We don't have any sick leave, vacation pay, run after our clients to collect, market ourselves and NEGOTIATE. That is what distinguishes us from the employees of the courts. There are provisions in your contracts that are not agreeable in my opinion. You cannot remove the capacity to negotiate.</li> <li>7. Rather than focusing ONLY on interpreter pay, how about supporting test-takers, like when there was a course with Pia Arboleda (<a href="https://www.hawaii.edu/filipino/Faculty/Arboleda.html">https://www.hawaii.edu/filipino/Faculty/Arboleda.html</a>) and, from that class, 3 interpreters were certified for Tagalog? I know more interpreters will drive down the demand for us, but I'd rather have more certified's than having noncertified's called first than us. Looks like a blatant violation of Title 6.</li> </ol> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                      | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
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|                                                                                                                                                |                                    | <p>8. Was the court interpreter fund audited before coming up with these proposals?</p> <p>Will be happy to discuss more. Respectfully submitted.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <p>Caroline Carrera<br/>California-Certified Court Interpreter (TAGALOG)<br/>Translator (Tagalog⇌<br/><b>Comment on behalf of org?: No</b></p> | Do not agree with proposed changes | <p>From our perspective, the current proposal raises the following concerns:</p> <ol style="list-style-type: none"> <li>1. For complaints related to misconduct, evidence from the complainant is encouraged when available, but not required (it should be).</li> <li>2. If a request for a credential review meets "the jurisdictional requirements," the interpreter would be provided a notice with a summary of the allegation(s), the date the allegation(s) took place, and the case file number of the case interpreted, if available or applicable (page 5). The proposal does not mention providing the interpreter with the evidence that supports the complaint against him or her at this point (it should be provided).</li> <li>3. Under "Resolution Without Issuance of a Charging Document" (page 8), none of the options listed include a charging document not being issued due to evidence being insufficient to support the complaint (this option should be included).</li> <li>4. Although the proposed complaint process for misconduct would apply to interpreters of all credentialed languages, the skills assessment applies only to Spanish for now. This creates a disparity among credentialed interpreters. In our opinion, either all interpreters should be subject to discipline regardless of language, or none should be.</li> <li>5. Finally, although we recognize that the Judicial Council's authority extends only to credentialed court interpreters, no corresponding effort appears to be under consideration to address complaints involving non-credentialed interpreters. These individuals continue to perform interpreting services in court despite California law credentialing requirements, yet they appear to be insulated from any comparable system of accountability for misconduct, incompetence, or ethical violations. This creates another troubling disparity in which credentialed interpreters—who have invested significant time and effort to obtain and maintain their credentials, comply with continuing requirements, and pay annual renewal fees—are subject to scrutiny and disciplinary measures, while uncredentialed interpreters face no equivalent oversight. Such a result undermines the value of credentialing, erodes confidence in the regulatory framework, and creates an inequitable system that rewards noncompliance rather than professional accountability.</li> </ol> |
| <p>Carrie Catena<br/>CMI<br/>NBCMI<br/><br/><b>Comment on behalf of org?: Yes</b></p>                                                          | Do not agree with proposed changes | <p>Position on Proposal<br/>Do not agree with proposed changes</p> <p>Comments<br/>I urge the Judicial Council to reconsider Proposal SP26-05. Rigid, non-negotiable rates and reduced flexibility will drive experienced certified interpreters away from court work. California's 6.4 million Limited English Proficient residents deserve consistent access to qualified interpreters so their due-process rights are protected.</p> <p>Firm but Courteous Proposal SP26-05 will reduce the availability of qualified certified interpreters in our courts. When experienced professionals leave because rates are capped and inflexible, Limited English Proficient Californians—approximately one in six residents—lose meaningful access to justice. I ask the Council to reject these changes and preserve the ability of courts to secure competent interpretation.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <p>Cata Gomez<br/>State Certified Interpreter<br/>Cata Gomez Interpreting<br/><br/><b>Comment on behalf of org?: Yes</b></p>                   | Do not agree with proposed changes | <p>Dear Judicial Council,</p> <p>I write in opposition to the revisions proposed in SP26-05.</p> <p>Non-negotiable rates, mandatory four- and eight-hour availability blocks, the removal of defined morning and afternoon sessions, and tightly restricted travel reimbursement will reduce the willingness of certified interpreters to accept court assignments. Courts will then find it harder to cover their calendars with qualified professionals. The most serious defect is section III.F. It deems an interpreter "unavailable" if they are "unwilling to accept the applicable maximum compensation rate," which then permits the court, after a diligent search, to appoint a noncertified interpreter under rule 2.893. That turns a rate refusal into a legal finding of unavailability and creates a financial incentive to replace a certified professional with someone who has never passed a certification examination. Certification exists because neither the judge nor counsel can evaluate the accuracy of interpretation in real time. The finding that authorizes the substitution is stated on the record, in English, in front of the one person present who cannot follow it. This is not language access. It is the appearance of language access at the cost of accuracy and due process.</p> <p>Approximately 6.4 million Californians, one in six residents, are Limited English Proficient. When inflexible terms drive certified interpreters away, the result is more errors, more continuances, and in the worst cases mistrials. Whatever is saved on the interpreter line will be spent again on repeated proceedings and appeals.</p> <p>I urge the Council to strike the "unwilling to accept" language and to preserve the ability of courts to negotiate rates</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                                                                                                                                                   | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
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|                                                                                                                                                                                                                                                                             |                                    | <p>that secure qualified interpreters.<br/>Respectfully, Cata Gomez State Certified Interpreter</p> <p>Yes</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <p>Caterina Cruz Bruzzone</p> <p><b>Comment on behalf of org?: No</b></p>                                                                                                                                                                                                   | Do not agree with proposed changes | <p>Dear Judicial Council Representatives,</p> <p>After reviewing the proposal I have a comment about the implementation of a standard state rate for independent contractors, and the arbitrary nature of it, since it is a well known fact that the cost of living varies wildly from one region to another in California. Furthermore, each market functions differently, with even the billing structure varying according to the area, for instance half-day/full-day, versus hourly rate.</p> <p>I understand where this is coming from, and evidently there is a need for interpreters that is not being met by employees. It would seem more appropriate to increase hiring of employees, and to offer a more attractive salary to incentivize it, instead of proposing an arbitrary implementation of a standard maximum rate for independent contractors, who by definition are entitled to negotiate rates they deem acceptable for their services.</p> <p>In addition to this, please consider that it is the market who sets what rates the independent contractor interpreters are willing to accept to provide services, keeping in mind that as such they are covering their own business expenses, and they lack any of the job security, or benefits that an employee has.</p> <p>Also, the standard interpreting rates offered by the California Judicial Council are what the private sector who uses independent interpreters follows as a guideline, therefore this decision has significant ramifications when it comes to the ability of interpreters to freely, and rightfully negotiate their rates.</p> <p>Thank you for your attention to this message,<br/>Respectfully,<br/>Caterina Cruz Bruzzone</p>                                                                                                                                                                                                   |
| <p>Catherine Torres<br/>Independent Court Interpreter-Spanish</p> <p><b>Comment on behalf of org?: No</b></p>                                                                                                                                                               | Do not agree with proposed changes | <p>Dear Judicial Council of California,</p> <p>My name is Catherine Torres. I am an Independent Judicial Interpreter specializing in Spanish (CCI #301470). I am writing to you today not just as a contractor, but as a dedicated professional who has spent 20 years ensuring equal access to justice in our courts. I am deeply concerned and hurt by the proposed changes to our payment policies, which feel like a direct threat to my livelihood and the profession I love.</p> <p>These proposed rules ignore the daily realities of our work in several critical ways:</p> <ul style="list-style-type: none"> <li>- <b>**Real Economic Hardship**</b>: Capping our rates and cutting travel reimbursements forces me to absorb rising operational costs out of my own pocket. It makes it financially impossible to sustain my independent business.</li> <li>- <b>**Unfair Administrative Burdens**</b>: Forcing complex, rigid invoicing systems onto independent interpreters like me add hours of unpaid administrative work, ignoring how local courts actually operate.</li> <li>- <b>**Overreaching Control**</b>: Dictating strict operational terms strips away my independence. It feels like being treated as an employee when it benefits the state, but without any of the job security or benefits.</li> <li>- <b>**Silencing Language Access**</b>: Driving qualified, certified Spanish-English interpreters out of the courts due to low pay will trigger severe labor shortages. The ultimate victims will be the vulnerable individuals of California who depend on me as their voice in the courtroom.</li> </ul> <p>I love my work, but I cannot afford to provide vital constitutional services at a financial loss. I urge the Judicial Council to pause these changes, listen to the real people on the ground, and work with us to find a fair solution.</p> <p>Sincerely,<br/>Catherine Torres</p> |
| <p>Cecile Bacarisa Fajardo<br/>CA, NV &amp; FL Certified Tagalog Court Interpreter<br/>Professionally Qualified Federal Court Tagalog Interpreter<br/>DOJ-EOIR Immigration Court Trained and Certified<br/>NAJIT &amp; ATIF</p> <p><b>Comment on behalf of org?: No</b></p> | Do not agree with proposed changes | <p>Dear Members of the Court Executives Advisory Committee and Judicial Council Staff,</p> <p>I respectfully submit this comment in opposition to key portions of SP26-05, the proposed revisions to the Payment Policies for Independent Contractor Interpreters.</p> <p>I support consistent statewide practices and meaningful increases in baseline compensation. However, the proposal's non-negotiable compensation ceiling, prohibition on additional compensation for complex assignments, and restrictive travel provisions risk undermining interpreter availability and meaningful language access.</p> <p>Independent contractor court interpreters are not court employees. We absorb the costs of self-employment taxes, insurance, credential maintenance, continuing education, professional liability, technology, scheduling gaps, travel, and uncompensated administrative and preparation time. A statewide rate ceiling based solely on federal rates does not account for California's highly variable local markets, language-specific scarcity, assignment complexity, or the real cost of accepting a court assignment rather than other professional work.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                                                 | Position                                                   | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
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|                                                                                                                                                                           |                                                            | <p>The proposal's Attachment A demonstrates substantial variation in compensation by language and region. For Tagalog, reported average full-day contractor payments ranged from \$202 to \$689 across regions in fiscal year 2024–25, while half-day averages ranged from \$135 to \$424. This variation shows that interpreter markets are not uniform. A single non-negotiable statewide cap may make it difficult for courts to secure qualified interpreters in high-cost or high-demand markets, especially for less commonly available languages such as Tagalog, urgent assignments, extended matters, and assignments requiring substantial travel.</p> <p>I also urge the Judicial Council to reconsider the travel provisions. Travel reimbursement should fully and fairly address authorized mileage, travel time, lodging, meals, and other necessary business expenses. Interpreters should not be forced to absorb financial losses in order to make language access possible in rural, distant, or difficult-to-staff courts.</p> <p>I respectfully request that the Judicial Council revise SP26-05 to:</p> <ul style="list-style-type: none"> <li>• Preserve a documented exception process permitting compensation above the cap when necessary to secure a qualified interpreter.</li> <li>• Allow reasonable premiums for trials, complex proceedings, multiple language pairs, multiple locations, urgent requests, and hard-to-fill languages.</li> <li>• Provide full, preauthorized reimbursement for necessary travel time and business-related expenses.</li> <li>• Strengthen late-cancellation protection, including compensation for reserved interpreter time and lost work opportunities.</li> <li>• Include meaningful consultation with independent contractor interpreters, including interpreters of languages of lesser diffusion, before final adoption.</li> </ul> <p>Fiscal stewardship and language access are not competing values. Courts achieve sustainable language access by retaining qualified interpreters through policies that recognize the true professional and economic demands of independent contract interpreting. I urge the Judicial Council to revise this proposal before adoption. Thank you for considering my comments.</p> <p>Respectfully yours,</p> <p>Comments in Attachment</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <p>César Escobar, MBA, CHI<br/>Certified Healthcare<br/>Interpreter<br/>Independent Spanish-<br/>Language Interpreter</p> <p><b>Comment on behalf of<br/>org?: No</b></p> | <p>Agree with<br/>proposed<br/>changes if<br/>modified</p> | <p>I am submitting this comment regarding proposed revisions SP26-05 concerning payment policies for independent contractor interpreters.</p> <p>I am a Certified Healthcare Interpreter and an independent Spanish-language interpreter. I have also received training in court interpretation, although I am not a California certified court interpreter. My professional work includes assignments in healthcare and legal-related settings, and my comments are offered from the perspective of an independent interpreter whose livelihood depends on the practical economics of accepting individual assignments.</p> <p>I support the Judicial Council's goal of creating greater consistency, predictability, and fiscal responsibility in the use of independent contractor interpreters. However, I respectfully encourage the Council to ensure that cost-containment and standardization measures do not unintentionally undermine the economic viability of independent interpreting work.</p> <p>I am particularly concerned about three areas: minimum engagement compensation, travel compensation, and compensation for reserved availability.</p> <p><b>Minimum Engagement Compensation</b><br/>The proposal expands the use of hourly compensation, including for brief assignments. While hourly compensation can be appropriate, I encourage the Council to preserve meaningful minimum-engagement protections. For an independent interpreter, a one-hour interpreting assignment rarely represents only one hour of professional commitment. The interpreter may need to decline other work because of scheduling conflicts, prepare for the assignment, travel to the location, arrive early, wait for proceedings to begin, and remain available for delays. A short assignment can therefore occupy a substantial portion of an interpreter's working day even when the actual interpreting time is brief. For this reason, minimum engagement periods are common and economically important in independent interpreting. I respectfully recommend that an hourly structure not be used in a manner that eliminates reasonable minimum compensation for an interpreter who has reserved time for the court, deposition preparation, worker's compensation qualified medical evaluations, and more.</p> <p><b>Travel Time and Mileage</b><br/>I also encourage the Council to clearly preserve compensation for both mileage and reasonable travel time. Mileage reimbursement compensates an independent contractor for the expense associated with operating a vehicle. Travel-time compensation addresses a different economic cost: the professional time during which the interpreter is unavailable to accept other paid assignments. For example, an interpreter who travels one hour each way for a one-hour proceeding may commit approximately three hours to the assignment even before accounting for early arrival or assignment delays. Reimbursement for</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                               | Position                                              | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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|                                                                                                                                         |                                                       | <p>mileage alone does not compensate for that loss of productive professional time. The standardized Independent Contractor Interpreter Agreement should therefore contain clear and reasonable provisions addressing both mileage and travel time, particularly for assignments requiring significant travel.</p> <p><b>Reserved Availability</b><br/>The proposed policy appropriately recognizes that an interpreter contracted for a half-day, full-day, or other defined period must remain available to the assignment for that period.<br/>If an independent contractor is required to reserve a block of time and cannot freely accept competing assignments during that period, compensation should recognize the economic value of that reserved availability.<br/>Independent interpreters do not receive the salary, guaranteed hours, benefits, paid leave, or other protections associated with employee status. Their ability to remain available to courts and the wide range of industries that depend upon individual assignments being economically sustainable.<br/>I therefore encourage the Council to adopt a guiding principle that compensation should reflect not only the minutes during which interpretation actually occurs, but also the reasonable professional availability that the assignment requires the independent contractor to reserve.</p> <p><b>Broader Impact</b><br/>Although my primary certification is in healthcare interpreting rather than court interpreting, compensation practices established by major public institutions usually have a direct influence on the standards adopted throughout the broader interpreting industry.<br/>For that reason, I encourage the Judicial Council to establish a model that demonstrates that responsible cost management and fair independent-contractor compensation are compatible goals.<br/>Standardization can provide valuable consistency. However, it should not result in a system in which qualified independent interpreters are expected to absorb uncompensated travel time, accept economically impractical short assignments, or reserve substantial portions of their workday without appropriate compensation.<br/>I respectfully request that the Judicial Council, in finalizing SP26-05, specifically preserve:<br/>1. Reasonable minimum-engagement compensation for hourly assignments;<br/>2. Separate and appropriate compensation for mileage and necessary travel time; and<br/>3. Compensation structures that recognize the economic value of an interpreter's reserved availability.</p> <p>Thank you for the opportunity to comment and for considering the perspective of independent interpreters working throughout California.</p> |
| <p>Chansun Nishimura,<br/>California<br/>Certified/Registered Court<br/>Interpreter</p> <p><b>Comment on behalf of<br/>org?: No</b></p> | <p>Do not<br/>agree with<br/>proposed<br/>changes</p> | <p>Dear Judicial Council,</p> <p>I am writing to express my concern regarding the proposed changes to the Superior Court Payment Policies for Independent Contract Interpreters under SP26-05.</p> <p>I work as a freelance professional interpreter, and I strongly oppose setting a rigid maximum rate for independent contract interpreters. As independent contractors, we do not receive employee benefits, paid leave, health insurance, retirement benefits, or guaranteed work. We also bear our own business expenses, travel costs, scheduling risks, and unpaid time between assignments. For these reasons, interpreters must be allowed to negotiate rates that reflect the actual circumstances of each assignment.</p> <p>If courts are prohibited from paying above a fixed maximum rate, it will become increasingly difficult for experienced professional interpreters to continue accepting court assignments. For me personally, if compensation is capped at a level that does not fairly reflect the time, travel, professional qualifications, and opportunity cost involved, it may become financially impractical to continue doing this work.</p> <p>I am also concerned that a fixed cap could reduce the number of qualified and experienced interpreters willing to work for the courts. This would ultimately affect Limited English Proficient court users, who depend on accurate and professional interpretation in order to understand and participate meaningfully in legal proceedings.</p> <p>The courts should preserve flexibility to negotiate compensation based on factors such as interpreter availability, language scarcity, travel distance, assignment length, scheduling limitations, and difficulty in filling a particular assignment. A statewide rate may be useful as a minimum or general guideline, but it should not operate as a non-negotiable ceiling.</p> <p>I respectfully ask the Judicial Council to revise SP26-05 so that courts retain the discretion to pay above the stated rates when circumstances justify it. Independent contractors should be treated as independent professionals and should retain the ability to negotiate fair compensation for their services.</p> <p>Thank you for considering my comments and for recognizing the important role professional interpreters play in ensuring meaningful access to justice.</p> <p>Sincerely,</p> <p>Chansun Nishimura<br/>California Certified/Registered Court Interpreter</p>                                                                                                                                                                                                                                                   |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                 | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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| Christina Zubelli, M.Ed.<br>State Court Certified Interpreter<br><br><b>Comment on behalf of org?: No</b> | Do not agree with proposed changes | <p>Dear Judicial Council of California,</p> <p>I am writing to express my strong opposition to the proposed revisions outlined in Invitation to Comment SP26-05.</p> <p>As a State Court Certified Interpreter, I am deeply concerned that non-negotiable rate ceilings, rigid scheduling rules, and restricted travel reimbursements will drive experienced credentialed professionals away from court work.</p> <p>Particularly troubling is the provision treating a rate refusal as "unavailability," which creates a loophole to replace certified interpreters with uncredentialed substitutes without informing the court user. Certification exists because judges and counsel cannot evaluate interpretation accuracy in real time. Replacing qualified professionals in this manner undermines the safeguard state certification was built to provide.</p> <p>California's 6.4 million Limited English Proficient residents require competent interpretation to safeguard their due process rights. Capping rates and removing court flexibility will ultimately lead to interpreter shortages, court delays, and compromised justice.</p> <p>I urge the Judicial Council to reject SP26-05 and preserve the flexibility needed to retain certified court interpreters.</p> <p>Respectfully submitted,</p> <p>Christina Zubelli, M.Ed.</p> <p>State Court Certified Interpreter</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Clara Watson<br><br><b>Comment on behalf of org?: No</b>                                                  | Do not agree with proposed changes | <p>I respectfully suggest that the Judicial Council take note of some of the issues raised by SP26-05. Please consider some of the many problems posed by SP-26-05:</p> <ol style="list-style-type: none"> <li>1) It eliminates the now available arrangement for a workable, flexible, court by court set up.</li> <li>2) Though presented as a pay raise, it is in actuality a pay cut in disguise.</li> <li>3) It treats independent contractors as employees.</li> <li>4) It blurs the boundaries that define morning and afternoon schedules.</li> <li>5) It makes too easy the default to non-certified interpreters, thus allowing shoddy interpreting.</li> </ol> <p>These are only a few of the many problems raised by this proposal.</p> <p>Please take these insights into account as you reconsider your proposal</p> <p>Regards,<br/>Clara Watson</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Claudia Calle Moenaert.<br>Certified Spanish Interpreter<br><br><b>Comment on behalf of org?: No</b>      | Do not agree with proposed changes | <p>Dear Judicial Council,</p> <p>I submit these comments in strong opposition to the proposed revisions in SP26-05.</p> <p>The proposal's rigid rate structure fixed four- and eight-hour blocks, elimination of clear morning/afternoon session definitions, and restrictive travel rules will likely discourage certified interpreters from accepting court assignments. As experienced interpreters withdraw or limit their availability, courts will face increasing challenges in securing qualified professionals.</p> <p>Of particular concern is the proposal's definition of "unavailability." The draft states that an interpreter is considered unavailable if they "are unwilling to accept the maximum compensation rate established in the policy." Once that determination is made, and after a diligent search, the court may appoint a nonregistered or noncertified interpreter under rule 2.893. This provision effectively turns a simple rate refusal into a formal finding of unavailability. In practice, it creates a financial incentive to replace a certified interpreter who declines the capped rate with someone who has never passed a certification examination. Limited English Proficient court users are not informed when this substitution occurs. Certifications exist because neither the judge nor counsels can assess the accuracy of interpretation in real time. By converting a cost-control measure into a structural preference for less-qualified interpreters, the proposal undermines the very safeguard that certification was designed to provide. This is not language access; it is the appearance of language access at the expense of accuracy and due process. This outcome directly impacts California's Limited English Proficient population—approximately 6.4 million residents, or one in six people. Ensuring meaningful language access is a fundamental due-process obligation, not an optional cost. When certified interpreters are discouraged by rigid and non-negotiable policies, the quality of interpretation suffers, increasing the likelihood of errors, continuances, and, in severe cases, mistrials or miscarriages of justice. Any short-term budget savings will be far outweighed by the long-term costs of addressing these failures and systemic gaps. California has a longstanding commitment to ensuring language access for all residents. This proposal undermines that commitment. I strongly urge the Judicial Council to reject the current draft and preserve the flexibility needed to recruit and retain highly qualified certified interpreters.</p> <p>Kind Regards,<br/>Claudia Calle Moenaert</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                   | Position                                  | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      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|                                                                                                                             |                                           | <p>Certified Spanish Interpreter<br/>Certification number 100733</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         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| <p>Claudia P. Reyes<br/>Professional Interpreter and independent contractor</p> <p><b>Comment on behalf of org?:</b> No</p> | <p>Do not agree with proposed changes</p> | <p>As a professional Interpreter for 9 years and constituent of yours in the Inland Empire, California, I wanted to alert you to forthcoming state regulations at California's Department of Industrial Relations (DIR). These new rules could put me and millions of Californians in harm's way. I ask your help to solve this problem.</p> <p>The DIR's Division of Workers Compensation (DWC) is about to set rules that endanger ALL injured workers and state residents with limited English proficiency and people who are deaf or hard of hearing. That's more than 4 million Californians.</p> <p>The DIR/DWC responds mainly to the interests of the insurance companies, considering insurers its primary stakeholders. This puts at risk the interests of California workers, reliable language access, accurate case records, health, and justice—especially during rule-making. It comes despite leaders among California's professional Interpreters expressing our concerns to the DIR as subject-matter experts and principal stakeholders on matters of language access.</p> <p>Even worse, DIR has indicated it may try to enact new rules without going through the full process of receiving feedback or deliberating with key stakeholders in workers' compensation, language access, or disability rights before implementation. This new set of policies, unless there is strong push back, are likely to open the door to fraud and deepen the present discrimination faced by non- or limited English speakers and Californians who are deaf or hard of hearing (who qualify for "auxiliary aids" including interpreting "services" in DIR settings under section 9708.1 of state regulations).</p> <p>Did you know that outright fraud by a Florida company called One Call is already hurting Californians because DIR has allowed this bad operator into administrative settings? This discredited, out-of-state company is favored by insurance carriers. Its non-professional contractors are routinely cited for errors, sloppiness and unpreparedness, lack of clarity, incompleteness, cancellations, delays, and conflicts of interest. One Call was also just named in a court settlement in L.A. for "fraud," "impersonation" of credentialed Interpreters, and use of "fake" Interpreters: <a href="https://capitnet.org/ajjic-v-one-call-corporation-what-was-won-and-what-was-left-on-the-table/">https://capitnet.org/ajjic-v-one-call-corporation-what-was-won-and-what-was-left-on-the-table/</a></p> <p>Californians pay the costs of allowing in bad corporate operators like this with our tax dollars and our lives. Did you know that uncertified, non-professional Interpreters make 11 times more errors that hurt patients than do professional Interpreters with at least 100 hours of training? <a href="https://www.npr.org/sections/health-shots/2014/10/27/358055673/in-the-hospital-a-bad-translation-can-destroy-a-life">https://www.npr.org/sections/health-shots/2014/10/27/358055673/in-the-hospital-a-bad-translation-can-destroy-a-life</a></p> <p>Getting new rules that rein in fraud, protect reliable language access, and update the outdated, 32-year-old, exploitative fee schedule is an existential issue for me and my profession.</p> <p>So is it too for the hundreds of people, including injured workers, whom we serve in this community. My profession, led by groups like California Association of Professional Interpreters and Translators (CAPIT) is ready to continue doing the work to guide state officials to write humane, sustainable rules. But DIR has NOT yet been forthright or respectful in this process.</p> <p>Rules by DIR that neglect the needs of injured workers and undercut the requirement of reliable language access could shut down hundreds of highly trained, skilled professional Interpreters who provide reliable language access in medical and legal proceedings in the state. We are predominantly small-business operators. A strong majority of us are immigrants and women.</p> <p>In California, professional Interpreters must pass an accredited exam to be certified. Thousands have done so since the last workers' compensation reform bill AB 863 in 2013. According to earlier drafts of the new rules, Interpreters will not be required to be certified or pass any test, and can be "deemed certified" by insurance companies, a practice that, thanks to a loophole created by AB 863, has run rampant.</p> <p>Will DIR side with One Call—as the agency seems poised to do—or with Californians, our diverse workforce, our requirement of reliable language access, and our progress towards dignity and justice? These are the stakes. What a shame it would be for DIR to go backwards when lawmakers are working to move California forwards on language access.</p> <p>Can you assist me and all constituents and colleagues who share this concern about language access by contacting the</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                                                             | Position                                  | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
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|                                                                                                                                                                                       |                                           | <p>DWC?</p> <p>We urge the DWC to withdraw or substantially revise the proposal, retain the market rate that prevails over minimums (as in current rules in section 9795.3 or regulations), base any changes on valid California-specific data (which Interpreters have offered to DIR, to no avail), consult industry stakeholders, and ensure full rule making with adequate public comment (beyond a shortened, 10–20 day period).</p> <p>Oversight by lawmakers is absolutely crucial. Please let me know how you might engage DIR and assist in fixing this problem, protecting injured workers, and preserving livelihoods of thousands of professional Interpreters.</p> <p>Sincerely,</p> <p>Claudia P. Reyes</p> <p>Professional Interpreter and independent contractor</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <p>Claudia Rubio Samulowitz</p> <p>Federal and State Court-certified Spanish interpreter<br/>Alpha - Global Language Consultants, LLC</p> <p><b>Comment on behalf of org?: No</b></p> | <p>Do not agree with proposed changes</p> | <p>SP26-05 - August 24, 2026</p> <p>Position on Proposal<br/>Do not agree with proposed changes</p> <p>Comments<br/>To the Honorable Members of the Judicial Council of California:</p> <p>Re: Public Comments on Proposed Revisions SP26-05</p> <p>I am a Spanish-certified court interpreter and the owner of an agency that provides interpreting services in languages of lesser diffusion, including Indigenous languages from Mexico, Central, and South America. I respectfully submit these comments in strong opposition to the proposed revisions in SP26-05.</p> <p>Impact on Certified Interpreters</p> <p>The proposal's non-negotiable rate structure, rigid four- and eight-hour blocks, removal of clear definitions of morning/afternoon sessions, and tightly restricted travel rules will significantly reduce certified interpreters' willingness to accept court work. Once experienced interpreters withdraw or limit their availability, the courts will face greater difficulty covering calendars with qualified professionals.</p> <p>Of particular concern is the proposal's definition of "unavailability." The draft states that an interpreter is considered unavailable if they "are unwilling to accept the maximum compensation rate established in the policy." Once that finding is made, and after a diligent search, the court may appoint a nonregistered or noncertified interpreter under rule 2.893. This provision turns a simple rate refusal into a legal finding of unavailability. In practice, it creates a direct financial incentive to replace a certified interpreter who declines the capped rate with someone who has never passed a certification examination. Limited English Proficient court users are never informed that this substitution has occurred. Certification exists because neither the judge nor counsel can evaluate the accuracy of the interpretation in real time. By converting a cost-control measure into a structural preference for less-qualified interpreters, the proposal undermines the very safeguard the credential was designed to provide. This is not language access. It is the appearance of language access at the expense of accuracy and due process.</p> <p>Impact on Interpreters of Languages of Lesser Diffusion</p> <p>The consequences of this proposal are even more severe for interpreters working in languages of lesser diffusion, particularly Indigenous languages. Unlike Spanish, for which a state certification examination exists, no certification pathway is currently available in California — or anywhere in the United States — for most languages of lesser diffusion. Indigenous language interpreters may hold credentials issued outside the United States, but their qualifications cannot be formally recognized under the current California certification framework. Despite this, they are called upon to serve some of the most vulnerable court users in the state.</p> <p>Recruiting experienced and credentialed interpreters in these languages requires significant effort, and preparing them to work effectively in United States courtrooms demands extensive training in court protocols and specialized legal vocabulary. The proposed revisions in SP26-05 would make it financially unsustainable for specialized agencies to continue providing these services. Equally troubling is the likely alternative: when qualified agencies can no longer operate under the proposed terms, courts may turn to agencies or individuals who lack the same commitment to credentials and specialized training. The result would be bilingual individuals with no formal qualifications or court-specific preparation covering hearings in some of the most complex and consequential legal proceedings — an outcome that wastes public resources while placing Limited English Proficient court users at serious risk. The proposal does not eliminate the need for Indigenous language interpreters; it simply makes it harder to find qualified ones.</p> <p>Cases requiring these interpreters occur far less frequently than those involving higher-demand languages, and the</p> |

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|           |          | <p>pool of qualified interpreters is extremely limited. These interpreters depend on their ability to negotiate rates that reflect the market forces of supply and demand for qualified professionals, as well as the real cost of remaining ready to serve when needed. A non-negotiable rate structure that ignores these realities will make it even harder for courts to find qualified interpreters in these languages when they are needed most, leaving some of the most vulnerable court users without meaningful language access.</p> <p><b>AB5 Compliance</b></p> <p>The proposed rate structure raises serious concerns regarding compliance with California Assembly Bill 5 (AB5). Under the ABC test established by the California Supreme Court in <i>Dynamex Operations West, Inc. v. Superior Court</i>, a worker may only be classified as an independent contractor if they meet three conditions: they are free from the control and direction of the hiring entity; they perform work outside the usual course of the hiring entity's business; and they operate an independently established business of the same nature as the work performed.</p> <p>By dictating non-negotiable rates, rigid scheduling blocks, and strict operational terms, the proposed revisions effectively assert control over the very conditions that define independent contractor status under AB5. Courts that engage interpreters under these terms risk misclassifying them as employees, exposing the judicial system to significant legal and financial liability. The proposal does not merely regulate rates — it fundamentally alters the nature of the relationship between the Court and the interpreters it engages.</p> <p><b>Due Process</b></p> <p>The consequences of replacing certified interpreters with less qualified alternatives extend far beyond administrative inconvenience — they strike at the heart of constitutional due process. A Limited English Proficient litigant who cannot follow testimony, consult counsel in real time, or accurately hear and respond to accusations is effectively denied the right to participate in their own legal proceeding.</p> <p>Certification standards exist precisely because neither judges nor attorneys can assess the accuracy of an interpretation as it occurs. When an uncertified or untrained individual serves as an interpreter, the risks are profound: legal terminology may be mistranslated, testimony may be summarized rather than rendered verbatim, and the official court record may be permanently distorted. The constitutional right to confront witnesses is meaningless if the interpretation of their testimony is inaccurate. These are not hypothetical risks — they are documented consequences of inadequate interpretation that have led to wrongful outcomes in courts across the country.</p> <p>By creating a financial incentive to substitute certified interpreters with less qualified alternatives, the proposed revisions do not merely reduce the quality of interpretation — they create the conditions for due process violations at scale.</p> <p><b>Language Access</b></p> <p>California has a legal and moral obligation to provide meaningful language access to its Limited English Proficient population. The proposed revisions undermine this obligation in ways that will reverberate throughout the court system.</p> <p>When certified interpreters are driven away by non-negotiable rates and inflexible terms, courts will increasingly rely on provisionally qualified or non-certified interpreters. The consequences are well documented: translation inaccuracies distort the official record; litigants and witnesses fail to fully comprehend charges, rights, and judicial instructions; and case delays multiply as courts spend additional time verifying qualifications or searching for available professionals. Equal access to justice cannot be achieved when the quality of interpretation depends on who was willing to accept a capped rate on a given day.</p> <p>Language access is not a courtesy extended to non-English speakers — it is a right guaranteed by federal and state law. The proposed revisions treat it as a budget line item. California's Limited English Proficient community, approximately 6.4 million people or one in six residents, deserves better.</p> <p><b>Conclusion</b></p> <p>California has long recognized the importance of language access in a diverse state. This proposal moves in the opposite direction. The proposed revisions to SP26-05 risk AB5 non-compliance, undermine constitutional due process, erode language access protections, and will drive experienced certified interpreters — including those serving the most vulnerable and underrepresented communities — away from court work. Any short-term budget savings will be vastly outweighed by the long-term legal, financial, and human costs of remedying these failures.</p> <p>I urge the Judicial Council to reject the current draft and maintain the flexibility necessary to attract and retain qualified certified interpreters in all language pairs, including those of lesser diffusion.</p> |

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| <p>Claudia Y. Bautista<br/>Public Defender<br/>Ventura County Public Defender</p> <p><b>Comment on behalf of org?: Yes</b></p> | Do not agree with proposed changes | <p>I write on behalf of the Ventura County Public Defender to oppose SP26-05 as currently drafted. We support raising compensation rates that have been frozen since July 1, 2021. We oppose pairing that higher ceiling with the elimination of every mechanism courts now use to reach beyond it, because doing so converts a budget limit into a basis for appointing a less-qualified interpreter, exacerbating access to justice and inequality.</p> <p>For our clients, interpretation is not a convenience. It is often the only way a client can follow what is happening in the courtroom, speak confidentially with an attorney, weigh a plea offer and its consequences, make an informed decision, and take part in their own defense. Effective assistance of counsel depends on reliable communication between attorney and client. "A person unable to understand English who is charged with a crime has a right to an interpreter throughout the proceedings." (Cal. Const., art. I, § 14.) Government Code section 68561 permits a noncertified appointment only for good cause, on a record containing a finding that a certified or registered interpreter is unavailable, and rule 2.893 requires a diligent search to support that finding. SP26-05 would let the rate sheet deem an interpreter "unavailable" when the interpreter is merely unwilling to work for the maximum rate. That is not "unavailability." A qualified professional does not become unavailable because policy forbids the court from paying what the assignment costs.</p> <p>People v. Aguilar explains why this is a constitutional problem and not a scheduling one. In Aguilar (1984) 35 Cal.3d 785, the trial court borrowed the defendant's interpreter to interpret the testimony of prosecution witnesses. The Supreme Court reversed, holding that article I, section 14 entitles a defendant to an interpreter throughout the proceedings because the interpreter performs distinct and simultaneous functions: rendering the testimony of witnesses, enabling confidential communication with counsel, and interpreting the defendant's own words. Diverting the interpreter to one function deprived the defendant of the others.</p> <p>SP26-05 risks the same deprivation by different means, because it would permit video remote interpreting performed by a provisionally qualified interpreter. Those two departures compound: the least-credentialed interpreter would work under precisely the conditions that most punish inexperience — degraded audio, latency, rapid exchanges among the court, counsel, and witnesses, and no reliable channel for confidential consultation. An interpreter on a monitor cannot lean toward a client at counsel table and whisper a question during a plea colloquy, and cannot walk a client through a Tahl waiver of constitutional rights line by line while the calendar waits. Under Aguilar, that is not a diminished service; for part of the proceeding it is the absence of the guarantee itself. Remote interpretation should follow an individualized determination that it fits the proceeding, not a compensation-driven shortage.</p> <p>We respectfully urge the Judicial Council to revise SP26-05 to preserve courts' ability to pay above the standard rate when necessary to obtain a qualified interpreter, reasonably compensate necessary travel time, and ensure that financial considerations alone do not result in the substitution of non-certified or remote interpreters.</p> <p>The State should not address an interpreter workforce and compensation problem by reducing the quality of language access available to those whose liberty and fundamental rights are at stake. For these reasons, the Ventura County Public Defender's Office respectfully opposes SP26-05 as drafted.</p> |
| <p>Cristian Ruiz<br/>California certified court interpreter. English-Spanish.</p> <p><b>Comment on behalf of org?: No</b></p>  | Do not agree with proposed changes | <p><b>Position on Proposal</b><br/>Do not agree with proposed changes</p> <p><b>Comments</b></p> <p>1. The work schedule from 8-12 and 1-5 will not work for contract interpreters in the courts. Each county has its own policy and the good interpreters abide by what each county requires of them. There is no need for a contractor to stay until 5 pm. Any county can tell you that. I'm afraid these proposals were developed by people who don't know much about how court interpreting works.</p> <p>If a contractor does not want to follow the guidelines from each county where they work, that contractor will likely not be contracted again.</p> <p>2. I am Ok with the base pay being the same as that for federal court interpreters. The federal rate is about to go up. Therefore, our rate should go up to reflect the new federal rate.</p> <p>3. The counties tend to hire contractors that live close by as much as they can. It is obvious that a contractor that lives farther away needs to charge more due to longer hours of driving and cost of gas and vehicle use. And it should be up to each county to negotiate with the interpreters how much they are willing to pay to allow for the different situations that they find in dealing with each interpreter.</p> <p>4. The wording of your proposal basically rubber-stamps the use of non-certified interpreters in the California courts. This is a difficult job. It requires considerable skill and knowledge to do it well. The certification requirement makes sure that a certified interpreter is competent to do this job. How can you now simply erase arbitrarily what has taken so long to build? Again, these proposals really seem to come from people with zero knowledge of the job and all that is required from an interpreter and the level of demand placed on us. Not everybody is able to do this job successfully.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

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| <p>Cristina Camero<br/>Certified Medical Interpreter<br/>CAPIT</p> <p><b>Comment on behalf of org?: No</b></p> | <p>Do not agree with proposed changes</p> | <p>Do not agree with proposed changes</p> <p>Dear Judicial Council,</p> <p>I urge the Judicial Council to reject Proposal SP26-05.</p> <p>Although presented as a rate increase, the proposal would impose non-negotiable compensation ceilings, require interpreters to remain for entire blocks regardless of actual need, blur the boundaries between separate proceedings, and significantly restrict travel reimbursement. These provisions may reduce costs on paper, but they risk making Superior Court assignments economically impractical for many certified interpreters.</p> <p>The predictable result is that some of the most qualified interpreters will stop accepting assignments. Even more concerning is the proposal's treatment of interpreter "availability." If a certified interpreter declines the proposed rate, the court may treat that interpreter as unavailable and appoint a provisionally qualified interpreter instead. The LEP party is not necessarily informed that the certified interpreter was unavailable because the interpreter could not accept the court's compensation terms.</p> <p>That creates a troubling incentive structure. A certified interpreter who declines an inadequate rate can effectively be replaced by someone who has not passed California's certification examination.</p> <p>This is not simply a question of compensation. It is a question of the quality and reliability of language access in California's courts.</p> <p>Court interpretation requires specialized knowledge, training, and demonstrated competency. Errors are not always obvious to the judge, attorneys, or the LEP party at the time they occur. A mistranslated statement, omitted qualification, or misunderstood legal term can affect the outcome of a proceeding without anyone realizing it until much later.</p> <p>California's LEP population is enormous. Millions of Californians rely on interpreters to understand proceedings that can affect their liberty, families, finances, immigration status, and other fundamental legal rights. The State should not adopt policies that make it harder for qualified interpreters to remain in the court system.</p> <p>There is also a serious false-economy problem here.</p> <p>Reducing interpreter compensation and flexibility may save money in the short term, but the costs do not necessarily disappear. They can reappear as interpreter shortages, delayed hearings, continuances, repeated proceedings, disputes over the accuracy of the record, appeals, and loss of public confidence in the courts.</p> <p>The Judicial Council should not balance its budget by shifting the cost of inadequate language access onto LEP court users.</p> <p>If the Council's goal is to control costs, it should do so without creating a financial incentive to replace certified interpreters with less-qualified alternatives. A revised proposal should preserve meaningful compensation for certified interpreters, provide reasonable travel reimbursement, recognize actual interpreting time and separate proceedings, and ensure that an interpreter is not deemed "unavailable" simply because the interpreter cannot accept a non-negotiable rate.</p> <p>Language access is not meaningful if the interpreter who is most qualified to provide it cannot afford to accept the assignment.</p> <p>I respectfully urge the Judicial Council to withdraw Proposal SP26-05 and develop a policy that protects both fiscal responsibility and the quality of interpretation on which California's LEP court users depend.</p> <p>Respectfully,</p> <p>Cristina Camero</p> |
| <p>Crystal Davis<br/>Interpreter</p> <p><b>Comment on behalf of org?: No</b></p>                               | <p>Do not agree with proposed changes</p> | <p>Dear Members of the Judicial Council,</p> <p>I am writing to express my strong opposition to proposal SP26-05. This proposal should be rejected in its entirety.</p> <p>According to a landmark study by the World Health Organization, language interpretation is the third most stressful occupation in the world. It ranks right behind airline pilots and air traffic controllers. We would never compromise public safety by placing lives in the hands of uncertified pilots just to save money for insurance carriers. Yet, this proposal does the exact same thing to our court. It favors short-term cost-cutting over the vital work of qualified professionals who have spent years perfecting their craft.</p> <p>Furthermore, do the Council, practicing attorneys, and judges, truly want to see the integrity of our legal system, jeopardized by a reliance on non-certified interpreters? While a rare few may have natural talent, the vast majority lack a rigorous training needed to ensure justice and due process. Our dedicated community of certified interpreters deserves greater respect and consideration from judicial leadership.</p> <p>Before these changes cause irreversible damage, two critical questions must be answered:</p> <ol style="list-style-type: none"> <li>1. Who actually benefits from these proposed changes by the DIR/DWC and the California Judicial Council?</li> <li>2. Who will ultimately suffer the consequences when legal and medical errors occur?</li> </ol> <p>I have served as a certified interpreter for over 30 years. For myself and many of my colleagues, this work is not just a profession - it is a true vocation.</p> <p>I urge the Council to protect language access and withdraw this proposal.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                      | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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|                                                                                                                                |                                    | Thank you very much for your time.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Damaso Vidalon<br>Language Consultant &<br>Medical-Legal Specialist<br><br><b>Comment on behalf of<br/>           org?: No</b> | Do not agree with proposed changes | <p>The Judicial Council of California and the Rules Committee:</p> <p>As an elite, double-certified Language Consultant, National Board Certified Healthcare Interpreter (CCHI #009680), ATA Certified Translator (#9130), and holder of a formal Law Degree practicing actively within San Francisco County, I strongly oppose the proposed revisions to the payment policies under Item SP26-05. While the proposal is framed as a fee increase, it represents an artificial wage suppression mechanism that severely degrades the independent contractor model and directly compromises due process protections for California's 6.4 million Limited English Proficient residents. I reject this proposal based on five critical operational and legal parameters.</p> <ol style="list-style-type: none"> <li>1. <b>ELIMINATION OF MARKET NEGOTIATION FREEDOM:</b> Capping compensation at rigid, non-negotiable levels strips independent professionals of the ability to adjust rates for hard-to-cover emergency calendars, travel differentials, and complex medical-legal cross-examinations. Certified experts will simply decline court assignments, triggering a dangerous flight of premium talent away from public service.</li> <li>2. <b>EXPLOITATIVE SESSION BOUNDARIES:</b> Forcing independent contractors to remain tethered to rigid 4-hour and 8-hour blocks while eliminating clear historical session boundaries (e.g., morning 8:00–12:15 vs. afternoon 1:00–5:15) effectively treats independent operators like employees without providing any W-2 benefits, overtime protections, or retirement security.</li> <li>3. <b>SURRENDER OF LANGUAGE QUALITY ACCESS:</b> By allowing courts to default to uncertified or unregistered individuals under the simple administrative guise that a certified interpreter was "unavailable"—solely because a qualified professional rejected a suppressed, non-market rate—this proposal actively incentivizes sub-standard performance. Incompetent interpretation causes severe structural harm, resulting in delayed proceedings, mistrials, and miscarriages of justice.</li> <li>4. <b>SEVERE DISCRIMINATORY IMPACT:</b> Capping fees for the scarcest language professionals in the state (including indigenous languages of lesser diffusion) runs directly counter to California's long-standing constitutional mandate for equal access to justice.</li> <li>5. <b>REVENUE SUPPRESSION CROSSOVER:</b> This rigid ceiling will immediately cross over into the Division of Workers' Compensation (DWC) framework, compounding economic injury across the entire California medical-legal grid. If the state intends to manage its budget, it must not do so by sacrificing the constitutional due process rights of vulnerable court users and the economic sovereignty of certified specialists.</li> </ol> <p>For these reasons, I urge the Judicial Council to completely reject Proposal SP26-05 and preserve independent market rate adjustments.</p> |
| Daniel Hsueh<br>Certified Court Interpreter<br><br><b>Comment on behalf of<br/>           org?: No</b>                         | Do not agree with proposed changes | <p>Dear Judicial Council,</p> <p>I submit these comments in strong opposition to the proposed revisions in SP26-05.</p> <p>The proposal's non-negotiable rate structure, rigid four- and eight-hour blocks, elimination of clear morning and afternoon session definitions, and restrictive travel provisions will significantly reduce certified interpreters' willingness to accept court assignments. If experienced interpreters leave the system or limit their availability, courts will face increasing difficulty covering calendars with qualified professionals.</p> <p>Of particular concern is the proposal's definition of "unavailability." The draft provides that an interpreter is considered unavailable if they "are unwilling to accept the maximum compensation rate established in the policy." Once an interpreter is deemed unavailable, and after a diligent search, the court may appoint a nonregistered or noncertified interpreter under Rule 2.893.</p> <p>This provision effectively turns a simple disagreement over compensation into a legal finding of unavailability. In practice, it creates a troubling incentive to replace a certified interpreter who declines a capped rate with someone who has never passed a certification examination.</p> <p>Limited English Proficient court users are not necessarily informed when such a substitution occurs. Yet certification exists for an important reason. Neither a judge nor counsel can reliably evaluate the accuracy of an interpreter's work in real time simply by listening to the interpretation. Certification provides an essential safeguard for accuracy, competency, and due process.</p> <p>By allowing cost considerations to result in the replacement of a certified interpreter with a noncertified interpreter, the proposal risks undermining the very language-access protections the certification system was designed to provide. This is not meaningful language access. It creates the appearance of language access while placing accuracy and due process at greater risk.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

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|                                                                                                                                                         |                                           | <p>This issue directly affects California's Limited English Proficient population, which includes approximately 6.4 million people, or roughly one in six California residents. Meaningful language access is a fundamental component of due process, not an optional expense.</p> <p>When qualified certified interpreters are discouraged from accepting assignments because of inflexible and non-negotiable compensation terms, the quality and reliability of interpretation may suffer. Interpretation errors can lead to misunderstandings, delays, continuances, and, in the most serious cases, mistrials or other injustices. Any short-term budgetary savings could ultimately be outweighed by the costs associated with correcting these consequences.</p> <p>California has long recognized the importance of meaningful language access in a diverse state. The proposed revisions, however, risk moving in the opposite direction.</p> <p>I respectfully urge the Judicial Council to reject the current draft of SP26-05 and preserve the flexibility necessary to attract and retain qualified certified court interpreters. A strong and sustainable interpreter system is essential to ensuring that Limited English Proficient court users receive the accurate, competent, and meaningful language access that due process requires.</p> <p>Respectfully,<br/>Daniel Hsueh<br/>Certified Court Interpreter<br/>Mandarin Chinese</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <p>Daniel Navarro et. al.<br/>Daniel Navarro, CALI Chair<br/>California Alliance of Legal Interpreters</p> <p><b>Comment on behalf of org?:</b> Yes</p> | <p>Do not agree with proposed changes</p> | <p>Language Access Unfulfilled</p> <p>It is well established that trial courts in our diverse state need more skilled, professional certified and registered interpreters to fulfill the Judicial Council of California's (JCC) commitment to language access in order to provide interpreter services in all proceedings - a woefully unfulfilled goal, more than ten years after the Judicial Council adopted California's Language Access Plan (LAP).</p> <p>California trial courts do not track or report unmet needs for language access services. The significant costs to the court system, court users, and public perception of justice go unmeasured and undocumented.</p> <p>Adopted in 2015, the LAP was the result of decades of work by legal services and immigrant rights organizations to expose the adverse impacts of inadequate language access on due process and fairness for linguistic minorities and the ensuing US DoJ investigation.</p> <p>As detailed by a coalition of legal services organizations in comments submitted on August 4, 2026 to the JCC's Advisory Committee on Providing Access and Fairness (PAF) Language Access Subcommittee, these problems persist:</p> <p>"Language barriers deepen longstanding inequities based on race, language, and disability that must be addressed in order to realize a comprehensive vision of access to justice. Across the state, we continue to see incidents of inadequate access to services for court users with limited English proficiency (LEP)."</p> <p>The 48-page report gives specific examples<sup>1</sup> of how linguistic minorities are harmed when interpreter services are not available or are delayed. The direct experience of Region 2 staff interpreters confirms significant deficiencies and delays, supporting the report's assertion that "the promises of the 2015 Strategic Plan for Language Access in the California courts remain unrealized" and "the critical need for a comprehensive evaluation of the current state of language access in the California courts."</p> <p>Language Access Requires Stable Workforce and Commitment of Resources</p> <p>Despite consistent funding and interpreter budget surpluses, California's trial courts have historically resisted committing necessary resources to provide competent interpreters throughout the court system.<sup>2</sup> The much lamented "shortage" of certified and registered interpreters has been created and perpetuated by a failure to recognize and value our skills and expertise.</p> <p>To ensure reliable and high quality language access, with more predictable and sustainable costs, the core issue of competitive compensation needs to be addressed comprehensively, in a manner that balances the scales by providing flexible options and competitive compensation to employees and contractors.</p> <p>The proposed increase in contractor compensation to match the federal rate is a necessary and important step. But it is a narrowly focused response to only part of the problem. Employee recruitment and retention is the other crucial piece that must be addressed, with arguably greater potential to meet the need for reliable services in a manner that stabilizes costs while expanding and protecting high quality services for linguistic minorities.</p> <p>Proposed Changes to Contractor Compensation Policy</p> <p>CALI supports making the federal rate that goes into effect October 1 the official state rate for independent</p> |

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|           |          | <p>contractors. Particularly in the greater Bay Area (Region 2 under the Interpreter Act), the standing practice in most courts has been to adopt the federal benchmark for setting contractor wages. Under the guise of increasing pay to the federal rate, however, other proposed changes are misguided and could make matters worse.</p> <p>Capping per diem rates or restricting the flexibility to negotiate compensation on a case-by-case basis risks leaving courts without the essential services of certified and registered interpreters to meet the needs of court users, and could mark a return to using unqualified interpreters. It would also treat independent contractors as quasi-employees rather than the free agents they are. Contractors can and will vote with their feet.</p> <p>Undermining Stable Employment and Increasing Reliance on Contractors</p> <p>California's trial courts have a severe recruitment and retention crisis that is undermining the employment system and interpreters' labor rights. The JCC Report on Court Interpreter Expenditures for FY 2024-25 describes "an imbalance between rising contractor costs and static employee costs."</p> <p>The pay disparity between employee and contract interpreters has been growing steadily, with minimal wage growth for staff interpreters and contractors earning at or above the federal rate. Expenditure data shows that the recruitment and retention crisis is significantly more acute in Region 2. While contract interpreter expenditures make up 39% of total expenditures statewide, the Region 2 figure is 62% of total expenditures.</p> <p>This has resulted in an exodus of certified and registered interpreters from the employment system, a 42% staffing loss in less than ten years in Region 2, where interpreter vacancy rates are significantly higher than for other staff positions such as court reporters and clerks. In the highest cost region in the state, staff interpreters are underpaid by any measure. Maximum earnings for an experienced interpreter in Region 2 are 12% below the low-income threshold while an entry level staff interpreter earns 28% below the low income threshold.</p> <p>A comparison of other court positions in state and federal courts shows that clerks, court reporters, attorneys and judges are paid comparable salaries in state and federal courts. Only staff interpreters are treated differently. We share the same skills and provide the same services, and yet California court interpreters are paid substantially less than our counterparts in federal court.<sup>3</sup></p> <p>Interpreters bargain in a regional process that has resulted in wage stagnation and unequal wage growth compared with other employee groups in the Bay Area trial courts. Over the 21 year period since court interpreters first gained collective bargaining rights, our wage growth has been dramatically lower than courtroom clerks and court reporters who bargain court by court.<sup>4</sup> Interpreters' average cumulative wage growth over this period was just 39%, compared with 55% for courtroom clerks and 91% for court reporters. During this same period, consumer prices experienced a total inflation rate of 71-72%.</p> <p>CALI reviewed 2025 contractor use and payment data for Region 2 courts showing large numbers of contractors working at or near full time in the region's trial courts. In all languages, daily compensation exceeds total staff compensation including salary and benefits. Predictably, employees have left employment only to return as contractors, working fewer hours for substantially higher pay. New applicants are scarce and vacancies go unfilled.</p> <p>These conditions violate specific provisions of the Trial Court Interpreter Employment and Labor Relations Act and undermine the legislature's intent and purpose that courts use employees with labor rights, rather than independent contractors.</p> <p>How we got Here: Historical Unequal Treatment of Court Interpreters</p> <p>In the largest and most diverse court system in the country, court interpreters remain a marginalized workforce that has been separate and unequal for decades. Treated less favorably than other workers performing essential services in the courts, we are paid far less than other professionals with similar skills sets and qualifications. These disparities are detailed in CALI's public comments at the JCC July 17, 2026 meeting.</p> <p>For decades, contract interpreter compensation has also been neglected. Though the budget act has long given authority to set compensation "up to the rate paid in the federal courts," the JCC has increased the contractor per diem only three times in 25 years (2000, 2007 and 2021). The clear aim of the policy proposal is to reduce expenditures though the actual language of the proposal has not been made publicly available, making it difficult to accurately assess the changes intended. The foreseeable outcome, however, is an effective cut to contractor compensation without stabilizing expenditures or expanding and improving services, thereby continuing the courts' long history of denying the value of our skills and the essential services we provide.</p> <p>For decades, court interpreters were excluded from employment. Legislation enacted in 2003 required the courts to create employment positions, with labor rights, protections, and benefits. When we bargained our first contracts in 2005, the depressed contractor rate set a low bar for initial salaries with no wage increases. Though a large majority had worked full time for many years in the trial courts, interpreters were forced to pay for the privilege of benefits previously denied.</p> |

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|           |          | <p>Trial courts have kept staff interpreter wages low despite consistent funding from the legislature. In the twenty years since the employment system began, every bargaining region has refused to set competitive compensation based on a fair and accurate assessment of proven demand for our services. And even as the JCC reluctantly accepts the federal rate as the prevailing reality for contractor compensation, the courts refuse to acknowledge that federal pay parity is equally incumbent in bargaining staff interpreter wages.</p> <p>With a dwindling workforce of employees and rising need for services, local courts have had to compete with each other and the private sector for the services of professional interpreters, by paying rates often exceeding the federal per diem. Rather than provide services in their local communities, contractors have increasingly opted to commute long distances to far-flung courts and recoup large sums in travel time and mileage.</p> <p>Travel related expenses have been a driving factor in rising expenditures. In FY 2024-25, these ancillary expenses drew nearly six million dollars from the Region 2 interpreter budget, comprising a full quarter of contractor costs. None of those dollars were spent on their intended purpose - providing actual language services.</p> <p>Other Misguided Solutions</p> <p>Lowering contractor pay or attempting to cut contractor use without increasing the staff interpreter workforce will not improve access for linguistic minorities. Court administrators seem willing to try anything but setting competitive pay to retain the existing workforce of staff interpreters and recruit already certified interpreters to employment.</p> <p>The frequently touted solutions to the courts' self-imposed staffing shortage betrays a lack of understanding of the required skills and knowledge and a lack of respect for the high standards that have been rightly established by the Legislature and the JCC:</p> <ul style="list-style-type: none"> <li>• Further lowering certification exam standards from 70% to 60%, as proposed for years by court administrators 60% is a failing grade.</li> <li>• Expanded use of remote interpreting to cut costs and allegedly expand access to certified interpreters</li> </ul> <p>The notion that a remote interpreter is an adequate substitute for in-person one is delusional. Courts are using wholly inadequate technologies and platforms that are slow, cause delays, and limit access. Coupled with bad connections and toxic sound, increased use of ad hoc systems not designed for interpreting diminishes LEP participation and language access quality, impedes complete and accurate interpretation, and harms interpreter health and wellbeing. Under these pressures, remote interpreting is becoming increasingly prevalent in languages of lesser diffusion, setting up a level of second-class access for non-Spanish LEP court users.</p> <ul style="list-style-type: none"> <li>• Workforce pilot projects</li> </ul> <p>Without a competitive salary and career growth to attract applicants with the requisite language proficiency, expecting even viable candidates to become certified and enter employment will not solve the recruitment and retention crisis.</p> <p>These ideas are not viable solutions that protect language access and due process for LEP court users.</p> <p>Conclusion</p> <p>The courts need more skilled certified and registered interpreters and will continue to need employees and contractors. The increased costs associated with the courts' growing reliance on independent contractors are the direct consequence of undermining the employment system and the legacy of undervaluing our work as contractors and employees for decades.</p> <p>Unless coupled with competitive compensation that incentivizes employment, the proposed policies will not succeed in stabilizing expenditures without undermining services. California trial courts are in urgent need of a course correction and must commit resources to stabilize costs and services if the promise of providing language access to all court users is ever to become a reality.</p> <p>---</p> <p><sup>1</sup> Failure to provide interpreters in judicial proceedings:<br/> <a href="https://crla.org/sites/default/files/2026-08/Judicial-Council-written-comment-language-access_080426.pdf#page=9">https://crla.org/sites/default/files/2026-08/Judicial-Council-written-comment-language-access_080426.pdf#page=9</a></p> <p><sup>2</sup> From 2003-2011, interpreter funding surpluses were diverted for other purposes until the practice was eventually exposed and stopped. Prior to 2010, the courts spent approximately \$25 million in interpreter funds for other purposes. They did so without specific approval to allocate those monies for a different use, as unspent surpluses were mingled with other reserves in the trial court trust fund. More recently, significant surpluses have been spent down to cover deficit spending due to rapidly rising costs for independent contractors.</p> <p><sup>3</sup> State court salaries are 35% less for entry level positions and 47% less at the top of the salary scale.</p> <p><sup>4</sup> The comparison looked at wage growth in Santa Clara and San Francisco for three positions: court clerks, reporters</p> |

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|                                                                                                                                      |                                    | <p>and interpreters. Interpreters' average wage growth over this period was 30% below courtroom clerks and 57% below court reporters. Information for other courts was requested but not available.</p> <p><sup>5</sup> Interpreters in Region 2 did not have salary steps for the first 15.5 years of employment 2003-2017. A salary scale was implemented in October 2017 that significantly boosted the overall average wage growth to 39%, still far below other employee groups. However the Region refused at that time to increase the bottom step. Wage growth at the entry level has been even flatter, at 25% over 21 years.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <p>Daniel R Sosa<br/>L.A.C.</p> <p><b>Comment on behalf of org?: No</b></p>                                                          | Do not agree with proposed changes | <p>It's about the ability to serve the public: there are less interpreters doing more work than ever before; Very delicate work in civil &amp; criminal &amp; front and center the public mental health crisis. It's very unreasonable to impose a very arbitrary administrative requirement on a group that already has to do 30 hrs continuing education bi-annually as well as all in Courthouse Ce studies. the co. It's the continuation of the current arbitration as to staffing: dictatorial &amp; unqualified.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <p>Daniela Schmidt<br/>Romanian Registered Interpreter<br/>CIMCE Provider<br/>Author</p> <p><b>Comment on behalf of org?: No</b></p> | Do not agree with proposed changes | <p>Dear Judicial Council,</p> <p>I am a registered court interpreter who works in Romanian, a language of lesser diffusion. I applaud Proposal SP26-05 that increases the interpreter rates but I have serious concerns about the non-negotiability ceiling, no clear session boundaries, and considering interpreter's rate refusal as legal unavailability. This gives the courts green light to use unqualified provisional interpreters. This in turn put the Romanian Registered interpreters at risk of not being able to have 40 assignments every two years. There are courts that have been using the same Romanian non-registered interpreters for 20 years without requiring them to take the exam after two years, as the Interpreter Act provides.</p> <p>Unfortunately, I have first-hand knowledge of what happens when government agencies, investigating bodies and the courts are using non-registered, unqualified Romanian interpreters. The Romanian LEPs are not offered due process. They already face greater barriers to finding competent interpretation. Removing the ability to negotiate fair terms for the Romanian interpreters on the Judicial Council's Master List, has a discriminatory effect. It reduces the Romanian LEP's access to the same quality of language assistance that speakers of more common languages can still expect.</p> <p>Many investigative bodies and attorneys turn either to unqualified, non-registered interpreters, relatives or even AI to help them communicate. This results in inaccuracies, sometimes illegal outcomes that often requires the deposition, procedure or process to start de nuovo, high appeal rates, and revisions that costs the courts infinitely more, while seriously shaking the public confidence in the justice system.</p> <p>Cases requiring interpreters in languages such as mine occur far less frequently than those involving higher-demand languages. The number of qualified interpreters in my language pair is limited to nine for the whole California, and I am in high demand to provide services throughout the state. Interpreters who maintain proficiency and availability in Romanian depend on the ability to negotiate rates that reflect the supply and demand market forces on qualified professionals and the real cost of remaining ready to serve when needed.</p> <p>The current proposal eliminates that flexibility. By imposing non-negotiable maximum rates, unclear time blocks and removing the capacity of individual courts to adjust compensation for hard-to-cover languages and calendars, the Judicial Council practically denies due process to the Romanian LEPs. For instance, trials in my language pair are rare, but when they occur the courts must provide registered interpreters that work in teams. This is very challenging when there are just nine registered interpreters on the list to cover the trial and the other 20 courts that might have Romanian need in the same period of time.</p> <p>We consider our duty to serve the courts and offer due process to the Romanian LEPs. I urge the Judicial Council to preserve the negotiability of interpreter fees so that qualified interpreters can remain available when these court users need them.</p> <p>Thank you for considering this my comment.</p> <p>Kind regards,</p> <p>Daniela Schmidt</p> <p>Romanian<br/>Registered Interpreter</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                                                             | Position                                                   | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           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|                                                                                                                                                                                       |                                                            | <p>CIMCE Provider<br/>Author</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  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| <p>David B. Shafer, Founder<br/>&amp; Certified Interpreter<br/>Founder &amp; Certified<br/>Interpreter<br/>dfs interpreting.com</p> <p><b>Comment on behalf of<br/>org?: Yes</b></p> | <p>Agree with<br/>proposed<br/>changes if<br/>modified</p> | <p>To Whom It May Concern:</p> <p>It has come to my attention that there is an upcoming proposal to change fees for independent contractors like myself, and create a uniform payment and policy plan. I appreciate the opportunity to chime in on this topic, since I actively interpret in trial courts and live in an area that often requires a lot of travel time to get to and from different courthouses.</p> <p>I reside in Shasta County; specifically, in the City of Redding. There are two certified interpreters in our county: Me and Doug. Occasionally, there's a third, certified interpreter, who comes and goes from his home in Spain. That's Fernando. Fernando is in his late 70's and will retire soon, leaving Doug and I to cover all of the work within 100+ miles around Redding.</p> <p>In town, we are paid an average of \$750.00 to \$1,000.00 per day. Outside of town-but still in the rural parts of Northern California-we earn the same wage plus travel fees, mileage, lodging and M&amp;I. In the private sector, it is common to earn our full-day, trial court rate for a half-day, so the courts are lucky to have us at those rates for a full-day instead. Between the three of us, we pretty much cover all of the in-person interpreting needs down to Yuba City, up to Oregon, and out to the Coast; or East, to Susanville and Alturas. That's a large area to cover and without compensation for travel time and expenses, the small courthouses would lose their ability to hire certified interpreters or any interpreter at all, for that matter.</p> <p>Perhaps in the big cities, there are many individuals who work as interpreters but are not certified. Not here. Any provision suggested to replace us with non-certified interpreters will fail, because there will be nobody to interpret in the courts. The only provisionally-certified interpreter up here is Jane, and she just retired. I personally operated an interpreting company for many years, and had to hire people from Sacramento or the Bay Area to come up and cover legal matters. There simply aren't any professionally trained interpreters in this area.</p> <p>Our local court has recently taken the position that this new proposal is law, and since neither Doug or myself can afford to work as many days at such a rigid pay cut, the court has had to pay much more to bring in interpreters from far away. We are told that they have a large budget for travel expenses but not for a per diem rate. We don't buy that but that is between you and the CEO. With your new proposal for travel expenses, that will soon change and then, our local court will be begging for interpreters to come and help. Or...</p> <p>I guess that takes us to the option of having the courts work remotely. We've all tried that. I mean, we were forced to adapt when the pandemic hit. Remote work did not work for everyone and many courts have gone back to allowing in-person interpreting only. But let's just say it was forced. First, you'll go to the database that you keep for remote interpreters and since you will have lost most every one of your independent contractors who were earning more than \$566.00 per day, the remote interpreters will be overworked and get burned out. Eventually, most will quit. Then, you're back to square one, but since you starved the independent contractors and forced them to find work elsewhere, they will keep their newfound freedom and better paying jobs elsewhere and once again, end up overpaying for travel expenses or winding up with courts competing with each other for the few resources available. How does that help change anything for the good?</p> <p><b>CONCLUSION</b></p> <p>Perhaps, we could think of reasonable solutions that keep interpreters working, which will also keep the California courts working. I mean, what is the point of strictly enforcing a fee of \$566.00 per day if that is all we can aspire to earn in a day? Isn't that what employees already do? In Northern California, the courts are having to pay an extra \$700 to \$1,500.00 additionally in travel expenses each and every day, instead of paying their local interpreters \$200.00 to \$300.00 more each day to keep things running smoothly. I'm not great at math, but that's a HUGE difference when you multiply that times thousands each day!</p> <p>Perhaps a solution would be to remove the 100-day cap on independent contractors and allow us local interpreters to work as often as our courts need us. Another option-for counties that do not have enough work to support a "staff" interpreter (like ours and many others around Northern California)-would be to continue paying us between \$750.00 and \$1,000.00 daily, a rate which slowly increases annually with inflation and actual costs of living. Removing the 100-day cap and keeping a fair wage where one is already being paid will save the annual budget tons of money that is currently being wasted on travel expenses to bring in out-of-town interpreters to counties with local interpreters who can do the work.</p> <p>Thank you for your time and consideration.</p> <p>Very Truly Yours,<br/>David B. Shafer</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                      | Position                                       | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
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| <p>David Gala<br/>Staff interpreter at a CA court</p> <p><b>Comment on behalf of org?: No</b></p>                                              | <p>Agree with proposed changes if modified</p> | <p>I am currently a staff interpreter at a CA court.</p> <ul style="list-style-type: none"> <li>- I agree with raising the day and half day rate to the Federal Rate for Spanish contract court interpreters. I would also adjust it automatically every year to the new Federal Rate so it doesn't fall behind, as it always does, causing an imbalance between what contractors make working for the courts versus the private market, making it hard for the courts to hire contractors.</li> <li>- Disagree with not allowing courts in exceptional circumstances to pay above the Federal Rate. There may be courts that don't have enough certified interpreters in their area that may not be able to find anyone available.</li> <li>- Would rather expand the use of VRI with the use of certified interpreters than the use of non-certified interpreters.</li> <li>- Would require that the agencies or vendors that provide remote interpreting use certified interpreters for those languages that are certified.</li> <li>- As far as "the interpreter being available for the entire contracted period," it is either redundant or pointless, depending how is to one to interpret the word "available". One would expect that currently the contract interpreters would not be released while their services are still needed. At the same time keeping them at the courthouse once it is known their services are not required anymore is not only pointless, but will make it harder to hire said interpreters. In the private market a certified interpreter will be hired, e.g., to cover a half day or full deposition, but is not expected to remain at the location once the deposition is done.</li> <li>- Strongly disagree with not defining half day as either morning or afternoon. The courts are competing with the private market for contract interpreters, and legal assignments in the latter are scheduled as either morning or afternoon. Otherwise the interpreter would only be able to get one job in the course of a whole work day, effectively halving his/her/their earnings.</li> <li>- Agree with a policy that doesn't allow for the consolidation of mileage into the compensation rate, only if the Federal Rate is adopted. There has been much abuse of this practice because of the official rate being so low.</li> </ul>                                                                                                                                                                                                                                                           |
| <p>David Joseph Sutton:<br/>Public Defender<br/>Marin County Public Defender</p> <p><b>Comment on behalf of org?: Yes</b></p>                  | <p>Do not agree with proposed changes</p>      | <p>The Marin County Public Defender's Office opposes SP26-05 as currently drafted. While we support increasing compensation rates for independent contractor interpreters, the current proposal eliminates the flexibility courts need to secure qualified interpreters when the prearranged rates are insufficient.</p> <p>Interpretation is not a convenience for Public Defender clients. It is the sole means by which a person can understand the proceedings, communicate confidentially with counsel, evaluate a plea offer, make informed decisions, and meaningfully participate in their defense – when their liberty is at stake. Effective assistance of counsel depends upon reliable communication between attorney and client, especially when utilizing word-for-word interpretation.</p> <p>We are particularly concerned that the proposal would allow a certified or registered interpreter to be considered "unavailable" simply because the interpreter will not accept the maximum rate. The answer to an inadequate rate should be to preserve a mechanism to obtain a qualified interpreter at reasonable compensation—not to deem that interpreter unavailable and resort to a less qualified service provider.</p> <p>This concern is especially significant for courts that must bring interpreters from other counties or locate interpreters for less common languages. A rigid statewide compensation structure, particularly without adequate compensation for travel time, risks creating a two-tier system in which access to qualified interpretation depends upon geography.</p> <p>Remote interpretation is an important tool, but it is not a substitute for qualified in-person interpretation in every case. Among other concerns, remote interpretation can make confidential, real-time attorney-client communication extremely difficult during a hearing.</p> <p>I urge the Judicial Council to revise SP26-05 to preserve courts' ability to pay above the standard rate when necessary to obtain a qualified interpreter, reasonably compensate necessary travel time, and ensure that financial considerations alone do not result in the substitution of non-certified or remote interpreters.</p> <p>The State should not address an interpreter workforce and compensation problem by reducing the quality of language access available to those whose liberty and fundamental rights are at stake. For these reasons, the Marin County Public Defender's Office respectfully opposes SP26-05 as drafted.</p> <p>Regards,<br/>David Joseph Sutton<br/>Marin County Public Defender</p> |
| <p>Debra Watkins-Snow<br/>Federally and California<br/>State Certified Spanish<br/>Interpreter</p> <p><b>Comment on behalf of org?: No</b></p> | <p>Do not agree with proposed changes</p>      | <p>Dear Judicial Council,</p> <p>Proposal SP26-05 should be rejected.</p> <p>Under the banner of a rate increase, the Council is imposing non-negotiable ceilings, forcing interpreters to remain for entire blocks regardless of actual need, erasing clear session boundaries, and severely restricting travel reimbursement. The predictable result is that many certified interpreters will simply stop accepting Superior Court work. The proposal creates a direct financial incentive to replace certified interpreters with provisionally qualified ones. When a certified interpreter declines the non-negotiable rate, the draft allows the court to declare that interpreter "unavailable" and appoint someone who has never passed a certification exam. The LEP party is not told this has happened. Errors by non-credentialed interpreters are rarely caught in the moment.</p> <p>Turning a rate refusal into a legal finding of unavailability converts a cost-control measure into a structural preference</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                                                                                 | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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|                                                                                                                                                                                                           |                                    | <p>for less-qualified interpreters. This is not language access. It is the appearance of language access at the expense of accuracy and due process.</p> <p>California has 6.4 million Limited English Proficient residents—one out of every six people in the state. These court users have a constitutional right to understand the proceedings that affect their liberty, families, and livelihoods. When the State makes it economically and practically unattractive for qualified interpreters to serve, it is the non-English-speaking public that pays the price through delayed cases, inaccurate interpretation, mistrials, and miscarriages of justice.</p> <p>Cutting interpreter flexibility to save money is false economy. The real cost will appear later in repeated hearings, appeals, and damaged public confidence in the courts. The Judicial Council should not balance budgets on the backs of Limited English Proficient Californians.</p> <p>I urge the Council to withdraw this proposal.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <p>Denise E. Choate<br/>Spanish<br/>Translator/Interpreter,<br/>California Certified Court<br/>Interpreter, Federally<br/>Certified Court Interpreter</p> <p><b>Comment on behalf of<br/>org?: No</b></p> | Do not agree with proposed changes | <p>Hello,</p> <p>I would like to offer the following comments regarding the Revisions to Payment Policies for Independent Contractor Interpreters.</p> <p>1. Uniform Compensation: Thank you for bringing in a statewide, uniform rate of compensation for independent contractor court interpreters. They have all deserved this rate of compensation for a long time. But the Payment Policies that go into effect on January 1, 2027 should reflect the new federal rate as of October 1st of this year: \$617 full day, \$349 half day, and \$87 hourly.</p> <p>2. Travel Time: It's a bad idea to impose restrictions on payment for travel time, that is, time the interpreter takes to drive their own vehicle to an assignment. Some counties with a shortage have successfully cured their shortages by using interpreters from other counties and paying travel time – in addition to mileage – as an incentive. A competitive rate of per-hour travel time – such as \$80 – should be included in the Agreement for independent interpreters.</p> <p>3. Cancellation Fees: Expand the compensation for cancellation to include payment for assignments cancelled with less than 48 hours' notice, or even 72 hours'. Don't alienate interpreters who will then make themselves less available if they can't count on fulfilling an assignment already booked. Cancellation should not be viewed by interpreter coordinators as a cost-cutting measure, only as a measure of last resort. Pursuant to this paragraph, I would like to add the following:</p> <p>4. Education of Interpreter Coordinators as to State Budgetary Provisions for Interpreters: A county I used to work in (Monterey) would cancel other interpreters and me aggressively. Sometimes it could maybe be justified, such as when trials were rescheduled. But other times by cancelling interpreters, there were gaps in services. The bottom line, though, was we quit making ourselves available and got work elsewhere.</p> <p>Whatever the case, the primary justification given to me by the interpreter coordinator was always that, "We don't have the money." According to information provided to me by CFI, in fiscal 2021-22, Monterey still had about half of its budgetary allotment remaining as of three months before end of that fiscal year. And that was when they were fully staffed. When I worked for them, in fiscal 23-24 and 24-25, they were not fully staffed.</p> <p>In 2025, I sent the coordinator and the court operations manager an email informing them that interpreters have their own line item on the judiciary budget, we are funded separately, and not out of the court's general budget, and there was no lack of funds. So I ask:</p> <p>* Are court executives, finance managers and coordinators told about how the interpreter budget works so they don't focus on "saving money" on the backs of interpreters?</p> <p>* Or have these courts taken their interpreter funding allotment, and merged it with the court's general budget to cure their shortfalls for other services? Is any audit conducted as to this?</p> <p>Thank you for your consideration to these issues.</p> <p>and the Independent Contractor Interpreter Agreement.</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                       | Position                                       | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
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| <p>Diana Arcos.<br/>Interpreter</p> <p><b>Comment on behalf of org?:</b> No</p> | <p>Agree with proposed changes if modified</p> | <p>Position: Agree with proposed changes if modified</p> <p>I am writing to submit comments regarding SP26-05, Court Interpreters: Revisions to Payment Policies for Independent Contractor Interpreters.</p> <p>I am a professional Spanish-English interpreter who provides interpreting services in legal, governmental, educational, community, and other professional settings. I support the Judicial Council's efforts to modernize the compensation structure for independent contractor court interpreters, increase maximum compensation, create greater statewide consistency, and establish clearer travel and contractual policies.</p> <p>However, I support SP26-05 only if several provisions are modified to preserve fair compensation, professional autonomy, interpreter availability, and long-term language access for California court users.</p> <p><b>Non-Negotiable Rates</b></p> <p>I am particularly concerned with the proposed implementation of non-negotiable rates. Standardized rates can provide predictability and administrative efficiency, but eliminating all ability to negotiate fails to account for legitimate differences among assignments.</p> <p>Language availability, geographic location, interpreter qualifications, specialized expertise, emergency or last-minute requests, lengthy travel, complex proceedings, and documented difficulty locating a qualified interpreter can substantially alter the cost and burden of accepting an assignment.</p> <p>I respectfully recommend that the Judicial Council establish standard rates while preserving a clearly defined exception process for unusual or difficult-to-fill assignments. Courts should be permitted to authorize enhanced compensation when documented circumstances demonstrate that the standard rate is insufficient to secure a qualified interpreter.</p> <p><b>Independent Contractor Economics</b></p> <p>Independent contractors bear business costs that employees generally do not bear directly, including self-employment taxes, professional insurance, credentialing and continuing-education expenses, administrative time, equipment, technology, travel, unpaid preparation, and periods without billable work.</p> <p>For this reason, interpreter compensation should not be evaluated solely as an expenditure to be contained. Rates must also remain sufficient to recruit and retain highly qualified professionals.</p> <p>A compensation structure that saves money in the short term but discourages experienced interpreters from accepting court assignments may ultimately increase costs through interpreter shortages, scheduling difficulties, continuances, administrative burdens, and reduced language access.</p> <p><b>Travel Compensation</b></p> <p>I support statewide consistency in travel reimbursement. However, the policy should clearly distinguish between reimbursement for mileage and expenses and compensation for professional travel time.</p> <p>Mileage compensates for use of a vehicle. It does not compensate an interpreter for several hours during which the interpreter cannot reasonably accept another assignment.</p> <p>When substantial travel is required because a qualified interpreter is unavailable locally, reasonable travel time should be compensable in addition to mileage, parking, tolls, lodging, or other authorized expenses.</p> <p><b>Reserved Time and Minimum Compensation</b></p> <p>I support half-day and full-day compensation structures because interpreter services cannot reasonably be valued solely according to minutes spent actively interpreting.</p> <p>When an interpreter accepts a four-hour or eight-hour assignment, that professional has reserved that portion of the workday for the court and may have declined other assignments in order to remain available.</p> <p>If interpreters are required to remain obligated to the court for the entire contracted period, they should receive the agreed compensation for that reserved period even when the actual proceeding concludes earlier than anticipated.</p> <p><b>Cancellation Protection</b></p> <p>The standardized Independent Contractor Interpreter Agreement should include clear and meaningful cancellation protections.</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                             | Position                                              | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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|                                                                                                                                                       |                                                       | <p>If a court reserves an interpreter's availability and the assignment is cancelled on short notice, the interpreter may have no reasonable opportunity to replace the lost work. The financial obligation should therefore be reciprocal: when the contractor is required to reserve the time exclusively for the court, the contractor should receive appropriate compensation for a late cancellation.</p> <p>I recommend establishing a clear statewide cancellation window and guaranteed compensation when cancellation occurs within that period, subject to reasonable exceptions.</p> <p>Languages of Lesser Diffusion and Credential Availability</p> <p>The final policy should also recognize that formal certification opportunities are not equally available for every language.</p> <p>An interpreter should not be economically disadvantaged merely because no certification examination exists for the language needed by the court. Compensation structures should consider professional qualifications, demonstrated competency, language scarcity, and the availability of recognized credentialing pathways.</p> <p>Periodic Rate Review</p> <p>I also recommend establishing a mechanism for periodic review of contractor rates rather than requiring interpreters to wait many years for comprehensive policy revisions.</p> <p>Future reviews should consider federal interpreter compensation, inflation, cost of living, credentialing expenses, regional workforce availability, travel costs, and data concerning the court's ability to recruit qualified interpreters.</p> <p>Conclusion</p> <p>I support the goals of greater statewide consistency, clearer contractual expectations, reasonable travel policies, and increased maximum compensation.</p> <p>However, cost containment should not come at the expense of professional interpreter retention, fair independent-contractor compensation, or meaningful language access.</p> <p>I respectfully urge the Judicial Council to adopt SP26-05 only with modifications that:</p> <ol style="list-style-type: none"> <li>1. Preserve an exception process for assignments requiring compensation above the standard rate;</li> <li>2. Provide fair compensation for substantial travel time in addition to mileage and expenses;</li> <li>3. Guarantee appropriate compensation for time exclusively reserved for the court;</li> <li>4. Establish meaningful statewide late-cancellation protections;</li> <li>5. Recognize language scarcity, qualification level, and the availability of certification pathways;</li> <li>6. Provide a transparent mechanism for periodic rate review; and</li> <li>7. Ensure that cost-containment measures do not undermine California's ability to recruit and retain qualified professional interpreters.</li> </ol> <p>Independent contractor interpreters are not simply an administrative expense. We are an essential component of due process, meaningful participation, and equal access to justice for limited-English-proficient court users.</p> <p>A sustainable payment policy should protect both responsible stewardship of public funds and the professional workforce upon which California's language-access system depends.</p> <p>Respectfully submitted.</p> |
| <p>Dolores Campos<br/>Owner, Dolores Campos<br/>Interpreting<br/>Dolores Campos<br/>Interpreting</p> <p><b>Comment on behalf of<br/>org?: Yes</b></p> | <p>Do not<br/>agree with<br/>proposed<br/>changes</p> | <p>We urge the Judicial Council to reconsider Proposal SP26-05. Rigid, non-negotiable rates and reduced flexibility will reduce the availability of qualified certified court interpreters. Experienced certified interpreters will be driven away from court work. Courts will be forced to use non-certified, non-qualified interpreters. There will be more errors, delays, mistrials and miscarriages of justice. Limited English proficient residents will lose their access to qualified interpreters so their due-process rights are protected. We ask the Council to reject these changes and preserve the availability of courts to secure competent interpretation.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                                                             | Position                                    | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
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| Dolores M Righetti-<br>Certified Healthcare<br>Interpreter, Italian<br>Interpreter, Conference<br>Interpreter<br>Language Connections<br><br><b>Comment on behalf of<br/>org?: No</b> | Do not<br>agree with<br>proposed<br>changes | To Whom it may concern:<br>I urge the Judicial Council to reconsider Proposal SP26-05. Rigid, non-negotiable rates and reduced flexibility will drive experienced certified interpreters away from court work.<br>California's 6.4 million Limited English Proficient residents deserve consistent access to qualified interpreters so their due-process rights are protected. The Council should withdraw this proposal.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Domingo V. Salazar<br>Certified Healthcare<br>Interpreter<br>CCHI<br><br><b>Comment on behalf of<br/>org?: No</b>                                                                     | Do not<br>agree with<br>proposed<br>changes | Do not agree with proposed changes<br><br>To esteemed members of the JCRC. This short sighted revision to payment policies to Proposal SP26-05 will reduce the availability of qualified certified interpreters in our courts and also in medical clinics. When experienced professionals leave due to reduced and non-negotiable rates, which are proposed to be capped and Limited English Proficient Californians—approximately one in six residents—lose meaningful access to justice and care. I urge the Council to reject these changes and preserve the ability of courts and language limited recipients to secure competent interpretation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Donald Britton<br>California Certified Court<br>Interpreter<br><br><b>Comment on behalf of<br/>org?: No</b>                                                                           | Do not<br>agree with<br>proposed<br>changes | Dear Members of the Judicial Council of California,<br><br>I am writing to express my strong opposition to SP26-05 / Court Interpreters, because it raises various concerns:<br><br>If accepted, SP26-05 will negatively affect the quality of services LEP communities receive as LEP litigants rely on certified professionals to ensure access to equal justice and due process. LEP communities require the services of well-trained and highly skilled professional certified interpreters and translators. The changes outlined in SP26-05 will significantly affect the right of individuals to a meaningful defense and language access.<br><br>This proposal directly threatens the role and the profession of certified court interpreters. Several of the proposed changes are unheard of in other professions requiring rigorous testing, such as court reporters — another group of highly trained professionals who must capture everything said on the record, but only in one language. Certified court interpreters, by contrast, are responsible for accurately interpreting all spoken content in two languages, in real time. Additionally, a court reporter is not required to understand every utterance, while a certified court interpreter must be able to render each word in its linguistic equivalent.<br><br>Considering the level of skill, vocabulary and specialized training and practice the certified court interpreter profession entails, in addition to gargantuan efforts to achieve high accuracy and linguistic mastery of a wide variety of legal specialties, it is demoralizing to read SP26-05 — which devalues the profession under the guise of “cost-containment measures.”<br><br>The idea of any assignment at any location or via any media to be covered by any other individual who is not a California Certified Court Interpreter is preposterous and shortsighted, and will undermine the trust in California's Judicial System.<br><br>Regarding travel, all certified court interpreters must be well compensated for travel time when they need to cover long distances to meet the court's needs. Please keep in mind that, even if they wish to only work locally, the 100-day annual policy per county forces certified court interpreters to travel outside of their own area to make a living.<br><br>As for fees, contract court certified interpreters are not employees. Contract court certified interpreters work on a per-assignment basis; once the assignment is complete, they should be free to leave without additional administrative obligations — according to the Borello standard, which California has historically applied to contractual relationships.<br><br>Furthermore, establishing fixed, non-negotiable rates for contract court certified interpreters goes against market dynamics of supply and demand. As Sole Proprietors or incorporated owners, certified court interpreters are not an employee on a fixed salary and therefore must be able to negotiate their compensation, as other similar contract professionals providing services to the courts do — such as, again, Certified Court Reporters.<br><br>On that topic, the newly approved Federal Certified Court Interpreter Full Day rate of \$617, Half Day rate of \$349, and the new hourly rate of \$87, should not be caps, but rather a starting point to incentivize California Certified Court Interpreters to make themselves more available to local courts (again, within the restraints of the 100-day annual policy per county.) As an example, the current private market rate in the San Francisco Bay Area hovers around \$800-\$900 for a six-hour day.<br><br>Lastly, it would behoove the California Judicial Council to please include California Certified Court Interpreters from different regions of the State in committee discussions regarding their profession, in order to avoid proposals like |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                                                                                  | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
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|                                                                                                                                                                                                            |                                    | <p>SP26-05 which lack a global perspective and would harm the LEP community, as well as all California residents.</p> <p>Thank you,</p> <p>Donald Britton<br/>California Certified Court Interpreter</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <p>Dorothy Li<br/>Judicial Council Certified Court Interpreter<br/>U.S. Federal Court<br/>Professionally Qualified Interpreter<br/>Independent Interpreter</p> <p><b>Comment on behalf of org?: No</b></p> | Do not agree with proposed changes | <p>Position on Proposal<br/>Do not agree with proposed changes</p> <p>Comments<br/>Dear Judicial Council,<br/>I submit these comments in strong opposition to the proposed revisions in SP26-05.<br/>The proposal's non-negotiable rate structure, rigid four- and eight-hour blocks, removal of clear morning/afternoon session definitions, and tightly restricted travel rules will significantly reduce the willingness of certified interpreters to accept court work. Once experienced interpreters leave or limit their availability, the courts will face greater difficulty covering calendars with qualified professionals.<br/>Of particular concern is the proposal's definition of "unavailability." The draft states that an interpreter is considered unavailable if they "are unwilling to accept the maximum compensation rate established in the policy." Once that finding is made, and after a diligent search, the court may appoint a nonregistered or noncertified interpreter under rule 2.893. This provision turns a simple rate refusal into a legal finding of unavailability. In practice, it creates a direct financial incentive to replace a certified interpreter who declines the capped rate with someone who has never passed a certification examination. Limited English Proficient court users are never informed that this substitution has occurred. Certification exists because neither the judge nor counsel can evaluate the accuracy of the interpretation in real time. By converting a cost-control measure into a structural preference for less-qualified interpreters, the proposal undermines the very safeguard the credential was designed to provide. This is not language access. It is the appearance of language access at the expense of accuracy and due process.<br/>This outcome directly affects California's Limited English Proficient population—approximately 6.4 million people, or one in six residents. Meaningful language access is a due-process requirement, not an optional expense. When certified interpreters are driven away by inflexible and non-negotiable terms, the quality of interpretation declines. Errors, continuances, and in the worst cases mistrials or miscarriages of justice become more likely. Any short-term budget savings will be outweighed by the long-term costs of remedying those failures.<br/>California has long recognized the importance of language access in a diverse state. This proposal moves in the opposite direction. I urge the Judicial Council to reject the current draft and maintain the flexibility necessary to attract and retain qualified certified interpreters.<br/>Respectfully,<br/>Dorothy Li<br/>Judicial Council Certified Court Interpreter</p> |
| <p>Douglas Stewart</p> <p><b>Comment on behalf of org?: No</b></p>                                                                                                                                         | Do not agree with proposed changes | <p>Hi JC,<br/>I wanted to touch upon another theme which is important.<br/>It is the requirement to stay onsite for 8 hours on a full day or 1/2.<br/>The reason this would hinder things is because many courts need our services. Especially in the rural areas. Often, we are able to "run" from one place to another and make accommodations to the Court.<br/>Or we can take remote or zooms from other counties, while doing assignments in a County Courthouse. We can pop out into the hall or use an atty/client room.<br/>No doubt we appreciate making the extra money.<br/>More importantly, we are assisting the Courts. They need our services.<br/>So, facilitating more work would be more positive than restricting our work.<br/>We are working hard and traveling all over to attend to the Courts.<br/>We need to make more. NOT less.<br/>Douglas Stewart</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <p>Douglas Stewart<br/>Court Interpreter</p> <p><b>Comment on behalf of org?: No</b></p>                                                                                                                   | Do not agree with proposed changes | <p>Dear Judicial Council,<br/>I am JC # 559918, Douglas Stewart. I have been an interpreter since 1991. I am a professional, dedicated, Court Interpreter. Please let me add this:<br/>I travel: I take assignments from Portland to LA. Oftentimes I travel up to 8 hours each way. Seriously, I travel.<br/>My rates are:<br/>Trials: \$1,500<br/>Full Day 750<br/>1/2 day 500<br/>TT: \$44<br/>TM: .76<br/>This is the only reasonable rate scale. For "random" assignments. Meaning not 5 days a week in the same Court. If I could get a dedicated 5 days a week in the same court, I could make adjustments.<br/>Regardless, I have offered my local court a rate of \$566 if I could get all the assignments. BUT somehow, they divide</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                             | Position                                | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
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|                                                                                                                                       |                                         | <p>the assignments between interpreters, even if the others charge 850.00. I can't figure it out.</p> <p>Moreover: If you set the rate at 619.00 full day, TT\$80/hr., Tmiles: .76. I can do that. But what happens when I travel from Redding to Independence, INYO County. It will be 750 plus \$1120 TT, Plus \$608 = \$2,470. Right now, it is about \$1,700.00.</p> <p>So, I am all for the 619 / 80 /.76 let's do it.</p> <p>In reality we deserve \$2,500 per day. For what we do and the skill required.</p> <p>Thank you,</p> <p>Douglas Stewart</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <p>Duc Nguyen<br/>Certified Interpreter</p> <p><b>Comment on behalf of org?: No</b></p>                                               | Do not agree with proposed changes      | <p>Position on Proposal</p> <p>Do not agree with proposed changes</p> <p>Comments</p> <p>It's supply and demand. The proposed changes will definitely reduce the supply of certified interpreters who are willing to provide services and are willing to travel to different locations in the state to meet the language needs of the courts. The demand for these interpreters continues to grow.</p> <p>Through the certification process, the Judicial Council (JC) can assure the qualification of certified interpreters. Without this process, the JC has no way of knowing the quality of work non-certified interpreters provide. Therefore these proposed changes will lead to an equal level of service and legal challenges.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <p>Edgar Beltran</p> <p><b>Comment on behalf of org?: No</b></p>                                                                      | Do not agree with proposed changes      | <p>SP26-05 is a short-sighted cost-cutting measure that will harm California's 6.4 million Limited English Proficient residents. Driving certified interpreters out of the courts through rigid, non-negotiable rates will produce more errors, delays, mistrials, and miscarriages of justice. The Council should withdraw this proposal.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <p>Édgar Hidalgo<br/>Certified Court and Medical Interpreter<br/>www.hidalgoedgar.com</p> <p><b>Comment on behalf of org?: No</b></p> | Agree with proposed changes if modified | <p>Dear Sir or Madam,</p> <p>I support the proposal's recognition that video remote interpreting can expand language access and improve statewide efficiency. I am planning to transition fully to remote interpreting because travel throughout California has become increasingly prohibitive due to severe traffic congestion, high fuel costs, and the cost and difficulty of parking, particularly in major metropolitan areas.</p> <p>Many interpreters have urged courts to make greater use of remote interpreting. However, courts have been slower to embrace remote work for interpreters than for other court professionals, such as court reporters. Expanding VRI would allow courts to draw from a statewide pool of qualified interpreters, reduce unnecessary travel expenses, and provide coverage in locations where interpreters are otherwise difficult to secure.</p> <p>However, remote interpreting will not attract or retain qualified professionals merely because it is offered remotely. If courts increasingly replace half-day and full-day bookings with short hourly assignments, interpreters may be unable to reserve meaningful portions of their schedules for court work. Private agencies will continue offering half-day and full-day guarantees, making them more competitive. Hourly assignments should therefore be used for genuinely brief matters, not as a general substitute for reasonable booking minimums.</p> <p>I am also concerned about imposing a single federal-rate ceiling throughout a state as economically diverse and expensive as California. A federal rate may be workable in lower-cost markets such as Iowa, Mississippi, Arkansas, Oklahoma, West Virginia, or Alabama, but it is considerably less competitive in areas such as Los Angeles/San Francisco. Applying one nationwide benchmark without accounting for regional labor and operating costs is comparable to expecting the federal minimum wage to attract qualified professionals equally in every part of the country. A uniform ceiling does not create a uniform economic effect.</p> <p>Los Angeles County has offered a \$150 stipend in addition to negotiated compensation to attract interpreters but, to my understanding, continues to experience difficulty covering all its courtrooms. That means that an interpreter that has negotiated a professional fee of \$550 is now compensated \$700 a day (aside from travel time, mileage, meals, etc.).</p> <p>However, courts like Stanley Mosk, CJC, Antelope Valley, and others are constantly extremely short on coverage. This illustrates that the current shortage is not theoretical. Even with supplemental incentives, courts struggle to obtain sufficient qualified coverage.</p> <p>Qualified court interpreters remain scarce, and courts must compete with private agencies for the same professionals.</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                        | Position                                | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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|                                                                                                                  |                                         | <p>Private-sector compensation is often comparable to court compensation. Although private agencies may take longer to issue payment, many interpreters will accept that disadvantage if court rates become less competitive or court assignments provide insufficient guaranteed time.</p> <p>The likely result of reducing compensation in higher-cost regions is that experienced interpreters will accept more private-sector work, relocate to more favorable markets, or leave court interpreting altogether. This could ultimately increase scheduling difficulties, continuances, administrative burdens, and language-access costs—the opposite of the proposal’s intended purpose.</p> <p>I respectfully recommend that the Judicial Council expand meaningful access to remote assignments while preserving reasonable half-day and full-day guarantees and allowing regional flexibility in compensation. Cost containment is important, but it must be balanced against actual market conditions and the need to recruit and retain qualified interpreters. Otherwise, the proposed restrictions may produce short-term savings at the expense of long-term court access and operational efficiency.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Edna Lucía Santizo<br><br><b>Comment on behalf of org?: No</b>                                                   | Do not agree with proposed changes      | <p>Dear Judicial Council,</p> <p>I submit these comments in strong opposition to the proposed revisions in SP26-05.</p> <p>The proposal’s non-negotiable rate structure, rigid four- and eight-hour blocks, removal of clear morning/afternoon session definitions, and tightly restricted travel rules will significantly reduce the willingness of certified interpreters to accept court work. Once experienced interpreters leave or limit their availability, the courts will face greater difficulty covering calendars with qualified professionals.</p> <p>Of particular concern is the proposal’s definition of “unavailability.” The draft states that an interpreter is considered unavailable if they “are unwilling to accept the maximum compensation rate established in the policy.” Once that finding is made, and after a diligent search, the court may appoint a nonregistered or noncertified interpreter under rule 2.893. This provision turns a simple rate refusal into a legal finding of unavailability. In practice, it creates a direct financial incentive to replace a certified interpreter who declines the capped rate with someone who has never passed a certification examination. Limited English Proficient court users are never informed that this substitution has occurred. Certification exists because neither the judge nor counsel can evaluate the accuracy of the interpretation in real time. By converting a cost-control measure into a structural preference for less-qualified interpreters, the proposal undermines the very safeguard the credential was designed to provide. This is not language access. It is the appearance of language access at the expense of accuracy and due process.</p> <p>This outcome directly affects California’s Limited English Proficient population—approximately 6.4 million people, or one in six residents. Meaningful language access is a due-process requirement, not an optional expense. When certified interpreters are driven away by inflexible and non-negotiable terms, the quality of interpretation declines. Errors, continuances, and in the worst cases mistrials or miscarriages of justice become more likely. Any short-term budget savings will be outweighed by the long-term costs of remedying those failures.</p> <p>California has long recognized the importance of language access in a diverse state. This proposal moves in the opposite direction. I urge the Judicial Council to reject the current draft and maintain the flexibility necessary to attract and retain qualified certified interpreters.</p> <p>Respectfully,</p> |
| Eduardo A. Welter<br>President<br>World class Interpreting Services<br><br><b>Comment on behalf of org?: Yes</b> | Agree with proposed changes if modified | <p>The administrations of the Superior Courts of CA have created a statewide shortage of interpreter employees by underpaying employees and paying higher wages to Independent Contractors.</p> <p>Staff interpreters should be paid the same rates listed in your proposal. If employees’ salaries are raised to what they deserve, interpreters will more than willing to work.</p> <p>Right now staff interpreters are leaving the courts by the dozens to work in the private sector.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Elena Velez<br>Interpreter<br><br><b>Comment on behalf of org?: No</b>                                           | Do not agree with proposed changes      | <p>SP26-05 is a short-sighted cost-cutting measure that will harm California’s 6.4 million Limited English Proficient residents. Driving certified interpreters out of the courts through rigid, non-negotiable rates will produce more errors, delays, mistrials, and miscarriages of justice. The Council should withdraw this proposal.</p> <p>Also, turning a rate refusal into a legal finding of unavailability converts a cost-control measure into a structural preference for less-qualified interpreters. This is not language access. It is the appearance of language access at the expense of accuracy and due process.</p> <p>Many years of working as a medical interpreter experience have grown my interest on becoming a Court Interpreter, but your proposed changes are seriously making me doubt about such decision.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                            | Position                                  | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
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| <p>Eleonora Ronconi<br/>Administrative Hearing<br/>Certified Interpreter<br/>#100752</p> <p><b>Comment on behalf of org?: No</b></p> | <p>Do not agree with proposed changes</p> | <p>Dear Judicial Council,</p> <p>Proposal SP26-05 should be rejected.</p> <p>Under the banner of a rate increase, the Council is imposing non-negotiable ceilings, forcing interpreters to remain for entire blocks regardless of actual need, erasing clear session boundaries, and severely restricting travel reimbursement. The predictable result is that many certified interpreters will simply stop accepting Superior Court work.</p> <p>The proposal creates a direct financial incentive to replace certified interpreters with provisionally qualified ones. When a certified interpreter declines the non-negotiable rate, the draft allows the court to declare that interpreter “unavailable” and appoint someone who has never passed a certification exam. The LEP party is not told this has happened. Errors by non-credentialed interpreters are rarely caught in the moment.</p> <p>Turning a rate refusal into a legal finding of unavailability converts a cost-control measure into a structural preference for less-qualified interpreters. This is not language access. It is the appearance of language access at the expense of accuracy and due process.</p> <p>California has 6.4 million Limited English Proficient residents—one out of every six people in the state. These court users have a constitutional right to understand the proceedings that affect their liberty, families, and livelihoods. When the State makes it economically and practically unattractive for qualified interpreters to serve, it is the non-English-speaking public that pays the price through delayed cases, inaccurate interpretation, mistrials, and miscarriages of justice.</p> <p>Cutting interpreter flexibility to save money is false economy. The real cost will appear later in repeated hearings, appeals, and damaged public confidence in the courts. The Judicial Council should not balance budgets on the backs of Limited English Proficient Californians.</p> <p>I urge the Council to withdraw this proposal.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <p>Eleonora Ronconi<br/>Certified interpreter</p> <p><b>Comment on behalf of org?: No</b></p>                                        | <p>Do not agree with proposed changes</p> | <p>Dear Judicial Council,</p> <p>I submit these comments in strong opposition to the proposed revisions in SP26-05.</p> <p>The proposal’s non-negotiable rate structure, rigid four- and eight-hour blocks, removal of clear morning/afternoon session definitions will significantly reduce the willingness of certified interpreters to accept court work. Once experienced interpreters leave or limit their availability, the courts will face greater difficulty covering calendars with qualified professionals.</p> <p>Of particular concern is the proposal’s definition of “unavailability.” The draft states that an interpreter is considered unavailable if they “are unwilling to accept the maximum compensation rate established in the policy.” Once that finding is made, and after a diligent search, the court may appoint a non-registered or non-certified interpreter under rule 2.893. This provision turns a simple rate refusal into a legal finding of unavailability. In practice, it creates a direct financial incentive to replace a certified interpreter who declines the capped rate with someone who has never passed a certification examination. Limited English Proficient court users are never informed that this substitution has occurred. Certification exists because neither the judge nor counsel can evaluate the accuracy of the interpretation in real time. By converting a cost-control measure into a structural preference for less-qualified interpreters, the proposal undermines the very safeguard the credential was designed to provide. This is not language access. It is the appearance of language access at the expense of accuracy and due process.</p> <p>This outcome directly affects California’s Limited English Proficient population—approximately 6.4 million people, or one in six residents. Meaningful language access is a due-process requirement, not an optional expense. When certified interpreters are driven away by inflexible and non-negotiable terms, the quality of interpretation declines. Errors, continuances, and in the worst cases mistrials or miscarriages of justice become more likely. Any short-term budget savings will be outweighed by the long-term costs of remedying those failures.</p> <p>California has long recognized the importance of language access in a diverse state. This proposal moves in the opposite direction. I urge the Judicial Council to reject the current draft and maintain the flexibility necessary to attract and retain qualified certified interpreters.</p> <p>By the way, I tried to post this in the website under Comments and it was closed... wasn’t it supposed to be open until Monday 24th?</p> <p>Respectfully,</p> |

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| <p>Elisa Cabal<br/>Certified court Interpreter<br/>U.S. Federal Court - CA<br/>State Court</p> <p><b>Comment on behalf of org?: No</b></p> | <p>Do not agree with proposed changes</p> | <p>Proposal SP26-05 will reduce the availability of qualified certified interpreters in our courts. When experienced professionals leave because rates are capped and inflexible, Limited English Proficient Californians—approximately one in six residents—lose meaningful access to justice. I ask the Council to reject these changes and preserve the ability of courts to secure competent interpretation.</p> <p>Thank you for the opportunity to comment,<br/>Sincerely,<br/>Elisa Cabal<br/>Certified court Interpreter<br/>U.S. Federal Court - CA State Court</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <p>Ellen McDonnell<br/>Public Defender<br/>Contra Costa Public<br/>Defender's Office</p> <p><b>Comment on behalf of org?: Yes</b></p>      | <p>Do not agree with proposed changes</p> | <p>August 24, 2026<br/>Judicial Council of California<br/>Language Access / Court Interpreters Program</p> <p>Submitted Electronically: <a href="mailto:invitations@jud.ca.gov">invitations@jud.ca.gov</a></p> <p>Re: (SP26-05) – Court Interpreters: Revisions to Payment Policies for Independent Contractor Interpreters -<br/>OPPOSITION</p> <p>Dear Members of the Judicial Council:</p> <p>As the Chief Public Defender for Contra Costa County, I am writing to oppose SP26-05 as currently drafted. While we support increasing compensation rates for independent contractor interpreters, we are concerned that the proposal eliminates the flexibility courts need to secure qualified interpreters when the prescribed rates are insufficient.</p> <p>The issue of language access impacts many of our community members here in Contra Costa, often impacting those that are the most vulnerable. For many of our clients, interpretation is critical as it is often the only way they can comprehend court proceedings, communicate confidentially with their assigned attorneys, consider critical decisions like plea offers, and participate meaningfully in their cases. Effective assistance of counsel depends on clear, reliable communication between attorney and client.</p> <p>We are especially concerned that the proposal would permit a certified or registered interpreter to be deemed “unavailable” simply because they decline the maximum compensation rate. If the standard rate is insufficient, the appropriate solution is to maintain a pathway for courts to secure qualified interpreters at a reasonable and fair level of compensation – not to classify those interpreters as unavailable and default to individuals with lesser qualifications.</p> <p>This issue is particularly acute for courts that must draw interpreters from other counties or locate interpreters for less common languages. A rigid statewide pay structure, especially one that does not adequately account for travel time, risks creating a two tier system in which access to qualified interpretation varies by geography.</p> <p>Remote interpretation is a valuable tool, but it cannot substitute in all circumstances for skilled, in person interpretation. Among other challenges, remote interpretation can severely impede confidential, real time attorney client communication during hearings.</p> <p>We therefore respectfully urge the Judicial Council to revise SP26 05 to preserve courts’ ability to pay above the standard rate when necessary to secure qualified interpreters, provide reasonable compensation for required travel time, and ensure that financial considerations alone do not result in the use of non certified or remote interpreters.</p> <p>Addressing interpreter workforce and compensation concerns should not come at the expense of the quality of language access provided to individuals whose liberty and fundamental rights are at stake. For these reasons, the Contra Costa County Public Defender’s Office respectfully opposes SP26 05 as currently drafted.</p> <p>Sincerely,</p> <p>Ellen McDonnell<br/>Public Defender<br/>Contra Costa County</p> <p>Sincerely,<br/>/s/ Ellen McDonnell<br/>Ellen McDonnell<br/>Public Defender</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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| Elva Reyes-Espinosa, CA Court Certified Interpreter, #301909, CA Court Certified Interpreter<br><br><b>Comment on behalf of org?: No</b> | Do not agree with proposed changes | Dear Judicial Council,<br>I am writing in strong opposition to the changes being considered. This proposal seeks to force independent contractors into defacto employees. It takes away our ability to control our rates and work conditions. Women are a majority of court interpreters and you are crippling our profession. Additionally the proposed use of non certified interpreters will result in LEPs not having fair access to the court proceedings as is their right. In protecting the rights of independent court interpreters you are ensuring all who find themselves in our judicial system are truly given access to a just and fair system. Please reconsider these changes.<br>Thank you,<br>Elva Reyes-Espinosa                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Elvia Rubald<br>Federally and State Certified Court Interpreter<br><br><b>Comment on behalf of org?: No</b>                              | Do not agree with proposed changes | August 24, 2026<br><br>Dear Ms. Bieker and Court Executives Advisory Committee:<br><br>I just wanted to add a few things to the comments I sent yesterday, August 23, 2026.<br><br>Compensation rates:<br>As was outlined in your Invitation to Comment notice, since February 2000, independent contractor interpreter rates remained stagnant and have been raised three times in the past twenty-six (26) years: once, after seven (7), then again after fourteen (14) years, and now, after five (5) years. Taking this into account, by adopting the new federal rates, effective October 1, 2026, independent contractor interpreter rates will finally be on par with the current cost of living.<br><br>Unavailability:<br>As I mentioned in my previous comments, if interpreters are not hired because they request a compensation rate higher than the maximum allowed, it should be stated as such. In our ethics classes transparency and accuracy are always emphasized. I believe attorneys and their clients have a right to know if certified interpreters are not hired due to a budget or policy rate issue, or if it is a true unavailability issue.<br><br>Video Remote Interpreting (VRI):<br>Video Remote Interpreting may be useful for short hearings, but is problematic if:<br><ul style="list-style-type: none"> <li>• An attorney wishes to speak privately with their client.</li> <li>• Forms need to be read to, and signed by, the defendant and the interpreter.</li> <li>• Orders or reports need to be read to the defendant before they leave court.</li> </ul><br>Business related travel expenses:<br>Travel time payment helps compensate vehicle, and personal, wear and tear, as we often travel long distances to ensure language access services. In my case, it has been immensely helpful when I travel to far off places, such as, Susanville, South Lake Tahoe, Redding, and Red Bluff. To do away with it would be the equivalent of a pay cut to independent contractor interpreters.<br><br>Thank you for your time and for the opportunity to offer comments for your consideration.<br><br>Sincerely,<br>Federally and State Certified Court Interpreter |
| Elvia Rubald<br>Federally and State Certified Court Interpreter<br><br><b>Comment on behalf of org?: No</b>                              | Do not agree with proposed changes | First, I appreciate the opportunity to comment on Revisions to Payment Policies for Independent Contractor Interpreters, SP26-25, proposed effective date of January 1, 2027.<br><br>Below, please find my comments regarding the proposed revisions.<br><br>1. Compensation rates:<br>The federal rates will increase on October 1, 2026. The new proposed contractor interpreter rates will be adopted three months later. I respectfully request that the new federal compensation rates be implemented on January 1, 2027:<br>Certified/Registered<br><ul style="list-style-type: none"> <li>• Half day: \$349</li> <li>• Full day: \$617</li> <li>• Hourly: \$87</li> </ul> Noncertified/Nonregistered<br><ul style="list-style-type: none"> <li>• Half day: \$305</li> <li>• Full day: \$540</li> <li>• Hourly: \$87</li> </ul><br>2. Standardized contracting requirements:<br>I would request clarification on what is meant by “must remain available to the court.” Does this mean to remain in the courthouse? Or, to remain within 10-15 minutes from the courthouse? Clarification on this point may avoid confusion in its implementation.<br><br>3. Half-day and hourly rate structures:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

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|                                                                                                                              |                                    | <p>It is not clear what is meant by "... within any consecutive four-hour period." I understand that a 10am to 3:30pm hearing would not qualify since there is a lunch break in between. Is this correct? Additional clarification may be needed on this point.</p> <p>4. Unavailability:<br/>To consider an interpreter "unavailable" because he/she is unwilling to accept the maximum compensation rate established in the policy, I believe, is not an accurate representation. If interpreters are not hired because they request a compensation rate higher than the maximum allowed, it should be stated as such. Otherwise, anyone reading a transcript of a proceeding where it has been stated that a certified interpreter was "unavailable," will have an incorrect understanding of the situation.</p> <p>5. Video Remote Interpreting:<br/>I understand that VRI is a cost-cutting resource available to the courts. Nevertheless, it carries with it a host of difficulties for the interpreter and the court:</p> <ul style="list-style-type: none"> <li>• The remote interpreter may miss important cues that would assist in a more accurate interpretation.</li> <li>• Frequently, the parties forget there is an interpreter, which leads to interruptions and unnecessary repetitions.</li> <li>• If vendors are used, who vets the interpreters who provide interpreting services?</li> <li>• Does the court take steps to assure the use of certified interpreters in VRI to protect the due process rights of the parties involved?</li> </ul> <p>6. Business related travel expenses:<br/>I would request that Travel time not be cut from allowable contractor interpreters' rates. It is a nominal amount but, it goes a long way in helping ameliorate the costs of traveling to provide language access services to the courts. As contractor interpreters, we take full responsibility for our retirement and have no benefits provided to us by an employer. Additionally, the current high cost of living, which include sky-high gas prices, makes charging for Travel time necessary.</p> <p>I appreciate the Committee offering the possibility to comment on the revisions prior to them taking effect. It is my hope that you will carefully consider the comments and suggestions you may have received so that the relationship court-independent contractor interpreter may continue to be beneficial to all parties involved.</p> |
| <p>Elvis J Poñce</p> <p><b>Comment on behalf of org?: No</b></p>                                                             | Do not agree with proposed changes | <p>This will affect individual interpreters in many ways and I completely disagree with how fast phase this is going. The work one provides can be very challenging and until one puts themselves in that situation one shouldn't have a say in on their rate etc.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <p>Eri Minoura, Japanese Certified Court Interpreter (Certification #301156)</p> <p><b>Comment on behalf of org?: No</b></p> | Do not agree with proposed changes | <p>Dear Judicial Council,</p> <p>I am a certified court interpreter who works in a language of lesser diffusion, Japanese. I submit these comments on Proposal SP26-05 with respect, but also with serious concern.</p> <p>Cases requiring interpreters in languages such as mine may occur far less frequently than those involving higher-demand languages. The number of qualified interpreters in my language pair tends to be limited, and I am in high demand to provide services throughout the state. Interpreters who maintain proficiency and availability in these languages depend on the ability to negotiate rates that reflect the supply and demand market forces on qualified professionals and the real cost of remaining ready to serve when needed.</p> <p>The current proposal eliminates that flexibility. By imposing non-negotiable maximum rates and removing the capacity of individual courts to adjust compensation for hard-to-cover languages and calendars, the Judicial Council will make it economically unsustainable for many of us to continue accepting Superior Court assignments. When the rare case arises that requires our language, courts will find fewer qualified interpreters willing or able to appear.</p> <p>This outcome falls hardest on the Limited English Proficient court users who speak these less common languages. They already face greater barriers to finding competent interpretation. Removing the ability to negotiate fair terms for the few professionals who can serve them is, in practical effect, discriminatory. It reduces their access to the same quality of language assistance that speakers of more common languages can still expect.</p> <p>I urge the Judicial Council to preserve the negotiability of interpreter fees so that qualified interpreters can remain available when these court users need them.</p> <p>Thank you for considering this perspective.</p> <p>Respectfully, Eri Minoura, Japanese Certified Court Interpreter</p>                                                                                                                                                                                                                                                                                                                                                                                                                                             |

**SP 26-05**

**Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters***

| Commenter                                                                                                                                                                                              | Position                                                   | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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| <p>Eric Liao<br/>Freelance California<br/>certified court interpreter;<br/>conference interpreter</p> <p><b>Comment on behalf of<br/>org?: No</b></p>                                                  | <p>Do not<br/>agree with<br/>proposed<br/>changes</p>      | <p>Non-employee, contractor interpreters must be able to negotiate their fees, period.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <p>Esperanza De León<br/>Certified Healthcare<br/>Interpreter</p> <p><b>Comment on behalf of<br/>org?: No</b></p>                                                                                      | <p>Do not<br/>agree with<br/>proposed<br/>changes</p>      | <p>Proposal SP26-05 will reduce the availability of qualified certified interpreters in our courts. When experienced professionals leave because rates are capped and inflexible, Limited English Proficient Californians—approximately one in six residents—lose meaningful access to justice. I ask the Council to reject these changes and preserve the ability of courts to secure competent interpretation.</p> <p>Esperanza de León<br/>Certified Healthcare Interpreter</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <p>Esperanza Lopez-Tello<br/>Certified Healthcare<br/>Interpreter<br/>CCHI</p> <p><b>Comment on behalf of<br/>org?: No</b></p>                                                                         | <p>Do not<br/>agree with<br/>proposed<br/>changes</p>      | <p>Dear Judicial Council,</p> <p>I submit these comments in strong opposition to the proposed revisions in SP26-05.</p> <p>The proposal's non-negotiable rate structure, rigid four- and eight-hour blocks, removal of clear morning/afternoon session definitions, and tightly restricted travel rules will significantly reduce the willingness of certified interpreters to accept court work. Once experienced interpreters leave or limit their availability, the courts will face greater difficulty covering calendars with qualified professionals.</p> <p>Of particular concern is the proposal's definition of "unavailability." The draft states that an interpreter is considered unavailable if they "are unwilling to accept the maximum compensation rate established in the policy." Once that finding is made, and after a diligent search, the court may appoint a nonregistered or noncertified interpreter under rule 2.893. This provision turns a simple rate refusal into a legal finding of unavailability. In practice, it creates a direct financial incentive to replace a certified interpreter who declines the capped rate with someone who has never passed a certification examination. Limited English Proficient court users are never informed that this substitution has occurred. Certification exists because neither the judge nor counsel can evaluate the accuracy of the interpretation in real time. By converting a cost-control measure into a structural preference for less-qualified interpreters, the proposal undermines the very safeguard the credential was designed to provide. This is not language access. It is the appearance of language access at the expense of accuracy and due process.</p> <p>This outcome directly affects California's Limited English Proficient population—approximately 6.4 million people, or one in six residents. Meaningful language access is a due-process requirement, not an optional expense. When certified interpreters are driven away by inflexible and non-negotiable terms, the quality of interpretation declines. Errors, continuances, and in the worst cases mistrials or miscarriages of justice become more likely. Any short-term budget savings will be outweighed by the long-term costs of remedying those failures.</p> <p>California has long recognized the importance of language access in a diverse state. This proposal moves in the opposite direction. I urge the Judicial Council to reject the current draft and maintain the flexibility necessary to attract and retain qualified certified interpreters.</p> <p>Respectfully<br/>Esperanza Lopez-Tello<br/>Healthcare Interpreter</p> |
| <p>Esther M. Hermida<br/>California State Court<br/>Certified Spanish<br/>Interpreter<br/>Federally Certified Court<br/>Interpreter<br/>geo lingua</p> <p><b>Comment on behalf of<br/>org?: No</b></p> | <p>Agree with<br/>proposed<br/>changes if<br/>modified</p> | <p>Re: SP26-05, Court Interpreters: Revisions to Payment Policies for Independent Contractor Interpreters</p> <p>As a California court-certified interpreter who has not accepted independent contractor assignments in the state court system for more than 17 years, I read this proposal with great interest. I agree that compensation for independent contractor interpreters needs to rise, and I support the "standard rate approach" as a way to put courts on equal footing and reduce competition among them for interpreter services. For many years, state court rates simply were not competitive with what experienced interpreters could earn elsewhere, and that is why I stopped accepting state court work. The proposed increase could change that calculus for me and for others like me.</p> <p>However, some of the restrictions attached to the increase could undermine the very incentive it creates. The proposal is a double-edged sword: a long-overdue raise, paired with restrictions that don't reflect how independent professionals actually do business.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

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|           |          | <p><b>Half-Day Compensation Should Follow the Court's Calendar</b><br/> I object to redefining a half-day assignment as any consecutive four-hour period. California courts operate on morning and afternoon calendars, and compensation should reflect that. An assignment from 11:00 a.m. to 3:00 p.m. is technically four hours, but it eliminates both marketable half-day periods in an interpreter's day and pays for only one. I recommend retaining the morning/afternoon calendar as the basis for half-day compensation.</p> <p><b>Standard Rates Should Not Eliminate Market Flexibility</b><br/> I support a reasonable standard rate. I do not support making that rate inflexible and non-negotiable in virtually all circumstances. Independent contractors decide whether to accept an assignment based on location, complexity, travel, and opportunity cost: there is a real difference between setting a fair standard rate and dictating every business term under which a contractor must work.</p> <p><b>Travel Must Be Treated Differently</b><br/> The proposed rate is attractive for work in my local courts; it is far less attractive if I'm expected to travel several hours for the same pay. Travel expenses and travel time are not the same thing: mileage and lodging reimburse costs, but travel time compensates a contractor for professional time that cannot be sold to another client. An interpreter working near home and one traveling several hours to a distant court are not making equivalent professional commitments, and the policy should allow reasonable additional compensation when courts must reach beyond their local interpreter pool.</p> <p><b>Declining Uneconomical Terms Is Not "Unavailability"</b><br/> I'm particularly troubled by the proposal's definition of "unavailable." A certified interpreter who is willing to work but unwilling to travel several hours on economically unreasonable terms is not unavailable, the interpreter is available; the terms are unacceptable. This matters because that designation could permit a court to turn instead to a noncertified or nonregistered interpreter. Cost containment should not become a mechanism for bypassing an available certified interpreter simply because they decline unreasonable terms. The person who ultimately bears that risk is the limited-English-proficient court user, and meaningful language access requires more than placing someone who speaks the language in the courtroom, and qualifications and accuracy matter.</p> <p><b>Trials Require Special Consideration</b><br/> I also object to prohibiting additional compensation for trials. Trial interpreting requires preparation, continuity, and sustained simultaneous interpretation, with substantially greater consequences for fatigue or error than a typical hearing. A policy built around cost containment should still allow a modestly higher rate for assignments that demand this much more of the interpreter.</p> <p>I recognize the Budget Act directs the Judicial Council to set rates that do not exceed the federal certified-interpreter rate, and I have no objection to that rate serving as the benchmark. But that ceiling shouldn't dictate every other term of engagement, and reasonable distinctions for travel, scheduling, and trial work should remain part of the equation.</p> <p><b>Preserve the Incentive Created by the New Rates</b><br/> The Judicial Council has an opportunity to make California state court work attractive again to experienced independent interpreters who have chosen to work elsewhere. I am one of them. After more than 17 years away, the proposed rates would bring me back to my local courts, but attaching restrictive scheduling, travel, compensation, and "unavailability" provisions risks taking away with one hand what the proposal gives with the other.</p> <p>I respectfully urge the Judicial Council to adopt the increased rates while modifying the proposal to:</p> <ol style="list-style-type: none"> <li>1. Preserve morning and afternoon court sessions as the basis for half-day compensation;</li> <li>2. Allow reasonable compensation flexibility when circumstances warrant it;</li> <li>3. Provide appropriate compensation for substantial travel time outside an interpreter's local area;</li> <li>4. Revise "unavailability" so that declining unreasonable compensation or travel terms does not equate to an inability to provide services; and</li> <li>5. Permit enhanced compensation for trial assignments.</li> </ol> <p>The goal should not simply be to control what courts pay independent contractors. It should be to build a compensation structure that attracts and retains qualified professionals while protecting meaningful language access for California's LEP court users. This increase is a welcome and long-overdue step, and I hope the final policy preserves its incentive rather than diminishing it through restrictions that may discourage the very professionals the courts are trying to attract.</p> <p>Thank you for the opportunity to comment and for your consideration.</p> <p>Respectfully,<br/> Esther M. Hermida<br/> California State Court Certified Spanish Interpreter<br/> Federally Certified Court Interpreter</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

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| Eudoro Navarro<br>Court certified interpreter<br>Navarro interpreting<br><br><b>Comment on behalf of org?: No</b>           | Do not agree with proposed changes | I do not agree with the changes. These changes will reduce the willingness of experienced certified interpreters to accept court assignments when rates can no longer be negotiated to reflect real market conditions. The result will be fewer qualified interpreters available when courts need them most. California is home to approximately 6.4 million Limited English Proficient residents—roughly one in six Californians—who depend on competent interpretation to understand and participate in legal proceedings. When certified professionals leave the field or decline low-paying, inflexible assignments, those court users are left with less qualified substitutes.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Eva Barasch<br>Principal/ Source To<br>Target Translations<br><br><b>Comment on behalf of org?: No</b>                      | Do not agree with proposed changes | I oppose to the changes. Such changes would significantly impact on the quality of services the LPs are receiving in California. By finding loops, fees can be cut making a direct impact in every aspect of our profession.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Fabiola Castañeda-Razo<br>Certified Court Interpreter<br>FCR Interpreting, LLC<br><br><b>Comment on behalf of org?: Yes</b> | Do not agree with proposed changes | <p>Dear Judicial Council,</p> <p>I submit these comments in strong opposition to the proposed revisions in SP26-05.</p> <p>The proposal's non-negotiable rate structure, rigid four- and eight-hour blocks, removal of clear morning/afternoon session definitions, and tightly restricted travel rules will significantly reduce the willingness of certified interpreters to accept court work. Once experienced interpreters leave or limit their availability, the courts will face greater difficulty covering calendars with qualified professionals.</p> <p>Of particular concern is the proposal's definition of "unavailability." The draft states that an interpreter is considered unavailable if they "are unwilling to accept the maximum compensation rate established in the policy." Once that finding is made, and after a diligent search, the court may appoint a nonregistered or noncertified interpreter under rule 2.893. This provision turns a simple rate refusal into a legal finding of unavailability. In practice, it creates a direct financial incentive to replace a certified interpreter who declines the capped rate with someone who has never passed a certification examination. Limited English Proficient court users are never informed that this substitution has occurred. Certification exists because neither the judge nor counsel can evaluate the accuracy of the interpretation in real time. By converting a cost-control measure into a structural preference for less-qualified interpreters, the proposal undermines the very safeguard the credential was designed to provide. This is not language access. It is the appearance of language access at the expense of accuracy and due process.</p> <p>This outcome directly affects California's Limited English Proficient population—approximately 6.4 million people, or one in six residents. Meaningful language access is a due-process requirement, not an optional expense. When certified interpreters are driven away by inflexible and non-negotiable terms, the quality of interpretation declines. Errors, continuances, and in the worst cases mistrials or miscarriages of justice become more likely. Any short-term budget savings will be outweighed by the long-term costs of remedying those failures.</p> <p>California has long recognized the importance of language access in a diverse state. This proposal moves in the opposite direction. I urge the Judicial Council to reject the current draft and maintain the flexibility necessary to attract and retain qualified certified interpreters.</p> <p>Respectfully,</p> <p>Fabiola Castañeda-Razo</p> <p>Comments in Attachment</p> |
| Fabiola Rivera Ramirez<br><br><b>Comment on behalf of org?: No</b>                                                          | Do not agree with proposed changes | <p>Dear Judicial Council,</p> <p>I am writing to comment on Invitation to Comment SP26-05 regarding payment policies for independent contractor interpreters.</p> <p>I urge the Judicial Council to preserve the negotiability of interpreter fees so that qualified interpreters can remain available when these court users need them.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                     | Position                                  | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    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| <p>Fanny Becker<br/>Court-certified Spanish interpreter<br/>Los Angeles Superior Court (LASC)</p> <p><b>Comment on behalf of org?: No</b></p> | <p>Do not agree with proposed changes</p> | <p>To Whom It May Concern,</p> <p>I have been a court-certified Spanish interpreter in the state of California for 39 years, working for both the Los Angeles Superior Court (LASC) and the private sector. I am writing to express my serious concerns regarding the current treatment of employee interpreters compared to independent contractors (ICs) within the LASC system.</p> <p>The Judicial Council of California has created a critical shortage of staff interpreters across the state's Superior Courts by underpaying employees while overpaying ICs. This approach directly disincentivizes employment, which violates California Government Code Section 71802.</p> <p>The vast majority of staff interpreters have dedicated decades of service to the LASC. Prioritizing funding for ICs rather than providing a fair pay raise to loyal employees signals that the Superior Courts have no interest in retaining staff. It is disheartening to be told that there are insufficient funds to grant staff interpreters parity with the federal system while independent contractors are paid premium rates to cover court shortages.</p> <p>Providing interpretation services to limited-English-proficient (LEP) individuals is a highly rewarding career, and we play a vital role in the judicial system. I urge you to demonstrate that staff interpreters are valued by prioritizing employee compensation and matching the federal pay rate.</p> <p>Respectfully,<br/>Fanny Becker</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <p>Fariba Ershadi<br/>interpreter</p> <p><b>Comment on behalf of org?: No</b></p>                                                             | <p>Do not agree with proposed changes</p> | <p>Independent contractors should charge more for their services because they do not have any benefits granted to the court employees such as free healthcare coverage, lower deductible and out of pocket expenses, free vision coverage and a lower cost dental care, paid holidays, paid vacation time, paid sick time, paid personal time, FMLA benefits etc. When they're booked for full day by the court, they don't have a second interpreter by their side to relieve them for a short bathroom or water break, they must do the assignments by themselves in court trials as well as jury trials. The employee interpreters however do work in teams with colleagues for court and jury trials.</p> <p>Also, independent contractors don't get bookings every day, therefore their income isn't as steady as those employed full-time by the courts. They are basically on their own trying to make a living from any source they can. I believe the proposed rates are even lower than what the full-time employees who get all those benefits are currently getting.</p> <p>In my opinion working with the non-registered people (who haven't even passed the English language exam therefore no one knows how much English they even know, understand, or speak), let alone knowing or trusting the extent of their command of English comprehension, vocabulary, knowledge of court terminology, or interpreter ethics and courtroom decorum, will have serious risks for the LEP who rely on, and trust the interpreter's knowledge, experience and expertise to bring them up to the level of a native English speaker to abide by the court's motto of equality and justice for all at the same level. I could see that lack of care and knowledge, inability, lack of court terminology, and expertise in some of the provisionally qualified interpreters the court hired. One of them that I worked with on a case kept interpreting RFO (request for Order) as an RO (restraining order), another was interpreting "arraignment" as "an arrest." Another was interpreting one sentence out of every 5-6 sentences, and at times the judge had to remind her to interpret and not just stare at the judge with awe! Another one messed up the trial so badly that the judge asked for my opinion about the quality of her interpretation in an elder abuse case, and once I told him, the judge decided to start the trial over by using my services as the certified Farsi interpreter. These were instances with the registered interpreters who had passed the English language test. God help the LEP if the courts want to work with non-registered interpreters just to save money. That will be a disaster waiting to happen.</p> <p>At least for my culture, what is true is that my people do not complain about their interpreter because they feel bad for them or think that they (the interpreter) will get into trouble or lose their pay. My people usually understand more than they can speak, and some understand more than what the interpreter is interpreting for them.</p> <p>So, the point I want to emphasize is this. Not everyone who speaks a language can interpret in that language. Interpreting is a real skill and must be acknowledged as such. Not everyone who speaks a language has the presence of mind or the skill to interpret what is being said simultaneously at the speed of the speaker by using the same language register.</p> <p>In my opinion, one way there was a waste of resources (and money) was when I was sent to courtrooms where the case had been continued, taken off calendar, or had settled. That was a waste of my time, because I could have helped someone else and prevented their case from being continued due to lack of an available interpreter, and, I was getting paid for mileage and parking. On a few occasions, I had no afternoon assignment at a courthouse, and the court would hire another interpreter to come to the same courthouse for the afternoon for just one case. Why? Again, lack of coordination.</p> <p>There were many instances that I saw as an employee, that the county hired two or three other interpreters for the same case as mine. Just for one defendant case there were 3 interpreters. That was a waste of money. Instead of sending an interpreter to the closest courthouses from their residence (hence saving time in traffic, mileage, travel time, risking fatigue and accident, parking) they sent them to the other side of town (from Brentwood to Van Nuys- instead of from Brentwood to Beverly Hills, Santa Monica, Downtown LA or LAX) and they would send someone from Woodland Hills to Downey, Stanley Mosk or LAX. This criss crossing was not only a waste of resources but money that was going to be reimbursed to the interpreter. All due of lack of planning and coordination. I blame some of it on the fact that the assignment coordinators have been working from home since Covid! Why? I don't know. All other court personnel had returned to work, all by the coordinators at the assignment office. Why? Nobody knew. By going back to their cubicles, they could communicate with each other as to who they are sending where and for what</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                        | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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|                                                                                                                                                  |                                    | <p>case? On many occasions I would be in a courthouse with 3, 4, or more cases and another coordinator would email me asking if I was working on that day or where I was at. This showed complete lack of coordination and distraction on their part working from home.</p> <p>Interpreters work hard to make sure the justice system runs smoothly, professionally, and promptly. They too, like the court reporters need to be appreciated and respected, not fought against during negotiations, or given a pittance of raise spread out to 3 years. Court reporters are valued, get good bonuses and raises, and make good money, 30% more than the interpreters to start with, maybe even more. Why? Many courts cannot do without court reporters or interpreters. So why the disparity in pay? They write; we talk.</p> <p>So, as you can see there are a lot of loopholes in the court operations that need to be closed so that the whole system can be run as a tight ship with little to no waste. Instead of taking a second look at where the courts are wasting money, unnecessarily, they found a new escape goat, the independent contractors. Let's cut their pay to keep our employees from leaving, never mind where else money is being wasted.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Felipe Bates<br>Immigration court interpreter<br>English<>Spanish<br>SOSi<br><br><b>Comment on behalf of org?: No</b>                            | Do not agree with proposed changes | Do not agree with proposed changes                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Fernanda de Oliveira<br>Student<br><br><b>Comment on behalf of org?: No</b>                                                                      | Do not agree with proposed changes | <p>Hi,</p> <p>I urge the Judicial Council to reconsider Proposal SP26-05. Rigid, non-negotiable rates and reduced flexibility will drive experienced certified interpreters away from court work. California's 6.4 million Limited English Proficient residents deserve consistent access to qualified interpreters so their due-process rights are protected.</p> <p>Proposal SP26-05 will reduce the availability of qualified certified interpreters in our courts. When experienced professionals leave because rates are capped and inflexible, Limited English Proficient Californians—approximately one in six residents—lose meaningful access to justice. I ask the Council to reject these changes and preserve the ability of courts to secure competent interpretation.</p> <p>I am currently studying to take the Court Certification exam for both Spanish and Portuguese, and this proposed modification is seriously making me reconsider if I should give up this track and go into a different profession. The flexibility and the rates are the only reason I'm putting hard work in and helping other students in my class follow the same path. We as students of the interpreting profession are all concerned. I want to be able to serve Limited English Proficiency Speakers and have the flexibility and funds I need to keep up with the profession in all my language pair, as well as the increasing prohibitive costs of living in California.</p> <p>Again, I urge you to reject this proposal.</p> <p>Best,</p> <p>Fernanda de Oliveira</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Fernando Cavuto, Court Certified Spanish Interpreter, #300790<br>Court Certified Spanish Interpreter<br><br><b>Comment on behalf of org?: No</b> | Do not agree with proposed changes | <p>Saturday, 22 August, 2026</p> <p>Dear Council,</p> <p>As an independent interpreter who has served the California courts for 25 years, I write to make known my opposition to capping the rates to reflect what federal interpreters get paid. We in the State courts serve more people than they, thus our budget is larger. Some twenty years ago, circa 2005, those who sought employee status argued that uniformity through employment would satisfy all interpreters. One astute interpreter retorted by saying that "one size does not fit all." I wholeheartedly agree!</p> <p>While the Judicial Council proposes to pay independents a flat rate as a solution to staffing problems, and sees this as a means of controlling costs, this will cause more problems than they currently face. Independents are not monolithic. They have different needs, are set up differently, paying their taxes, funding their IRAs, and providing for their medical needs. Employees have all of this included through their employment.</p> <p>While metropolitan areas within the state have staffing problems due to the ever-diminishing number of certified interpreters, it is the smaller counties that have to scramble for interpreters, i.e., Inyo, Glenn, etc. By reducing the number of available interpreters, these counties will find themselves having to postpone cases for longer periods or resorting to non-certified interpreters. Should the new rates be ratified, these counties with need to use VRI extensively due to their isolation from the majority of populations in California. Will interpreters be paid the new rate for VRI work? This might help to lessen the problem.</p> <p>As you well know, various counties are paying the federal rate in an attempt to keep locals working for them. This has worked somewhat, but there is still a gap between the number of cases and available interpreters, i.e. San Jose court. Another problem has been the unethical practices of numerous interpreters charging for what they did not incur, drive-time and mileage. It is a standard practice for many to charge for the aforementioned when they are booking flights to</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                         | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
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|                                                                                                                                                   |                                    | <p>these centers. This falls on the Administrations as well, as their oversight has not been keen on preventing this sort of practice by some interpreters.</p> <p>Lastly, it is time that the 100-day limit be annulled. We independents have suffered through the years, having to travel out of our counties to seek work elsewhere. This is an archaic law that was ushered in by CFI, looking to convert us into employees. Keep in mind that there are interpreters who live in the farthest regions of California who will not be able to travel without due hardship in travel expenses. When the 100 days come due, they will be out of work. I hope that the Judicial Council reconsiders paying the interpreters a flat rate. I fear that it will only worsen the situation for all of us.</p> <p>Sincerely,<br/>Fernando Cavuto<br/>Court Certified Spanish Interpreter, # 300790</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <p>Fernando Gomez<br/>Spanish Certified Court Interpreter</p> <p><b>Comment on behalf of org?: No</b></p>                                         | Do not agree with proposed changes | <p>Dear Judicial Council,</p> <p>I submit these comments in strong opposition to the proposed revisions in SP26-05.</p> <p>The net result that you are obviously not seeing is the judicial council inconveniencing the judges to no end, when they will have to retry cases due to interpreting errors made by non certified interpreters. Not to mention the additional cost that it will represent. The proposal's non-negotiable rate structure, rigid four- and eight-hour blocks, removal of clear morning/afternoon session definitions, and tightly restricted travel rules will significantly reduce the willingness of certified interpreters to accept court work. Once experienced interpreters leave or limit their availability, the courts will face greater difficulty covering calendars with qualified professionals. Any short-term budget savings will be outweighed by the long-term costs of remedying those failures.</p> <p>You are trying to save money the wrong way and are not seeing either that your measure will end up in higher costs for the Judicial Council having to pay more when cases need to be tried again and when they reach the appeals courts.</p> <p>Of particular concern is the proposal's definition of "unavailability." The draft states that an interpreter is considered unavailable if they "are unwilling to accept the maximum compensation rate established in the policy." Once that finding is made, and after a diligent search, the court may appoint a nonregistered or noncertified interpreter under rule 2.893. This provision turns a simple rate refusal into a legal finding of unavailability. In practice, it creates a direct financial incentive to replace a certified interpreter who declines the capped rate with someone who has never passed a certification examination. The proposal undermines the very safeguard the credential was designed to provide. This is not language access. It is the appearance of language access at the expense of accuracy and due process.</p> <p>California has long recognized the importance of language access in a diverse state. This proposal moves in the opposite direction. I urge the Judicial Council to reject the current draft and maintain the flexibility necessary to attract and retain qualified certified interpreters.</p> <p>Respectfully,<br/>Fernando Gomez</p> |
| <p>Florencia Manovil<br/>Freelance interpreter</p> <p><b>Comment on behalf of org?: No</b></p>                                                    | Do not agree with proposed changes | <p>You must consult a diverse set of court-certified interpreters when proposing changes to payment policies that will directly impact them! These changes will effectively lower the quality of interpretation services in courts, negatively impacting those who need them.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <p>Francesca Samuel<br/>President, à la Carte<br/>Translations<br/>American Translators<br/>Assoc</p> <p><b>Comment on behalf of org?: No</b></p> | Do not agree with proposed changes | <p>Do not agree with proposed changes</p> <p>Absolutely unacceptable and unfair.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

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| <p>Francine Elmaleh<br/>Certified Judicial Spanish Interpreter in Pennsylvania, Ohio and California<br/>CHI Nationally Certified Medical Spanish Interpreter</p> <p><b>Comment on behalf of org?: No</b></p> | Do not agree with proposed changes | <p>Dear Judicial Council,</p> <p>I submit these comments in strong opposition to the proposed revisions in SP26-05.</p> <p>The proposal's non-negotiable rate structure, rigid four- and eight-hour blocks, removal of clear morning/afternoon session definitions, and tightly restricted travel rules will significantly reduce the willingness of certified interpreters to accept court work. Once experienced interpreters leave or limit their availability, the courts will face greater difficulty covering calendars with qualified professionals.</p> <p>Of particular concern is the proposal's definition of "unavailability." The draft states that an interpreter is considered unavailable if they "are unwilling to accept the maximum compensation rate established in the policy." Once that finding is made, and after a diligent search, the court may appoint a nonregistered or noncertified interpreter under rule 2.893. This provision turns a simple rate refusal into a legal finding of unavailability. In practice, it creates a direct financial incentive to replace a certified interpreter who declines the capped rate with someone who has never passed a certification examination. Limited English Proficient court users are never informed that this substitution has occurred. Certification exists because neither the judge nor counsel can evaluate the accuracy of the interpretation in real time. By converting a cost-control measure into a structural preference for less-qualified interpreters, the proposal undermines the very safeguard the credential was designed to provide. This is not language access. It is the appearance of language access at the expense of accuracy and due process.</p> <p>This outcome directly affects California's Limited English Proficient population—approximately 6.4 million people, or one in six residents. Meaningful language access is a due-process requirement, not an optional expense. When certified interpreters are driven away by inflexible and non-negotiable terms, the quality of interpretation declines. Errors, continuances, and in the worst cases mistrials or miscarriages of justice become more likely. Any short-term budget savings will be outweighed by the long-term costs of remedying those failures.</p> <p>California has long recognized the importance of language access in a diverse state. This proposal moves in the opposite direction. I urge the Judicial Council to reject the current draft and maintain the flexibility necessary to attract and retain qualified certified interpreters.</p> <p>I implore you to reconsider these changes as they are not in The best interest of California's non-English speakers nor of CALIFORNIA's certified language service providers.<br/>Thank you for your kind attention</p> |
| <p>Francine Elmaleh<br/>Certified Judicial Interpreter in CA, OH, and PA<br/>Certified Judicial Interpreter</p> <p><b>Comment on behalf of org?: No</b></p>                                                  | Do not agree with proposed changes | <p>Dear all,</p> <p>I vehemently oppose the sp26-05 proposed changes to the interpreter compensation in California courts. These changes will ultimately drive experienced interpreters out of the profession and leave LEP's unserved or underserved.</p> <p>Leaving am /pm sessions undefined, eliminating negotiation rigid blocks and eliminating travel compensation will make it less appealing for interpreters to serve the courts and thus the courts will have difficulty covering their needs. As interpreters leave the public sector for private sector or leave the professional altogether. New i nterpreters won't be attracted to take their places.</p> <p>Also concerning is opening up the option to use non certified interpreters. Inadequate unskilled interpretation could well be grounds for appeal</p> <p>Meaningful language access is due process requirement not an optional expense.</p> <p>Do not compromise both quality and quantity of interpreters</p> <p>I implore you to reconsider these changes as they are not in The best interest of California's non-English speakers nor of CALIFORNIA's certified language service providers.<br/>Thank you for your kind attention</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <p>Francisco Porras<br/>Court Certified Interpreter<br/>AIJC</p> <p><b>Comment on behalf of org?: No</b></p>                                                                                                 | Do not agree with proposed changes | <p>Do not agree with proposed changes</p> <p>I do not agree with anything that will affect our beautiful profession or with anything that goes against valuing, elevating, improving or protecting said profession.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

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| Gabriela Delgadillo<br>Court Interpreter<br><br><b>Comment on behalf of org?: No</b>                                                            | Do not agree with proposed changes | The proposed changes will impact us court certified interpreters and the communities we serve in a negative way. As professionals, we need to be compensated as such, for all additional costs we may incur, such as travel and mileage and room and board. We cannot have a cap on our fees. We must be allowed to negotiate our compensation. Most of us have spent years learning, preparing ourselves for the rigorous exams we have to take and it's not fair to have non-certified interpreters come take our place only because we are not going to be compensated the way we deserve, and because of that deemed "unavailable". It is not fair for the communities that we serve. Thank you for your time and consideration!                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Gabriela Espinoza Siebach,<br>MATI<br>Certified Court Interpreter<br>- Spanish<br>U.S. Army Retired<br><br><b>Comment on behalf of org?: No</b> | Do not agree with proposed changes | <p>Dear Members of the Judicial Council,</p> <p>Thank you for your ongoing efforts to ensure competitive compensation for court interpreters across California. The Court Executives Advisory Committee's (CEAC) proposed daily compensation rate increase to match federal levels is a welcome step toward recruiting and retaining qualified language access professionals.</p> <p>However, specific revisions within the proposed policy framework may put the quality of language access in California courts at risk:</p> <ul style="list-style-type: none"> <li>• Section III.C.1.a: Changing the half-day rate structure from traditional morning/afternoon court sessions to "any portion of a consecutive four-hour period" creates severe scheduling unpredictability. Removing established court work hours prevents independent contractors from effectively structuring their daily schedules or securing non-conflicting afternoon assignments. This added instability will dissuade credentialed interpreters from accepting half-day court engagements altogether.</li> <li>• Section III.C.2: The prohibition against negotiating above capped federal rates fail to account for the substantial regional economic disparities across California's 58 counties. Data in the "FY 2024-25 Average Full-Day and Half-Day Contractor Payments by Language and Region" shows that courts in high-cost regions regularly pay well above proposed rates to secure qualified interpreters. Imposing a rigid ceiling treats the entire state as a monolith. In high-cost metropolitan markets, this non-negotiable cap effectively reduces competitive pay, making it economically unfeasible for credentialed professionals to accept assignments.</li> <li>• Section III.F: Considering the previously mentioned sections, as well as Section III.F ("Unavailability"), courts will frequently deem certified interpreters "unavailable" due to rate constraints or their inability to commit to a flexible half-day timeframe, triggering California Rules of Court, rule 2.893 to appoint noncertified or provisionally qualified interpreters. This degrades the accuracy of court proceedings and undermines equal access to justice.</li> </ul> <p>To preserve high-quality language access across all trial courts, I kindly suggest that the Judicial Council:</p> <ul style="list-style-type: none"> <li>• Re-establish the fixed morning and afternoon court timeframes under Section III.C.1 for half-day session parameters.</li> <li>• Reintroduce regional rate flexibility or retain administrative discretion to negotiate rates in high-cost markets, ensuring certified interpreters can afford to accept court assignments state-wide.</li> </ul> <p>Thank you for your time, consideration, and commitment to maintaining equal access to justice.</p> <p>Respectfully,<br/>Gabriela Espinoza Siebach</p> |
| Gabriela Sosa, State and Federal Spanish and French Interpreter<br>Gift of the Gab Interpreting<br><br><b>Comment on behalf of org?: No</b>     | Do not agree with proposed changes | <p>Good morning,</p> <p>Thank you for allowing me to comment.</p> <p>I will begin with some stats from the 2020 census, which is a little dated but a good starting point. In San Diego County, where I currently provide interpreting services, 39% of households speak languages other than English in the home, so more than one third of the local population needs language assistance. The average rent for an apartment is \$2999, a 0.3% increase compared to the previous year. The inflation rate is approximately 3.7. We all see the rising prices at the gas pump and at the grocery store.</p> <p>The proposals in SP26-05 need to take the cost of living into consideration. Currently, the rates are barely over poverty level, especially considering that most interpreting assignments are half days.</p> <p>Let's assume an interpreter works every single business day in a calendar year, that would be \$80,000. Sadly, that is not enough to be considered "middle class" in San Diego County, nor is most metropolitan centers in California. According to a recent news report on ABC News, in order to live comfortably, one has to earn over six figures. The decisions made by the Judicial Council of California, do not only regulate the court rates, but also affect the rates independent contractor can propose on the open market, in depositions, attorney-client meetings and more.</p> <p>I request the non-negotiable language be removed. There should be no language mandating independent contractor interpreters to remain even if their courtroom is dark..</p> <p>The proposed language will definitely dissuade interpreters from traveling to other jurisdictions.</p> <p>Unlike the ASL interpreters, language interpreters are rarely hired in pairs. Why not mandate that language interpreters be hired in pairs everywhere? ALS interpreters hands and brains get tired. What about our brains, throats, lungs, voice boxes, lungs, tongues and eyes?</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                          | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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|                                                                                                                    |                                    | <p>Artificial Intelligence use also needs to be regulated. Court reporting agencies and interpreting agencies are forcing interpreters to allow AI to listen-in, namely, learning from us for free, or lose the job. This is unethical and unacceptable.</p> <p>The proposals in SP26-05 should reflect and reward our professionalism, dedication and extremely hard work, which is very specialized, rather than create an environment where interpreters contemplate other careers or need a second source of income.</p> <p>Thank you for taking the time to read and consider my input.</p> <p>Sincerely,</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <p>Gaby Vega<br/>Certified Interpreter<br/>Spanish Interpreter</p> <p><b>Comment on behalf of org?: No</b></p>     | Do not agree with proposed changes | <p>Dear Judicial Council,</p> <p>I submit these comments in strong opposition to the proposed revisions in SP26-05.</p> <p>The proposal's non-negotiable rate structure, rigid four- and eight-hour blocks, removal of clear morning/afternoon session definitions, and tightly restricted travel rules will significantly reduce the willingness of certified interpreters to accept court work. Once experienced interpreters leave or limit their availability, the courts will face greater difficulty covering calendars with qualified professionals.</p> <p>Of particular concern is the proposal's definition of "unavailability." The draft states that an interpreter is considered unavailable if they "are unwilling to accept the maximum compensation rate established in the policy." Once that finding is made, and after a diligent search, the court may appoint a nonregistered or noncertified interpreter under rule 2.893. This provision turns a simple rate refusal into a legal finding of unavailability. In practice, it creates a direct financial incentive to replace a certified interpreter who declines the capped rate with someone who has never passed a certification examination. Limited English Proficient court users are never informed that this substitution has occurred. Certification exists because neither the judge nor counsel can evaluate the accuracy of the interpretation in real time. By converting a cost-control measure into a structural preference for less-qualified interpreters, the proposal undermines the very safeguard the credential was designed to provide. This is not language access. It is the appearance of language access at the expense of accuracy and due process.</p> <p>This outcome directly affects California's Limited English Proficient population—approximately 6.4 million people, or one in six residents. Meaningful language access is a due-process requirement, not an optional expense. When certified interpreters are driven away by inflexible and non-negotiable terms, the quality of interpretation declines. Errors, continuances, and in the worst cases mistrials or miscarriages of justice become more likely. Any short-term budget savings will be outweighed by the long-term costs of remedying those failures.</p> <p>California has long recognized the importance of language access in a diverse state. This proposal moves in the opposite direction. I urge the Judicial Council to reject the current draft and maintain the flexibility necessary to attract and retain qualified certified interpreters.</p> <p>Respectfully submitted,<br/>Gaby Vega - Certified Interpreter</p> |
| <p>Ganna Gudkova<br/>Court certified interpreter<br/>Self-employed</p> <p><b>Comment on behalf of org?: No</b></p> | Do not agree with proposed changes | <p>It will have a serious negative effect on the communities we serve. As freelancers, we won't be able to afford to accept assignments if we can't negotiate rates that are sustainable for us. Our clients won't be able to get due process because they won't have access to the judicial system. Especially for low diffusion languages like Russian or Ukrainian. There are only 3 of us Ukrainian interpreters.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <p>Genevieve N. Franklin<br/>Certified Court Interpreter</p> <p><b>Comment on behalf of org?: No</b></p>           | Do not agree with proposed changes | <p>The extent of these new conditions will undoubtedly result in a reduction of properly certified and qualified interpreters to perform the still-crucial work of being a fair conduit of justice.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                      | Position                                         | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
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| George Mamaghani<br>Court Certified Farsi<br>(Persian) Language<br>Interpreter<br><br><b>Comment on behalf of<br/>org?: No</b> | Do not<br>agree with<br>proposed<br>changes      | <p>SP26-05 - August 24, 2026</p> <p>Submitted on Sat, 08/22/2026 - 11:49</p> <p>Position on Proposal<br/>Do not agree with proposed changes</p> <p>Comments</p> <p>1- Establishing a compensation ceiling for certified state court interpreters based on the federal court system rates, points to no logical reasoning. Considering that the federal court system rates are averaged and are applied to all of the fifty states- ranging from Alabama, Montana, ... to California. Therefore, whenever I am contacted by the federal district courts for my professional services, the federal court interpreter coordinator obtains approval for my higher rates from his superior in Washington, D.C. The federal court is fully aware that although their rates may be acceptable in Mississippi (because of lower cost of living), those rates are not acceptable in California due to the extremely high cost of living. As such, comparing California rates to averaged federal rates is a significant mistake, which can cause terrible suffering for conduct of justice in the long run in California courts. Please consult with judges and other judicial officers of the superior courts about their past courtroom experience working with non-certified, provisionally qualified, and unqualified interpreters during trials and other court proceedings. I am certain they have stories to share.</p> <p>2- I am proud to know that I have been serving federal and state courts for over 25 years. When I started in this noble profession, I was being compensated for almost the same amounts that I see in your proposal. If this action materializes, it would be similar to taking several huge steps backward. I doubt the author(s) of this proposal would be happy if the same decision was imposed on their financial situation. We are highly experienced, trusted, tested and certified by the same Judicial Council to work in the California courts. We have earned our values by being competent and for being a reliable officer of the court. Judges and attorneys depend on this virtue.</p> <p>3- Finally, it's totally unfair to burden interpreters to solve fiscal problems elsewhere. Interpreters were not party to decisions made in the past by others.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Giovanna<br>California Certified Court<br>Interpreter<br><br><b>Comment on behalf of<br/>org?: No</b>                          | Agree with<br>proposed<br>changes if<br>modified | <p>Agree with proposed changes if modified</p> <p>Dear Members of the Judicial Council and Court Executives Advisory Committee:</p> <p>I am writing to provide comments regarding SP26-05, Court Interpreters: Revisions to Payment Policies for Independent Contractor Interpreters.</p> <p>As a California certified court interpreter with many years of experience providing interpreting services in California courts, I appreciate the Judicial Council's efforts to establish greater consistency, predictability, and efficiency in the payment and contracting of independent contractor interpreters.</p> <p>I support several aspects of the proposal, including the proposed increase in compensation rates, the standardization of contracts and administrative procedures, the expansion of hourly compensation, and the clarification and expansion of cancellation fees. These changes have the potential to provide greater consistency for both courts and interpreters.</p> <p>However, I respectfully request consideration of several provisions that I believe could unintentionally make it more difficult for courts to secure qualified interpreters and could negatively affect language access.</p> <p>1. Maintain an exception for extraordinary circumstances</p> <p>I am concerned about eliminating the ability of courts to negotiate above the established maximum rate in extraordinary circumstances. The proposal states that interpreters who are unwilling to accept the maximum compensation rate may be considered "unavailable." While statewide standardization is understandable, there may be circumstances in which a court cannot secure a qualified interpreter at the maximum rate.</p> <p>I respectfully recommend retaining a narrowly defined exception that would allow courts to offer additional compensation when necessary to obtain a qualified interpreter, particularly for difficult-to-fill assignments, specialized proceedings, lengthy or complex trials, last-minute assignments, or assignments requiring significant travel.</p> <p>The ultimate goal should be not only cost containment, but also ensuring that courts can consistently provide qualified interpreters when language access is required.</p> <p>2. Clarify and standardize compensation for travel time</p> <p>The proposal indicates that reimbursement of travel expenses, including mileage and travel time, will be addressed in the Independent Contractor Interpreter Agreement. I believe travel time warrants clearer and more specific statewide guidance.</p> <p>Travel time represents time during which an independent contractor is unavailable to accept other assignments and is therefore a genuine business cost. I respectfully request that the policy clearly establish how travel time is to be compensated, including whether compensation applies to travel in both directions and how extended travel assignments are handled.</p> <p>A uniform statewide standard would help avoid uncertainty and inconsistent treatment among courts.</p> <p>3. Clarify compensation when interpreters are required to remain available</p> <p>The proposal states that interpreters must remain available to the court for the entire contracted period. I support the principle that an interpreter who accepts an assignment should remain available during the contracted period.</p> <p>However, the policy should also clearly address compensation when an interpreter is required to remain available but is not actively interpreting because of court delays, recesses, scheduling changes, waiting periods, or early release.</p> <p>When an interpreter reserves a half-day or full day for the court, that time cannot necessarily be used to accept another assignment. The compensation structure should recognize the value of that reserved availability.</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                 | Position                                  | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
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|                                                                                                           |                                           | <p>4. Consider the impact of a uniform maximum rate on interpreter availability<br/>The proposal's own data demonstrates that compensation varies considerably by language and region. The FY 2024–25 data, for example, shows that average full-day compensation for Spanish interpreters ranged from \$381 to \$601 depending on the region.<br/>Because some courts are currently paying rates above the proposed maximum, I am concerned that a rigid statewide cap could result in reduced compensation in areas where the market has established higher rates and could make some assignments more difficult to fill.<br/>I respectfully recommend that the Judicial Council evaluate the potential effect of the proposed maximum rates on interpreter availability by language and geographic region before eliminating the possibility of exceptional compensation.</p> <p>5. Reconsider the prohibition on additional compensation for unusually complex assignments<br/>I also encourage the Judicial Council to reconsider the provision prohibiting additional rates based on the type of service or multiple language pairs.<br/>Not all assignments place the same demands on an interpreter. A lengthy trial, a highly technical proceeding, or an assignment requiring interpretation between multiple language pairs may require significantly greater preparation, concentration, and linguistic resources than a routine proceeding.<br/>While I understand the desire for standardized rates, the policy could allow narrowly defined exceptions for assignments involving extraordinary complexity or multiple language requirements.</p> <p>6. Ensure that VRI is used based on the needs of the proceeding, not solely cost<br/>I support VRI as an important tool for expanding language access, particularly when appropriate for the proceeding and the needs of the court and participants.<br/>However, I encourage the Judicial Council to ensure that VRI is not selected primarily as a cost-containment measure when in-person interpretation is more appropriate. The quality of interpretation, the nature of the proceeding, the needs of the parties and witnesses, confidentiality, and the complexity and duration of the matter should all be considered when determining the appropriate service delivery method.<br/>Overall, I support the proposal's efforts to create greater statewide consistency and improve the administrative process for independent contractor interpreters. I also appreciate the proposed increase in compensation rates and the improvements to cancellation and hourly compensation policies.<br/>My concern is that cost containment and uniformity should not come at the expense of interpreter availability, fair compensation for the time and expenses associated with assignments, or the quality of language access provided to California court users.<br/>I respectfully ask the Judicial Council and the Court Executives Advisory Committee to consider maintaining a limited mechanism for extraordinary compensation, establishing clearer statewide standards for travel time and reserved availability, and evaluating the potential impact of the proposed rate caps on interpreter availability across languages and regions.<br/>Thank you for the opportunity to provide comments and for your consideration of the perspective of independent contractor court interpreters.<br/>Respectfully,<br/>Giovanna<br/>California Certified Court Interpreter</p> |
| <p>Gloria M. Gonzalez-Martin, Certified Court Interpreter</p> <p><b>Comment on behalf of org?: No</b></p> | <p>Do not agree with proposed changes</p> | <p>Dear Judicial Council,</p> <p>I submit these comments in strong opposition to the proposed revisions in SP26-05.</p> <p>The proposal's non-negotiable rate structure, rigid four- and eight-hour blocks, removal of clear morning and afternoon session definitions, and restrictions on travel reimbursement will significantly reduce the willingness of experienced certified interpreters to accept court assignments. When qualified interpreters limit their availability or leave court work altogether, courts will face increasing difficulty covering calendars with certified professionals.</p> <p>Of particular concern is the proposal's definition of "unavailability." The draft states that an interpreter may be considered unavailable if they "are unwilling to accept the maximum compensation rate established in the policy." After a diligent search, the court may then appoint a non-registered or non-certified interpreter under rule 2.893.</p> <p>This effectively allows a certified interpreter's refusal to accept a capped rate to become a basis for replacing that interpreter with someone who has not met the same certification requirements. That is deeply concerning. Certification exists precisely because judges, attorneys, and Limited English Proficient court users generally cannot independently evaluate the accuracy and completeness of an interpretation in real time.</p> <p>Compensation policy should not create an incentive to substitute less-qualified interpreters for certified professionals. Doing so risks undermining language access, accuracy, and due process.</p> <p>California has a substantial Limited English Proficient population. Meaningful language access is not simply an administrative expense; it is essential to meaningful participation in the judicial process. Inadequate interpretation can lead to misunderstandings, errors, delays, continuances, and potentially serious consequences for litigants and the courts.</p> <p>California has long recognized the importance of providing meaningful language access in a linguistically diverse state. I urge the Judicial Council to reconsider SP26-05 and preserve sufficient flexibility in compensation, scheduling,</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                                         | Position                                              | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
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|                                                                                                                                                                   |                                                       | <p>and travel reimbursement to attract and retain experienced certified interpreters.</p> <p>Respectfully,</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <p>Gloria Vazquez<br/>Professional Interpreter –<br/>Spanish/English<br/>Certified Healthcare<br/>Interpreter</p> <p><b>Comment on behalf of<br/>org?: No</b></p> | <p>Do not<br/>agree with<br/>proposed<br/>changes</p> | <p>I respectfully submit this comment to express my strong opposition to the proposed payment policies for independent contractor interpreters.</p> <p>I have worked as a professional interpreter for more than 26 years, and I have seen firsthand how much skill, preparation, responsibility, and professionalism this work requires. Interpreters are not simply providing a language service. We are responsible for helping ensure that individuals who do not speak or fully understand English can participate meaningfully in legal proceedings and have meaningful access to justice.</p> <p>For that reason, I am deeply concerned that the proposed payment policies do not adequately recognize the value of professional interpreting or the realities faced by independent contractors.</p> <p><b>1. Compensation Must Reflect the Professional Nature of This Work</b></p> <p>Legal interpreting requires far more than fluency in two languages. Qualified interpreters must have specialized training, strong language skills, knowledge of legal terminology and procedures, professional certification, continuing education, and the ability to perform accurately under significant pressure.</p> <p>The rates being proposed do not adequately reflect these requirements or the level of responsibility carried by interpreters. When compensation does not reflect the qualifications required, experienced interpreters will increasingly have to choose other assignments that provide more sustainable compensation.</p> <p>Ultimately, that affects the courts and the people who depend on qualified interpreters.</p> <p><b>2. Time Reserved for the Courts Has Real Value</b></p> <p>One of the greatest challenges for independent contractors is that accepting a court assignment means committing that time exclusively to the court.</p> <p>When an assignment is cancelled at the last minute, shortened unexpectedly, or does not provide a reasonable minimum guarantee, the interpreter generally cannot replace those hours with another assignment. That is lost income, even though the interpreter has honored the commitment made to the court.</p> <p>A fair payment policy should recognize that reserved professional time has value. Two-hour minimums, appropriate cancellation compensation, and reasonable guarantees are not excessive demands. They are basic protections that allow independent professionals to continue accepting court assignments.</p> <p><b>3. Independent Contractors Should Not Bear an Unreasonable Administrative Burden</b></p> <p>Independent interpreters already assume the costs of operating their own businesses, including taxes, insurance, professional development, certification, equipment, transportation, and other expenses associated with maintaining our professional credentials.</p> <p>Adding complicated, inconsistent, or county-specific invoicing requirements creates additional unpaid administrative work. Waiting 60 to 90 days for payment further shifts the financial burden onto the interpreter.</p> <p>We should not have to choose between serving the courts and maintaining a financially sustainable profession.</p> <p><b>4. The Consequences Extend Beyond Interpreters</b></p> <p>This issue is ultimately about more than compensation.</p> <p>When experienced interpreters leave court work because the financial and administrative conditions are unsustainable, the courts may have greater difficulty finding qualified professionals willing to accept assignments.</p> <p>That can lead to delays, continuances, reduced availability, and inconsistent quality of language access. Most importantly, it can affect LEP (Limited English Proficient) individuals who depend on accurate and impartial interpretation to understand and participate in proceedings that may have life-changing consequences.</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                    | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
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|                                                                                              |                                    | <p>Quality language access is an essential part of a fair judicial system. It should not be treated as an expense that can simply be minimized.</p> <p>My Request to the Judicial Council</p> <p>I respectfully urge the Judicial Council to reconsider these payment provisions and develop a policy that recognizes the professional value of independent interpreters while creating consistent and sustainable standards statewide.</p> <p>At a minimum, I respectfully ask that the Council consider:</p> <ul style="list-style-type: none"> <li>* Compensation that reflects current market rates and the qualifications required for legal interpreting.</li> <li>* Guaranteed minimum payment for assignments, including a reasonable two-hour minimum.</li> <li>* Fair compensation for late cancellations and other circumstances in which the interpreter has reserved the time and is unable to replace the assignment.</li> <li>* Prompt and consistent payment, preferably within 30 days.</li> <li>* Simplified and standardized invoicing procedures across counties.</li> <li>* Appropriate annual cost-of-living adjustments so that compensation does not steadily lose value over time.</li> </ul> <p>I am not asking for special treatment. I am asking for a payment structure that recognizes the professional nature of this work and allows qualified interpreters to continue serving California's courts.</p> <p>Independent interpreters are an important part of the justice system. When the courts invest in qualified interpreters and treat their time and expertise fairly, the entire system benefits—including judges, attorneys, court staff, and, most importantly, the people who rely on meaningful access to justice.</p> <p>Thank you for considering the perspective of professional independent contractor interpreters. I sincerely hope the Judicial Council will reconsider the proposed provisions and work toward a fair, consistent, and sustainable payment policy.</p> <p>Respectfully:</p> <p>Gloria Vazquez<br/>Professional Interpreter – Spanish/English<br/>Certified Healthcare Interpreter</p> |
| Gloria<br><br><b>Comment on behalf of org?: No</b>                                           | Do not agree with proposed changes | <p>Proposal SP26-05 would make it harder for courts to find and retain qualified, certified interpreters. When experienced interpreters leave because rates are capped and inflexible, Californians with limited English proficiency—about one in six residents—are the ones who pay the price. They deserve meaningful access to justice, regardless of the language they speak. I urge the Council to reject these changes and preserve the flexibility courts need to secure competent interpreters.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Golrokh Khatibloo<br>Certified Farsi interpreter<br><br><b>Comment on behalf of org?: No</b> | Do not agree with proposed changes | <p>Greetings,</p> <p>As one of only 11 certified Farsi interpreters in California, I am extremely concerned about this proposal and the damage it can inflict upon the public and the independent contractor interpreter.</p> <p>I would like to address several concerns:</p> <p>1. Non-negotiable rate.</p> <p>-The JCC is aware that, as non-employees, we do not receive any benefits such as health insurance, pension, paid vacation, etc. All of it must come out of our own pocket, in addition to paying taxes on our earnings. Our language, Farsi, is an exotic language with great demand in California. Limiting our negotiating power will surely drive us away from the courts and lead us to solely work in the private sector, which is happily ready to compensate us at the prices we demand. There is plenty of work in the private sector and I have encountered many occasions where I turned down offers from agencies because I had a commitment to the court.</p> <p>-The pressure, fatigue, loss of voice, and reduced acuity of interpreting alone during a trial or long cause hearing without a partner, as is the case normally for contract interpreters, particularly when the parties are on Court Connect, must be taken into account. The rate proposed by the JCC does not justify such an arduous task and will cause a certified contract interpreter, such as myself, to think twice about taking assignment from the courts.</p> <p>The proposal to change the daily compensation rates to the federal levels is absurd because of (a) the incredibly low rates that the federal courts pay independent contractors, leading them to decline requests from said courts, and (b) federal rates are averaged and applicable to all fifty states, regardless of economic conditions in each state. For example, if the federal rate is considered fair in a state like Mississippi, where the cost of living is low, the same rate is</p>                                                                                                                                                                            |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                                      | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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|                                                                                                                                                                |                                    | <p>completely unacceptable in a state like California, where cost of living is quite high. We must also not forget inflation, which does not seem to have been considered when drafting this proposal. I am certain that the author(s) of this proposal would be quite unhappy if the same conditions of taking a significant pay cut were to be applied to their own finances.</p> <p>2. “Unavailability” of interpreters.<br/>Expanding this definition to include the interpreters who are unwilling to accept the maximum compensation proposed, thereby allowing the courts to appoint non-certified or non-registered interpreters, will be doing another disservice to the public by limiting their access to justice. Is there any guarantee that an interpreter without any credentials will be able to convey the proceedings in a criminal case properly? Will the courts take responsibility for the incompetence of the unqualified interpreter which could lead to very serious consequences for the LEP person? How can the JCC provide the Limited English Proficient individual with a “voice” when the interpreter is not properly trained and familiar with court proceedings or legal terminology? Would the JCC allow a Judicial Assistant to preside over a criminal case instead of a judge? I have witnessed too many “interpreters” who did not interpret everything or who interpreted the proceedings incorrectly. It is not enough to merely have a warm body in the courtroom in the role of an interpreter; the individual must know what he/she is doing.</p> <p>3. Business-related travel.<br/>Once again, independent contractors pay for everything out of pocket. Eliminating hourly compensation for travel will further eat into the unrealistic compensation that the court is proposing. As non-employees, we do not get company cars or business allowances, so any wear and tear on the car, gas money, and repairs, must all be paid out of pocket. The independent contractor will not be able to justify these costs against the drastic reduction of rates that the court is proposing, which incentivizes us further to walk away from working with the courts.</p> <p>4. Video remote interpreting.<br/>It has come to the attention of many independent contractors that the courts regularly employ non-certified and unqualified VRI interpreters from out of state, whose credentials cannot be verified, when certified interpreters are available in the state. This practice does not properly serve the public, for which the courts are constantly claiming to advocate.</p> <p>5. Removal of “Costs Exceeding Normal Rates” section.<br/>The courts cannot expect exotic languages, such as Farsi, to be paid the same as more common languages, particularly when the number of certified Farsi interpreters is so limited.<br/>The JCC cannot expect independent contractors to bear the burden of unnecessary court costs, such as mistakes in assigning interpreters to various courthouses. There have been many instances where an interpreter who was local to the LA area was sent to the San Fernando Valley on the same day that the one who was local to the San Fernando Valley was sent to Long Beach!</p> |
| <p>Gonzalo Campos<br/>Medical Certified<br/>interpreter</p> <p><b>Comment on behalf of<br/>org?: No</b></p>                                                    | Do not agree with proposed changes | <p>Turning a rate refusal into a legal finding of unavailability converts a cost-control measure into a structural preference for less-qualified interpreters. This is not language access. It is the appearance of language access at the expense of accuracy and due process.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <p>Gonzalo Campos, State<br/>Certified Medical<br/>Interpreter<br/>State Certified Medical<br/>Interpreter</p> <p><b>Comment on behalf of<br/>org?: No</b></p> | Do not agree with proposed changes | <p>Dear Judicial Council,<br/>Proposal SP26-05 should be rejected.<br/>Under the banner of a rate increase, the Council is imposing non-negotiable ceilings, forcing interpreters to remain for entire blocks regardless of actual need, erasing clear session boundaries, and severely restricting travel reimbursement. The predictable result is that many certified interpreters will simply stop accepting Superior Court work.<br/>The proposal creates a direct financial incentive to replace certified interpreters with provisionally qualified ones. When a certified interpreter declines the non-negotiable rate, the draft allows the court to declare that interpreter “unavailable” and appoint someone who has never passed a certification exam. The LEP party is not told this has happened. Errors by non-credentialed interpreters are rarely caught in the moment.<br/>Turning a rate refusal into a legal finding of unavailability converts a cost-control measure into a structural preference for less-qualified interpreters. This is not language access. It is the appearance of language access at the expense of accuracy and due process.<br/>California has 6.4 million Limited English Proficient residents—one out of every six people in the state. These court users have a constitutional right to understand the proceedings that affect their liberty, families, and livelihoods. When the State makes it economically and practically unattractive for qualified interpreters to serve, it is the non-English-speaking public that pays the price through delayed cases, inaccurate interpretation, mistrials, and miscarriages of justice.<br/>Cutting interpreter flexibility to save money is false economy. The real cost will appear later in repeated hearings, appeals, and damaged public confidence in the courts. The Judicial Council should not balance budgets on the backs</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                         | Position                                         | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
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|                                                                                                                                                   |                                                  | of Limited English Proficient Californians.<br>I urge the Council to withdraw this proposal.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Greg Vidler<br>Assistant General<br>Counsel/ADR Director<br>Superior Court of<br>Riverside County<br><br><b>Comment on behalf of<br/>org?: No</b> | Agree with<br>proposed<br>changes if<br>modified | <p>1. Does the proposal appropriately address the stated purpose?</p> <p>The proposal appropriately addresses the stated purpose by establishing a more consistent statewide framework for compensation, contracting, travel, cancellations, and interpreter procurement. Standardizing these practices should help reduce competition among courts for interpreter services and provide greater predictability in interpreter expenditures. From an operational perspective, having consistent statewide policies and contract terms should also reduce the variation in practices that currently exists among courts.</p> <p>2. Would the proposal provide cost savings?</p> <p>The proposal would provide cost savings by establishing maximum compensation rates and eliminating payments above those rates. However, the overall fiscal impact will vary by court based on interpreter demand and current compensation practices.</p> <p>Based on our court's FY 2025–26 contractor interpreter usage, the proposed rates would likely result in a moderate increase in contractor compensation based on the number of agreements negotiated below the federal rate as compared to the number of agreements at federal rate or above. However, the potential savings from expanded use of VRI could further reduce this increase.</p> <p>Overall, the proposal could provide meaningful cost savings through the elimination of above-rate payments and greater rate predictability. However, the proposal is likely to have different fiscal impacts across courts depending on interpreter demand, language needs, and the extent to which VRI can be utilized. For our court, based on FY 2025–26 usage, the proposal would result in a net cost increase before accounting for potential VRI savings.</p> <p>3. What would the implementation requirements be?</p> <p>Implementation will require training and process changes for managers, supervisors, interpreter coordinators, and clerk's office staff involved in interpreter procurement, scheduling, payment, and recordkeeping.</p> <p>Training would include the revised payment policies and procedures; hiring, confirming, and cancelling interpreter assignments; use and expansion of VRI; documentation and tracking requirements; and implementation of the standardized Independent Contractor Interpreter Agreement.</p> <p>Additional implementation work would include updating payment vouchers and hiring/confirmation processes, revising manual reports and tracking mechanisms, updating case management system processes and/or codes as necessary, transitioning existing contractor agreements to standardized agreements, and updating all contractor rates and agreements accordingly.</p> <p>If existing contractor agreements currently on file must be replaced with new agreements using the standardized template, the transition would represent a significant additional workload for the interpreter coordinator team. Based on the number of contractors currently on file and our Court's existing workload, we estimate that converting the existing agreements could take up to three months.</p> <p>4. Would January 1, 2027, provide enough time?</p> <p>Sufficient advance notice will be important to allow each court to complete the necessary staff training, revise internal procedures, update payment and tracking systems, communicate changes to contractors, and transition to the standardized agreement. The amount of time needed may vary depending on the size of the court and the volume and complexity of interpreter services.</p> <p>A recommended strategy is for contractors to submit their independent contractor agreements to the Court Interpreter Program rather than to each court separately. Submitting an agreement to each court creates inefficiencies, delays, and duplicated effort. Establishing a centralized process is crucial to enhancing availability, reducing court workload, streamlining operations, and maintaining consistent rates for contractors. As mentioned in the memo, the number of contractors is growing, increasing the administrative workload required to secure services. Centralizing and streamlining this process is essential to ensure timely, efficient deployment and consistent application of the payment policy across the state.</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                                                | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
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|                                                                                                                                                                          |                                    | <p>Some courts might encounter difficulties in obtaining interpreter services during the transition, possibly causing delays or gaps. Presently, some interpreters, both certified and non-certified, are charging higher rates than those proposed and may be hesitant to accept these rates or to conduct in-person sessions. This could strain staff tasked with securing services and lead to the need for alternative contractors.</p> <p>5. How well would this proposal work in courts of different sizes?</p> <p>The proposal would work well across courts of different sizes. Because the proposal establishes standardized statewide compensation rates, contracting requirements, and administrative procedures, the same framework would apply regardless of the size of the court. A consistent statewide approach should help ensure that courts operate under the same guidelines and reduce the differences in practices that currently exist among courts.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <p>Guillermina Thorlaksson,<br/>Certified Interpreter<br/>(Spanish)<br/>State Certified Interpreter -<br/>Translator</p> <p><b>Comment on behalf of<br/>org?: No</b></p> | Do not agree with proposed changes | <p>Dear Members of the Judicial Council of California:</p> <p>Proposal SP26-05 will reduce the availability of qualified certified interpreters in our courts. When experienced professionals leave because rates are capped and inflexible, Limited English Proficient Californians—approximately one in six residents—lose meaningful access to justice. I ask the Council to reject these changes and preserve the ability of courts to secure competent interpretation.</p> <p>I urge the Judicial Council to preserve the negotiability of interpreter fees so that qualified interpreters can remain available when these court users need them.</p> <p>Thank you for considering this perspective.</p> <p>Respectfully, Guillermina Thorlaksson, Certified Interpreter (Spanish)</p> <p>Kind regards,</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <p>Gurdeep Kaur Chawla<br/>Indian Languages Services<br/>LLC Member of TAALS</p> <p><b>Comment on behalf of<br/>org?: Yes</b></p>                                        | Do not agree with proposed changes | <p>I urge the Judicial Council to reconsider Proposal SP26-05. Rigid, non-negotiable rates and reduced flexibility will drive experienced certified interpreters away from court work. California's 6.4 million Limited English Proficient residents deserve consistent access to qualified interpreters so their due-process rights are protected.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <p>Hany Farag, Certified<br/>Arabic Court Interpreter<br/>Certified Arabic Court<br/>Interpreter</p> <p><b>Comment on behalf of<br/>org?: No</b></p>                     | Do not agree with proposed changes | <p>In Idaho, you can buy a pound of potatoes for about 60 cents. But if you want fresh artichokes, you may pay closer to \$3. The disparity in price has much to do with rarity and availability.</p> <p>Court interpretation has a similarly non-uniform language workload. Spanish accounts for roughly 90% of the workload, while all remaining languages (OTS—Other Than Spanish) share the remaining 10%. A single certifiable language, such as Arabic, may account for only about 1% of the total workload.</p> <p>An OTS interpreter often has to shuttle between different counties, sometimes even within the same workday. The interpreter must also navigate variations in court procedures at every stage—from requesting availability and receiving confirmation, to reporting for work, performing the assignment, and filing a claim for payment.</p> <p>Even something as simple as direct deposit can vary in details from one court to another. The interpreter must learn and adapt to each county's administrative procedures, regardless of whether they work in that court regularly or only once a year.</p> <p>This level of flexibility is an inherent requirement of working in OTS languages. It represents an additional administrative and operational burden that is rarely reflected in a system designed around a "one size fits all" approach.</p> <p>If you ignore availability and rarity, setting the price of both potatoes and artichokes at \$1 might appear perfectly reasonable. You may still be able to get potatoes—but the children of Idaho might see artichokes only in science-fiction books.</p> <p>The same principle applies to court interpretation: a system that treats all languages as though they have the same supply, demand, and availability may appear equitable on paper while ultimately making scarce-language services harder to sustain.</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                    | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
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| <p>Hasmik Hovhanisyan<br/>Certified Armenian Court Interpreter</p> <p><b>Comment on behalf of org?: No</b></p>               | Do not agree with proposed changes | <p>I am writing to strongly oppose the proposed changes to the Superior Court Payment Policies for Independent Contract Interpreters, particularly the proposed non-negotiable compensation caps.</p> <p>As an Armenian certified interpreter, I have dedicated substantial time, education, training, and professional effort to becoming qualified to provide accurate and competent interpretation in legal proceedings. Interpreting is not simply knowing another language. Court interpreting requires specialized terminology, legal knowledge, ethics, accuracy, neutrality, and the ability to convey meaning precisely under highly consequential circumstances.</p> <p>Certified interpreters must also be able to make a reasonable living from their profession. The cost of living in California continues to rise dramatically, including housing, transportation, insurance, taxes, professional certification, continuing education, and other business expenses. Setting rigid rates that do not reflect the current cost of providing professional services will make it increasingly difficult for qualified interpreters to remain in this profession.</p> <p>The proposed rates are particularly concerning because they would eliminate the ability to negotiate compensation based on actual market conditions, travel, availability, assignment difficulty, and the interpreter's qualifications. Independent professionals should not be treated as if their services have a fixed value regardless of these circumstances.</p> <p>I am also deeply concerned about the proposal's treatment of certified versus non-certified interpreters. If a certified interpreter is available and willing to accept an assignment at a reasonable professional rate, but declines an artificially capped rate, it should not be characterized as the certified interpreter being "unavailable." Allowing a non-certified individual to be substituted under those circumstances undermines the very purpose of professional certification.</p> <p>For limited-English-speaking court users, the quality of interpretation can directly affect their ability to understand the proceedings, communicate with the court and counsel, and protect their legal rights. This is especially important for less commonly spoken languages, including Armenian, where the pool of highly qualified interpreters is limited.</p> <p>The Judicial Council should encourage and preserve a strong professional interpreting workforce—not create financial conditions that drive experienced certified interpreters away from court work. A shortage of qualified interpreters cannot be solved by lowering compensation and replacing certified professionals with less-qualified individuals. It risks reducing the quality and reliability of interpretation precisely when accuracy matters most.</p> <p>I respectfully urge the Judicial Council to reject rigid compensation ceilings and preserve the ability to negotiate reasonable market-based rates. Certified interpreters should be compensated in a manner that reflects their qualifications, professional responsibilities, actual costs, and the current economic realities of California.</p> <p>Access to justice requires meaningful access to competent interpretation. The State should not balance its budget at the expense of the professional interpreters who make that access possible.</p> <p>Thank you for considering my comments and for recognizing the essential role that certified interpreters play in California's courts.</p> <p>Respectfully,<br/>Hasmik Hovhanisyan</p> |
| <p>Heather Rogers<br/>Public Defender<br/>Santa Cruz County Public Defender</p> <p><b>Comment on behalf of org?: Yes</b></p> | Do not agree with proposed changes | <p>August 24, 2026</p> <p>Dear Chair Bieker and Members of the Court Executives Advisory Committee:</p> <p>I write on behalf of the Santa Cruz County Public Defender's Office to urge substantial revision of SP26-05, Court Interpreters: Revisions to Payment Policies for Independent Contractor Interpreters. We appreciate the Judicial Council's obligation to manage public resources responsibly, and we acknowledge that the proposal would raise maximum compensation rates that have been frozen since July 1, 2021. Our concern is not with that increase. It is that the proposal pairs a higher ceiling with the elimination of every mechanism courts now use to reach beyond it, and in doing so converts a budgetary limit into a basis for appointing less-qualified interpreters. But cost containment cannot come at the expense of accurate interpretation, meaningful participation, attorney-client communication, or the integrity of judicial proceedings.</p> <p>The stakes are constitutional. "A person unable to understand English who is charged with a crime has a right to an interpreter throughout the proceedings." (Cal. Const., art. I, § 14.) Government Code section 68561 implements that right by requiring that a person who interprets in a language designated by the Judicial Council be a certified court interpreter, and by permitting the appointment of a noncertified interpreter only for good cause, on a record that includes a finding that a certified or registered interpreter is not available.</p> <p>As written, the proposal creates a direct pathway from a non-negotiable compensation ceiling to the appointment of less-qualified interpreters. It would define a certified or registered interpreter as "unavailable" not only when no qualified interpreter can be located, but also when an available interpreter is "unwilling to accept the applicable maximum compensation rate." After that "unavailability" determination, the court could appoint a noncertified or nonregistered interpreter under California Rules of Court, rule 2.893.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter | Position | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         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|           |          | <p>That is not true unavailability. It is the predictable consequence of a compensation policy that may not reflect the market for a particular language, location, assignment, or required travel. A qualified professional does not become unavailable merely because the compensation policy forbids the court from paying the amount necessary to secure that professional's services.</p> <p>This distinction is critically important. Rule 2.893 permits the appointment of a noncertified or nonregistered interpreter only after a diligent search fails to locate a certified or registered interpreter, and only on findings stated on the record and documented on Forms INT-110 and INT-120. SP26-05 would effectively allow the payment policy to supply that finding. The result would be a two-tiered system of language access: certified or registered interpreters where the capped rate is sufficient and less-qualified or remote interpretation where it is not.</p> <p>The operational consequences fall on the courts as well. Rule 2.893 limits each noncertified interpreter to 45 court days per calendar year in Spanish and 75 court days in other languages, absent an additional finding of necessity. A policy that predictably increases provisional appointments will press against those limits and multiply the findings, forms, and hearing time each appointment requires — in precisely the courts least equipped to absorb that burden.</p> <p>The data in the proposal demonstrates that this is not a speculative concern. The table titled “FY 2024-25 Average Full-Day and Half-Day Contractor Payments by Language and Region” reports average full-day payments above the proposed ceiling across numerous languages and regions. We recognize that the invitation states the policy presented to the council will reflect the federal rates that take effect on October 1, 2026 — \$617 full day, \$349 half day, and \$87 hourly for certified interpreters. The problem persists at those higher figures. For Mixteco, every region reporting full-day data shows an average above the proposed ceiling (\$883, \$784, and \$616), and two of the three exceed \$617 as well. Average full-day payments likewise exceed \$617 in at least one region for Farsi, Dari, Punjabi, Romanian, Hindi, Tagalog, Portuguese, and French. Measured against the \$566 figure printed in the invitation, the list also includes Spanish and Mandarin — the two highest-volume languages in the California courts. The data therefore predicts that the policy will reduce, rather than preserve, access to qualified interpreters in precisely the languages for which interpreter resources are already scarce.</p> <p>This is not a problem confined to other parts of the state. It will directly impact criminal justice proceedings in Santa Cruz County. Santa Cruz County sits in Region 2, which reports the highest average full-day payments in the state in nearly every language. Measured against the \$566 figure in the invitation, the Region 2 average exceeds the ceiling for Spanish, Mandarin, Punjabi, Farsi, Dari, Tagalog, French, Hindi, Romanian, Portuguese, and Mixteco. Measured against \$617, it continues to exceed the ceiling for Mixteco, Farsi, Dari, Romanian, Punjabi, Hindi, Tagalog, French, and Portuguese.</p> <p>What makes these figures consequential is what the proposal removes. Under the policy currently in effect, courts have discretion to negotiate compensation above the established rates “in order to obtain services in extraordinary circumstances,” subject to a documented procedure: contacting at least three interpreters, documenting their unavailability, obtaining court executive approval before work commences, and retaining that documentation with the claim. That is an audited safeguard, not a loophole, and it is the mechanism that has allowed courts to fill assignments in the languages and regions where the policy rate falls short. SP26-05 would delete it. Raising the ceiling while eliminating the exception leaves courts worse off in exactly the cases where the exception is used.</p> <p>This will disproportionately affect smaller, rural, and geographically isolated courts. Santa Cruz County and other Central Coast communities regularly serve people who speak Indigenous languages, including Mixteco and Triqui, as well as other languages for which there may be no qualified local interpreter. Courts must sometimes bring interpreters from other counties. A non-negotiable statewide cap, coupled with the restriction on travel compensation and the elimination of authority to approve compensation above ordinary limits in extraordinary circumstances, will make those assignments substantially harder to fill.</p> <p>The proposed travel policy compounds the problem. Reimbursing mileage and certain preauthorized expenses does not compensate an independent interpreter for hours spent traveling during which the interpreter cannot accept other work. Without reasonable travel-time compensation or flexibility to negotiate an appropriate total rate, courts outside major metropolitan areas will be unable to compete for a limited pool of qualified professionals. The policy currently in effect permits courts to negotiate compensation for travel time at up to the policy hourly rate, and we ask that this authority be expressly preserved. We also note a procedural difficulty: the invitation states that the reimbursement of mileage and travel time “is addressed in the Independent Contractor Interpreter Agreement,” a standardized template that has not been circulated with the proposal. Commenters cannot meaningfully evaluate a travel policy whose operative terms appear only in an unpublished document.</p> <p>We are also concerned with the proposal's recommendations regarding video remote interpreting (VRI). VRI is not an adequate substitute for qualified in-person interpretation in every setting. We are particularly concerned that the proposed VRI clause would permit VRI to be performed by a provisionally qualified interpreter. Those two departures compound: a less-qualified interpreter would work under precisely the conditions — degraded audio, latency, and the absence of a reliable channel for confidential attorney-client consultation — that most punish a lack of training and credentialing. In criminal proceedings, an interpreter may be needed not only to interpret words spoken from the bench, but also to facilitate confidential communication between attorney and client, interpret rapid exchanges</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter | Position | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         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|           |          | <p>involving multiple speakers, assist with the review of plea forms and other documents, and ensure that the accused can meaningfully participate in decisions carrying profound consequences. (See <i>People v. Aguilar</i> (1984) 35 Cal.3d 785.) Technology, acoustics, connectivity, and the physical separation of the interpreter can interfere with those functions. Remote interpretation should be used only after an individualized determination that it is appropriate for the proceeding and with the informed consent of the accused and their defense counsel at critical stages of the proceeding—not as a routine response to a compensation-driven shortage.</p> <p>For our clients, interpretation is not an administrative convenience. A person who cannot understand the proceedings cannot meaningfully assist counsel, evaluate a plea, decide whether to waive a constitutional right, confront witnesses, or participate in their own defense. Interpretation errors can alter the perceived meaning of testimony, omit legally significant qualifications, and undermine the reliability of the record. Any savings achieved by increasing the use of noncertified interpreters may also be offset by continuances, longer hearings, challenged pleas, mistrials, appellate litigation, and other avoidable costs.</p> <p>We are also concerned that the proposal evaluates its likely effects primarily through aggregate expenditures and average regional rates. It does not adequately analyze:</p> <ul style="list-style-type: none"> <li>- How many certified or registered interpreters would decline assignments under the proposed ceilings;</li> <li>- Which languages and counties would experience the greatest loss of qualified coverage;</li> <li>- How often courts would consequently appoint provisionally qualified interpreters, and whether those appointments would approach the day limits set by rule 2.893;</li> <li>- How the restrictions on travel compensation would affect small and remote courts;</li> <li>- Whether increased reliance on VRI would permit confidential and effective attorney-client communication; or</li> <li>- What effect the policy would have on continuances, case-processing time, interpreter complaints, and the accuracy of judicial proceedings.</li> </ul> <p>We respectfully request that the committee revise SP26-05 before recommending it to the Judicial Council. The following requests are, in our view, squarely within the scope of this payment policy and could be adopted without any amendment to the California Rules of Court. Any revised policy should:</p> <ul style="list-style-type: none"> <li>- Remove an interpreter’s unwillingness to accept the maximum rate from the definition of “unavailable”;</li> <li>- Preserve authority to exceed ordinary rates in documented extraordinary circumstances, including uncommon languages, specialized or lengthy proceedings, urgent matters, and assignments requiring substantial travel;</li> <li>- Permit reasonable compensation for necessary travel time, as the policy currently in effect permits;</li> <li>- Provide that the maximum rates conform automatically to the federal court interpreter fee schedule as it is adjusted each fiscal year, so that the policy does not repeat the five-year freeze that produced the current divergence between policy rates and rates actually paid; and</li> <li>- Establish transparent reporting on unfilled assignments, provisional appointments, VRI use, continuances caused by interpreter shortages, and language-access complaints.</li> </ul> <p>We further ask that the committee recommend that the Judicial Council refer the following to the Advisory Committee on Language Access, as each would require amendment of the California Rules of Court rather than of this payment policy:</p> <ul style="list-style-type: none"> <li>- Require courts to exhaust reasonable efforts to secure a certified or registered interpreter before appointing a provisionally qualified interpreter, without treating rate refusal alone as satisfaction of that requirement;</li> <li>- Require an individualized determination before VRI is used, including consideration of the complexity and length of the proceeding, the need for confidential attorney-client consultation, the availability of appropriate equipment, and the wishes and needs of the limited-English-proficient court user; and</li> <li>- Require the informed consent of the accused in consultation with defense counsel for use of non-certified interpreters or VRI at critical stages of the proceedings. We recognize this would depart from the current framework, which turns on a finding of good cause together with party objection or waiver under Government Code section 68561 and rule 2.893. However, we believe this revision is necessary to safeguard the accused’s constitutional rights to due process, a fair trial, and effective assistance of counsel.</li> </ul> <p>Statewide consistency may be a legitimate administrative goal, but consistency should establish a floor for quality and access—not a ceiling that prevents courts from securing qualified professionals. The Judicial Council should not balance its interpreter budget by shifting the resulting risk onto people whose liberty, families, housing, and fundamental rights are at stake.</p> <p>For these reasons, the Santa Cruz County Public Defender’s Office respectfully opposes SP26-05 as drafted and urges the committee to revise the proposal as described above before recommending it to the Judicial Council. If those revisions cannot be made, we urge that the proposal be withdrawn and recirculated for further comment, together with the Independent Contractor Interpreter Agreement template, so that public defenders, legal-services organizations, court users, disability and language-access advocates, and the communities most likely to be affected can review and respond to the travel-time and VRI terms.</p> <p>Respectfully submitted,</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                   | Position                                  | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
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|                                                                                             |                                           | <p>Heather Rogers<br/>Public Defender<br/>County of Santa Cruz</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <p>Heidi Aboites<br/>Conference Interpreter</p> <p><b>Comment on behalf of org?: No</b></p> | <p>Do not agree with proposed changes</p> | <p>Dear Judicial Council,</p> <p>I submit these comments in strong opposition to the proposed revisions in SP26-05.</p> <p>The proposal's non-negotiable rate structure, rigid four- and eight-hour blocks, removal of clear morning/afternoon session definitions, and tightly restricted travel rules will significantly reduce the willingness of certified interpreters to accept court work. Once experienced interpreters leave or limit their availability, the courts will face greater difficulty covering calendars with qualified professionals.</p> <p>Of particular concern is the proposal's definition of "unavailability." The draft states that an interpreter is considered unavailable if they "are unwilling to accept the maximum compensation rate established in the policy." Once that finding is made, and after a diligent search, the court may appoint a nonregistered or noncertified interpreter under rule 2.893. This provision turns a simple rate refusal into a legal finding of unavailability. In practice, it creates a direct financial incentive to replace a certified interpreter who declines the capped rate with someone who has never passed a certification examination. Limited English Proficient court users are never informed that this substitution has occurred. Certification exists because neither the judge nor counsel can evaluate the accuracy of the interpretation in real time. By converting a cost-control measure into a structural preference for less-qualified interpreters, the proposal undermines the very safeguard the credential was designed to provide. This is not language access. It is the appearance of language access at the expense of accuracy and due process.</p> <p>This outcome directly affects California's Limited English Proficient population—approximately 6.4 million people, or one in six residents. Meaningful language access is a due-process requirement, not an optional expense. When certified interpreters are driven away by inflexible and non-negotiable terms, the quality of interpretation declines. Errors, continuances, and in the worst cases mistrials or miscarriages of justice become more likely. Any short-term budget savings will be outweighed by the long-term costs of remedying those failures.</p> <p>California has long recognized the importance of language access in a diverse state. This proposal moves in the opposite direction. I urge the Judicial Council to reject the current draft and maintain the flexibility necessary to attract and retain qualified certified interpreters.</p> <p>Respectfully,</p> <p>Heidi Aboites</p> <p>Conference Interpreter</p> |
| <p>Heidi Aboites<br/>Conference Interpreter</p> <p><b>Comment on behalf of org?: No</b></p> | <p>Do not agree with proposed changes</p> | <p>Dear Judicial Council,</p> <p>I submit these comments in strong opposition to the proposed revisions in SP26-05.</p> <p>The proposal's non-negotiable rate structure, rigid four- and eight-hour blocks, removal of clear morning/afternoon session definitions, and tightly restricted travel rules will significantly reduce the willingness of certified interpreters to accept court work. Once experienced interpreters leave or limit their availability, the courts will face greater difficulty covering calendars with qualified professionals.</p> <p>Of particular concern is the proposal's definition of "unavailability." The draft states that an interpreter is considered unavailable if they "are unwilling to accept the maximum compensation rate established in the policy." Once that finding is made, and after a diligent search, the court may appoint a nonregistered or noncertified interpreter under rule 2.893. This provision turns a simple rate refusal into a legal finding of unavailability. In practice, it creates a direct financial incentive to replace a certified interpreter who declines the capped rate with someone who has never passed a certification examination. Limited English Proficient court users are never informed that this substitution has occurred. Certification exists because neither the judge nor counsel can evaluate the accuracy of the interpretation in real time. By converting a cost-control measure into a structural preference for less-qualified interpreters, the proposal undermines the very safeguard the credential was designed to provide. This is not language access. It is the appearance of language access at the expense of accuracy and due process.</p> <p>This outcome directly affects California's Limited English Proficient population—approximately 6.4 million people, or one in six residents. Meaningful language access is a due-process requirement, not an optional expense. When</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                               | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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|                                                                                                                         |                                    | <p>certified interpreters are driven away by inflexible and non-negotiable terms, the quality of interpretation declines. Errors, continuances, and in the worst cases mistrials or miscarriages of justice become more likely. Any short-term budget savings will be outweighed by the long-term costs of remedying those failures.</p> <p>California has long recognized the importance of language access in a diverse state. This proposal moves in the opposite direction. I urge the Judicial Council to reject the current draft and maintain the flexibility necessary to attract and retain qualified certified interpreters.</p> <p>Respectfully,</p> <p>Heidi Aboites</p> <p>Conference Interpreter</p>                                                                                                                                                                                                                                                                                                                                                                  |
| <p>Heidi Aboites<br/>Conference Interpreter</p> <p><b>Comment on behalf of org?: No</b></p>                             | Do not agree with proposed changes | <p>Dear Members of the Judicial Council,</p> <p>I am writing to express my strong concerns regarding the proposed changes to the designation of interpreter unavailability. Turning a rate refusal into a legal finding of unavailability effectively converts a cost-control measure into a structural preference for less-qualified interpreters. This approach does not provide true language access; rather, it creates the appearance of language access at the expense of accuracy and due process.</p> <p>I urge you, Council, to respect our profession as you would expect others to respect the legal profession. This current approach does not achieve language justice from any perspective. These changes will deeply impact all interpreters working both inside and outside of the court system, ultimately compromising the integrity of proceedings for non-English speaking individuals.</p> <p>Thank you for your time, consideration, and dedication to ensuring fair access to justice.</p> <p>Sincerely,</p> <p>Heidi Aboites<br/>Conference Interpreter</p> |
| <p>Heidi G. Leal<br/>Certified Spanish - English Interpreter<br/>CAPIT</p> <p><b>Comment on behalf of org?: Yes</b></p> | Do not agree with proposed changes | <p>I urge the Judicial Council to reconsider Proposal SP26-05. These rigid, non-negotiable rates reduce flexibility and will drive experienced certified interpreters away and reduce the availability of qualified certified interpreters in our courts. California's 6.4 million Limited English Proficient residents deserve consistent access to qualified interpreters so their due-process rights are protected.</p> <p>When experienced interpreters leave because rates are capped and inflexible, Limited English Proficient Californians lose meaningful access to justice. Non-negotiable rates will produce more errors, delays, mistrials, and miscarriages of justice. I ask the Council to reject these changes and preserve the ability of courts to secure competent interpretation.</p>                                                                                                                                                                                                                                                                           |
| <p>Helen S Ruiz<br/>Helen S. Ruiz Interpreting Service</p> <p><b>Comment on behalf of org?: No</b></p>                  | Do not agree with proposed changes | <p>Do not agree with proposed changes</p> <p>The Council should withdraw proposal SP26-05. It will harm California's 6.4 million Limited English Proficient residents. It will drive certified interpreters out of the courts through non-negotiable rates and will produce more problems than it solves. The pool of certified and registered interpreters will shrink to a pool of the least qualified.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <p>Hilda Bolden<br/>Certified Medical Interpreter</p> <p><b>Comment on behalf of org?: No</b></p>                       | Do not agree with proposed changes | <p>Please oppose SP26-05. It will reduce the availability of Certified Interpreters.</p> <p>Thank you for your help.</p> <p>Hilda Bolden<br/>Certified Medical Interpreter</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

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| <p>Hope Wick<br/>Certified Community and Healthcare Interpreter<br/>Regions Hospital</p> <p><b>Comment on behalf of org?:</b> No</p> | <p>Agree with proposed changes</p>        | <p>With what we are getting paid as Certified Interpreter, travel, and expenses, we do not get pay enough. Especially, in Northern Minnesota here-the weather is very rough and make our travel time greatly expensive. On top of that, agencies are not paying all interpreters equally. Some of us interpreter stop contracting with some agencies because they are bias. If modified is really happening, agencies need to follow the proposal of law for all interpreters without bias.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <p>Hyesun Lee, Certified Court Interpreter<br/>Certified Court Interpreter</p> <p><b>Comment on behalf of org?:</b> No</p>           | <p>Do not agree with proposed changes</p> | <p>To Whom It May Concern,</p> <p>I am writing to submit this formal comment expressing grave concerns regarding the newly proposed rate limits for court interpreters. While I understand the administrative desire for cost management, the proposed caps will dramatically undermine the quality of language access in our justice system. Ultimately, this policy will result in an over-reliance on uncredentialed, provisional interpreters, directly jeopardizing the due process rights of Limited English Proficient (LEP) individuals.</p> <p>The integrity of a legal proceeding relies entirely on the accuracy of the record. Certified court interpreters undergo rigorous testing, specialized training, and continuous professional development to master complex legal vocabulary and strict ethical canons. Imposing restrictive rate limits will inevitably drive these highly qualified professionals away from court service.</p> <p>To fill the void, the courts will be forced to rely heavily on provisional, non-certified interpreters who lack the necessary qualifications, formal training, and courtroom experience. This shift will have severe, compounding consequences:</p> <ul style="list-style-type: none"> <li>- <b>Compromised Accuracy and Judicial Fairness:</b> Language interpretation is not a word-for-word substitution; it requires split-second cognitive processing of nuanced legal concepts. Non-certified interpreters are far more likely to commit critical omissions or mistranslations, fundamentally altering the testimony and evidence on the record.</li> <li>- <b>Inability to Handle Complex Courtroom Dynamics:</b> Qualified, certified interpreters are specifically trained to manage intricate courtroom interactions. For example, a provisional interpreter often lacks the experience to properly manage intermittent comments, spontaneous utterances, or side remarks made by an LEP witness during a proceeding. A certified interpreter knows precisely how to navigate these challenges ethically, ensuring every word is accurately preserved for the court. A non-certified interpreter's failure to manage these moments can completely alter the perceived credibility of a witness and, consequently, the outcome of the case.</li> <li>- <b>Systemic Inequity:</b> This policy creates an unfair, two-tiered system of justice. English-speaking participants navigate the court with clear communication, while LEP individuals are left to defend their liberty, families, or livelihoods through a fractured and unreliable linguistic lens.</li> </ul> <p>When a court fails to provide competent interpretation, it risks a miscarriage of justice. This can lead to wrongful rulings, mistrials, and lengthy, expensive appeals—effectively erasing any short-term administrative cost savings the proposed rate limits aim to achieve.</p> <p>True access to justice cannot exist without competent, certified language access. I strongly urge the court to reconsider the proposed rate limits and instead implement a compensation structure that attracts and retains the certified professionals required to keep our legal system fair and equitable for everyone.</p> <p>Thank you for your time and your consideration of these critical concerns.</p> <p>Sincerely,</p> <p>Hyesun Lee</p> <p>Certified Court Interpreter</p> |
| <p>Irene Luevano<br/>CA certified court interpreter<br/>Irene Luevano</p> <p><b>Comment on behalf of org?:</b> No</p>                | <p>Do not agree with proposed changes</p> | <p>Do not agree with proposed changes</p> <p>Interpreter services are constitutionally mandated. Putting limits on what an interpreter charges will only belittle the profession and quality of services. Please understand, just because someone is bilingual DOES NOT mean they could easily be a professional interpreter.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

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| <p>Isis Bolanos<br/>Chief Operations Officer<br/>Santana, Lopez &amp;<br/>Associates, LLC</p> <p><b>Comment on behalf of org?:</b> Yes</p> | Do not agree with proposed changes | <p>I am writing in opposition to Proposal SP26-05 and to urge the Judicial Council to reconsider the proposed changes governing compensation and working conditions for independent contractor court interpreters.</p> <p>My greatest concern is the proposal's treatment of a certified interpreter who is unwilling to accept the maximum compensation rate as "unavailable." A certified professional does not cease to be available merely because the government and that independent contractor cannot agree on compensation. That distinction matters.</p> <p>If a certified interpreter declines the capped rate and is consequently classified as unavailable, the court may ultimately move toward appointing a noncertified or nonregistered person under the applicable rules. In effect, a compensation dispute can become part of the justification for lowering the credential level of the person providing language access.</p> <p>This creates a troubling incentive structure: cap the rate, certified interpreter declines the assignment, declare the certified interpreter unavailable, and then potentially substitute a person who has not met the same statewide certification requirements.</p> <p>That is not a true shortage of certified interpreters. It may instead be a shortage created by the compensation policy itself.</p> <p>Certification is particularly important in court because judges, attorneys, and Limited English Proficient litigants often have no independent way to determine whether an interpretation is accurate. The credential is one of the safeguards the justice system relies upon to establish competency before an interpreter ever enters the courtroom.</p> <p>I am also concerned about the cumulative effect of the proposal's non-negotiable rates, four- and eight-hour blocks, changes to session boundaries, and restrictions on travel reimbursement.</p> <p>Independent contractors do not simply calculate whether a particular hourly rate sounds reasonable. We must consider the time that must be reserved, assignments we must decline in order to remain available, travel time and expenses, administrative costs, taxes, insurance, continuing education, certification expenses, and the other costs associated with operating independently.</p> <p>Requiring an interpreter to reserve a substantial block of the day can prevent that interpreter from accepting other work even when the court ultimately needs only a fraction of the reserved time. Eliminating predictable morning and afternoon session boundaries can compound this problem by making it difficult for an interpreter to accept another assignment later in the day.</p> <p>Travel restrictions raise another serious access concern. California is an enormous state, and the availability of certified interpreters is not evenly distributed among counties or languages. Policies that make travel economically impractical will have a disproportionate effect on rural courts, underserved areas, and languages for which there are already very few certified professionals.</p> <p>A uniform maximum rate also fails to account adequately for differences in supply and demand. A rate sufficient to secure a certified interpreter for a common language in a large metropolitan area may be wholly insufficient to obtain a certified interpreter who must travel a significant distance or who works in a language of lesser diffusion.</p> <p>I am additionally concerned about establishing a compensation ceiling without a meaningful mechanism for adjusting rates as economic conditions change. Any long-term policy should contain a transparent process for periodic review that considers inflation, cost of living, contractor expenses, interpreter availability, geographic conditions, and the supply of credentialed interpreters in individual languages.</p> <p>California has spent more than fifty years expanding and strengthening meaningful language access in its courts—from establishing a constitutional right to an interpreter for criminal defendants in 1974, to AB 1657's expansion of court-funded interpreter services into civil matters in 2015, to the Judicial Council's statewide Language Access Plan. SP26-05 should not undermine that progress by creating an economic pathway through which a certified interpreter can be deemed "unavailable" simply because the interpreter will not accept a capped rate, thereby facilitating the use of a less-qualified interpreter.</p> <p>Independent certified interpreters are professionals whose qualifications, experience, and availability are essential to the functioning of the courts. Policies intended to contain costs should not inadvertently drive those professionals away and then characterize their absence as a shortage.</p> <p>I urge the Judicial Council to revise SP26-05 in a manner that protects the courts, preserves a sustainable pool of certified interpreters, and—most importantly—protects the Limited English Proficient Californians whose ability to understand and participate in judicial proceedings depends upon competent interpretation.</p> <p>Thank you for considering my comments.</p> |

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| <p>Ivonne Marie Padro, CA State Certified Spanish Interpreter<br/>CA State Certified Spanish Interpreter</p> <p><b>Comment on behalf of org?: No</b></p> | <p>Do not agree with proposed changes</p> | <p>To all honorable members of the California Judicial Council,<br/>Regarding this last minute proposal below is my requested opinion.<br/>I ask that California State Certified Court Interpreters be considered separately from Federal Court Interpreters when compensation and contracting policies are evaluated.<br/>California State Certified Interpreters serve ALL California Superior Courts, (58 superior, or trial, courts, with approximately 500 court buildings across the state) we are an essential part of ensuring meaningful access to justice for individuals who require language services. We are proud to serve our local courts, but the current compensation structure often forces independent contractor interpreters to travel extraordinary distances simply to earn a reasonable income.<br/>Many independent contractor interpreters are traveling an average oscillating from 300 to 400 miles round trip to make a decent wage. This is not sustainable &amp; doesn't make sense. It means spending countless hours on California freeways, absorbing fuel and vehicle expenses, and—most importantly—the risk of being involved in a serious traffic accident.<br/>We are tired of traveling!<br/>If the primary concern is the State's budget, we respectfully propose a practical alternative: allow California State Certified Interpreters to negotiate a reasonable flat rate with their "home courts" located within a 30-mile radius of our residence.<br/>A reasonable local flat rate would provide several potential benefits:</p> <ul style="list-style-type: none"> <li>- Reduce the need for interpreters to travel hundreds of miles.</li> <li>- Reduce mileage and travel-related expenses.</li> <li>- Reduce the amount of time interpreters spend away from their families and communities.</li> <li>- Improve interpreter availability and reliability for local courts.</li> <li>- By having more interpreters available courts can utilize team interpreting when needed, particularly during lengthy or complex proceedings helping interpreters reduce exhaustion and maintain accuracy.</li> <li>- Local rates will encourage California State Certified Interpreters to remain available to the local courts in the communities they serve.</li> <li>- Courts can substantially reduce overall travel-related costs while providing interpreters with a fair and predictable rate. In some cases you can have 2 interpreters for what some courthouses are paying for one interpreter.</li> </ul> <p>This proposal should be about using existing resources more efficiently and creating a compensation structure that makes local assignments financially viable.<br/>No interpreter should have to put their life at risk on California's freeways simply to make a fair living.<br/>This approach could be a win for interpreters, a win for the courts, and a win for the State budget.<br/>Thank you for your consideration<br/>Ivonne Marie Padro<br/>CA State Certified Spanish Interpreter</p> <p>Residing in Fresno<br/>Sent from my iPhone</p> |
| <p>Jackie Foigelman, President, Certified Interpreters Inc.</p> <p><b>Comment on behalf of org?: Yes</b></p>                                             | <p>Do not agree with proposed changes</p> | <p>Position on Proposal<br/>Do not agree with proposed changes</p> <p>Comments<br/>As an interpreting agency that only hires certified interpreters throughout California, we are deeply concerned that Proposal SP26-05 will have consequences far beyond the courts. Our agency provides certified interpreters to insurance carriers, defense firms, injured workers' attorneys, medical providers, and other participants throughout California's workers' compensation system including Uninsured Employers Fund cases.</p> <p>Capping rates and eliminating flexibility will make it increasingly difficult for agencies like ours to recruit and retain experienced interpreters. Court rates often influence what other payers consider reasonable, meaning these restrictions could ultimately affect interpreter availability for depositions, medical-legal evaluations, medical appointments, and other essential services.</p> <p>We respectfully urge the Judicial Council to reconsider these proposed restrictions and preserve reasonable rate flexibility so that qualified, certified interpreters remain available throughout California's legal and workers' compensation systems. If these changes are adopted, injured workers will ultimately be the ones who suffer most. Without access to certified interpreters, they may lose their ability to fully understand their medical care, legal rights, and the workers' compensation process, as well as their fair opportunity to communicate and participate in decisions that directly affect their lives.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

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| <p>Jacqueline Kamel Agban<br/>Certified Court Interpreter</p> <p><b>Comment on behalf of org?: No</b></p>                         | <p>Do not agree with proposed changes</p>      | <p>Dear Judicial Council,</p> <p>I submit these comments regarding the proposed revisions in SP26-05.</p> <p>The proposal's non-negotiable rate structure, rigid four- and eight-hour blocks, elimination of clear morning and afternoon session definitions, and restrictive travel provisions will significantly reduce certified interpreters' willingness to accept court assignments. If experienced interpreters reduce their availability or leave court work altogether, the courts will face increasing difficulty covering their calendars with qualified professionals.</p> <p>Of particular concern is the proposal's definition of "unavailability." The draft provides that an interpreter may be considered unavailable if they "are unwilling to accept the maximum compensation rate established in the policy". Certification exists for an important reason: neither a judge nor counsel can reliably assess the accuracy and completeness of an interpreter's work in real time. By turning a cost-control measure into a mechanism that can result in the use of less-qualified interpreters, the proposal undermines the very safeguard that certification is intended to provide. It risks creating the appearance of language access at the expense of accuracy, fairness, and due process.</p> <p>This issue directly affects California's Limited English Proficient population—approximately 6.4 million people, or one in six residents. Meaningful language access is a fundamental component of due process, not an optional expense. When certified interpreters are discouraged from accepting assignments because of inflexible and non-negotiable terms, the quality and reliability of interpretation may decline. The consequences can include misunderstandings, errors, continuances, and, in the most serious cases, mistrials or miscarriages of justice. Any short-term budgetary savings could ultimately be outweighed by the substantial costs associated with correcting these failures.</p> <p>California has long recognized the importance of meaningful language access in a state as linguistically and culturally diverse as ours. The proposed revisions move in the opposite direction by creating conditions that may discourage qualified certified interpreters from participating in court proceedings.</p> <p>I respectfully urge the Judicial Council to reject the current draft of SP26-05 and preserve the flexibility necessary to attract, retain, and appropriately compensate qualified certified court interpreters. Protecting the quality of interpretation ultimately protects the integrity of the judicial process and the rights of the people who rely on the courts.</p> <p>Respectfully,<br/>Jacqueline Kamel Agban<br/>Certified Court Interpreter</p> |
| <p>Jake Chatters<br/>Court Executive Officer<br/>Superior Court of Placer County</p> <p><b>Comment on behalf of org?: Yes</b></p> | <p>Agree with proposed changes</p>             | <p>Agree with proposed changes</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <p>Janet Green<br/>Spanish Court Interpreter<br/>Independent contractor</p> <p><b>Comment on behalf of org?: Yes</b></p>          | <p>Agree with proposed changes if modified</p> | <p>Good morning Judicial Council,</p> <p>I understand that you are examining the issue of interpreter compensation today. I'd like to share my opinion and experience.</p> <p>I am an independent contractor, certified as a Spanish Court Interpreter. I have to say that our rates absolutely have to be negotiable to work. It's the law of supply and demand. Also, it has been 5 years since we received an adjustment of our half-day and full day compensation rates. A lot of changes have occurred in our economy and the current rate doesn't work anymore, especially since it appears that wages have increased overall in our state.</p> <p>I ask you to consider the following: Adjust the half day rate to at least \$300 and the full day rate to \$500 for certified court interpreters. Obviously, I also require compensation for mileage, travel time and meal allowance if applicable. I believe that it is appropriate for the court interpreter supervisor to decide when the interpreter can be released. It does not need to adhere to a strict 4 or 8-hour time period. The needs of the court are unpredictable. Of course I am willing to appear by VRI also.</p> <p>Presently, I do a great deal of interpreting in the private sector. The amounts I just quoted reflect my rates in the private sector. I have to be compensated fairly. Currently, I am paid less in the state courts than in the private sector, so I am often reluctant to accept court assignments in light of such a difference.</p> <p>I am so glad that you are reviewing this subject today. Thank you!</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

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| <p>Janet Hudec et. al.<br/>Certified Spanish Interpreter Employee and Coordinating Interpreter for Madera Superior Court</p> <p><b>Comment on behalf of org?: No</b></p> | <p>Agree with proposed changes if modified</p> | <p>POSITION PAPER<br/>In Support of SP26-05<br/>Revisions to Payment Policies for Independent Contractor Interpreters</p> <p>Executive Position<br/>SP26-05 should be adopted because it replaces fragmented and increasingly expensive contractor payment practices with a fair statewide ceiling, uniform contract terms, and stronger controls over travel expenses, travel-time compensation, cancellation, and add-on compensation. The proposal does not deny independent contractor interpreters reasonable compensation. It raises the published compensation schedule to the federal level while making that level the maximum, non-negotiable rate. That is a balanced and responsible correction to a system in which courts have again begun competing against one another for the same limited pool of interpreters.</p> <p>The present disarray affects far more than accounting. It depletes finite language-access funds, encourages avoidable travel, makes contract work more financially attractive than court employment, and reduces the number of assignments that limited public dollars can support. When coverage cannot be secured on sustainable terms, court users experience delayed hearings, unplanned continuances, additional travel, missed work, and prolonged uncertainty. Cost containment is therefore not contrary to language access. Properly designed cost containment protects language access by preserving the resources needed to provide it consistently.</p> <p>Core position. Fair compensation does not require unlimited or individually negotiated compensation. A statewide public program must be able to establish reasonable rates, prevent overlapping payments, and reimburse actual, authorized travel expenses only when they serve a genuine operational need.</p> <p>The Proposal's Own Record Shows the Need for Reform</p> <ul style="list-style-type: none"> <li>• Contract interpreter costs increased 19 percent in fiscal year 2024-25 and are identified as the primary driver of overall interpreter cost growth.</li> <li>• Per-diem contractor expenditures were projected at \$38.4 million but reached \$43.6 million, an overrun of \$5.2 million.</li> <li>• Courts are frequently paying above established rates, and in some instances above federal rates, while also incurring additional travel-related expenses.</li> <li>• Employee-interpreter spending has remained stagnant or declined, and the proposal reports that some employees are quitting or retiring early to move into more lucrative contract work.</li> <li>• The same inter-court competition that prompted earlier statewide reforms has reemerged through above-rate negotiations and inconsistent local terms.</li> </ul> <p>Source: SP26-05, Executive Summary and Origin, pp. 1-3; Fiscal and Operational Impacts, pp. 6-7.</p> <p>1. Uniform Rates Will Stop Courts From Competing Against One Another<br/>California's trial courts should not be forced into a bidding war for publicly funded language services. When individual courts can negotiate above a standard rate, one court's emergency premium quickly becomes another contractor's minimum expectation. Interpreters can redirect their availability to the highest-paying court, while courts with less fiscal flexibility must either match the higher offer, pay additional travel expenses to bring in someone from farther away, or proceed without planned coverage.</p> <p>That competition raises the statewide price of the same finite interpreter capacity. It does not create more certified interpreters, more employee positions, or more interpreting hours. It simply allows limited public funds to be consumed by escalating premiums and inconsistent terms. The proposal's non-negotiable federal ceiling would place all 58 trial courts on equal footing, reduce administrative negotiation, and allow courts to plan coverage based on a known and defensible rate structure.</p> <p>Why the cap matters. Without a common ceiling, each court's effort to solve its own immediate shortage can make the statewide shortage more expensive for every other court.</p> <p>2. Uncontrolled Contractor Costs Harm Language Access<br/>Excessive rates are sometimes defended as necessary to provide language access, but an uncontrolled rate structure can produce the opposite result. Interpreter funding is finite. Every avoidable premium, overlapping payment, or unnecessary travel charge reduces the amount available for another courtroom, another case, an additional employee position, or future coverage. Unpredictable costs also make it more difficult for courts to forecast demand and reserve resources for less common languages and urgent proceedings.</p> <p>When a qualified interpreter cannot be secured at a sustainable authorized rate, the court may be unable to provide meaningful access at the time it is needed. The practical results include delayed calendars, unplanned and unwanted continuances, repeat appearances, and disruption to judges, clerks, attorneys, witnesses, and interpreters. Court users bear the heaviest burden through additional travel, missed work, childcare costs, uncertainty, and, in some criminal matters, additional time awaiting resolution. A policy that preserves more of the budget for actual interpreting coverage strengthens access to justice.</p> <p>Source: SP26-05, pp. 2-3, 6-7; Attachment B, sections III.C, III.F, and III.G.</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

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|           |          | <p>3. 'Market Value' Cannot Replace Public Contracting Controls<br/>Independent contractor status does not create an unrestricted right to dictate whatever payment a contractor describes as market value. Other services purchased by courts are governed by a written scope of work, approved prices, reimbursement limits, contract terms, and available public funding. Market conditions may inform those terms, but the contractor does not receive a blank check merely because the service is needed or a neighboring court paid more.</p> <p>Interpreter services should be governed by the same basic discipline. The court should establish a reasonable statewide rate, present that rate in a standardized agreement, and permit the contractor to accept or decline. SP26-05 does exactly that. It sets the maximum at the federal rate and treats an interpreter who will not accept the authorized maximum as unavailable, after which the court must continue its diligent search and follow California Rules of Court, rule 2.893. This is not a denial of fair compensation. It is ordinary stewardship of public funds.</p> <p>4. Travel Time Should Not Duplicate Payment for Contracted Time<br/>The Judicial Council's contractor travel guidelines clarify an important distinction: they govern reimbursement of travel expenses, not a rate of pay for travel time. Under the version effective January 1, 2025, reimbursement is discretionary, must be expressly specified in advance in a Service Work Order, and is limited to actual and reasonable expenses actually incurred. Transportation is reimbursed at actual cost using the lowest-cost available option, private-vehicle mileage follows the published federal mileage rate, and lodging is reimbursed at documented actual cost subject to published limits.</p> <p>SP26-05 carries those expense controls forward by requiring reimbursable travel expenses to comply with and not exceed the Judicial Council guidelines, remain separate from the interpreting rate, and generally be authorized in the Service Request. The draft separately states that mileage and travel time will be addressed in the standardized Independent Contractor Interpreter Agreement. The final policy and agreement therefore should not treat expense reimbursement and travel-time compensation as interchangeable.</p> <p>Reasonable expense reimbursement is appropriate when a court genuinely must bring a qualified interpreter from outside the area. The separate problem arises when travel time is paid in addition to a half-day or full-day rate even though the contractor is released early and travels during the same period for which the court has already paid for availability. In that circumstance, the same block of time produces both contracted-period compensation and travel-time compensation. In practical terms, the court pays twice for the same time.</p> <p>If the standardized agreement authorizes travel-time compensation, it should make two independent limitations explicit. First, travel time must never be separately paid when it overlaps a compensated half-day, full-day, or hourly period. Second, the fact that travel occurs outside the service period should not, by itself, make that time compensable. Travel-time compensation should be a last-resort exception, available only after the court documents that no reasonably available employee or closer contractor can provide the service, VRI or another appropriate remote method cannot meet the proceeding's needs, and in-person attendance is necessary. Any eligible travel time must also be authorized in advance and calculated under one statewide method. This preserves coverage for genuine necessity while preventing both duplicative and avoidable compensation.</p> <p>Simple principle. Travel time should be compensable only as a documented last resort, never merely because a contractor elects to travel. It must not overlap clock time already purchased as contracted availability, and it should not be authorized when closer coverage or an appropriate remote option is reasonably available.</p> <p>Source: Judicial Council's Travel and Expense Reimbursement Guidelines (Contractors), effective January 1, 2025, sections 1-1.2; SP26-05, Attachment B, section III.F.</p> <p>5. Above-Standard Travel-Time Rates Distort Local Availability<br/>The expense guidelines do not establish a travel-time compensation rate. They reimburse approved costs. Travel time is a separate contractual issue, and that distinction matters because actual expense reimbursement ordinarily makes a contractor whole while an unusually high or locally negotiated travel-time rate can make distance itself profitable. A local assignment may provide only the half-day or full-day rate, while a distant assignment may add several hours of separate travel-time compensation. That structure encourages contractors to accept work far from home even when their local court also needs coverage.</p> <p>The result is a costly circular pattern. A contractor leaves the local area for a more profitable distant assignment; the local court must then recruit another contractor from a different area and pay that person's travel-time compensation and actual travel expenses. Courts effectively exchange interpreters across long distances while the statewide program absorbs multiple sets of travel costs. Travel-time compensation should not be treated as a routine benefit attached to any distant assignment. Before authorizing it, the court should be required to document a diligent search for an available employee or closer contractor, determine that VRI or another appropriate remote method cannot meet the need, and confirm that in-person attendance is necessary. Only when those alternatives are unavailable should travel-time compensation be considered.</p> <p>This position does not oppose necessary travel for languages of lesser diffusion, rural courts, emergencies, or other genuine coverage needs. It supports actual, reasonable, preauthorized expense reimbursement when travel is</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

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|                                                            |                                                                                                                                                                  | <p>unavoidable. It opposes travel-time compensation when another reasonable coverage option exists and opposes any payment structure that makes distance itself a source of profit.</p> <p><b>A Stable Employee Workforce Is Essential to Sustainable Language Access</b><br/>The proposal appropriately recognizes the growing imbalance between contractor compensation and employee-interpreter investment. When contracting offers substantially greater earnings, separately negotiated or unusually generous travel-time compensation, and the ability to leave before the end of a paid period, employment becomes less attractive. Courts then lose predictable daily availability, institutional knowledge, the ability to move interpreters among courtrooms, and the long-term value of recruitment, training, supervision, and quality assurance.</p> <p>The cycle reinforces itself: employees leave, courts rely more heavily on contractors, contractor spending grows, and fewer resources remain for employee wages, recruitment, retention, training, and technology. SP26-05 begins to correct that imbalance by removing payment practices that make contracting disproportionately profitable. Verified savings should be transparently reported and preserved to strengthen the employee workforce and reliable coverage.</p> <p>Source: SP26-05, p. 3 (contractor growth, employee-spending imbalance, and movement from employment to contract work).</p> <p><b>The Core Provisions Should Be Adopted</b><br/>The following reforms work together and should remain in the final policy:</p> <table><tr><th>Core reform</th><th>Public benefit</th></tr><tr><td>Non-negotiable federal ceiling</td><td>Stops courts from bidding against one another and makes costs predictable.</td></tr><tr><td>Standard statewide agreement</td><td>Replaces inconsistent local terms with one enforceable framework.</td></tr><tr><td>Full-period availability</td><td>Ensures a half-day or full-day payment purchases availability for that entire period.</td></tr><tr><td>Controlled travel expenses and statewide travel-time terms</td><td>Limits expenses to actual, reasonable, preauthorized amounts and prevents travel-time compensation from being confused with reimbursement or negotiated locally.</td></tr><tr><td>No proceeding or language premiums</td><td>Prevents the same work period from accumulating avoidable add-on charges.</td></tr><tr><td>Hourly and VRI options</td><td>Lets courts match the payment method and delivery method to the actual operational need.</td></tr></table> <p>Source: SP26-05, pp. 3-6; Attachment B, sections III.B through III.G.</p> <p><b>Clarifications That Would Strengthen Implementation</b></p> <ol style="list-style-type: none"><li>1. Prohibit overlapping payment. State expressly that travel time and payment from another court or entity may not duplicate compensation for the same contracted period. Early release must not convert already-paid availability into separately billable travel time.</li><li>2. Apply the expense guidelines consistently. Require actual and reasonable travel expenses to be expressly authorized in advance in the Service Request or Work Order, documented, separately stated, and kept within applicable limits. The request should also document the operational need and the absence of a reasonably available closer interpreter.</li><li>3. Make travel-time compensation a last resort. Require the court to document that no available employee or closer contractor can serve, no appropriate remote method can meet the need, and in-person attendance is necessary. Travel time must be approved in advance, occur outside paid service hours, and use one statewide method; it may not be negotiated locally or bundled into the interpreting rate.</li><li>4. Track the full contractor cost. Report interpreting compensation, travel time, mileage, lodging, meals, cancellation fees, and other payments as separate categories so the actual cost of each engagement is visible.</li><li>5. Measure workforce effects. Report employee and contractor spending separately and evaluate whether contractor compensation continues to encourage employees to leave court employment.</li><li>6. Preserve savings for language access. Use verified savings to support employee recruitment, retention, compensation, staffing, training, and technology that expands reliable service capacity.</li></ol> <p><b>Response to the Advisory Committee's Questions</b></p> <p>Does the proposal appropriately address its purpose? Yes. The proposal directly addresses rate escalation, inconsistent travel-time practices, inter-court competition, and administrative burden through a common ceiling, controlled expense reimbursement, and a uniform agreement. The final policy should go further by making travel-time compensation a documented last resort rather than a routine consequence of accepting a distant assignment.</p> <p>Would the proposal provide cost savings? Yes, over time. The baseline rate increase will add cost for assignments currently paid below the federal schedule, but the cap, controlled expense reimbursement, standardized travel-time terms, elimination of premiums, and reduced negotiation should prevent continued open-ended escalation. The documented \$5.2 million per-diem overrun demonstrates the scale of the problem, although it should not be treated as a guaranteed amount of recoverable savings.</p> | Core reform | Public benefit | Non-negotiable federal ceiling | Stops courts from bidding against one another and makes costs predictable. | Standard statewide agreement | Replaces inconsistent local terms with one enforceable framework. | Full-period availability | Ensures a half-day or full-day payment purchases availability for that entire period. | Controlled travel expenses and statewide travel-time terms | Limits expenses to actual, reasonable, preauthorized amounts and prevents travel-time compensation from being confused with reimbursement or negotiated locally. | No proceeding or language premiums | Prevents the same work period from accumulating avoidable add-on charges. | Hourly and VRI options | Lets courts match the payment method and delivery method to the actual operational need. |
| Core reform                                                | Public benefit                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        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| Non-negotiable federal ceiling                             | Stops courts from bidding against one another and makes costs predictable.                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        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| Standard statewide agreement                               | Replaces inconsistent local terms with one enforceable framework.                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        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| Full-period availability                                   | Ensures a half-day or full-day payment purchases availability for that entire period.                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        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| Controlled travel expenses and statewide travel-time terms | Limits expenses to actual, reasonable, preauthorized amounts and prevents travel-time compensation from being confused with reimbursement or negotiated locally. |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        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| No proceeding or language premiums                         | Prevents the same work period from accumulating avoidable add-on charges.                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        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| Hourly and VRI options                                     | Lets courts match the payment method and delivery method to the actual operational need.                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        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Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                                                                                                                                                                                                         | Position                                  | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
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|                                                                                                                                                                                                                                                                                                                                   |                                           | <p>What implementation would be required? Courts would need to amend or replace existing agreements, update service requests and billing procedures, remove coordinator authority to negotiate above the cap, train interpreter coordinators and finance staff, and configure reporting to separate service compensation, travel-time compensation, expense reimbursement, and cancellation costs.</p> <p>Is the proposed effective date workable? A January 1, 2027 effective date is achievable if the final standardized agreement, rate schedule, current expense-reimbursement requirements, travel-time provisions, and implementation guidance are issued promptly. Early publication is particularly important for assignments already booked beyond the effective date.</p> <p>Will the policy work for courts of different sizes? Yes. Large courts benefit from reduced volume-driven spending and simpler administration. Small and rural courts benefit from protection against being outbid, while retaining reimbursement of legitimate travel expenses and VRI for genuine coverage needs.</p> <p>Conclusion<br/>SP26-05 is a necessary correction to an unsustainable compensation structure. No California court should have to outbid another California court for the same public service. No court should pay overlapping compensation for the same period. Distance should not be rewarded in a way that removes interpreters from their local courts and creates reciprocal travel costs. Most importantly, language access should not be placed at risk because uncontrolled contractor payments consume the funds needed to provide consistent statewide coverage.</p> <p>The Judicial Council should adopt the proposal's statewide rate ceiling, standardized contract, full-period availability requirement, travel-expense and travel-time controls, cancellation limits, and prohibition on additional premiums. The final agreement should prohibit overlapping travel-time payments and permit non-overlapping travel-time compensation only as a documented last resort after closer coverage and appropriate remote options have been exhausted and in-person attendance is shown to be necessary. With those safeguards and transparent reinvestment in the employee workforce, these reforms will promote fair compensation, responsible stewardship, a more stable workforce, and stronger language access for California court users.</p> <p>Source References<br/>Judicial Council of California, Invitation to Comment SP26-05: Court Interpreters - Revisions to Payment Policies for Independent Contractor Interpreters (August 2026), including Attachments A and B. Official Invitations to Comment page.<br/>Judicial Council of California, Trial Court Interpreters Program Expenditure Report for Fiscal Year 2024-25 (cited in SP26-05). Official expenditure report.<br/>Judicial Council of California, Judicial Council's Travel and Expense Reimbursement Guidelines (Contractors), including the version effective for travel on or after January 1, 2025. Official contractor travel guidelines.</p> |
| <p>Jannet Casillas<br/>Interpreter</p> <p><b>Comment on behalf of org?: No</b></p>                                                                                                                                                                                                                                                | <p>Do not agree with proposed changes</p> | <p>Do not agree with proposed changes</p> <p>Copy and paste this. Plus add your own comment.</p> <p>These changes will reduce the willingness of experienced certified interpreters to accept court assignments when rates can no longer be negotiated to reflect real market conditions. The result will be fewer qualified interpreters available when courts need them most. California is home to approximately 6.4 million Limited English Proficient residents—roughly one in six Californians—who depend on competent interpretation to understand and participate in legal proceedings. When certified professionals leave the field or decline low-paying, inflexible assignments, those court users are left with less qualified substitutes.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <p>Javier H. Morrone, M.A.<br/>UCLA Adjunct Instructor –<br/>Pasadena City College<br/>Adjunct Faculty - Moreno<br/>Valley College Faculty<br/>Legal/Medical<br/>Interpretation<br/>CA Certified Court<br/>Interpreter<br/>President<br/>Lex Lingua Court<br/>Interpreters, Inc.</p> <p><b>Comment on behalf of org?: Yes</b></p> | <p>Do not agree with proposed changes</p> | <p>Dear Judicial Council,</p> <p>Proposal SP26-05 must be rejected. It is unethical and deceitful. It will destroy court reliability affecting the record, Judges, attorneys, and the entire judicial system. If you believe that 6.4 million Limited English Proficient Californians don't deserve the best possible interpretation, do as you will, but <b>DON'T FORGET THAT INTERPRETERS WORK FOR THE COURT SYSTEM AND ARE AS IMPORTANT FOR AN ACCURATE, FULL AND COMPLETE RECORD AS COURT REPORTERS ARE. STOP DEVALUATING THE INTERPRETING PROFESSION.</b></p> <p>Turning a rate refusal into a legal finding of unavailability converts a cost-control measure into a structural preference for less-qualified interpreters.</p> <p>The proposal creates a direct financial incentive to replace certified interpreters with provisionally qualified individuals. When a certified interpreter declines the proposed non-negotiable rate, the draft allows the court to deem that interpreter "unavailable" and appoint someone who has never successfully completed a certification examination, without necessarily informing the LEP party that substitution has occurred. Any immediate savings may ultimately result in far greater costs through repeated hearings, challenges to the record, appeals, delays, and diminished public confidence in the fairness and integrity of the courts. The Judicial Council should not balance its budget by devaluing the qualifications, professional standards, and expertise of certified interpreters upon whom meaningful language access and the proper administration of justice depend.</p> <p>I urge the Council to withdraw this proposal.</p> <p>Javier H. Morrone, M.A.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                                  | Position                                | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
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|                                                                                                                                                            |                                         | UCLA Adjunct Instructor – Pasadena City College Adjunct Faculty - Moreno Valley College Faculty<br>Legal/Medical Interpretation<br>CA Certified Court Interpreter<br>President<br>Lex Lingua Court Interpreters, Inc.<br>3581 Griffin Ave<br>Los Angeles, CA 90031<br>LexLingua@outlook.com<br>626-399-8263                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Jazmin S.<br>Court Certified Interpreter<br><br><b>Comment on behalf of org?: No</b>                                                                       | Do not agree with proposed changes      | Dear Judicial Council Members,<br><br>I strongly oppose SP26-05.<br><br>Interpretation is an essential and vital practice in the preservation of justice and equality. Certified court interpreters are skilled and qualified professionals who enable people to effectively connect in their own language. The certification process for court interpretation is rigorous and can take up to several years to complete. This allows interpreters to memorize vast amounts of legal vocabulary in both of their working languages, as well as developing an in-depth understanding of concepts and legal proceedings.<br><br>The vast majority of court interpreters are contractors. Contractors enjoy certain differences from court employees including the ability to leave once their assignment has finished and that should continue to be allowed.<br><br>The integrity of our standards should be thoroughly preserved and proudly upheld by the powers capable of doing so. Anything less would be a deprivation of justice and an insult to the years of arduous work of establishing legal interpreting fundamentals as well as education of professional Court Certified Interpreters.<br><br>I do not agree with fixed rates or rates that are not negotiable for court contractors. Travel time, mileage, and hotel stipends or compensation have been components of our business agreements and practice, much like attorneys. We are legal professionals and should be recognized, respected, and compensated accordingly.<br><br>Thank you for your attention to this matter.<br><br>J.S.                                                                                                                                                                                                                                                                                                                                                                                                           |
| Jennifer De La Cruz<br>Interpreter Services Manager<br>Superior Court of California, County of San Bernardino<br><br><b>Comment on behalf of org?: Yes</b> | Agree with proposed changes if modified | Agree with proposed changes if modified<br><br>Does the proposal appropriately address the stated purpose?<br>Yes. The policy will net cost stability and predictability given that rates and travel policy will be uniform across the state.<br><br>Would the proposal provide cost savings? If so, please quantify.<br>The policy nets indirect cost savings by removing the administrative burden of negotiating rates and travel once the court has sufficient interpreters under contract for high-volume languages. For low-volume languages, interpreter coordination efforts for a single assignment could require several days of continuous work to procure services, including negotiating rates that do not exceed policy.<br><br>What would the implementation requirements be for courts?<br>Implementation will require changes to existing contracts, which can be achieved progressively. Also, continuing to increase interpreter services by Video Remote Interpreting will help expand access to qualified interpreters who are able to accept work under the new policies.<br><br>Would the effective date provide sufficient time for implementation?<br>Interpreter assignments are commonly filled up to several months in advance. The effective date of the policy should occur several months after approval so that courts can confirm compliance with the policy or make different arrangements.<br><br>How well would this proposal work in courts of different sizes?<br>Our court may have a difficult time procuring services because contract interpreters do not always want to provide services in our geographical area. Therefore, challenges with implementation could be greater than they would be for a court without such challenges, though this may not be tied to court size.<br><br>Additional comments<br>We would appreciate further clarity on travel as well as on compensation guidelines when the interpreter has both credentialed and non-credentialed status. |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

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| Jennifer Lisarde.<br>Interpreter / independent contractor<br><br><b>Comment on behalf of org?: No</b>                           | Do not agree with proposed changes | Do not agree with proposed changes<br><br>I urge the Judicial Council to reconsider Proposal SP26-05. Rigid, non-negotiable rates and reduced flexibility will drive experienced certified interpreters away from court work. California's 6.4 million Limited English Proficient residents deserve consistent access to qualified interpreters so their due-process rights are protected. Not having the qualified interpreter can intimidate an LEP and this seems unfair if language barrier can make or break a case                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Jennifer Mouzis<br>Chief Public Defender<br>Nevada County Public Defender's Office<br><br><b>Comment on behalf of org?: Yes</b> | Do not agree with proposed changes | August 27, 2026<br><br>Dear Members of the Judicial Council:<br><br>I write on behalf of the Nevada County Public Defender's Office to oppose SP26-05 as currently drafted. While we support increasing compensation rates for independent contractor interpreters, we are concerned that the proposal eliminates the flexibility courts need to secure qualified interpreters when the prescribed rates are insufficient.<br><br>For our clients, interpretation is not a convenience. It is often the only means by which a person can understand the proceedings, communicate confidentially with counsel, evaluate a plea offer, make informed decisions, and meaningfully participate in their defense. Effective assistance of counsel depends upon reliable communication between attorney and client.<br><br>We are particularly concerned that the proposal would allow a certified or registered interpreter to be considered "unavailable" simply because the interpreter will not accept the maximum rate. The answer to an inadequate rate should be to preserve a mechanism to obtain a qualified interpreter at reasonable compensation—not to deem that interpreter unavailable and resort to someone less qualified.<br><br>This concern is especially significant for courts that must bring interpreters from other counties or locate interpreters for less common languages; an issue encountered in rural Nevada County. A rigid statewide compensation structure, particularly without adequate compensation for travel time, risks creating a two-tier system in which access to qualified interpretation depends upon geography.<br><br>Remote interpretation is an important tool, but it is not a substitute in every case for qualified in-person interpretation. Among other concerns, remote interpretation can make confidential, real-time attorney-client communication extremely difficult during a hearing.<br><br>We respectfully urge the Judicial Council to revise SP26-05 to preserve courts' ability to pay above the standard rate when necessary to obtain a qualified interpreter, reasonably compensate necessary travel time, and ensure that financial considerations alone do not result in the substitution of non-certified or remote interpreters.<br><br>The State should not address an interpreter workforce and compensation problem by reducing the quality of language access available to those whose liberty and fundamental rights are at stake. For these reasons, the Yolo County Public Defender's Office respectfully opposes SP2605 as drafted.<br><br>Sincerely,<br>Jennifer Mouzis<br>Chief Public Defender |
| Jennifer Santiagos<br>Certified Healthcare Interpreter (Spanish)<br>CAPIT, ATA<br><br><b>Comment on behalf of org?: No</b>      | Do not agree with proposed changes | SP26-05 - August 24, 2026<br><br>Position on Proposal<br>Do not agree with proposed changes<br><br>Comments<br>Dear Judicial Council,<br><br>I submit these comments in strong opposition to the proposed revisions in SP26-05. The proposal's non-negotiable rate structure, rigid four- and eight-hour blocks, removal of clear morning/afternoon session definitions, and tightly restricted travel rules will significantly reduce the willingness of certified interpreters to accept court work. Once experienced interpreters leave or limit their availability, the courts will face greater difficulty covering calendars with qualified professionals.<br><br>Of particular concern is the proposal's definition of "unavailability." The draft states that an interpreter is considered unavailable if they "are unwilling to accept the maximum compensation rate established in the policy." Once that finding is made, and after a diligent search, the court may appoint a nonregistered or noncertified interpreter under rule 2.893. This provision turns a simple rate refusal into a legal finding of unavailability. In practice, it creates a direct financial incentive to replace a certified interpreter who declines the capped rate with someone who has never passed a certification examination.<br><br>As a Certified Healthcare Interpreter (Spanish) with 17 years of experience in workers' compensation and other                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

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|                                                                                                  |                                    | <p>arenas, I have seen firsthand how a similar loophole in the work comp code has degraded LEP individuals' access to reliable interpreting services. Insurance adjusters and language service companies will oftentimes opt to contract with non-certified interpreters, enriching their profits but endangering patients' safety and well-being. These "interpreters" lack the proper training in regard to ethics and professional interpreter protocols. If this kind of practice seeps into the courts, it will further encourage other clients of interpreting services to undervalue our profession, and disregard the rights of LEP individuals.</p> <p>This is not language access. It is the appearance of language access at the expense of accuracy and due process. This outcome directly affects California's Limited English Proficient population—approximately 6.4 million people, or one in six residents. Meaningful language access is a due-process requirement, not an optional expense. When certified interpreters are driven away by inflexible and non-negotiable terms, the quality of interpretation declines. Errors, continuances, and in the worst cases mistrials or miscarriages of justice become more likely. Any short-term budget savings will be outweighed by the long-term costs of remedying those failures.</p> <p>It is vital that independent contractors working with California courts be properly compensated, and retain the flexibility the nature of their work requires. This is true for my particular language pair (Spanish/English), which is the most common language spoken by LEPs in California. It is also imperative that languages of lesser diffusion, such as indigenous languages, be compensated according to market rates — otherwise individuals are denied their right to language access, and justice is compromised.</p> <p>California has long recognized the importance of language access in a diverse state. This proposal moves in the opposite direction. I urge the Judicial Council to reject the current draft and maintain the flexibility necessary to attract and retain qualified certified interpreters.</p> <p>Respectfully,</p> <p>Jennifer Santiagos<br/>Certified Healthcare Interpreter (Spanish), Porter Ranch, California<br/>ATA and CAPIT member</p> |
| <p>Jesse W Parker<br/>Jesse W Parker</p> <p><b>Comment on behalf of org?: No</b></p>             | Do not agree with proposed changes | <p>I am writing to strongly oppose the proposal.</p> <p>The proposed rates are based on soon-to-be-expired federal rates and don't include annual inflation adjustment. They also fail to reflect the reality of fair market rates which include the costs of benefits and operational expenditures independent contractors have to pay. The proposed rates are out of touch with the fact that exotic languages interpreters, certified or not, are in shortage. The proposed rates will greatly reduce, if not totally eliminate, the number of certified and non-certified interpreters serving in courts.</p> <p>The proposed change of rate structure such as ambiguous session boundaries and restricted travel reimbursement is directly a violation of labor laws. The budget containment practice is imposing rules as if the independent contractors are employees and facing the risk of misclassifying independent contractors.</p> <p>The proposal explicitly encourages the abolishment of certification system and aims to replace certified interpreters with uncertified and untrained bi-lingual persons without knowledge of laws and court procedures. By sacrificing the contractor interpreters who have travel throughout the state to fulfill the needs in rural courts, Judicial Council prioritize the budget by sacrificing constitution rights of the 6.4 million Limited English Proficient residents of California.</p> <p>The extreme and unrealistic proposal is but one step closer to eliminate the interpreters certification process and the language access program.</p> <p>Please form an advisory or working group consisting of independent contractors and court users to study the market and court needs before setting abrupt and unreasonable policies.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <p>Jessica Zeichner, Certified Court Interpreter</p> <p><b>Comment on behalf of org?: No</b></p> | Do not agree with proposed changes | <p>Dear Judicial Council,</p> <p>I am writing to comment on Invitation to Comment SP26-05 regarding payment policies for independent contractor interpreters.</p> <p>While the proposal is presented as a modest rate increase, the combination of non-negotiable rates, mandatory full-block availability, elimination of clear session boundaries, and restricted travel reimbursement will make court work far less viable for many certified interpreters. The practical result will be fewer experienced professionals willing to accept Superior Court assignments.</p> <p>Of particular concern is the provision that treats a certified interpreter's refusal of the capped rate as "unavailability." Once that finding is made, the court may appoint a provisionally qualified interpreter who holds no statewide credential. Limited English Proficient court users are never informed of the substitution. Certification exists because neither the judge nor counsel can evaluate accuracy in real time. Expanding the use of non-credentialed interpreters in this way undermines the very safeguard the credential was created to provide.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

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|                                                                                                                                                                                                                                                                         |                                    | <p>California is home to approximately 6.4 million Limited English Proficient residents—roughly one in six Californians. These individuals rely on competent interpretation to understand proceedings and exercise their due-process rights. When qualified interpreters become scarce, courts will be forced to rely on less experienced or uncertified substitutes. The consequences—misunderstandings, repeated hearings, and serious errors—are borne by the people the language-access system is meant to protect.</p> <p>I respectfully ask the Judicial Council to reconsider these changes and retain the flexibility that currently allows courts to secure qualified interpreters when and where they are needed.</p> <p>Thank you for the opportunity to comment.</p> <p>Sincerely,</p> <p>Jessica Zeichner<br/>Certified Court Interpreter</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <p>Jill Singer<br/>Practicing California Workers' Compensation attorney<br/>California Workers' Compensation attorney</p> <p><b>Comment on behalf of org?: No</b></p>                                                                                                   | Do not agree with proposed changes | <p>Dear Members of the Court Executives Advisory Committee,</p> <p>I am writing as a practicing California Workers' Compensation attorney to register my strong opposition to proposed policy revision SP26-05.</p> <p>While this proposal originates within the Superior Court framework, its real-world impact will directly disrupt the broader California administrative and civil justice system—most acutely the Workers' Compensation Appeals Board (WCAB), Qualified Medical Evaluations (QMEs), Agreed Medical Evaluations (AMEs), and depositions. Claims administrators, insurance carriers, and self-insured employers routinely use Judicial Council fee schedules as a de facto benchmark to justify arbitrary rate caps across all workers' compensation proceedings. Enacting SP26-05 will trigger severe operational gridlock, increase litigation costs, and compromise the due process rights of injured workers.</p> <p>From an active legal practitioner's standpoint, SP26-05 creates several critical structural failures:</p> <ul style="list-style-type: none"> <li>• <b>Destabilizing the Administrative and Deposition Market:</b> Capping daily compensation at rigid, non-negotiable rates (\$320 half-day / \$566 full-day) while stripping local courts and administrative agencies of the ability to negotiate market differentials will cause seasoned, credentialed interpreters to leave the legal sector entirely.</li> <li>• <b>Costly Procedural Delays and Trial Continuances:</b> In workers' compensation, a lack of certified interpreters causes canceled depositions, blown QME/AME medical-legal evaluations, and mandatory trial continuances at the WCAB. A single canceled QME appointment or delayed deposition costs parties far more in statutory penalties, rescheduling fees, and extended temporary disability benefits than any theoretical administrative savings from depressed interpreter fees.</li> <li>• <b>Compromising Evidentiary and Medical Records:</b> SP26-05 creates a dangerous precedent by allowing courts—and by extension, administrative venues—to deem certified interpreters "unavailable" if they reject below-market rates, paving the way for unqualified substitutes. In workers' compensation litigation, inaccurate interpretation during a cross-examination, deposition, or psychiatric/orthopedic medical exam leads to flawed impairment ratings, disputed medical reports, and costly appeals.</li> <li>• <b>Catastrophic Impact on Indigenous and Agricultural Workers:</b> A large portion of California's workforce, particularly in agriculture, construction, and food processing, speaks indigenous Mesoamerican languages (e.g., Mixteco, Triqui, Zapoteco, Mam). Qualified interpreters for these languages are extraordinarily scarce. As the Judicial Council's own Attachment A confirms, current market compensation reflects acute scarcity. Enforcing non-negotiable price caps will completely eliminate interpreter availability for these vulnerable workers, denying them access to medical care and statutory benefits.</li> <li>• <b>Loss of Practical Flexibility for Travel:</b> Restricting travel allowances will disproportionately harm regional and agricultural venues (such as the Central Valley, Salinas Valley, and Inland Empire) where local interpreter pools are limited and traveling professionals are essential to keep calendars moving.</li> </ul> <p>An efficient legal system requires competent, reliable language professionals. Suppressing compensation through non-negotiable caps does not eliminate costs; it merely shifts them into prolonged claim durations, higher friction costs, and compromised due process.</p> <p>I respectfully urge the Court Executives Advisory Committee to reject SP26-05, maintain rate flexibility, and protect language access across California's judicial and administrative bodies.</p> <p>Respectfully submitted,</p> |
| <p>Joan Jurado-Blanco<br/>State Certified Interpreter<br/>Certified Spanish Interpreter<br/>CAPIT Member<br/>Former Chairwoman,<br/>California Workers' Compensation Interpreters Association<br/>Bay Area Interpreting</p> <p><b>Comment on behalf of org?: No</b></p> | Do not agree with proposed changes | <p>Dear Members of the Court Executives Advisory Committee and Judicial Council Staff,</p> <p>I am a State certified interpreter with 30 years of continuous practice in California.</p> <p>I appreciate that the Council's recent proposal raises the official half-day and full-day rates to \$320 and \$566. However, I am writing to express serious concern about the move to non-negotiable rates and the elimination of local flexibility that has long existed under the current Payment Policies.</p> <p>In practice, each court currently negotiates with independent contractor interpreters based on real local conditions: the specific needs of the calendar, availability of qualified interpreters in that language and region and travel distances. This flexibility is not an abuse of the system — it is the natural result of a market that spans across 58 counties with widely varying costs of living and geography. While the proposal is presented as a modest rate increase, the combination of non-negotiable rates, mandatory full-block availability, elimination of clear session boundaries, and</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

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|                                                                                                  |                                    | <p>restricted travel reimbursement will make court work far less viable for many certified interpreters. The practical result will be fewer experienced professionals willing to accept Superior Court assignments.</p> <p>Of particular concern is the provision that treats a certified interpreter's refusal of the capped rate as "unavailability." Once that finding is made, the court may appoint a provisionally qualified interpreter who holds no statewide credential. Limited English Proficient court users are never informed of the substitution. Certification exists because neither the judge nor counsel can evaluate accuracy in real time. Expanding the use of non-credentialed interpreters in this way undermines the very safeguard the credential was created to provide.</p> <p>California is home to approximately 6.4 million Limited English Proficient residents—roughly one in six Californians. These individuals rely on competent interpretation to understand proceedings and exercise their due-process rights. When qualified interpreters become scarce, courts will be forced to rely on less experienced or uncertified substitutes. The consequences—misunderstandings, repeated hearings, and in some cases serious errors—are borne by the very people the language-access system is meant to protect. I respectfully ask the Judicial Council to reconsider these changes and retain the flexibility that currently allows courts to secure qualified interpreters when and where they are needed.</p> <p>Thank you for the opportunity to comment.</p> <p>Respectfully submitted,</p>                                                                                                                                                                                                                                                                                                                                                                 |
| Johanna Gonzalez<br>Court interpreter<br>CIAP Public<br><br><b>Comment on behalf of org?: No</b> | Do not agree with proposed changes | <p>Dear Judicial Council of California,</p> <p>I am writing to express my opposition to the proposed changes under SP26-05. I am particularly concerned about the implementation of non-negotiable rates, the elimination of compensation for travel time, and changes to the existing half-day structure. Independent interpreters must consider not only the hours spent interpreting, but also travel, availability, and the other professional opportunities they may have to decline in order to accept a court assignment. California already faces challenges securing qualified and credentialed interpreters, and I am concerned these changes could make court assignments less attractive compared with opportunities available in the private market. Rather than strengthening interpreter availability, these policies may further reduce the number of qualified professionals willing to accept court work. I respectfully urge the Judicial Council to reconsider these provisions and preserve sufficient flexibility to fairly compensate and retain qualified interpreters.</p> <p>Thank you for your consideration.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Johanna Valle<br>Court Interpreter<br><br><b>Comment on behalf of org?: No</b>                   | Do not agree with proposed changes | <p>SP26-05 - August 24, 2026</p> <p>Submitted on Mon, 08/17/2026 - 12:50</p> <p>Position on Proposal<br/>Do not agree with proposed changes</p> <p>Comments<br/>Independent Contractors are NOT EMPLOYEES and should not be told how much to bill for our expertise. Existing labor code prohibits this. Under Borello, courts should not imposed the fees an independent contractor bills. Free Market rates should be negotiated by the contractor not the court who needs our services.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| John V. Gonzalez<br>Certified Court Interpreter<br><br><b>Comment on behalf of org?: No</b>      | Do not agree with proposed changes | <p>Dear Judicial Council,</p> <p>Proposal SP26-05 should be rejected.</p> <p>Under the banner of a rate increase, the Council is imposing non-negotiable ceilings, forcing interpreters to remain for entire blocks regardless of actual need, erasing clear session boundaries, and severely restricting travel reimbursement. The predictable result is that many certified interpreters will simply stop accepting Superior Court work.</p> <p>The proposal creates a direct financial incentive to replace certified interpreters with provisionally qualified ones. When a certified interpreter declines the non-negotiable rate, the draft allows the court to declare that interpreter "unavailable" and appoint someone who has never passed a certification exam. The LEP party is not told this has happened. Errors by non-credentialed interpreters are rarely caught in the moment.</p> <p>Turning a rate refusal into a legal finding of unavailability converts a cost-control measure into a structural preference for less-qualified interpreters. This is not language access. It is the appearance of language access at the expense of accuracy and due process.</p> <p>California has 6.4 million Limited English Proficient residents—one out of every six people in the state. These court users have a constitutional right to understand the proceedings that affect their liberty, families, and livelihoods. When the State makes it economically and practically unattractive for qualified interpreters to serve, it is the non-English-speaking public that pays the price through delayed cases, inaccurate interpretation, mistrials, and miscarriages of justice.</p> <p>Cutting interpreter flexibility to save money is false economy. The real cost will appear later in repeated hearings, appeals, and damaged public confidence in the courts. The Judicial Council should not balance budgets on the backs of Limited English Proficient Californians.</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                 | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
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|                                                                                           |                                    | I urge the Council to withdraw this proposal.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Jonathan Goldberg<br><br><b>Comment on behalf of org?: No</b>                             | Do not agree with proposed changes | <p>Dear Sir/Madam,</p> <p>Proposal SP26-05 will reduce the availability of qualified certified interpreters in our courts. When experienced professionals leave because rates are capped and inflexible, Limited English Proficient Californians—approximately one in six residents—lose meaningful access to justice. I ask the Council to reject these changes and preserve the ability of courts to secure competent interpretation.</p> <p>With unqualified or incompetent interpreters, havoc will be caused when the parties with limited or no knowledge of English are hearing words in their own language that incorrectly reflect what the judge or others are saying in English.</p> <p>Sincerely,<br/>Jonathan Goldberg</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Joseph Mesa<br>CA certified court interpreter<br><br><b>Comment on behalf of org?: No</b> | Do not agree with proposed changes | <p>Position on Proposal<br/>Do not agree with proposed changes</p> <p>Comments<br/>As a California Certified Court Interpreter who regularly works as an independent contractor for courts in different counties, there are serious concerns regarding several provisions of SP26-05 and the effect they could have not only on contract interpreters, but also on courtroom operations and meaningful access to justice for Limited-English-Proficient (LEP) court users.</p> <p>Contract interpreters are independent professionals and operate as businesses. They do not receive pensions, health insurance, paid vacation, sick leave, retirement benefits, or the other protections and benefits associated with court employment. Assignments are accepted individually, and compensation reflects a number of factors, including availability, distance, language demand, complexity, and the particular needs of each county. For these reasons, any statewide compensation rate should serve as a baseline, not as a ceiling that prevents counties from negotiating when circumstances require it.</p> <p>Travel compensation is particularly important. California is a large state, and many courts routinely depend on Certified Court Interpreters who travel significant distances because the required language or credentialed interpreter is not available locally. Travel is not undertaken for the interpreter's convenience; it is undertaken to meet the needs of the courts. If reasonable travel time and mileage are eliminated or substantially reduced, many assignments may simply become economically impractical for independent contractors to accept.</p> <p>The consequences of that extend well beyond interpreter compensation. Interpreter availability directly affects judges' calendars and the efficient administration of justice. When a qualified interpreter cannot be secured, a matter may have to be delayed, continued, or rescheduled. That affects the judge, courtroom staff, attorneys, witnesses, jurors, and litigants. A policy intended to contain costs could therefore have the opposite effect if it results in fewer Certified Court Interpreters being willing or able to accept difficult-to-fill or long-distance assignments.</p> <p>These concerns are based on direct professional experience and years of specialized training. Court interpreting requires mastery of simultaneous and consecutive interpretation, sight translation, legal terminology, different levels and registers of speech, and the ability to move instantly between highly technical language and everyday speech. Court proceedings can involve criminal law, family law, medical testimony, expert evidence, financial matters, forensic terminology, and many other specialized subjects, sometimes within the same proceeding.</p> <p>Certification and continued professional preparation exist because the level of accuracy required in a courtroom is exceptionally high.</p> <p>For LEP litigants, the quality and availability of interpretation is not simply a matter of convenience. It determines whether a person can understand the proceedings, communicate effectively with counsel, accurately present testimony, understand the judge's orders, and meaningfully participate in a case involving liberty, family, housing, finances, or other significant rights.</p> <p>For the same reason, increased reliance on non-certified individuals, particularly when Certified Court Interpreters are available, should be approached with great caution. Certified and non-certified interpreters are not interchangeable. The certification process exists to establish that an interpreter has demonstrated the skills necessary to perform this</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                              | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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|                                                                                                                                                        |                                    | <p>work at the level required by the courts. This concern becomes even greater with VRI, where technology, audio quality, connectivity, and the lack of physical presence already create additional challenges to accurate communication.</p> <p>There is nothing unreasonable about the State seeking greater efficiency and responsible use of public funds. However, a sustainable cost-containment policy should preserve the flexibility that allows courts to actually secure qualified professionals when they are needed. Allowing counties to negotiate above a statewide baseline when availability, geography, or market conditions require it is not wasteful; in many circumstances, it may be what prevents a courtroom from sitting idle or a case from being continued.</p> <p>California should be creating incentives for experienced Certified Court Interpreters to remain available to its courts, including in counties where travel is necessary, rather than adopting policies that may make those assignments financially impractical. Reasonable travel compensation, meaningful flexibility in contractor rates, and a strong preference for Certified Court Interpreters can help protect judges' calendars, courtroom efficiency, and the rights of LEP court users at the same time.</p> <p>For these reasons, the Judicial Council should reconsider any provisions of SP26-05 that impose a rigid ceiling on independent contractor compensation, restrict reasonable travel reimbursement, or encourage the use of non-certified individuals when credentialed interpreters are available. Any major changes should also include meaningful input from actively practicing Certified Court Interpreters who understand firsthand how these policies will operate in California courtrooms.</p>                                                                                                                                                                                                                                                                                                                                   |
| <p>Juan Carlos Morales<br/>State Certified Interpreter</p> <p><b>Comment on behalf of org?: No</b></p>                                                 | Do not agree with proposed changes | <p>Dear members of the Judicial Council,<br/>Proposal SP26-05 should be rejected.</p> <p>Under the banner of a "rate increase", the Council is imposing non-negotiable ceilings, forcing interpreters to remain for entire blocks regardless of actual need, erasing clear session boundaries, and severely restricting travel reimbursement. The predictable result is that many certified interpreters will simply stop accepting Superior Court work.</p> <p>The proposal creates a direct financial incentive to replace certified interpreters with provisionally qualified ones. When a certified interpreter declines the non-negotiable rate, the draft allows the court to declare that interpreter "unavailable" and appoint someone who has never passed a certification exam. The LEP party is not told this has happened. Errors by non-credentialed interpreters are rarely caught in the moment.</p> <p>Turning a rate refusal into a legal finding of unavailability converts a cost-control measure into a structural preference for less-qualified interpreters. This is not language access. It is the appearance of language access at the expense of accuracy and due process.</p> <p>California has 6.4 million Limited English Proficient residents—one out of every six people in the state. These court users have a constitutional right to understand the proceedings that affect their liberty, families, and livelihoods. When the State makes it economically and practically unattractive for qualified interpreters to serve, it is the non-English-speaking public that pays the price through delayed cases, inaccurate interpretation, mistrials, and miscarriages of justice.</p> <p>Cutting interpreter flexibility to save money is false economy. The real cost will appear later in repeated hearings, appeals, and damaged public confidence in the courts. The Judicial Council should not balance budgets on the backs of Limited English Proficient Californians.</p> <p>I urge the Council to withdraw this proposal.</p> <p>Sincerely,<br/>Juan Carlos Morales<br/>State Certified Court Interpreter No: 300513</p> |
| <p>Judyanne D. Vallado,<br/>Public Defender.<br/>San Joaquin County Office<br/>of the Public Defender</p> <p><b>Comment on behalf of org?: Yes</b></p> | Do not agree with proposed changes | <p>I write on behalf of the San Joaquin County Public Defender's Office to oppose SP26-05 as currently drafted. While we support increasing compensation rates for independent contractor interpreters, we are concerned that the proposal eliminates the flexibility courts need to secure qualified interpreters when the prescribed rates are insufficient.</p> <p>For our clients, interpretation is not a convenience. It is often the only means by which a person can understand the proceedings, communicate confidentially with counsel, evaluate a plea offer, make informed decisions, and meaningfully participate in their defense. Effective assistance of counsel depends upon reliable communication between attorney and client.</p> <p>We are particularly concerned that the proposal would allow a certified or registered interpreter to be considered "unavailable" simply because the interpreter will not accept the maximum rate. The answer to an inadequate rate should be to preserve a mechanism to obtain a qualified interpreter at reasonable compensation—not to deem that interpreter unavailable and resort to someone less qualified. This concern is especially significant for courts that must bring interpreters from other counties or locate interpreters for less common languages. A rigid statewide compensation structure, particularly without adequate compensation for travel time, risks creating a two-tier system in which access to qualified interpretation depends upon geography.</p> <p>Remote interpretation is an important tool, but it is not a substitute in every case for qualified in-person interpretation. Among other concerns, remote interpretation makes confidential, real-time attorney-client communication during a hearing impossible. This is essential for a fair hearing.</p> <p>We respectfully urge the Judicial Council to revise SP26-05 to preserve courts' ability to pay above the standard rate</p>                                                                                                                                                                        |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                                                                      | Position                                | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
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|                                                                                                                                                                                                |                                         | <p>when necessary to obtain a qualified interpreter, reasonably compensate necessary travel time, and ensure that financial considerations alone do not result in the substitution of non-certified or remote interpreters.</p> <p>The State should not address an interpreter workforce and compensation problem by reducing the quality of language access available to those whose liberty and fundamental rights are at stake. For these reasons, the San Joaquin County Public Defender's Office respectfully opposes SP26-05 as drafted.</p> <p>Sincerely,<br/>Judyanne D. Vallado<br/>Public Defender</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <p>Julia Elizarraraz<br/>CA Court Certified Spanish Interpreter<br/>American Alliance of Professional Translators and Interpreters</p> <p><b>Comment on behalf of org?:</b> No</p>             | Do not agree with proposed changes      | <p>Do not agree with proposed changes</p> <p>It would be a much more sensible solution to add employee positions with competitive compensation and benefits packages if the courts want to avoid high costs coming from independent contractor rates plus per diem/travel/mileage fees. There is already money in the budget to entice interpreters to become staff employees which would ensure ready access whenever an interpreter is needed instead of having to rely on a contractor being willing and available to travel from long distances or on short notice. That being said, when independent contractors are needed, they should be able to set their own rates. By imposing rates on contractors, the courts essentially act as employers without giving contractors employee benefits, which does not incentivize working for the courts.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <p>Julie H Drucker<br/>interpreter</p> <p><b>Comment on behalf of org?:</b> No</p>                                                                                                             | Do not agree with proposed changes      | <p>Dear Judicial Council,</p> <p>I strongly oppose SP 26-05. If courts are experiencing a shortage of qualified interpreters, capping Independent Contractor rates is not the solution. It creates an unacceptable choice: accept a below-market rate or be deemed "unavailable," allowing the court to use a non-certified interpreter. We would never apply this logic to other licensed professionals -- if no licensed attorney, nurse practitioner, or surgeon would accept an artificially low fee, we would not simply substitute someone without the required credentials.</p> <p>Interpreter rates reflect basic supply and demand. Scarce languages command higher rates because qualified interpreters are scarce. A cap will not create more interpreters; it will drive experienced interpreters away.</p> <p>There is a simple solution: pay staff interpreters competitively and let the market behave as markets do.. If the proposed rates are appropriate, offer them to court employees as well. Competitive salaries would attract and retain the qualified interpreters California courts need.</p> <p>Please reject these rate caps.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <p>Julie Johnson<br/>Registered French court interpreter<br/>Julie E. Johnson &amp; Associates / Middlebury Institute of International Studies</p> <p><b>Comment on behalf of org?:</b> No</p> | Agree with proposed changes if modified | <p>SP26-05 - August 24, 2026</p> <p>Position on Proposal<br/>Agree with proposed changes if modified</p> <p>Comments<br/>The proposal rightly raises current base rates for independent interpreters while addressing the need for budget stability and predictability.</p> <p>That said, the proposed rates and policies are too rigid. They may make sense for short matters that can be covered in person or via video remote interpreting (eliminating the time and cost of travel and parking for interpreters). However, for long-cause or evidentiary hearings, and those requiring significant travel (over 30 min one way), the proposed rates and policies would very significantly and predictably reduce the availability of qualified independent interpreters willing to accept these assignments. As a result, unqualified, untrained interpreters would increasingly be used and the quality of interpreting services would severely degrade, to the detriment of litigants and the frustration of everyone involved in proceedings: judges, counsel, court reporters, jurors, witnesses... I say this as someone who for many years co-led the required Professional Ethics and the Role of the Court Interpreter workshop and co-wrote 5th edition (2013) revision of the accompanying manual, the reference guide for all interpreters in the state.</p> <p>Taking myself as a case in point as an independent interpreter: I am one of only a small number of registered French court interpreters in CA, and one of just a few who have significant experience and professional training, and for whom French is my primary working language.</p> <p>Largely out of a sense of civic service, I accept local short assignments at the court rate when I happen to be available. However, for short matters where R/T travel would eat up a good chunk of my day, I simply decline. For long-cause evidentiary hearings, I charge similar to what I do for private law firms, conferences, and corporate clients—about 2.75 times the proposed full-day rate. Otherwise, it's just not worth my time given the opportunity cost. All independent interpreters have to weigh such considerations when accepting or declining court assignments.</p> <p>Thank you for your difficult work attempting to reconcile all the competing considerations.</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                                                             | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
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| <p>Julie Wagner<br/>US Court-Approved<br/>Interpreter<br/>Professional Conference<br/>Interpreter<br/>EASY TO SPEAK<br/>KOREAN, INC.</p> <p><b>Comment on behalf of org?:</b> Yes</p> | Do not agree with proposed changes | <p>I respectfully request that the Judicial Council consider the following questions before adopting the proposed non-negotiable rates for independent contractor interpreters:</p> <ol style="list-style-type: none"> <li>1. How were the proposed rates determined?<br/>Does the analysis distinguish between increased contractor expenditures caused by higher rates and increases caused by greater demand and utilization? In particular, has the Council analyzed the increase in interpreter demand following the expansion of no-cost interpreter services in civil cases? If contractor expenditures increased because courts were providing substantially more interpreter services, reducing contractor rates would address the symptom rather than the underlying increase in demand.</li> <li>2. Was an apples-to-apples compensation comparison performed?<br/>If staff-interpreter compensation was considered in establishing the proposed contractor rates, was the comparison based on total compensation, rather than employee salary alone? Staff interpreters receive salary plus employer-paid benefits, retirement contributions, paid leave, holidays, and other employment costs. Independent contractors receive no such employment benefits and must pay their own employment-related taxes, insurance, professional expenses, continuing education, equipment, travel, and other business costs, while also having no guaranteed hours or income. A contractor's gross payment therefore cannot fairly be compared with an employee's base salary.</li> <li>3. Has the Council evaluated the utilization of the entire interpreter workforce?<br/>Before relying on contractor rate reductions for cost containment, has the Council examined employee versus contractor utilization, including demand by time of day, language, location, and type of proceeding? Has it determined whether existing employee resources are being utilized as efficiently as possible?</li> <li>4. What will be the effect on recruitment, retention, and quality?<br/>Given the Council's own studies documenting interpreter workforce shortages, particularly in certain languages, has the Council evaluated whether the proposed rates will remain sufficiently competitive to attract and retain experienced, qualified independent interpreters?</li> </ol> <p>Cost containment is an appropriate consideration. However, the solution should be based on a comprehensive analysis of demand, utilization, total employee costs, contractor costs, interpreter availability, and quality of language access, rather than focusing on contractor rates in isolation.</p> |
| <p>Julien Brasseur<br/>Registered French court<br/>interpreter<br/>self</p> <p><b>Comment on behalf of org?:</b> No</p>                                                               | Do not agree with proposed changes | <p>I am a registered French court interpreter, and professionally qualified to work in federal courts. My firm belief is that proposal SP26-05 should be withdrawn.</p> <p>Although framed as a rate increase, the proposal actually imposes rigid limits, requires interpreters to remain for full blocks regardless of actual need, and sharply limits travel reimbursement. These changes will predictably drive many certified interpreters away from Superior Court assignments.</p> <p>The proposal also creates a financial incentive to replace certified and registered interpreters with less qualified individuals who have never passed an exam. This is a dangerous proposal, and it is detrimental to the clients. It turns a cost-cutting measure into a structural preference for less-qualified interpreters.</p> <p>The proposal also removes critical flexibility. By enforcing fixed maximum rates, it would make Superior Court work financially unsustainable for many interpreters. Restricting fair negotiation for the few qualified interpreters who can serve Californians is unfair and discriminatory.</p> <p>I urge the Council to withdraw this proposal and retain negotiable interpreter fees so qualified interpreters remain available to the court users who depend on them.</p> <p>Thank you for your kind attention.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <p>Julio Cesar Chavez-Montar<br/>Mixteco Interpreter</p> <p><b>Comment on behalf of org?:</b> No</p>                                                                                  | Do not agree with proposed changes | <p>This SP26-05 proposal is deeply concerning, it is risking and undermining the fundamental rights of Limited English Proficiency (LEP) individuals. In order to have a meaningful and equal access to justice, we should continue to provide constitutionally protected language access to all court users who need Certified Interpreters.</p> <p>The interpreting profession has been built through years of hard work by interpreters, court administrators, and others who recognized the importance of ensuring that language would not prevent someone from receiving justice. Dismantling or weakening the current system risks undoing that progress and reducing the availability of Certified Interpreters.</p> <p>An equal access to justice must not depend on a person's race, ethnicity, nationality, religion, or the language they speak. LEP court users should have the same opportunity to understand and participate in court proceedings as English-speaking court users. Removing or reducing access to Certified Interpreters would place an additional and unacceptable burden on individuals who are already navigating the legal system with a significant language barrier.</p> <p>We recognize that Video Remote Interpreting (VRI) can be a useful tool when appropriate. However, VRI should be used carefully and should not replace certified interpreters when an in-person Certified Court Interpreter is available and the proceeding requires a higher level of accuracy, communication, and participation.</p> <p>For example, VRI may be appropriate for arraignments, first appearances, or conferences when the circumstances</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                                                         | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
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|                                                                                                                                                                                   |                                    | <p>allow. However, it should not be allowed in proceedings such as preliminary hearings, court trials or jury trials, plea proceedings, and sentencing, where accurate interpretation and effective communication are particularly critical. These proceedings can have life-changing consequences, and the availability of a Certified Court Interpreter should be prioritized.</p> <p>The Judicial Council has a responsibility to ensure meaningful and equal access to justice for LEP court users. That responsibility includes maintaining a strong, sustainable system that retains qualified Certified Court Interpreters and recognizes the essential role they play in the administration of justice.</p> <p>Language access is not a convenience or an optional service. It is an essential component of equal access to justice.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <p>Karen Klebingat<br/>California State Certified Interpreter for Spanish/English<br/>Superior Court of the County of Los Angeles</p> <p><b>Comment on behalf of org?: No</b></p> | Do not agree with proposed changes | <p>To whom it may concern:</p> <p>I am a California State Certified Spanish/English language interpreter. I am an employee of the Superior Court of the County of Los Angeles. I urge the Judicial Council to reconsider Proposal SP26-05. It does not promote Language Access. I believe the salaries of interpreter court employees should be increased to the Federal rates or higher to incentivize employment. I also believe the independent contractor interpreters should continue to be allowed to negotiate their work terms and conditions. Stating that an interpreter is unavailable, because he/she is not willing to work for a capped rate, allowing non-certified interpreters to do the work does not promote good quality language access. California's 6.4 million Limited English Proficient residents deserve consistent access to qualified interpreters so their due-process rights are protected.</p> <p>Thank you for your consideration in this matter.</p> <p>Sincerely,<br/>Karen Klebingat<br/>California State Certified Interpreter for Spanish/English</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <p>Karina Iniguez, Eng-Sp Interpreter<br/>Eng-Sp Interpreter<br/>Eng-Sp Interpreter</p> <p><b>Comment on behalf of org?: No</b></p>                                               | Do not agree with proposed changes | <p>Dear Judicial Council,</p> <p>I am writing to comment on Invitation to Comment SP26-05 regarding payment policies for independent contractor interpreters.</p> <p>While the proposal is presented as a modest rate increase, the combination of non-negotiable rates, mandatory full-block availability, elimination of clear session boundaries, and restricted travel reimbursement will make court work far less viable for many certified interpreters. The practical result will be fewer experienced professionals willing to accept Superior Court assignments.</p> <p>Of particular concern is the provision that treats a certified interpreter's refusal of the capped rate as "unavailability." Once that finding is made, the court may appoint a provisionally qualified interpreter who holds no statewide credential. Limited English Proficient court users are never informed of the substitution. Certification exists because neither the judge nor counsel can evaluate accuracy in real time. Expanding the use of non-credentialed interpreters in this way undermines the very safeguard the credential was created to provide.</p> <p>California is home to approximately 6.4 million Limited English Proficient residents—roughly one in six Californians. These individuals rely on competent interpretation to understand proceedings and exercise their due-process rights. When qualified interpreters become scarce, courts will be forced to rely on less experienced or uncertified substitutes. The consequences—misunderstandings, repeated hearings, and in some cases serious errors—are borne by the very people the language-access system is meant to protect.</p> <p>I respectfully ask the Judicial Council to reconsider these changes and retain the flexibility that currently allows courts to secure qualified interpreters when and where they are needed.</p> <p>Thank you for the opportunity to comment.</p> <p>Sincerely,<br/>Karina Iniguez, Eng-Sp Interpreter</p> |
| <p>Karina McMillan-Rea<br/>Spanish interpreter</p> <p><b>Comment on behalf of org?: No</b></p>                                                                                    | Do not agree with proposed changes | <p>I would like to add the following to my previous comments: I am currently an independent contractor but was an employee for years. I believe there are many benefits to being an employee. However, interpreter employees have never been compensated fairly, and their compensation has further eroded over the years. Capping pay for contractors will not increase the number of interpreter employees. Many retired interpreters like me, will simply stop working. And younger contractors will look for other career opportunities. The only way to increase the number of employees is to compensate them fairly for their work.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                              | Position                                | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
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| Karina McMillan-Rea<br>State certified Spanish interpreter<br><br><b>Comment on behalf of org?: No</b>                                 | Do not agree with proposed changes      | Do not agree with proposed changes<br><br>Since independent interpreters do not receive benefits and are not employees of the court, they must retain the ability to negotiate their rates according to basic economic principles of supply and demand. Proposed changes to contractor pay policy that would cap the courts' ability to negotiate higher rates with contractors would be harmful, as it would impede the courts' ability to secure the services of professional legal interpreters and secure essential services.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Karina Perez<br><br><b>Comment on behalf of org?: No</b>                                                                               | Do not agree with proposed changes      | Do not agree with proposed changes                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Kate Bieker<br>Court Executive Officer<br>Superior Court of California, County of Ventura<br><br><b>Comment on behalf of org?: Yes</b> | Agree with proposed changes if modified | Hello,<br>Please see comments from Ventura Superior Court.<br>- Consider including a standard rate for dual-language interpreting. While this is not common, interpreters at times will cover multiple languages, and in those instances, they request additional pay. The fee can sometimes be quite high depending on the interpreter. It might be good to have a standard dual-language fee, such as an additional 10% of their interpreting fee when they complete multiple assignments in multiple languages.<br>- Also helpful for the Judicial Council to develop a Service Request Form for optional use by courts. A standardized form may assist courts with arranging for and confirming interpreter assignments with contract interpreters.<br><br>Thank you!                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Kate Chatfield<br>Executive Director<br>California Public Defenders Association<br><br><b>Comment on behalf of org?: Yes</b>           | Do not agree with proposed changes      | Re: (SP26-05) - Court Interpreters: Revisions to Payment Policies for Independent Contractor Interpreters - OPPOSITION<br><br>Dear Members of the Judicial Council:<br><br>The California Public Defender Association, a statewide organization of public defenders, private criminal defense attorneys and related professionals, strongly opposes the proposed revisions to payment policies for independent contractor interpreters because it will deny meaningful access to justice for indigent Californians accused of criminal offenses.<br><br>An individual cannot participate fully in court proceedings without a qualified interpreter. For the clients we represent, interpretation is not a convenience. It is often the only means by which a person understands the proceedings, communicates with counsel, makes informed decisions, exercises constitutional rights, and participates in the defense of a case. A policy that reduces the availability of qualified interpreters or permits courts to substitute non-certified interpreters or remote interpreters because a certified interpreter will not accept a prescribed rate risks abrogating the constitutional right to effective assistance of counsel and imposing the cost of the State's operational and budgetary constraints on the most vulnerable people who are the least able to bear it.<br><br>I. Meaningful language access is an essential component of the right to counsel and participate in one's defense.<br><br>For an indigent defendant or litigant who does not speak English sufficiently well to understand legal proceedings, an interpreter is not an optional service. The person may need an interpreter to understand the charges or allegations against them, communicate confidentially with counsel, understand a plea offer or proposed disposition, decide whether to waive rights, testify, respond to the court, understand conditions of probation or release, or make other decisions with potentially life-altering consequences.<br><br>For an indigent client who requires an interpreter, the interpreter is the sole mechanism that makes the attorney-client relationship function in the courtroom. Effective assistance of counsel requires that the attorney and client be able to communicate with one another. That communication frequently occurs quickly and informally, including during proceedings when counsel needs to explain what is happening, answer a client's question, respond to an unexpected development, or obtain the client's instructions. A policy that makes qualified interpreters less available directly affects the ability of counsel to provide effective representation.<br><br>II. A certified interpreter who declines a fixed rate should not be treated as "unavailable."<br><br>Particularly troubling is using the court's inability to obtain a qualified interpreter at a predetermined price as the justification for using a less-qualified interpreter or remote interpreter. This is the wrong policy choice. If a qualified interpreter is available but the court cannot obtain that interpreter at the prescribed rate, the answer should be to preserve a mechanism for obtaining appropriate compensation—not to label the interpreter as unavailable and provide a less qualified interpreter. Our clients should not receive a lower level of language access because the State has |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter | Position | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         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|           |          | <p>determined that the cost of a qualified interpreter exceeds a predetermined maximum.</p> <p>III. The proposal risks creating a two-tier system of language access.</p> <p>This proposal, if implemented, will most likely harm indigent defendants in rural and geographically isolated counties. Large metropolitan courts generally have access to larger pools of qualified interpreters, while rural courts frequently depend upon interpreters who must travel significant distances from other counties. If travel time is inadequately compensated, qualified interpreters may reasonably decline those assignments. The resulting shortage will not be distributed equally across California. Instead, the person facing criminal charges in a rural county who needs an interpreter may be told that no qualified interpreter is available and that the court must proceed with a non-certified interpreter or a remote interpreter which will in effect create by judicial rule making a two-tier system of justice.</p> <p>IV. Remote interpretation is an important tool, but it is not a universal substitute for in-person interpretation.</p> <p>We recognize that remote interpretation can be extremely valuable, particularly when a particular language is difficult to obtain locally. We do not oppose its appropriate use. For some proceedings, remote interpretation may be entirely appropriate. For others, it may materially interfere with meaningful participation.</p> <p>Besides the obvious technical difficulties - audio quality, delays, overlapping speech, and calls being dropped or screens freezing, it is almost impossible for a client to communicate privately with their lawyer during a hearing through a remote interpreter when the individual may need to ask a question, review a document, discuss a plea offer, or respond to an unexpected development. Effective attorney-client communication requires a real-time, functional exchange—not merely the transmission of the judge’s words through a remote connection. Remote interpretation should not become the predictable consequence of a policy that makes in-person certified interpreters unwilling to travel.</p> <p>V. The proposed policy risks compromising the quality of representation provided by appointed counsel.</p> <p>Public defenders have a professional and constitutional obligation to communicate effectively with their clients. When a client requires an interpreter, that obligation necessarily depends upon competent interpretation. An attorney cannot meaningfully advise a client about whether to enter a plea, waive a constitutional right, accept a disposition, testify, stipulate to evidence, or proceed to trial if the attorney and client cannot communicate reliably.</p> <p>Likewise, counsel cannot effectively investigate or defend a case if the client cannot communicate information about witnesses, defenses, mitigating circumstances, or other facts relevant to the representation. Interpreter availability is not ancillary to the public defense system: It is a critical part of the infrastructure necessary for appointed counsel to provide effective representation. A policy that reduces access to qualified interpreters therefore risks creating constitutional problems that cannot be solved after the proceeding has already occurred.</p> <p>VI. Rural courts need greater flexibility, not less.</p> <p>The existing ability of courts to address extraordinary circumstances is especially important in rural California. A statewide policy cannot realistically assume that every courthouse has access to the same interpreter pool or that every assignment can be filled under a uniform compensation structure. Rural courts may need to bring an interpreter from another county. A particular language may have only a small number of qualified interpreters available. A case may require an interpreter with specialized expertise. An interpreter may be available but unable to accept the assignment under the standard rate because of the substantial travel required. Those circumstances call for flexibility, not a rigid definition of "unavailable." The Judicial Council should preserve a meaningful mechanism allowing courts to obtain qualified interpreters at reasonable compensation when ordinary procedures fail.</p> <p>VII. The Judicial Council should not solve a workforce problem by reducing the quality of language access.</p> <p>We recognize that California courts face genuine challenges in recruiting and retaining qualified interpreters. But the existence of a workforce shortage should not lead to a policy that makes qualified interpreters less willing to accept court assignments and then treats their absence as justification for lowering the qualification standard. This proposal is misguided because it will exacerbate the shortage by reducing the compensation thus causing more qualified interpreters to either leave the court system or decline assignments which in turn will lead to the reduced quality and availability of language access.</p> <p>VIII. The proposal should be revised to protect meaningful access to qualified interpretation.</p> <p>We respectfully urge the Judicial Council to revise the proposal to:</p> <ol style="list-style-type: none"> <li>1. Not treat a certified or registered interpreter as "unavailable" merely because the interpreter declines a prescribed maximum rate.</li> <li>2. Preserve a meaningful mechanism for courts to authorize reasonable compensation above the standard rate when necessary to obtain a qualified interpreter.</li> <li>3. Provide meaningful compensation for travel time, particularly for interpreters traveling to rural and geographically</li> </ol> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                                  | Position                                  | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
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|                                                                                                                                                            |                                           | <p>isolated courts.</p> <p>4. Preserve flexibility for courts to address extraordinary circumstances rather than requiring them to resort to less-qualified interpreters when standard procedures fail.</p> <p>5. Do not permit financial considerations alone to justify replacing an available qualified interpreter with a non-certified or non-registered interpreter.</p> <p>6. Recognize that remote interpretation is an important tool but should not be treated as an automatic substitute for qualified in-person interpretation.</p> <p>7. Evaluate the proposal specifically for its impact on indigent defendants and other self-represented or vulnerable litigants who depend entirely upon the court to provide meaningful language access.</p> <p>We respectfully oppose the proposal in its current form and urge the Judicial Council to revise it to preserve meaningful access to qualified interpreters throughout California, with particular attention to the needs of rural courts and the constitutional and practical consequences for indigent defendants.</p> <p>Respectfully submitted,</p> <p>Kate Chatfield<br/>Executive Director<br/>California Public Defenders Association</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <p>Katya Buhayeva<br/>Certified Court Interpreter</p> <p><b>Comment on behalf of org?: No</b></p>                                                          | <p>Do not agree with proposed changes</p> | <p>Dear Members of the Judicial Council:</p> <p>I am writing to express my serious concerns regarding the proposed changes to court interpreter compensation, which I believe will have significant and damaging consequences for the profession and ultimately for the administration of justice in California courts.</p> <p>As an independent contractor with over 20 years of certified court interpreting experience, I am deeply concerned by the proposal to establish non-negotiable rates. Independent interpreters are not court employees — we receive no benefits, no paid leave, and no job security. Like any independent professional, our ability to negotiate compensation according to market conditions is fundamental to our economic sustainability. Removing that ability ignores basic principles of supply and demand and will drive experienced professionals out of the court system entirely.</p> <p>The proposed expansion of the definition of "unavailable" to include interpreters unwilling to accept the maximum proposed compensation of \$566 is particularly troubling. This provision would effectively allow courts to bypass certified and registered interpreters in favor of unqualified alternatives — not because qualified interpreters are absent, but simply because they decline a rate they cannot professionally sustain. This sets a dangerous precedent that prioritizes cost over quality and due process.</p> <p>The proposed travel provisions address mileage but fail to include hourly compensation for travel time. This oversight will disproportionately affect courthouses in smaller counties that depend on interpreters traveling from other jurisdictions. Without fair compensation for their time, those interpreters will simply stop making the trip — leaving already underserved courts even more vulnerable.</p> <p>The cumulative effect:</p> <p>If approved as written, these provisions will take effect January 1, 2027, and the result will be predictable and swift: a significant number of experienced independent interpreters will leave court work, and courts will be left with no choice but to rely on non-certified or non-registered interpreters. This outcome undermines the integrity of court proceedings and the constitutional rights of limited English proficient individuals who depend on qualified interpretation.</p> <p>I respectfully urge the Judicial Council to revise these provisions substantially before moving forward.</p> |
| <p>Keila M. Lugo-Rañal<br/>Court and CMI-Spanish<br/>Certified Interpreter<br/>KeMiLuRa<br/>Communications</p> <p><b>Comment on behalf of org?: No</b></p> | <p>Do not agree with proposed changes</p> | <p>Comment on Invitation to Comment SP26-05 — Payment Policies for Independent Contractor Interpreters</p> <p>I appreciate the opportunity to comment on Invitation to Comment SP26-05. I will include below a summary of my comment followed by my complete view, which details more aspects of my concern.</p> <p>Summary for ease:</p> <p>If interpreters can be hired from anywhere via Zoom, agencies could increasingly hire interpreters in areas with a much lower cost of living while paying rates that are not sustainable for interpreters living in the Bay Area. This creates an inherent economic disadvantage for California-based interpreters. If local interpreters who cover California courts can no longer afford to accept these assignments, the result could be a shrinking pool of experienced interpreters available to serve California courts.</p> <p>My Complete View:</p> <p>I support the Judicial Council's goals of ensuring language access, maintaining a qualified interpreter workforce, and establishing reasonable consistency in compensation and administrative procedures. However, I am concerned that the combination of non-negotiable compensation rates, the proposed definition of "unavailability," and expanded use of video remote interpreting (VRI) could have significant unintended consequences for the availability and sustainability of qualified court interpreters.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

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|           |          | <p>My first concern is the proposed elimination of meaningful rate flexibility. The proposal would establish maximum, non-negotiable rates and would consider an interpreter "unavailable" if the interpreter is unwilling to accept the maximum compensation rate. This creates the possibility that a certified interpreter who declines a capped rate could be treated as unavailable and replaced by a nonregistered or noncertified interpreter.</p> <p>I believe this provision should be reconsidered. Declining an assignment because the compensation is not economically viable under the particular circumstances is not necessarily the same as being unavailable. The policy should preserve a mechanism through which courts can offer reasonable additional compensation when necessary to secure a qualified certified interpreter, particularly for difficult-to-cover assignments, specialized proceedings, urgent requests, or locations where interpreter availability is limited.</p> <p>My second concern is the interaction between the proposed rate structure and the expanded use of VRI. VRI can provide valuable access to qualified interpreters, particularly when an interpreter is genuinely unavailable locally. However, extensive reliance on VRI also changes the economic market for court interpreting. Once an interpreter can provide services remotely, the court is no longer necessarily drawing from the local interpreter workforce. A court in a high-cost region may be able to obtain services from an interpreter living in a substantially lower-cost region.</p> <p>This creates a significant concern for interpreters who live and maintain professional practices in high-cost areas such as the Bay Area. A statewide maximum rate may appear uniform, but the economic value of that rate is not uniform across California. The cost of maintaining a professional interpreting practice—including housing, transportation, technology, insurance, continuing education, and other business expenses—varies substantially by region.</p> <p>If VRI allows courts to obtain interpreters from lower-cost areas while simultaneously prohibiting courts from negotiating above a statewide maximum, the practical effect could be downward pressure on the compensation actually available to local interpreters. The result could be fewer experienced interpreters willing to accept court assignments in high-cost regions.</p> <p>There is also a broader workforce concern that I believe deserves consideration in the fiscal and operational analysis. If experienced interpreters in high-cost regions conclude that court assignments are no longer economically sustainable, they may shift their availability away from court work and back into the private freelance interpreting market, including legal, medical, administrative, nonprofit, and other assignments. This could increase competition for non-court interpreting work and place downward pressure on compensation throughout the broader professional interpreting market.</p> <p>Thus, a policy intended to contain court interpreter expenditures could have consequences extending beyond the courts themselves. It could redistribute experienced interpreters among different segments of the interpreting market without necessarily reducing the underlying economic pressures facing professional interpreters.</p> <p>I am particularly concerned that the proposal may therefore create a cycle in which:</p> <ol style="list-style-type: none"> <li>1. capped and non-negotiable court rates make court work less economically viable for experienced interpreters in high-cost regions;</li> <li>2. expanded VRI allows courts to obtain interpreters from lower-cost regions rather than maintaining a local professional workforce;</li> <li>3. experienced local interpreters reduce their court availability and return to the private freelance market; and</li> <li>4. increased competition in the private market places additional downward pressure on compensation for professional interpreters.</li> </ol> <p>I do not believe these potential consequences are adequately addressed by simply establishing a statewide maximum rate.</p> <p>I also respectfully question the premise that eliminating rate flexibility necessarily promotes interpreter availability. If courts are already experiencing difficulty securing qualified interpreters, making the maximum rate non-negotiable may remove one of the tools available to courts to attract qualified professionals when demand exceeds supply. The Judicial Council's own discussion recognizes that courts have sometimes needed to pay above established rates to obtain interpreter services. A policy that eliminates that flexibility should demonstrate how it will prevent rather than exacerbate shortages.</p> <p>For these reasons, I respectfully recommend that the Judicial Council:</p> <ul style="list-style-type: none"> <li>• retain a narrowly defined mechanism allowing courts to authorize compensation above the standard rate when necessary to secure a qualified certified interpreter;</li> <li>• clarify that an interpreter's decision not to accept the maximum rate does not, by itself, constitute genuine unavailability or automatically justify substitution with a less-qualified interpreter;</li> <li>• carefully evaluate the interaction between the statewide rate ceiling and expanded VRI, including the potential effects on interpreters practicing in high-cost regions;</li> <li>• consider the broader effects of the proposal on the professional interpreting workforce and the private freelance interpreting market; and</li> <li>• ensure that cost-containment measures do not inadvertently reduce the availability of experienced certified</li> </ul> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

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|                                                                                                                                                                                                          |                                    | <p>interpreters or increase reliance on less-qualified interpreters.</p> <p>I support reasonable statewide consistency and responsible use of public funds. However, consistency should not come at the expense of maintaining a sustainable professional interpreter workforce. The ultimate purpose of the court interpreter program is to ensure meaningful language access and due process. Compensation policies should therefore be structured to attract and retain the qualified interpreters necessary to accomplish that purpose.</p> <p>Thank you for considering these comments.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Kenneth Wright<br>Spanish Contract Interpreter<br>CA Badge #301672<br><br><b>Comment on behalf of org?: No</b>                                                                                           | Do not agree with proposed changes | <p>California can be proud of the progress we have made for the defendants, plaintiffs and witnesses in our courts. For the past fifty plus years, since the Negron decision in 1970, we have expanded equal access through countless laws and court decisions</p> <p>Now that progress is being threatened by a proposal which would begin taking away the rights of so many people that we have fought for over the past decades.</p> <p>Many Independent Contract Interpreters sacrifice their time traveling to hard to staff courts in other counties. And, if Interpreters earn more than the federal rate, it is because their value is recognized by the employer.</p> <p>The proposed changes would tear away the rights of all parties to equal access to the law. Courts would bypass highly qualified, certified, Interpreters for uncertified candidates, willing to work for lower pay. Or they would use phone interpretation. Both situations would greatly decrease the accuracy of testimony, and could cause incredible harm to defendants and other participants.</p> <p>For a just legal system with equal access to all, we need to allow for all Interpreters, Employee and Contractor, to receive equitable pay. This cap on Contractor pay must not be enacted.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Kenneth Wright, Spanish Interpreter, #301672<br><br><b>Comment on behalf of org?: No</b>                                                                                                                 | Do not agree with proposed changes | <p>I am appalled by this proposal for many reasons.</p> <p>The arbitrary changing of pay, hours, and work rules would have the effect of demoralization of interpreters who see their work being devalued for supposed savings, while other court employees and contractors see increased pay and benefits.</p> <p>We would see contract interpreters leave, to be replaced by unqualified people who would work for less. How could you do this to defendants and other parties who have a constitutional right to the equal access which would be denied them?</p> <p>Why would this ridiculous plan be considered, and only to a program that serves minorities.</p> <p>Please vote No on this xenophobic, racist plan.</p> <p>Thank you,<br/> Kenneth Wright<br/> Spanish Interpreter<br/> #301672</p> <p>Sent from my iPad</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Khaliuna Ch. Haden<br>California State-Registered Court Interpreter<br>American Translators Association (ATA)<br>California Federation of Interpreters (CFI)<br><br><b>Comment on behalf of org?: No</b> | Do not agree with proposed changes | <p>Dear Judicial Council,</p> <p>I am writing to comment on Invitation to Comment SP26-05 regarding payment policies for independent contractor interpreters.</p> <p>While the proposal is presented as a modest rate increase, the combination of non-negotiable rates, mandatory full-block availability, elimination of clear session boundaries, and restricted travel reimbursement will make court work significantly less viable for many registered and certified interpreters. The practical result could be fewer experienced professionals willing or able to accept Superior Court assignments.</p> <p>Of particular concern is the provision that treats a registered or certified interpreter's refusal to accept the capped rate as "unavailability." Once that determination is made, the court may appoint a provisionally qualified interpreter who does not hold a statewide credential. Limited English Proficient court users may not be informed that a credentialed interpreter was available but declined the capped rate, or that they are instead receiving the services of a provisionally qualified interpreter.</p> <p>California's credentialing system exists for a reason. Interpreting in legal proceedings requires specialized skills, knowledge of legal terminology and procedure, and demonstrated competence. Neither the judge nor counsel can reliably evaluate an interpreter's accuracy in real time. Expanding the use of provisionally qualified interpreters simply because credentialed interpreters will not accept a non-negotiable rate undermines an important safeguard in the court language-access system.</p> <p>California is home to approximately 6.4 million Limited English Proficient residents—roughly one in six Californians. These individuals depend on competent interpretation to understand court proceedings and exercise their due-process</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                     | Position                                              | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
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|                                                                                                                                               |                                                       | <p>rights. If registered and certified interpreters become increasingly difficult to secure, courts may be forced to rely more heavily on less qualified substitutes. The consequences—misunderstandings, delays, repeated hearings, and potentially serious errors—will ultimately be borne by the very people the language-access system is intended to protect.</p> <p>I respectfully ask the Judicial Council to reconsider these changes and preserve the flexibility that currently allows courts to secure qualified interpreters when and where they are needed.</p> <p>Thank you for the opportunity to comment.</p> <p>Sincerely,<br/>Khaliuna Ch. Haden</p> <p>Comments in Attachment</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <p>Kristin Larson-Rich<br/>President / Interpreter<br/>VERITAS Language<br/>Services, LLC</p> <p><b>Comment on behalf of<br/>org?: No</b></p> | <p>Do not<br/>agree with<br/>proposed<br/>changes</p> | <p>SP26-05 - August 24, 2026</p> <p>Position on Proposal<br/>Do not agree with proposed changes</p> <p>Comments<br/>RE: SP26-05 — Proposed Revisions to Payment Policies for Independent Contractor Interpreters</p> <p>I strongly oppose the proposed changes to compensation and assignment periods for independent contractor court interpreters, particularly the proposed four-hour half-day, eight-hour full-day, non-negotiable rates, and restrictions on travel compensation.</p> <p>Court interpreting is not ordinary hourly work. It is highly concentrated cognitive labor performed in proceedings where accuracy can directly affect a person's liberty, parental rights, safety, finances, and access to justice. Interpreters must continuously listen, process, retain, translate, speak, and monitor accuracy—often simultaneously. The mental demands of this work make the current three-hour half-day and six-hour full-day structure an important safeguard against fatigue and declining accuracy.</p> <p>Extending these periods to four and eight hours without adequately accounting for cognitive fatigue risks compromising the quality of interpretation. Before implementing these changes, the Judicial Council should examine objective data regarding interpreter fatigue, accuracy, break practices, assignment length, and the effects of extended assignments on errors, continuances, cancellations, and interpreter availability.</p> <p>The proposed non-negotiable rates are also particularly concerning for independent contractors. Independent contractor interpreters operate professional businesses and bear expenses for certification, continuing education, insurance, taxes, equipment, travel, and periods without assignments. California Labor Code §2778 provides a professional-services framework under which the Borello test applies when specified conditions are met, including the ability to set or negotiate rates. The Judicial Council should therefore carefully evaluate whether imposing mandatory, non-negotiable rates is consistent with California's statutory framework governing independent contractors.</p> <p>More importantly, if compensation does not adequately reflect the professional demands and actual costs of court assignments, qualified certified and registered interpreters may decline assignments or leave the court-interpreter workforce. That creates a serious risk that courts will have fewer qualified interpreters available and will increasingly face situations in which less qualified interpreters must be used simply because qualified professionals are unavailable.</p> <p>This is ultimately a language-access and due-process issue, not merely a compensation issue.</p> <p>For court participants with limited English proficiency, a qualified interpreter may be their only means of understanding the proceeding and communicating with the court and counsel. Inaccurate interpretation can result in misunderstandings, delayed proceedings, continuances, mistrials, appeals, and—most seriously—decisions affecting people's rights without meaningful language access.</p> <p>I respectfully urge the Judicial Council to:</p> <ul style="list-style-type: none"> <li>* Retain the existing three-hour half-day and six-hour full-day structure;</li> <li>* Preserve an hourly option for appropriate assignments;</li> <li>* Maintain meaningful negotiation of rates for independent contractors;</li> <li>* Provide reasonable compensation for travel and other business expenses;</li> <li>* Establish a mechanism for additional compensation for unusually lengthy, demanding, or difficult-to-staff assignments; and</li> <li>* Evaluate the potential impact of these changes on certified-interpreter recruitment, retention, availability, assignment refusals, and court delays before implementation.</li> </ul> <p>California's courts need a sustainable workforce of highly qualified interpreters. Cost containment should never be</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                      | Position                                | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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|                                                                                                                                |                                         | <p>achieved by creating economic conditions that drive qualified professionals away from court work.</p> <p>I respectfully request that the Judicial Council reject the proposed four-hour/eight-hour structure and non-negotiable compensation provisions and instead adopt a policy that recognizes the unique cognitive demands of professional court interpreting and protects accurate, reliable language access for every person appearing in California's courts.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <p>Kseniia Topolniak<br/>IC Certified Court Interpreter<br/>www.topolniak.com</p> <p><b>Comment on behalf of org?: Yes</b></p> | Do not agree with proposed changes      | <p>I categorically disagree with the proposed changes. I would like to request drastic revise to the wording of the changes or to abolish them at all.</p> <p>First of all, does it not violate the very principle this country is built on if there's a cap on how much I as an Independent Contractor can charge my Clients (state courts being one of them)?</p> <p>Secondly, capping the rate for all languages seems to be unfair. Some languages of lesser diffusion does not get the work volume as Spanish, for example. I would like to continue making livable amount of money by doing what I do very well and what I love -- serving my Russian speaking community. Los Angeles is one of the most expensive cities IN THE WORLD and to cap what I can charge is simply imprudent. Not only it will NOT attract more Russian (or any other languages of the lesser diffusion) interpreters, it will ruin the livelihoods of those who are already working with state courts as Independent contractors. Not only do I NOT get the same amount of work as Spanish speakers, I also do not have health insurance, social security and other benefits that is enjoyed by staff interpreters. I make up for it by charging more than what is written in the documents. I wish I could charge less, but when inflation year after year raises the prices of consumer goods, health insurance premiums, utilities, not to mention gas prices, etc., I simply cannot make a living in this city if I don't charge over the state courts' rates or proposed so called "increase" of a rate to a Federal level.</p> <p>The wording about interpreter being UNAVAILABLE on the basis of not accepting the proposed rate (Item III F is simply criminal. It will lead to courts hiring Uncertified and Unqualified people to do the job that is MANDATED by law that it must be done by QUALIFIED AND CERTIFIED interpreters. It will lead to justice not served, potentially more litigation and t the end of the day it is a bigger liability for the state, county and city, which WILL BE LIABLE for undue process.</p> <p>Also, I don't quite understand where the numbers were taken from that were quoted in this proposal. They are so arbitrary that I can't even begin to understand how they make sense. For example, it says in one of the documents that year on year the amount of cases filed has been steadily growing by x%. What makes you think that if the caseload is growing, expenses on ICs and interpreters in general would be decreasing? I mean, we live in a real world with a rampant inflation, foreign tariffs that drove consumer goods pricing up uncontrollably, where gas prices have never been higher... Where is the logic in all of this that interpreters HAVE TO MAKE LESS MONEY IN ORDER TO ATTRACT MORE INTERPRETERS to work in state courts? Perhaps, cutting travel expenses in some counties, for example, in Santa Clara or San Diego, would make a bigger difference in cutting costs and saving taxpayers money? Just a food for thought and ponder.</p> <p>Furthermore, one part I do agree on, though, where the document mentions VRI--I do think that California has fallen FAR behind in offering more remote options for court procedures, for example in traffic courts (NOT the criminal cases), family courts, checking progress kind of hearings in criminal courts and psych courts. Those can be accommodated through offering remote interpreting which will cut travel costs to ZERO. That is significant savings right there.</p> <p>At the end of the day, this proposal looks like state courts want to get rid of all IC interpreters and start using unqualified and uncertified talent with a GROSS disregard to mandates, quality of interpretation provided and most importantly LIABILITY TO TAXPAYERS and litigation which it will inevitably result in later down the line should these changes be adopted.</p> <p>Thank you!</p> |
| <p>LaRon Esau</p> <p><b>Comment on behalf of org?: No</b></p>                                                                  | Agree with proposed changes if modified | <p>Agree with proposed changes if modified</p> <p>Certain provisions need to be modified.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                             | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
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| <p>Laura<br/>Sole proprietor<br/>Neri's Interpretation</p> <p><b>Comment on behalf of org?: No</b></p>                                | Do not agree with proposed changes | <p>I don't support the new changes for capping fees. I live in a small rural area and I feel that things should remain as usual for interpreter freelance fees. It's important to give negotiation opportunities for freelance interpreter who travel and adapt to work location in order to maintain justice for LEP's so they can get quality accredited interpreters.</p> <p>I have been training for the California Court Interpreter exam for 2 years, after my bachelor's degree. It's a career path that is not available in every area and I have had to train outside of work hours and invest a lot of money in my personal knowledge of the judicial terminology and judicial structure. Having liberty to work with a state that gives me the flexibility to accept assignments and respects my time when there is a cancellation is what has been the motivator to continue studying. If these caps go into effect, there is no motivation for freelancing. I'd rather go back and get a masters degree then put my effort into being Court Interpreter who is not seen for what they give up when they freelance. Given the courts, the opportunity to negotiate with freelancer to bring in accredited top-notch talent is needed. Currently, I am a certified Medical Interpreter, and because there is caps and no negotiation for medical appointments. It's very sad to see how the profession has lost its respect and people don't see an acre as valid because agencies can take a non-credited Interpreter without really trying to find accredited interpreters.</p> <p>My fear is that if you the judicial council put in these caps, the same thing is going to happen as in the medical field there is going to be a lower quality in the courtrooms and in depositions. Video remote Interpreting doesn't necessarily mean more accessibility, it means more to deal with it is harder. It is more draining. I've been doing video remote Interpreting for 16 years. It is more mentally draining that regular in person Interpreting video Interpreting will not solve what you think it's going to solve it might look like it on paper, but unless you are an interpreter, you know how mentally draining and how many setbacks it actually provides. California has always that the way in being fair to its interpreters. Why change now. Please don't discourage many highly skilled and educated people in training by this drastic and unnecessary change. Those that are making these changes have not worked as a freelancer like I have for 17 years. We are small businesses that incur expenses to provide a service in areas that are hard to cover and I think we should be paid for that. And a better job the federal government is paying every cost incurred. Why should we not get paid for that as well. Don't change what has already been working for years.</p> <p>Please listen to those who do this on a daily basis. It's not the same thing for an employee Interpreter to give an opinion versus one who actually lives this day in and out look at their tax statements. Look at their expenses look at where their money goes. I personally invest a lot of money yearly in Trainings and in traveling to professional events to continue to be ethical, professional, and keep up-to-date with law and terminology in my field. Being a freelancer allowed me to be there for my children more when I was divorced and had to raise four kids on my own. I did this for eight years and made the world of a difference in the lives of my children and those around me that I also was able to support like my parents and my siblings.</p> <p>It is really discouraging to now know that my dream of being a California Court Certified Interpreter might be shattered because now it is looking like the same thing that happens with a medical accreditation is going to happen with the legal when a non-accredited Interpreter can replace an accredited Interpreter who has spent years and lots of money in themselves to be able to represent LEP's in the proper way</p> <p>Being a Court Interpreter has been a goal of mine for many years because of the respect that it has gotten from the judicial council and the arduous training it requires to work in a courtroom. I feel that the profession is misunderstood at the freelance level. We are the state of California.</p> <p>Allowing me to negotiate fees for when I travel to different courthouses makes me feel like a respected small woman owned business that I am. If there are set fees, then I am going to lose that autonomy.</p> <p>Thank you for giving us the opportunity to give our opinion. Thank you for your hard work and reviewing all these letters.</p> |
| <p>Laura Joosse<br/>Certified Spanish Interpreter</p> <p><b>Comment on behalf of org?: No</b></p>                                     | Do not agree with proposed changes | <p>I oppose the proposed revisions in SP26-05.</p> <p>Capping pay for interpreters will reduce the number of interpreters available to courts, which is contrary to your recruiting efforts. This will only lead to even greater inefficiencies in the court process and less access to the legal system for LEP individuals.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <p>Laureen Hearne<br/>Certified Court Interpreter<br/>State of California<br/>#300992</p> <p><b>Comment on behalf of org?: No</b></p> | Do not agree with proposed changes | <p>Dear Members of the Judicial Council,</p> <p>I am writing to share with you my very strong opposition to the proposed revisions found in SP26-05. I have been an interpreter/translator for 25 years. I have been certified by the Judicial Council since 2004. I have always worked in the more rural courts in northern California. I have interpreted in just about every setting found in the court systems, in the courtroom, in jails and prison, in mediation, in family court, criminal court, and civil court. I am also a licensed attorney who has used interpreters, both certified interpreters and non interpreters, both in and out of the courtroom.</p> <p>While going to law school and passing the bar is no easy feat, it was much harder to become a certified interpreter than to become an attorney. Interpreters are not simply bilingual persons that can speak quickly. Interpreters are highly trained professionals who are constantly seeking to provide only the best service to those they serve.</p> <p>First, I have always had the ability to negotiate my rates as an independent contractor interpreter. The idea of a sudden cap seems to be an attempt to stifle the market and will have exactly that impact. As an independent contractor, I am never assured of work from one day to the next. Yet, I am able to fill the courts' needs when an interpreter is required. What each interpreter negotiates with a given court is based on the court's needs and the interpreter's needs. It becomes an issue of supply and demand. The courts in rural areas have fewer interpreters available. The courts' needs for interpreters are less regular which demands the independent contractor find additional work to earn steady income.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                                 | Position                                  | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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|                                                                                                                                                           |                                           | <p>If an interpreter is unwilling to accept the maximum compensation the court will be permitted to make a finding of unavailability. This will create the perfect storm - financial rewards for the court by allowing them to opt to use noncertified interpreters, putting the limited English proficient person at a clear disadvantage and resulting in an abrupt restriction of due process for limited English proficient persons. Unfortunately, in my experience, the LEP person is rarely informed the interpreter is not certified. The use of noncertified interpreters will result in errors, mistrials, appeals, and taking away due process. More importantly, it will disincentivize interpreters from becoming certified. This is a short sighted maneuver that will only hurt our justice system.</p> <p>Additionally, attempting to require an independent contractor interpreter to remain for a strict four hour block is an obvious attempt at control over the interpreter and would call into question the employee/independent contractor classification. Independent interpreters that charge in half day blocks are often able to accept a half day assignment in one court n reliance on being able to leave sufficiently early to travel to another court and work the later half of the day in the other court. Further, most courts do not provide accommodations for interpreters. Interpreters who have completed an assignment must sit in a hot/cold car, go to a coffee shop, or sit in a lobby area of a court. Most courts that build professional and respectful relationships with the interpreters they contract have a system by which the interpreter is released once it is ensured no additional interpreter matters will be heard. To mandate the interpreter stay is a waste of resources on so many levels. Again, it reeks of crossing the line between the employee and independent contractor classification.</p> <p>The proposed changes will only harm our court system and access to justice for limited English proficient persons. As representatives of our court system, please consider the harms that will be caused by implementing these proposals. I appreciate your time and consideration. Thank you.</p> <p>Sincerely,<br/>Laureen Hearne<br/>Certified Court Interpreter</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <p>Lauren Ames<br/>Federally Certified Court Interpreter<br/>California State Certified Court Interpreter</p> <p><b>Comment on behalf of org?: No</b></p> | <p>Do not agree with proposed changes</p> | <p>Dear Judicial Council,</p> <p>I am writing in strong opposition to Proposal SP26-05.</p> <p>I am a court interpreter with more than 15 years of experience and hold an MA in Translation and Interpretation from the Middlebury Institute of International Studies at Monterey. Court interpretation is a highly specialized profession that requires rigorous training, advanced linguistic skill, and deep knowledge of legal procedure. If California wants to retain qualified interpreters and ensure equitable access to justice for all residents, this work must be treated—and compensated—as the skilled profession it is.</p> <p>Additionally, the continually rising cost of living in California warrants an increase in interpreter compensation, not a reduction. This workforce is overwhelmingly composed of women and people of color, and maintaining fair, sustainable pay is essential to protecting both the quality of services provided and the diversity of the professionals who deliver them.</p> <p>Restricting contract interpreters' ability to negotiate their rates is unlawful under California labor law. Any policy or practice that limits interpreters' right to negotiate directly undermines both the legal protections afforded to independent contractors and the state's ability to maintain a stable, qualified interpreter workforce.</p> <p>Under the banner of a rate increase, the Council is imposing non-negotiable ceilings, forcing interpreters to remain for entire blocks regardless of actual need, erasing clear session boundaries, and severely restricting travel reimbursement. The predictable result is that many certified interpreters will simply stop accepting Superior Court work.</p> <p>Perhaps the most alarming aspect of this proposal is the creation of a direct financial incentive to replace certified interpreters with provisionally qualified ones or even "nonregistered or noncertified interpreters." When a certified interpreter declines the non-negotiable rate, the draft allows the court to declare that interpreter "unavailable" and appoint someone who has never passed a certification exam. The LEP party is not told this has happened. Errors by non-credentialed interpreters are rarely caught in the moment.</p> <p>Turning a rate refusal into a legal finding of unavailability converts a cost-control measure into a structural preference for less-qualified interpreters. This is not language access. It is the appearance of language access at the expense of accuracy and due process.</p> <p>California has 6.4 million Limited English Proficient residents—one out of every six people in the state. These court users have a constitutional right to understand the proceedings that affect their liberty, families, and livelihoods. When the State makes it economically and practically unattractive for qualified interpreters to serve, it is the non-English-speaking public that pays the price through delayed cases, inaccurate interpretation, mistrials, and miscarriages of justice.</p> <p>Cutting interpreter flexibility to save money is false economy. The real cost will appear later in repeated hearings, appeals, and damaged public confidence in the courts. The Judicial Council should not balance budgets on the backs of Limited English Proficient Californians.</p> <p>If cost management is truly the priority, then local courts must be given the authority to raise staff interpreter wages, offer meaningful incentives, and negotiate fair daily rates with their local contract interpreters commensurate with cost</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

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|                                                                                                                                                                    |                                                       | <p>of living increases. This is the most effective way to reduce travel time and mileage costs and to retain qualified interpreters in their home courts rather than incentivizing them to travel across the state just to make a decent living through travel time and mileage. Empowering courts to set competitive local rates is a practical, cost-conscious solution that supports workforce stability and ensures consistent access to justice for all Californians.</p> <p>I urge the Council to withdraw this proposal.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       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| <p>Lauren Hammer Aguilera<br/>Certified Spanish Court<br/>Interpreter (California and<br/>Federally Certified)</p> <p><b>Comment on behalf of<br/>org?: No</b></p> | <p>Do not<br/>agree with<br/>proposed<br/>changes</p> | <p>Dear Judicial Council of California,</p> <p>My name is Lauren Hammer Aguilera, and I am a California Certified and Federally Certified Spanish Court Interpreter. I hold master's degrees in Spanish (from Middlebury College) and Spanish Translation &amp; Interpretation (from the Middlebury Institute of International Studies at Monterey). I have been working in California's superior courts as an independent contractor since becoming state certified in 2021. I have also worked in federal court since securing federal certification in 2023.</p> <p>I currently work in California's superior courts approximately 200 days each calendar year, with these workdays divided among a handful of Bay Area and Bay Area adjacent counties. Amid a professional landscape in which certified legal interpreters who work outside of court are frequently compensated more than interpreters who work for the state's trial courts, I make the active choice to work in the courtroom. Moreover, in a field that trends older, I am a younger interpreter with many years in the field ahead of me; I hope to dedicate my working years to ensuring language access in California's courtrooms. By way of preface, please know that I have a profound vocation for the court interpretation profession. Not only have I undergone the training to acquire the requisite skills and certifications to interpret in even the most high-stakes legal settings, but I also genuinely care incredibly deeply about language access for the litigants and other parties that court interpreters serve. I take the work of court interpretation extremely seriously, and I am greatly invested in its future. I submit these comments in strong opposition to the proposed revisions in SP26-05, therefore, because I believe that in pursuit of perceived short-term financial benefits, this policy, if implemented, will, without question, trigger the undoing of the robust language access infrastructure upon which the California's superior courts have long prided themselves.</p> <p>Increasing the daily rate for independent contractors who work in California's superior courts is overdue. The published daily rate for interpreters has not kept up with inflation or the cost-of-living increases in the state; raising it, therefore, is the answer. Mandating that this be the only rate that the state's 58 superior courts can pay its contract interpreters and establishing it as a cap that counties are prohibited from exceeding, however, would be an unequivocal error on the Council's part. Updating the daily rate and allowing it to remain the baseline parameter from which rate negotiation can take place, as has long been the practice around the state, is the correct way to both influence market rates sufficiently and continue securing and retaining the contract interpreters who are needed in every county across the state on a daily basis.</p> <p>The policy proposal currently open for comment also effectively renders independent contractors no longer independent. Under California's AB5 independent contractor law, a worker's ability to set and negotiate his or her own rates is a fundamental legal requirement for work as an independent contractor. To maintain our status as independent contractors, we must be free from any hiring entity's control over our rates; "implementing non-negotiable rates" for contract interpreters—which is one of the policy proposal's stated goals— but then procuring work from contractors puts the Judicial Council's actions in direct conflict with the legal framework that governs hiring entities' work with independent contractors. Were the Judicial Council to force a rate on non-employee interpreters, there would be grounds for potential legal action, given the policy's apparent skirting of the applicable independent contractor legislation.</p> <p>Linking the daily rate for interpreters who work in superior court to the rate paid to contract interpreters in federal court is also not the blanket solution to the issue of a needed rate increase that the policy purports it to be. The Judicial Council's language in the policy addresses only the increase to match the current federal rate and does not explicitly guarantee to mirror the additional increase scheduled to take place on October 1, 2026, nor does it ensure that the superior court contract interpreter daily rate would continue to reflect any increases to federal contract interpreter rates in the coming years. But even if it did, any increase secured by raising the daily rate for certified interpreters to the daily rate for federal contract interpreters would still result in the policy representing a significant net loss for contract interpreters, given that the proposed revisions in SP26-05 call for severely limited travel reimbursement to superior court contract interpreters. Compensating independent contractors for their travel, which in a state like California can involve arduous and lengthy commutes to/from courthouses—especially due to the Judicial Council's arbitrary 100-day rule for contractors, which effectively forces an interpreter to work beyond his or her home county if he or she wishes to work more than one hundred days in court in a given calendar year—has long been a standard component of compensation for contract interpreters in the state's superior courts. Even with the travel being compensated as it currently is, counties across the state still struggle to attract contract interpreters. Now imagine if this important component of our current payment structure were to be severely restricted or done away with entirely, as this proposal portends. Who will be willing to work in California's courtrooms then?</p> <p>This proposal contains a highly concerning "unavailability" clause instructing the courts on how to proceed were certified interpreters to be "unwilling to accept the maximum compensation rate established in the policy." Given the inclusion of a clause like this, the Judicial Council evidently anticipates the inevitable exodus of certified interpreters from the superior court setting. The proposal explicitly instructs courts to turn to non-certified or non-registered interpreters, effectively revealing the Judicial Council's apparent lack of discomfort in leaving even the most delicate</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

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|                                                                    |                                           | <p>legal matters –ones that require the precision a certified interpreter provides– in the hands of non-certified interpreters, whose interpretation skills have not been subjected to the scrutiny that should be demanded of someone working in a courtroom setting. Even more concerning is the fact that the policy effectively creates a financial incentive to skirt the hiring of those who have prepared diligently for and passed the Council’s own rigorous certification process. The certification exam remains the only way to safeguard that parties are receiving interpretation of a professional caliber and yet this section of the proposal undermines the exam’s authority entirely. The implementation of the “unavailability” clause will not only open the door to a generalized decline in the quality of interpretation in California’s superior courts but will also expose the system to an increase in misinterpretations, miscarriages of justice, and mistrials. Let there be no mistaking: this policy will create a financial motivation to sidestep the certified interpreter ready and willing to work in California’s courtrooms in favor of the more cost-effective non-certified interpreter whose qualifications have not and cannot be verified, thereby depriving those who are not proficient in English of their enshrined right to language access and due process.</p> <p>This proposal comes as the Judicial Council seeks to control rising costs. And yet the reality is that there are only a few counties who have mismanaged their designated funds and exceeded their respective bottom lines in recent years. Many or most counties, including several I personally work in, have come in at budget or even under budget at the end of the most recent fiscal years. Why not remedy the mismanagement of interpreter funds on a county-by-county basis and allow the rest of the counties that have adequately administered their allocated funds –all in the context of the current system, which allows for negotiated rates and fair compensation for travel to/from courthouses– to continue their respective standard operating procedures? Micromanaging all counties’ interpreter budgets and penalizing all contract interpreters for the errors of a select few administrators in a select few counties is wrong.</p> <p>I urge the Judicial Council to listen to its independent contractors, of which I am one, when we tell you that this proposal will drive certified interpreters away from superior courts across the state. There is already a well-documented shortage of certified interpreters in our state courts. Imagine the effect this new fee structure would have on this already complex landscape. The number of certified interpreters who will simply refuse to work under these restrained and unfairly compensated conditions is great. The uproar that the implementation of a policy as concerning and frankly disrespectful to our profession as this one will cause can all but guarantee a mass exodus of certified interpreters from the superior courts in California.</p> <p>I confidently speak on behalf of all my contract interpreter colleagues when I urge the Judicial Council of California to withdraw this proposal. The Council must keep independent contractors truly independent, insist on certified interpreters who are truly available and desire to continue working for California’s superior courts, and not let the perception of apparent short-term cost savings drive away the certified interpreters it relies on every day to continue ensuring language access across the most linguistically diverse state in the country.</p> <p>Thank you for your consideration,</p> |
| <p>Leilani Padilla</p> <p><b>Comment on behalf of org?: No</b></p> | <p>Do not agree with proposed changes</p> | <p>SP26-05 - August 24, 2026</p> <p>Do not agree with proposed changes</p> <p>Dear JCC,</p> <p>Thank you for the opportunity to comment on proposal SP2605. I write to express my concerns about several elements of the proposal and the potential impact on both Certified Court Interpreters (CCIs) and the Limited English Proficient (LEP) communities we serve.</p> <p>The changes outlined in SP2605 would significantly affect professional contract CCIs currently working in California’s courts. This type of action is unusual in professions that require rigorous testing and credentialing. For comparison, court reporters—another group of highly trained professionals—must capture everything said on the record, but only in one language. Certified Court Interpreters, by contrast, are responsible for accurately interpreting all spoken content in two languages, in real time. These are distinct professions, yet comparable in the level of skill, training, and responsibility involved.</p> <p>If similar restrictions are not being considered for other credentialed professionals, such as court reporters, the proposal may unintentionally appear to single out CCIs. It is also important to acknowledge that CCIs are predominantly immigrant women, immigrant men, or the children and relatives of immigrants. Any measure that disproportionately affects this demographic deserves careful consideration.</p> <p>Professional CCIs must be compensated for travel time when they are required to cover long distances, just as any other professional would be. Because contract interpreters do not receive benefits and are not state employees, they must retain the ability to negotiate their rates according to basic economic principles of supply and demand. Contract interpreters work on a perassignment basis; once the assignment is complete, they should be free to leave without additional administrative obligations. Fixed schedules designed for staff interpreters are not appropriate for contractors.</p> <p>What’s happening affects the structure of our profession and the quality of services LEP communities receive. The proposal would not only impact CCIs, but also LEP litigants who rely on certified professionals to ensure due process. “Qualified” interpreters or other noncertified individuals should not be referred to as interpreters, as this is misleading. They have not passed the certification exams required to demonstrate proficiency. Judges, attorneys, and litigants must be clearly informed when language services are being provided by someone who has not met certification standards.</p> <p>Relying on noncertified individuals when certified interpreters are available is not only inequitable for CCIs and LEP communities, but also poses a longterm threat to the integrity of the Certified Court Interpreter profession.</p> <p>I also strongly disagree with establishing a fixed, nonnegotiable rate for contract interpreters. CCIs should be able to</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

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|                                                                                                                                     |                                                       | <p>negotiate their compensation, as other professionals do. Additionally, the newly approved FCCI rate is \$620, not \$566, and the new hourly rate is \$87, not \$80. These updated rates should be incorporated as a baseline—not a ceiling—when calculating travel compensation. While I recognize the state’s budget challenges, offering a negotiated rate above \$620 as an incentive for interpreters to remain within their home counties could reduce longdistance travel and ultimately save the courts money.</p> <p>A sustainable system should not rely on a winlose approach. A modest, wellconsidered winwin is possible if changes are developed thoughtfully and in coordination with interpreters.</p> <p>Thank you for your attention to these concerns.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      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| <p>Leilani Padilla-Young<br/>California and U.S<br/>Certified Court Interpreter</p> <p><b>Comment on behalf of<br/>org?: No</b></p> | <p>Do not<br/>agree with<br/>proposed<br/>changes</p> | <p>Please disregard my previous comment submitted under email hello@deepwatersongs.com. Instead consider this as my public comment. Thank you.</p> <p>Dear JCC Members,</p> <p>Thank you for the opportunity to comment on proposal SP26 05. I write to express my strong opposition to SP26-05. I am concerned about several elements of the proposal and the potential impact on credentialed Certified Court Interpreters (CCIs), and what is even more serious on the constitutional rights of the Limited English Proficient (LEP) persons CCI’s serve. What is being proposed under SP26-05 will affect the quality of services LEP communities receive. LEP litigants who rely on certified professionals to ensure access to equal justice and due process.</p> <p>Title VI of the Civil Rights Act of 1964: Prohibits national-origin discrimination, requiring entities receiving federal funding to take reasonable steps to provide meaningful access to LEP individuals.</p> <p>According to the American Community Survey Report of 2011, 22.4 percent of the U.S. population spoke English “not well” or “not at all.” Title VI of the Civil Rights Act of 1964, Executive Order 13166, and numerous State laws and regulations require language services to ensure meaningful access to programs and activities for these individuals. Providing this assistance in judicial settings is particularly important for victims, defendants, civil litigants, and witnesses; and requires the services of well-trained and highly skilled professional interpreters and translators.</p> <p>The changes outlined in SP26 05 will significantly affect the right of individuals to a meaningful defense.</p> <p>This multi-layered proposal disguised as a “cost-containment” measure is a head-on assault on the role and the profession of Certified Court Interpreters. It is unheard of in professions that require rigorous testing and credentialing, and if it is approved, it might disproportionately affect all contract Certified Court Interpreters currently serving California’s State courts. It might have serious impact to the entire Certified Interpreter’s role in the Courts System. For comparison, court reporters, another group of highly trained professionals must capture everything said on the record, but only in one language. Certified Court Interpreters, by contrast, are responsible for accurately interpreting all spoken content in two languages, in real time. These two court roles are clearly distinct professions, yet comparable in the level of skill, training, and responsibility involved.</p> <p>Certified Court Interpreter Skills. Consider for a moment the level of skill, vocabulary and specialized training and practice this profession entails:</p> <p>Court interpreters must master a wide span of legal domains because cases move fluidly across criminal, civil, family, juvenile, traffic, and administrative matters. This includes core criminal procedure, civil litigation, family law issues like custody and restraining orders, juvenile delinquency and dependency, traffic infractions, and immigration related consequences that arise in criminal court. They also need strong command of evidence rules, constitutional rights, mental health law, financial and business concepts, medical, expert and forensic terminology, drug related language, real estate and property terms, and everyday courtroom procedure. In practice, this means interpreters operate across more than a dozen legal areas, each carrying its own specialized vocabulary and concepts. To put it in perspective, achieving high levels of accuracy and completion takes years of dedicated effort and resources.</p> <p>Some of the professional skills shared among Certified Court Interpreters include:</p> <ul style="list-style-type: none"> <li>• Learning languages from an early age to achieve a strong command of linguistics skills in both working languages. This learning involves college-level education or equivalent in both working languages.</li> <li>• A solid knowledge of false cognates to prevent confusion such as using the word discussion in English, versus discusión in Spanish, just to cite an example. Two completely different words that might sound like an exact match.</li> <li>• An in-depth understanding of between 10,000 to 20,000 not just legal terminology or phrases, but concepts and procedures.</li> <li>• Strong command of both working languages across formal, standard, casual, and low register register in both working languages, with the ability to shift seamlessly between them as required by the speaker and the context, including idioms and popular sayings.</li> <li>• Years of dedicated practice to master the different techniques that are needed daily, such as Simultaneous Interpretation, Consecutive Interpretation, and Sight Translation.</li> </ul> <p>Like Certified Court Reporters, Certified Court Interpreters are considered Officers of the Court, and they are highly skilled language professionals, therefore they must be recognized as such.</p> <p>VRI Interpreting. The idea that VRI assignments would now automatically be covered by “Non-Certified”, or “Qualified Interpreters” under proposal SP26-05 is short-sighted and outrageous and it will undermine the trust in California’s Judicial System. I am strongly opposed to VRI interpreting as it involves its own set of challenges that negatively impact the quality of interpreting services and it must never become normalized. This practice alone will lead to miscarriages of justice against the most vulnerable, let alone if it is performed by non-certified individuals.</p> <p>Travel Time. As any other non-employee professional who spends long hours on the roads of the State as part of their</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

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|           |          | <p>assignment, Professional CCI's must be compensated for travel time when they need to cover long distances to meet the State's needs, not their own. This can be addressed by placing caps (60 miles each way) on the number of miles interpreters may travel. However, this measure might also lead to further shortages and drive costs up if not managed properly.</p> <p>Contract interpreters are not employees. Contract interpreters work on a per assignment basis; once the assignment is complete, they should be free to leave without additional administrative obligations, this is according to the Borello standard, which California has historically applied to contractual relationships. The standard helps determine who is an employee and who does not qualify as one. Fixed schedules or rates designed for staff interpreters are not applicable to contractors.</p> <p>Qualified individuals or Non-Certified Individuals. "Qualified" individuals or other non certified individuals should not even be referred to as interpreters, as this is a misleading use of the word. Although their efforts towards certification should be recognized, this group should be referred to as: "Non-Certified individuals" as they have not passed the certification exams required to demonstrate proficiency. Judges, attorneys, and litigants must be clearly informed when language services are provided by someone who has not met certification standards.</p> <p>One important consideration is that errors in interpretation are a significant threat to the integrity and fairness of judicial proceedings, as it can distort witness testimony, impact the outcome of proceedings, it might lead to appealable errors, and lead to unnecessary delays that undermine the administration of justice and due process. Non-certified individuals simply are not equipped to substitute Certified Court Interpreters and should NOT be asked to cover assignments meant for Certified Court Interpreters. The two are not interchangeable. This is especially true for VRI assignments where the challenges to a true and accurate interpretation are even greater.</p> <p>Severe harm to the CCI's role and entire profession. Relying on non certified individuals when certified interpreters are available is not only disingenuous and openly harmful to the LEP community, but it also poses a long term threat to the integrity of the Certified Court Interpreter profession and credentialing process. It dilutes the tremendous efforts behind the Court Interpreter Certification, and it is harmful to how CCI's are generally perceived.</p> <p>No freeze to CCI fees. I also strongly disagree with establishing a fixed, non negotiable rate for contract interpreters. CCI's are Sole Proprietors or own LLC's, which clearly makes them not an employee on a fixed salary and therefore must be able to negotiate their compensation, as other similar contract professionals providing services to the courts take again the instance of Certified Court Reporters.</p> <p>Additionally, the newly approved FCCI rate is \$620, not \$566, and the new hourly rate is \$87, not \$80. Because contract interpreters do not receive any kind of benefits, such as pensions, 401 K retirement accounts, health insurance, sick leave, parental leave, paid vacations, other than their compensation, and are not State employees, in California they are compensated based on supply and demand. The (updated) rates proposed shall be incorporated as a baseline, not a ceiling. Contract CCI's professional rates are individually set by each individual contractor with an agreed upon rate on hourly travel compensation. Eventually, it is up to each County Coordinator and their supervisors to reach agreements with contractors so that proceedings in the courtrooms are not delayed, continued, and so that the rights of the LEP community are maintained.</p> <p>Getting CCI's Involved in genuine cost-containment strategies that maintain CCI Quality and Ethical standards. While I recognize the State's budget challenges, a negotiated rate above \$620 as an incentive for interpreters to remain within their home counties can be a sensible policy that will permit reducing long distance travel and ultimately lead to savings for the Court System. This measure alone can result in significant savings and will keep CCI's in the State. California benefits from having contract interpreters with graduate studies from MIIS, the internationally acclaimed interpreter graduate school par excellence, and scores of contractors are U.S Certified Court Interpreters. Consider too that California is a benchmark when it comes to their CCI Program, and it is recognized by its high standards when it comes to compliance with Title VI of the Civil Rights Act of 1964.</p> <p>A sustainable system cannot be built on a win lose framework. A modest yet meaningful win-win agreement is entirely achievable when changes are developed thoughtfully and in genuine collaboration with active Certified Court Interpreters.</p> <p>The importance of open door, In-Person Public comment hearings. To ensure transparency and prevent policies that are short sighted or harmful to the CCI profession, actively practicing Certified Court Interpreters from different regions of the State must be included in these closed door Committee discussions. CCI's involvement is essential to avoid blindsiding the CCI community with proposals like SP26-05 and to uphold the integrity of the profession moving forward.</p> <p>I strongly urge the JCC to reject SP26-05 and involve CCI's in the debate so that Certified Court Interpreter compensation in California may effectively reflect constitutional requirements, recognize and appreciate the specialized character of expertise and skills needed for the profession, and recognizes California's geographic and economic realities and compensates CCI's accordingly.</p> <p>Thank you for your attention to these concerns.</p> <p>Leilani Padilla<br/>California and U.S Certified Court Interpreter<br/>M.A in Translation and Interpretation, MIIS<br/>B.A In Interpretation, ISIT</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

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| Leonard Alvarez<br>Interpreter<br><br><b>Comment on behalf of org?: No</b>                           | Do not agree with proposed changes | Do not agree with proposed changes<br><br>Capping possible earnings as indicated is contrary to market rates approach                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Leticia Pulos.<br><br><b>Comment on behalf of org?: No</b>                                           | Do not agree with proposed changes | Dear Judicial Council,<br><br>I submit these comments in strong opposition to the proposed revisions in SP26-05.<br><br>The proposal's non-negotiable rate structure, rigid four- and eight-hour blocks, removal of clear morning/afternoon session definitions, and tightly restricted travel rules will significantly reduce the willingness of certified interpreters to accept court work. Once experienced interpreters leave or limit their availability, the courts will face greater difficulty covering calendars with qualified professionals.<br><br>Of particular concern is the proposal's definition of "unavailability." The draft states that an interpreter is considered unavailable if they "are unwilling to accept the maximum compensation rate established in the policy." Once that finding is made, and after a diligent search, the court may appoint a nonregistered or noncertified interpreter under rule 2.893. This provision turns a simple rate refusal into a legal finding of unavailability. In practice, it creates a direct financial incentive to replace a certified interpreter who declines the capped rate with someone who has never passed a certification examination. Limited English Proficient court users are never informed that this substitution has occurred. Certification exists because neither the judge nor counsel can evaluate the accuracy of the interpretation in real time. By converting a cost-control measure into a structural preference for less-qualified interpreters, the proposal undermines the very safeguard the credential was designed to provide. This is not language access. It is the appearance of language access at the expense of accuracy and due process.<br><br>This outcome directly affects California's Limited English Proficient population—approximately 6.4 million people, or one in six residents. Meaningful language access is a due-process requirement, not an optional expense. When certified interpreters are driven away by inflexible and non-negotiable terms, the quality of interpretation declines. Errors, continuances, and in the worst cases mistrials or miscarriages of justice become more likely. Any short-term budget savings will be outweighed by the long-term costs of remedying those failures.<br><br>California has long recognized the importance of language access in a diverse state. This proposal moves in the opposite direction. I urge the Judicial Council to reject the current draft and maintain the flexibility necessary to attract and retain qualified certified interpreters.<br><br>Respectfully,<br>Leticia Pulos |
| Lilia Candela<br>Admin. Cert. Interpreter<br>(40 yrs. +)<br><br><b>Comment on behalf of org?: No</b> | Do not agree with proposed changes | Dear Judicial Council,<br><br>I felt compelled to comment. Proposal SP26-05 should be rejected.<br><br>What pert-ports to be a rate increase will impose non-negotiable ceilings, forcing interpreters to remain for entire blocks regardless of actual need, erasing clear session boundaries, and severely restricting travel reimbursement to interpreters in the industry.<br><br>The proposal creates a direct financial incentive to replace certified interpreters with provisionally qualified ones. When the court declared that interpreter "unavailable" and appoints a non-credentialed interpreter. Turning a rate refusal into a legal finding of unavailability converts a cost-control measure into a structural preference for less-qualified interpreters. I find this to be egregious.<br><br>California has 6.4 million Limited English Proficient residents—one out of every six people in the state. These court users have a constitutional right to understand the proceedings that affect their liberty, families, and livelihoods. When the State makes it economically and practically unattractive for qualified interpreters to serve, it is the non-English-speaking public that pays the price through delayed cases, inaccurate interpretation, mistrials, and miscarriages of justice.<br><br>I urge the Council to withdraw this proposal. inaccurate interpretation, mistrials, and miscarriages of justice.<br><br>Cutting interpreter flexibility to save money is false economy. The real cost will appear later in repeated hearings, appeals, and damaged public confidence in the courts.<br><br>I urge the Council to withdraw this proposal.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

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| <p>Liliana Gonzalez<br/>Federal and State Court<br/>Certified Interpreter</p> <p><b>Comment on behalf of org?: No</b></p> | Do not agree with proposed changes      | <p>While I can understand the cost containment issue at hand, some of these proposals go against the more important issue of using certified interpreters first and foremost, in order to ensure the quality of the service. We test and get certified. While there may have been a situation in the past when the use of non-certified interpreters was considered on paper, that was not because of the current proposed reasons to justify lack of availability due to rigidity or lack of negotiations for cost containment. In certain languages such as Spanish, lack of interpreters is hardly ever the case and particularly under the proposed circumstances, the Judicial Council should be the entity having the certifications be respected, above all.</p> <p>Another factor regarding what is being proposed as a 1/2 day being any time of the day, or hourly billing any time of the day. Independents only get paid for work done. If you book middle of the day, that is a full day as the interpreter cannot book a morning and a p.m. assignment. They are not employees and do not get paid for hrs. not worked and further, do not have benefits which employees do. This and a non-negotiable contract more likely mirrors an employer-employee relationship.</p> <p>Historically, these revisions have been first after 7 years, then after 14 years and now after 5. Maybe if revisions were more often, they could keep up with yearly changes in the economy and in the work of interpreters. We are professionals and have worked diligently, obtaining certification, education, continuing education and request to be treated accordingly.</p> <p>Respectfully,<br/>Liliana Gonzalez<br/>Federal and State Court Certified Interpreter</p>                                                                                                                                                                                                                                                                                |
| <p>Lillian Lachow<br/>INDEPENDENT<br/>SPANISH COURT<br/>INTERPRETER</p> <p><b>Comment on behalf of org?: No</b></p>       | Agree with proposed changes if modified | <p>Agree with proposed changes if modified</p> <p>Gasoline is extremely expensive in California and there is a long commute to work. It is very unfair that we do not get Paid extra for the gasoline. The traffic in the freeways is impossible.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <p>Lilly Saavedra White<br/>Certified Interpreter<br/>CAPIT</p> <p><b>Comment on behalf of org?: Yes</b></p>              | Do not agree with proposed changes      | <p>Do not agree with proposed changes</p> <p>SP26-05 is a short-sighted cost-cutting measure that will harm California's 6.4 million Limited English Proficient residents. Driving certified interpreters out of the courts through rigid, non-negotiable rates will produce more errors, delays, mistrials, and miscarriages of justice. The Council should withdraw this proposal.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <p>Linda Zamora<br/>CA independent court<br/>interpreter<br/>self</p> <p><b>Comment on behalf of org?: No</b></p>         | Do not agree with proposed changes      | <p>Dear Judicial Council,</p> <p>Proposal SP26-05 should be rejected.</p> <p>Under the banner of a rate increase, the Council is imposing non-negotiable ceilings, forcing interpreters to remain for entire blocks regardless of actual need, erasing clear session boundaries, and severely restricting travel reimbursement. The predictable result is that many certified interpreters will simply stop accepting Superior Court work.</p> <p>The proposal creates a direct financial incentive to replace certified interpreters with provisionally qualified ones. When a certified interpreter declines the non-negotiable rate, the draft allows the court to declare that interpreter "unavailable" and appoint someone who has never passed a certification exam. The LEP party is not told this has happened. Errors by non-credentialed interpreters are rarely caught in the moment.</p> <p>Turning a rate refusal into a legal finding of unavailability converts a cost-control measure into a structural preference for less-qualified interpreters. This is not language access. It is the appearance of language access at the expense of accuracy and due process.</p> <p>California has 6.4 million Limited English Proficient residents—one out of every six people in the state. These court users have a constitutional right to understand the proceedings that affect their liberty, families, and livelihoods. When the State makes it economically and practically unattractive for qualified interpreters to serve, it is the non-English-speaking public that pays the price through delayed cases, inaccurate interpretation, mistrials, and miscarriages of justice.</p> <p>Cutting interpreter flexibility to save money is false economy. The real cost will appear later in repeated hearings, appeals, and damaged public confidence in the courts. The Judicial Council should not balance budgets on the backs of Limited English Proficient Californians.</p> <p>I urge the Council to withdraw this proposal.</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                                   | Position                                    | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
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| Lindy Martinez<br>Certified Court Interpreter<br>Judicial Council of<br>California Certified<br>Interpreter<br><br><b>Comment on behalf of<br/>org?: No</b> | Do not<br>agree with<br>proposed<br>changes | These changes will reduce the willingness of experienced certified interpreters to accept court assignments when rates can no longer be negotiated to reflect real market conditions. The result will be fewer qualified interpreters available when courts need them most. California is home to approximately 6.4 million Limited English Proficient residents—roughly one in six Californians—who depend on competent interpretation to understand and participate in legal proceedings. When certified professionals leave the field or decline low-paying, inflexible assignments, those court users are left with less qualified substitutes. Which can cause detrimental consequences in legal settings. Judges, Attorneys, non-English Speakers rely on and trust the interpretation of professional certified interpreters. Simply speaking a second language is not the equivalent of having a broad knowledge of the language itself. We demand that you protect our profession as you would protect your own livelihood.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Lingling Martin, Certified<br>Court Interpreter<br><br><b>Comment on behalf of<br/>org?: No</b>                                                             | Do not<br>agree with<br>proposed<br>changes | <p>Dear Judicial Council,</p> <p>Proposal SP26-05 should be rejected.</p> <p>Under the banner of a rate increase, the Council is imposing non-negotiable ceilings, forcing interpreters to remain for entire blocks regardless of actual need, erasing clear session boundaries, and severely restricting travel reimbursement. The predictable result is that many certified interpreters will simply stop accepting Superior Court work.</p> <p>The proposal creates a direct financial incentive to replace certified interpreters with provisionally qualified ones. When a certified interpreter declines the non-negotiable rate, the draft allows the court to declare that interpreter “unavailable” and appoint someone who has never passed a certification exam. The LEP party is not told this has happened. Errors by non-credentialed interpreters are rarely caught in the moment.</p> <p>Turning a rate refusal into a legal finding of unavailability converts a cost-control measure into a structural preference for less-qualified interpreters. This is not language access. It is the appearance of language access at the expense of accuracy and due process.</p> <p>California has 6.4 million Limited English Proficient residents—one out of every six people in the state. These court users have a constitutional right to understand the proceedings that affect their liberty, families, and livelihoods. When the State makes it economically and practically unattractive for qualified interpreters to serve, it is the non-English-speaking public that pays the price through delayed cases, inaccurate interpretation, mistrials, and miscarriages of justice.</p> <p>Cutting interpreter flexibility to save money is false economy. The real cost will appear later in repeated hearings, appeals, and damaged public confidence in the courts. The Judicial Council should not balance budgets on the backs of Limited English Proficient Californians.</p> <p>I urge the Council to withdraw this proposal.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Lisa Herrick<br>Assistant Executive Officer<br>and General Counsel<br>Santa Clara County<br>Superior Court<br><br><b>Comment on behalf of<br/>org?: Yes</b> | Agree with<br>proposed<br>changes           | <p>Does the proposal appropriately address the stated purpose?</p> <p>Yes, assuming that courts are not able to circumvent the limits to negotiate higher rates, which would put the courts in competition with each other again and lead to increased rates.</p> <p>The advisory committee also seeks comments from courts on the following cost and implementation matters:</p> <ul style="list-style-type: none"> <li>• Would the proposal provide cost savings? If so, please quantify.</li> </ul> <p>As the proposal notes, to the extent some contractors are currently being paid above the federal rate, some savings will occur. For those contractors being paid below the federal rate, costs will increase. For Santa Clara County Superior Court, the majority of our contractors (approximately 80%) are currently paid below or at the federal rate for Spanish and Vietnamese. We do not expect to have substantial savings for daily rates in those two languages. However, the contractors for other languages often have rates far exceeding the federal rate. Implementing a rate cap will create a significant cost savings in languages other than Spanish and Vietnamese.</p> <p>In addition, the new policy indicates courts must now follow the Judicial Council's Travel and Expense Reimbursement Guidelines (Contractors). Those guidelines prohibit payment for "hours of non-production Work expended by the Contractor that are spent traveling to or from the location where the Service(s) are performed." Currently, most courts pay travel time to a contractor for the hours it takes to drive to the court location from their home. It is not unusual for a contractor living in Southern California to accept assignments from Bay Area courts which may add several hundred dollars to travel reimbursements (which is a reimbursement in addition to payments for mileage). If the travel time provisions are eliminated, courts will pay less for some assignments.</p> <ul style="list-style-type: none"> <li>• What would the implementation requirements be for courts? Examples include training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems.</li> </ul> <p>Interpreter Coordinators and their managers will need to be informed about the single rate but this training should not</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                                                                                                                                                                                                                                                                                                | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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|                                                                                                                                                                                                                                                                                                                                                                                                                          |                                    | <p>be extensive.</p> <p>New processes/flow charts/FAQs/examples for travel reimbursements must be developed and implemented, likely by Finance administrators. In addition, Finance staff responsible for processing travel reimbursements will need to be trained on the new processes, but this training should not be too involved.</p> <ul style="list-style-type: none"> <li>• Would the effective date provide sufficient time for implementation?</li> </ul> <p>The effective date of October 1 for implementation (developing processes and supporting materials and training) is likely sufficient time, but courts may already have entered into contracts with contract interpreters effective July 1, 2026 which are in effect through June 30, 2027. It is possible that those contracts cannot be re-negotiated until effective July 1, 2027.</p> <ul style="list-style-type: none"> <li>• How well would this proposal work in courts of different sizes?</li> </ul> <p>If competition is truly eliminated, the proposal should be effective in all courts, regardless of size. However, as mentioned above, to the extent that courts have not been paying contractors the federal rates, the increase in costs may be too much to bear.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <p>Lizeth Elizondo<br/>AZ Certified Court Interpreter<br/>Elizondo Language Services, LLC</p> <p><b>Comment on behalf of org?: No</b></p>                                                                                                                                                                                                                                                                                | Do not agree with proposed changes | <p>Do not agree with proposed changes</p> <p>"This outcome directly affects California's Limited English Proficient population—approximately 6.4 million people, or one in six residents. Meaningful language access is a due-process requirement, not an optional expense. When certified interpreters are driven away by inflexible and non-negotiable terms, the quality of interpretation declines. Errors, continuances, and in the worst cases mistrials or miscarriages of justice become more likely. Any short-term budget savings will be outweighed by the long-term costs of remedying those failures.</p> <p>California has long recognized the importance of language access in a diverse state. This proposal moves in the opposite direction. I urge the Judicial Council to reject the current draft and maintain the flexibility necessary to attract and retain qualified certified interpreters.</p> <p>Respectfully,</p> <p>Lizeth Elizondo AZ Certified Court Interpreter</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <p>Lorena Ortiz Schneider,<br/>Vice President of The California Association of Professional Interpreters and Translators (CAPIT);<br/>Practicing Professional Certified Interpreter &amp; Translator; WorkComp Interpreters Committee Chair; Small language services company owner.<br/>The California Association of Professional Interpreters and Translators (CAPIT)</p> <p><b>Comment on behalf of org?: Yes</b></p> | Do not agree with proposed changes | <p>To the Judicial Council of California and the Court Executives Advisory Committee:</p> <p>I submit these comments in strong opposition to the proposed revisions in SP26-05.</p> <p>I am the Vice President of The California Association of Professional Interpreters and Translators (CAPIT), founded in 1978 – California's only American Translators Association (ATA) Chapter. We support translators, interpreters, and language professionals across California.</p> <p>I am a working, certified interpreter, translator, and former ATA Board Director (2020-2023). I founded CoPTIC (Coalition of Practicing Interpreters and Translators of California), which earned an exemption from application of AB 5 on translators and interpreters in AB 2257.</p> <p>I am a small language services company owner, routinely contracting with freelance interpreters in dozens of languages, including Spanish and Indigenous languages of Mexico and Central America. As such I have a pulse on the market forces in our industry.</p> <p>I write you as a strong advocate for meaningful language access for limited English proficient Californians and for fair and equitable pay and working conditions for interpreters everywhere, including independent contractors (75% of whom are freelance by choice and in fact <a href="https://insights.csa-research.com/aim/en/reports/305013106">https://insights.csa-research.com/aim/en/reports/305013106</a>).</p> <p>The proposal you've crafted contains rules that put meaningful language access and the livelihoods and sustainability of professional interpreters in California at serious risk. I strongly oppose the revision as drafted for the reasons contained the Comment we at CAPIT submitted earlier today, in addition to the following:</p> <p>I participated in last year's AB 1032 Focus Group conducted with professional interpreters and other stakeholders in the justice system. The one-on-one meeting had to do with the availability of court interpreters. Almost all the questions led to the same answer: improve pay for interpreters and the perceived shortage would all but disappear. The interviewer, Mr. Ray Mata, revealed that he had heard that repeatedly from other stakeholders.</p> <p>In fact, the Judicial Council's own report sharing that research recognizes that what the Committee is now proposing is BAD for professional interpreters and WRONG for reliable language access in California courts. That official report acknowledges that "pay and flexibility emerged as decisive factors influencing interpreter recruitment and retention." That means professional interpreters are clamoring for FAIR and BETTER pay, NOT worse, and for MORE flexibility, NOT less.</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                             | Position                                  | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
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|                                                                                                                                                       |                                           | <p>The proposed changes to eliminate the current ability for interpreters to negotiate a higher fee is unfair and unreasonable and will have the complete opposite intended effect. Even the federal court policy allows interpreters to negotiate fees higher than the published rates:</p> <p>3.0 Rates for Interpreting Services (See 2.0 in the Terms and Conditions.)<br/>The following rates shall be paid for the interpreting services rendered by the named interpreter, in accordance with the fee schedule established by the Administrative Office of the United States Courts for the interpreter's classification level, or as otherwise authorized in writing by the contracting officer, and the terms of service defined in the purchase order.</p> <p>Federal rates do not reflect real market rates in California one of the nation's most expensive states. Just take the federal minimum wage an example: it is \$7.25 and yet the California's minimum wage is set to increase to \$17.44 on January 1, 2027.</p> <p>The proposal explains repeatedly, as some form of justification, that the Budget Act states does not allow the Judicial Council to set statewide or regional rates and policies for payment of court interpreters to exceed the rate paid to certified interpreters in the federal court system. However, it doesn't mention anything about federal interpreters' ability to negotiate higher rates. It seems like it's time to update the Budget Act to bring the Judicial Council's mandate more in line with California's real market forces if the state intends to protect the civil rights of limited English proficient residents and its valuable interpreter workforce.</p> <p>Thank you considering my comment, in addition to the contents of the Comment I submitted on behalf of CAPIT.</p> <p>Respectfully,</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <p>Lorena Pike, M.A.<br/>California and Nevada<br/>certified court interpreter;<br/>staff interpreter</p> <p><b>Comment on behalf of org?: No</b></p> | <p>Do not agree with proposed changes</p> | <p>In re: SP26-05 — Court Interpreters: Revisions to Payment Policies for Independent Contractor Interpreters — OPPOSE</p> <p>I submit this comment in opposition to SP26-05.</p> <p>I am a California and Nevada certified court interpreter and a staff interpreter at the Alameda County Superior Court. I previously managed interpreter services at the Santa Barbara and Ventura County Superior Courts, where I located interpreters, determined when provisional qualification was necessary, completed the paperwork, and routed it to the presiding judge for signature. I teach interpreting and translation at UCSD Extended Studies and taught at UCLA Extension for their extinct Legal Interpretation and Translation Certificate.</p> <p>Interpretation errors are often invisible when they happen because the people making decisions usually do not speak the language being interpreted. That is why certification exists. It is also why I am concerned about a policy that makes it easier to move from certified interpreters to provisionally qualified ones.</p> <p>These comments are organized by the provisions of the proposal because I have administered most of them. I am not concerned about how these provisions will look like on paper. It is what they will do once they reach a courthouse.</p> <p>Sections III.E and III.G — what these provisions look like in operation</p> <p>An elderly woman appeared for judgment in an elder abuse matter in Santa Barbara County. She spoke Arabic. I located a certified Arabic interpreter who was willing to fly in for the hearing.</p> <p>The operations manager above me declined to pay the airfare and related costs. The judge had said the hearing would take approximately fifteen minutes, and she relied on that estimate to decide the interpreter did not need to appear in person. She cancelled the flight and put the interpreter on the telephone instead.</p> <p>I was in the courtroom during this hearing, which lasted more than half an hour. The audio setup was not adequate for simultaneous interpretation. The judge spoke at length without pausing. The interpreter could not hear well enough to interpret fully and ended up summarizing much of what was said.</p> <p>The elderly woman did not understand the judgment entered against her. Afterward, I was reprimanded for having arranged the flight.</p> <p>This proposal will be more conducive to make decisions on these types of hearings: an interpreter whose travel is treated as an avoidable expense; remote interpreting treated as a cost efficiency; a scheduling estimate substituted for an assessment of whether the proceeding can actually be interpreted remotely; and the person who understands the interpreting problem overruled by the person controlling the budget.</p> <p>None of that appears in the record. The minutes only show that an interpreter was present.</p> <p>Section III.F — “unavailable” should not mean “available, but not at this rate”</p> <p>Section III.F provides that an interpreter who is “unwilling to accept the applicable maximum compensation rate” is</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter | Position | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
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|           |          | <p>considered unavailable, after which the court is directed to proceed under California Rules of Court, rule 2.893.</p> <p>That sounds administrative, but it is not.</p> <p>Rule 2.893(e)(1) provides that, after a diligent search, if a certified or registered interpreter “is not available,” a judicial officer may appoint a noncertified or nonregistered interpreter who has been provisionally qualified.</p> <p>Government Code section 68561 likewise requires a finding of good cause when a noncertified interpreter is used in a designated language and requires the judge in the proceeding to state on the record that a certified or registered interpreter is not available.</p> <p>Neither the statute nor rule 2.893 says that an interpreter who is available to perform the assignment, but will not accept the compensation offered by the court, is “not available.”</p> <p>SP26-05 would add that meaning through a payment policy.</p> <p>That distinction matters because rule 2.893 reads as though the judicial officer is the gatekeeper. However, in practice, much of the decision has already been made before the case is heard in the courtroom.</p> <p>When I managed interpreter services, the coordinator or manager located the interpreter, decided whether provisional qualification was necessary, completed the INT-110 and related paperwork, and sent it to the presiding judge for signature.</p> <p>In my experience, no judge conducted voir dire before signing. No judge called me and asked which certified interpreters I had contacted. No judge asked how I had concluded that none was available.</p> <p>The signature was administrative.</p> <p>Once the interpreter appeared in the individual courtroom, that question generally was not revisited. The interpreter stated their qualifications and the proceeding began. By then, the decision to appoint that interpreter had already been made administratively.</p> <p>This is also why false statements about credentials can go unchallenged. Nothing in the ordinary workflow requires that an interpreter's claimed credentials be checked against the Judicial Council Master List at the time of contracting or appointment. I have seen an interpreter state on the record that she was certified when she was not.</p> <p>My concern about Section III.F is not hypothetical.</p> <p>While I was the coordinator in Santa Barbara County, the operations manager directly above me instructed me to hire provisionally qualified interpreters because they cost less.</p> <p>I refused. I told her that the form required me to attest that no certified or registered interpreter was available and that I would not make that statement when it was untrue.</p> <p>She told me not to worry. Nothing would happen, she said, and she would vouch for me.</p> <p>I want to be precise about what happened. A court manager instructed a subordinate to falsely certify a finding to save money, at a time when no policy authorized rate refusal as a basis for declaring a certified interpreter unavailable.</p> <p>I refused because the form made the falsehood explicit.</p> <p>Section III.F removes that friction</p> <p>Under this draft, nobody has to lie. The certified interpreter is available, declines the rate, and the payment policy declares her unavailable. The paperwork now looks legitimate, even though the underlying facts have not changed.</p> <p>I am not suggesting that the Court Executives Advisory Committee intends courts to use Section III.F as a means of replacing certified interpreters with cheaper provisionally qualified interpreters. I am reporting that the financial pressure to do exactly that already exists in courts. I have personally been directed to do it.</p> <p>The current paperwork at least forced someone to confront the fact that a certified interpreter in fact was available. But this proposal makes that distinction disappear. Quality language access will suffer, as I explain below.</p> <p>Section III.F also raises a separate question</p> <p>There is also a question about whether a payment policy should determine when a certified interpreter is “not available” for purposes of rule 2.893 and Government Code section 68561. The Budget Act gives the Judicial Council authority to establish rates and policies for payment of court interpreters. But section 68561 separately requires the</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter | Position | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
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|           |          | <p>judge to find that a certified or registered interpreter is not available before a noncertified or nonregistered interpreter is used. Section III.F appears to connect those two things by declaring that an interpreter who declines the maximum rate is unavailable.</p> <p>I believe the Judicial Council should explain the authority for making that determination through a payment policy. An interpreter who is available to work but will not accept the court's rate is not unavailable in the ordinary sense of the word. If the Judicial Council intends that a rate refusal will satisfy the unavailability finding required by section 68561 and rule 2.893, it should explain why that substantive change belongs in a payment policy rather than in the rules, standards, procedures, and forms governing provisional qualifications or noncertified and nonregistered interpreters.</p> <p>Section III.F and rule 2.893 — who provisional qualification actually produces</p> <p>At the Ventura County Superior Court, where I managed interpreter services, a Mixteco interpreter had worked with the court for years. She spoke Mixteco and Spanish but not English, so all her work required relay through a Spanish interpreter.</p> <p>She could not have been provisionally qualified under rule 2.893 because provisional qualification requires the ability to satisfy the English-language qualification requirements.</p> <p>When I arrived, I discovered that she was taking paid private appointments with court users at the family law facilitator and self-help center while she was on the court's time. She engaged court users in conversation during proceedings, gave them advice, and discussed their cases with other parties. She also interpreted forensic interviews in child abuse cases and later interpreted in the related juvenile court matters without disclosing the conflict.</p> <p>These are not minor issues. They implicate the basic professional obligations of impartiality, avoidance of conflicts, and appropriate professional conduct.</p> <p>None of it was visible to the judge. The arrangement continued for years because there was no credential to review, nothing to suspend, and no statewide disciplinary history attached to the person doing the work.</p> <p>In Santa Barbara County, I encountered a different problem in an elder abuse trial requiring Arabic. Only one certified interpreter was available. The proceeding required a team, so I had no choice but to bring in a provisionally qualified interpreter to work alongside her.</p> <p>The provisionally qualified interpreter did not want the certified interpreter in the courtroom while she was interpreting simultaneously and became hostile toward her. The certified interpreter eventually came to my office to report the problem. I explained team-interpreting practice and why the certified interpreter needed to remain present.</p> <p>The provisionally qualified interpreter told me that coordinators had no business telling interpreters how to work and that she had never encountered such a requirement anywhere else.</p> <p>That was exactly the problem. She had not been trained. She had not been tested. She did not understand that the second interpreter was not there to insult her or interfere with her work. The second interpreter was there to help her with terminology and/or take over if need be. She experienced the safeguard as an insult because she did not know it was a safeguard.</p> <p>The policy should not permit provisional qualification in a designated language solely because a certified interpreter declines a maximum rate.</p> <p>Credential status should also be verified against the Master List at the point of contracting.</p> <p>And if the Council is creating a complaint and credential-review structure under SP26-04, there should be some corresponding accountability mechanism for provisionally qualified interpreters. A person should not become less accountable merely because the court has lowered the credential requirement.</p> <p>At minimum, provisionally qualified interpreters should receive mandatory Code of Professional Conduct orientation before a first assignment, and there should be a statewide record of their provisional appointments and complaints.</p> <p>Section III.C.2 and Attachment A — the \$800 Mixteco interpreter actually costs the court less</p> <p>Attachment A identifies average full-day payments in Mixteco, Farsi, Dari, Punjabi, Hmong, and other non-designated languages that exceed the proposed \$566 maximum.</p> <p>The proposal treats those payments as evidence of a cost problem. My experience is that they are sometimes evidence that a coordinator or manager found a cheaper solution. I proposed replacing the Mixteco relay arrangement described above with direct Mixteco-English interpreters.</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter | Position | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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|           |          | <p>My director and the court's executive officer agreed that it was the better approach.</p> <p>We engaged two direct Mixteco-English interpreters, one of them registered, at \$800 per day.</p> <p>That figure needs context.</p> <p>The interpreter traveled approximately two hours each way. The \$800 negotiated rate included roughly four hours of travel in addition to the interpreting assignment.</p> <p>The ability to negotiate the rate is what made it possible to secure that interpreter.</p> <p>And even at \$800, it was cheaper. Using a direct Mixteco-English interpreter eliminated the Spanish interpreter required for relay. The court therefore paid more for the individual interpreter and less for the proceeding as a whole.</p> <p>It was also faster. Relay interpretation inserts another interpreter into every exchange. Everything takes longer. The calendars moved noticeably faster, and judges, clerks, and counsel all noticed the difference.</p> <p>The court paid a negotiated rate that accounted for a scarce language combination and four hours of travel, spent less money overall, and finished proceedings faster.</p> <p>That is exactly the kind of decision a maximum non-negotiable rate prevents.</p> <p>Under the proposed policy, the \$800 payment appears excessive because the spreadsheet looks only at what one interpreter was paid. It does not show the second interpreter who was no longer necessary. It does not show the courtroom time saved. It does not show that four hours of travel were built into the rate.</p> <p>If the court cannot pay enough to secure a direct Mixteco-English interpreter, it may have to return to relay interpreting instead. In Ventura, that would also mean returning to an arrangement that relied on a nonregistered interpreter who had no credential to suspend and no statewide disciplinary record. In the case I described above, that interpreter also used her court position to solicit private work from court users, gave advice, and interpreted matters in which she had conflicts. The direct Mixteco-English interpreters solved more than a cost and efficiency problem. They also gave the court interpreters whose qualifications and professional obligations could be verified and complied with.</p> <p>It is important to note that the \$800 rate was approved by the court executive officer after considering the language need, the travel involved, and the overall cost to the court. The proposed maximum rate would remove the ability to make decisions on a case-by-case basis.</p> <p>Non-designated languages and languages of lesser diffusion should not be subjected to a maximum non-negotiable rate without a language-by-language analysis of what courts are currently paying, why they are paying it, how much travel is involved, and whether the payment replaces other costs such as relay interpretation.</p> <p>Section III.E — elimination of the negotiated-rate exception</p> <p>The proposal deletes the negotiated-rate exception and the Executive Officer's authority to approve payments above the schedule.</p> <p>The Mixteco example is why that authority exists. The \$800 arrangement was not possible because the published rate happened to work. It was possible because we could negotiate.</p> <p>The rate had to account for approximately four hours of travel as well as the assignment itself. Without the ability to negotiate, there would have been no reason for that interpreter to make a two-hour trip to court and another two-hour trip home for a rate that did not compensate the actual burden of the assignment.</p> <p>Negotiating the rate also allowed me to secure other interpreters when the Judicial Council's rate schedule did not reflect market fees, including the first certified Tagalog interpreter we were able to engage to work in Santa Maria.</p> <p>Managers and coordinators need that flexibility when the published rate is not enough to secure an interpreter.</p> <p>In 2021, the daily rate increased from \$282 to \$350. Interpreters still declined assignments because \$350 was below the rate necessary to secure them. What allowed courts to fill those assignments was the ability to negotiate an exception. SP26-05 would remove that option at the same time it makes rates non-negotiable and treats refusal of the maximum non-negotiable rate as evidence that the certified interpreter is unavailable.</p> <p>Under the current policy, the court can approve a higher rate when necessary to secure the interpreter. Under this proposal, the interpreter can simply be treated as unavailable if they decline the capped rate.</p> <p>That is more than simply setting a statewide rate. It changes what happens when a certified interpreter will not accept that rate. The negotiated-rate exception should remain. A statewide rate schedule cannot anticipate every language</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

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|           |          | <p>market, every rural assignment, every four-hour round trip, or every situation in which paying one interpreter more eliminates the need to pay two interpreters.</p> <p>Section III.E.2 — travel time</p> <p>The 2021 policy expressly allowed compensated travel time. The proposal removes that language and states that travel time is addressed in the Independent Contractor Interpreter Agreement. That standardized agreement was not circulated with this invitation to comment.</p> <p>The travel reimbursement guidelines referenced in the proposal address items such as transportation, lodging, meals, and mileage. Reimbursement for gasoline is not compensation for four hours of a person's time. The distinction matters.</p> <p>The Mixteco interpreter I described above traveled approximately two hours in each direction. The negotiated rate made that assignment possible because it allowed us to take the travel burden into account.</p> <p>Remove travel-time compensation, remove the ability to negotiate, and impose a maximum rate, and there is no longer a mechanism for dealing with an assignment like that. The interpreter will refuse.</p> <p>Section III.F then turns that rate refusal into “unavailability.”</p> <p>The court reaches for video remote interpreting, a relay arrangement, or someone who is not certified or registered.</p> <p>The Arabic elder abuse hearing at the beginning of this comment shows where that chain of decisions can end. This will fall particularly hard on rural and agricultural counties and on languages for which qualified interpreters are geographically dispersed. A person who must drive two hours each way for a single calendar does not have a four-hour commute because of personal preference. The travel exists because the court cannot obtain that language locally. The court should pay for the time it requires.</p> <p>The policy should expressly restore compensation for travel time, at no less than the applicable hourly rate, beyond a defined distance.</p> <p>The standardized Independent Contractor Interpreter Agreement should also be provided before the Judicial Council votes if substantive terms affecting compensation have been moved from the policy into that agreement.</p> <p>We cannot issue public comment on a provision that wasn't provided with the proposal.</p> <p>Section III.G — video remote interpreting</p> <p>Section III.G allows VRI by certified, registered, and provisionally qualified interpreters across case types, including all stages of jury trial. The proposal discusses remote interpretation in the context of cost efficiency. What concerns me is what the proposal does not require. There are no limits as to the type of proceedings, and there are no duration limits. There are no stated technical minimums in the policy, and there is no requirement for a separate confidential attorney-client audio channel.</p> <p>The Judicial Council has already developed guidance and minimum specifications for video remote interpreting. If VRI is now going to become a major component of a statewide compensation and cost-containment policy, that guidance should be incorporated.</p> <p>The Arabic judgment hearing had exactly these problems: inadequate audio, a judge speaking at length without pausing, and an interpreter who could not hear well enough to interpret fully. The fact that the interpreter was technically “present” by telephone did not provide meaningful language access.</p> <p>Remote interpreting does not turn an unsuitable proceeding into a suitable one. The policy should cross-reference and incorporate the Judicial Council's VRI standards. For evidentiary hearings, judgments, and jury trials, courts should generally use in-person interpreters unless there is a specific reason VRI is appropriate.</p> <p>Nonregistered or noncertified should not be used remotely merely because the certified interpreter declined the maximum rate. And a time estimate for a proceeding should never be treated as an assessment of whether it can be interpreted remotely.</p> <p>A hearing expected to take fifteen minutes can take thirty. I have sat in the courtroom when this happened.</p> <p>Fiscal analysis — what the estimate does not price</p> <p>The proposal estimates approximately \$7 million in cost to align compensation with federal rates and projects longer-term savings. But it does not estimate the cost of the instances I have described.</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

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|                                                                                                                                             |                                           | <p>The elderly woman in the Arabic judgment hearing did not understand the judgment entered against her. Had the proceeding later been challenged because of the interpretation, the cost of relitigating it would have exceeded the airfare many times over.</p> <p>No line in the fiscal analysis captures that. It does not capture continuances when a qualified interpreter cannot be secured. It does not capture additional court time caused by relay interpreting. It does not capture appeals based on interpretation error, post-judgment proceedings, retrial risk, or potential civil-rights exposure under Title VI and Government Code section 11135.</p> <p>The proposal also states that court employees are leaving for contract work because contract work pays better and responds, at least in part, by reducing the compensation flexibility available for contract work.</p> <p>I can also describe what the staffing problem looks like from my current staff position.</p> <p>In family and civil in Hayward, three interpreters have covered at least five courtrooms calling matters simultaneously. We return to the office from one assignment and go directly into the next without a break.</p> <p>At René C. Davidson, we have worked alone through preliminary hearings and lengthy motions because there were not enough staff interpreters for team interpreting and contractors could not be found.</p> <p>An interpreter in the fourth hour of back-to-back coverage does not produce the same work as that interpreter in the first hour. No one in the courtroom may know the difference. Nobody else in the room speaks the language. At that point, compensation and staffing decisions directly affect the quality of language access the court can provide.</p> <p>Conclusion</p> <p>I have completed the noncertified/nonregistered interpreters forms under Rule 2.893, routed them for signature, and worked with the interpreters appointed through that process. I have also refused to certify that no certified interpreter was available when that was not true. That experience is why Section III.F concerns me.</p> <p>If the amount provided for interpreter services is not enough to secure qualified interpreters at market rates, the Judicial Council should take that problem back to the Legislature. The answer should not be to treat a certified interpreter as unavailable simply because the court's maximum non-negotiable rate was declined and then move to a less qualified interpreter.</p> <p>Interpreter rates in California have been low for many years. If current budget restrictions prevent courts from paying what is necessary to obtain qualified interpreters, the Judicial Council should seek a legislative solution rather than use the definition of "unavailable" to work around the problem.</p> <p>The elderly woman in the Santa Barbara hearing did not understand the judgment entered against her. Nothing in the record reflects that. That is the kind of consequence I believe the Judicial Council should consider before adopting this proposal.</p> <p>I respectfully urge the Council not to adopt SP26-05 as drafted.</p> <p>Lorena Pike, M.A.</p> <p>California and Nevada Certified Court Interpreter<br/>Staff Interpreter, Superior Court of California, County of Alameda<br/>Former Interpreter Services Coordinator/Manager, Santa Barbara and Ventura County Superior Courts<br/>Faculty, UCSD Extended Studies and UCLA Extension</p> <p><i>*Submitted in my individual capacity. Institutional affiliations are listed for identification only.*</i></p> |
| <p>Lorie J. Teichert<br/>Attorney at Law<br/>Certified Spanish Court Interpreter, #LA003782</p> <p><b>Comment on behalf of org?: No</b></p> | <p>Do not agree with proposed changes</p> | <p>Dear Ms. Kate Bieker, Chair, and other Members of the Court Executives Advisory Committee:</p> <p>I am writing in response to your INVITATION TO COMMENT, SP26-05, Court Interpreters: Revisions to Payment Policies for Independent Contractor Interpreters which I received on August 20, 2026.</p> <p>I have practiced law as a California criminal defense attorney for over 35 years. I have been a California State Certified Spanish Interpreter for over 40 years. I served on the initial Judicial Council Court Interpreter Advisory Panel from 1993-1996. I am sensitive to the many legal and fiscal issues which face the courts now and in the future.</p> <p>First, I request that your Committee extend the deadline for comment for your consideration and receipt of additional pertinent information relevant to the issues you seek to address. The due date of August 24, 2026 does not allow sufficient time for stakeholders and other interested parties to submit pertinent information for your consideration. In the meantime, I ask that you weigh the following issues in your deliberations.</p> <p>Court Interpreters stand in the gap for those who otherwise have no voice. Interpreters have no rest in the courtroom.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

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|           |          | <p>Every spoken word must be understood and rendered in another language - accurately, completely, and in real time. Other speakers may rest while another speaks. Interpreters must and do speak for all in the courtroom: defendants, plaintiffs, witnesses, counsel, judges, court personnel, and every kind of expert imaginable. They linguistically must take apart a firearm, describe an arterial spray blood pattern, explain the inner workings of a computer, cell phone, engine, or mass spectrometer, describe the mechanism of all manner of injuries, recount the creation and interpretation of a mixed fraction DNA profile, or properly relay a myriad of other material explainable only by expert opinion. As one judge put it recently, "Interpreters have the most difficult job in the courtroom."</p> <p>Interpreters are experts in their field. Why then are we attempting to treat such highly skilled experts as if they were replaceable, garden variety employees? Unfortunately, for decades, the Judicial Council has failed to create a successful program that attracts employee interpreters through appropriate pay, benefits, and working conditions. At the same time, it has failed to keep up with market rates, or even the most basic cost of living adjustments, for independent contractor interpreters. The smaller or more remote counties have been left scrambling to find interpreters willing to travel to their counties, especially in light of woefully inadequate travel time compensation. Thankfully, the "Costs Exceeding Normal Rates" section in the current Payment Policies for Independent Contractor Interpreters has saved them for years. Now, the Committee is proposing to remove that section AND impose requirements that will virtually exterminate those counties' ability to properly secure interpreters.</p> <p>The current proposal should be discarded. It is true that the interpreter rates must be increased to at least the rates paid to certified interpreters in the federal court system as of October 1, 2026. This is actually inadequate as California has a much higher cost of living than most of the country. But it is a start. Provisions for cost-of-living adjustments must be included for the future. Otherwise, the courts will, once again, fall far behind the fair market rates for interpreters. The increase in rates will go far to resolve any alleged competition amongst courts to obtain interpreters. The future cost-of-living adjustments will preserve that balance.</p> <p>The travel time compensation component must be preserved in the Payment Policies so that small and remote counties may also secure interpreters. There is no incentive for an interpreter to travel if the pay to do so remains unchanged from that received locally. It does not make fiscal sense for the interpreter to do so. In addition, if an interpreter must travel to a half-day assignment, he or she is likely precluded from being able to secure a second half-day assignment in another court. This is virtually guaranteed under the proposed requirement to "remain available" to the first court for the full half-day. The small and remote counties do not have "local" interpreters to draw from. Therefore, they require traveling interpreters. They must be able to properly compensate them. Attorneys and other experts are paid at their respective rates to travel to the various courts. Interpreters should be treated equally. They are experts.</p> <p>The current proposal has many provisions that seek to control and direct the interpreter in the performance of his or her work or otherwise intrude into his or her status as an independent contractor. These include requirements to "be obligated to the court for the entirety of the contracted half-day, full-day, or hourly time," to require "reimbursement" for monies paid to the contractor from another county's court for a different matter, to reduce payment to "hourly" if the interpreter is not available for a full half or full day, to impose an individual "maximum rate" confined to federal rates, without regard to supply and demand limitations for language pairs or scant availability, to have "non-negotiable" rates, to prohibit the consolidation of travel and related business expenses into the compensation rate such as a simple "flat fee," and other items which seek to impose "employee-like" conditions while seeking to avoid requirements attendant to employee status including, but not limited to, rest breaks, a dedicated work station or area to remain during one's "obligation" to the court after completion of the task for which the contractor was contracted, local and federal tax payments and deposits, health and disability insurance, and retirement or other benefits. These provisions in the current proposal must be deleted in order to preserve each contractor's status as truly independent and to protect the courts from having all such persons deemed to be de facto employees, a situation which would cause extreme financial detriment to the state.</p> <p>Beyond all of the issues described above, the Courts in the individual counties must retain the discretion to negotiate compensation rates above those established by Judicial Council policy in order to obtain services in extraordinary circumstances. These include the need for an interpreter with a rare or unusual language pair or in the case where there is a lack of local interpreters. County Executive Officers are well versed in managing their own court's budget. The state must not attempt to preclude them from doing so when trying to secure appropriate interpreters to serve their LEP population, especially in small or remote areas. A "one size fits all" approach definitely does not fit when trying to find an interpreter to come to Susanville or Eureka.</p> <p>For these and other reasons, the CEAC should propose to modify the interpreter rates contained in the current Judicial Council Policy to those paid to certified interpreters in the federal court system as of October 1, 2026, and to make other relevant modifications to the current Policy, rather than propose the current Revisions to Payment Policies for Independent Contractor Interpreters.</p> <p>Please find to follow my comments to individual sections of your INVITATION TO COMMENT, SP26-05, Court Interpreters: Revisions to Payment Policies for Independent Contractor Interpreters:</p> <p>Comments re: Executive Summary and Origin:</p> <p>Page 1, Paragraph 1: "Non-negotiable rates."</p> |

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|           |          | <p>The Judicial Council should set a rate policy consistent with federal court interpreter rates. However, as referenced above, the policy must maintain the County Executive Officer's discretion to negotiate compensation rates above those established by Judicial Council policy in order to obtain services in extraordinary circumstances.</p> <p>Page 4, "Compensation Rates," Bullet Point 2: "Remove the "Costs Exceeding Normal Rates" section as the proposed rates are aligned with the maximum allowable compensation rates set forth in the annual Budget Act."</p> <p>This "Costs Exceeding Normal Rates" provision should remain to allow courts to pay additional costs in extraordinary circumstances. Otherwise, small and remote courts will not be in an equal position to obtain in person interpreters, interpreters with an unusual language pair, or interpreters in an area that does not have "local" interpreters. The Budget Act does not preclude this. In addition, this section of the current Policies gives appropriate structure for the execution of the Court's discretion.</p> <p>Page 4, "Compensation Rates," Bullet Point 3: "Clarify instances in which additional rates are not permitted. Specifically, additional rates based on the type of service (e.g., hearing, trial) or for interpretation of multiple language pairs or at multiple locations within the same court on the day of service are not permitted."</p> <p>This provision should be deleted. The Policies should actually provide for additional payment for interpreters for long hearings and trials due to the significant wear and tear on interpreters providing these services. Arraignments or pretrial hearings are vastly different than trials, both in time required and in language difficulty. The level of concentration required for a trial interpreter is extreme. Attorneys and other experts are paid at a different rate for trials. Interpreters, as the experts they are, should be similarly compensated. The Courts should also be permitted to compensate someone with the additional expertise of providing court interpreting services in multiple languages.</p> <p>Page 4, "Standardized contracting requirements," Bullet Point 2: "Clarify that interpreters must remain available to the court for the entire contracted period, whether it be a half day, a full day, or hourly."</p> <p>Independent Contract interpreters are not "employees." They are experts contracted to provide a highly skilled service for specific matters, not merely to be present "just in case" something else pops up after the matters to which they are assigned are concluded. In addition, they are also present only to provide interpreter services, not to serve the counter or to perform any other task that is not specifically "court interpretation." When the interpreter's matters are complete, the task(s) for which the interpreter was contracted are complete, just as an electrician's tasks are complete once the required repairs are complete. Once the tasks are complete, the independent contractor is free to leave to attend to his or her own separate business matters. Finally, the proposed Policies do not provide for lunch or rest breaks, something that is provided for employees but not "independent contractors" under this scheme. The proposal will likely create problems with the IRS and other State rules that prohibit employers from exerting too much control over independent contractors without becoming de facto "employees," thus requiring the employer to pay employment taxes, Social Security, and provide employee health, retirement, and other benefits. This proposed provision should be deleted.</p> <p>Page 4, "Half-day and hourly rate structures," Bullet Point 1: "Adjust the half-day rate parameters to remove fixed schedules based on morning and afternoon courts sessions. Payment at the half-day rate applies when services are delivered within any consecutive four-hour period."</p> <p>This is not well defined. The current Judicial Council Policy's morning/afternoon/overtime delineation provides clarity on the beginning and ending of each half-day period. By contrast, the proposed provision is too amorphous. For example, it could unjustly allow the courts to require interpreters to provide services between 3:00 and 7:00, or a similar time period, and then only pay an interpreter for a "half-day" when the assignment clearly went into "overtime" past 5:00. Or an interpreter could be asked to work between 11:00 and 1:00 and be paid only for a half-day. The interpreter would not be able to obtain another "half-day" court assignment in another court in such a circumstance. Therefore, the interpreter should properly be paid for a full day as the court has functionally required his/her service for the full day.</p> <p>Page 4, "Cancellation fees," Bullet Point 2: "Streamline cancellation procedures by removing the court executive officer's authority to approve cancellation fees exceeding the limits outlined in the policy."</p> <p>A county executive officer's authority to properly serve his or her court in circumstances peculiar to his or her court should not be abrogated by the state. In addition, the proposed cancellation fee description does not properly address cancellations following mid-week court holidays.</p> <p>Page 5, "Unavailability:" "An interpreter is considered unavailable if they cannot provide services on the requested date(s) or are unwilling to accept the maximum compensation rate established in the policy."</p> <p>If put into effect, this Policy purports to give courts the ability to use non-certified interpreters in cases where they allege they cannot find certified interpreters that will agree to the proposed "non-negotiable" rates. The proposal sets up a system where the courts will be permitted to sacrifice due process, equal access to justice, a fair trial, and effective assistance of counsel for the sake of "statewide operational challenges." This is an impermissible breach of the constitutional rights of persons with Limited English Proficiency (LEP). Under this provision, courts may even</p> |

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|           |          | <p>seek to provide only non-certified interpreters as a cost-cutting measure. They would simply need to contact a few certified interpreters that they knew would not accept the current "non-negotiable" rate. Then they could hire a non-certified interpreter for much less money. This completely denigrates the interpreter "certification" requirement if it can be cast aside so easily. This does not provide the "equal access" to justice for LEP individuals guaranteed by the state and federal constitutions. As a result, appellate issues will be created which will subject the courts to much greater costs in the event of a successful appeal and a subsequent re-trial. The use of non-certified interpreters when certified interpreters ARE available should never be an option, especially when it is only for a "financial" reason.</p> <p>Page 5, "Video remote interpreting:" "Incorporate a VRI clause to promote the use of VRI as a tool to expand language access and improve interpreter service delivery statewide. The Judicial Council maintains a list of Limited Telephonic &amp; Remote Interpreter Services vendors to which additional statewide providers may be added."</p> <p>If included, this clause must include a provision that these services must provide California State certified court interpreters. Otherwise, the Policy erodes constitutional protections to fair and equal access to justice by allowing the use of non-certified and non-qualified interpreters. In addition, VRI should be used only in non-substantive or simple matters. All evidentiary hearings and some other critical matters should require the use of an in-person interpreter unless the client and his or her counsel specifically waive the issue. A client cannot effectively interrupt and confer with his/her attorney in open court with a VRI interpreter. Protecting a client's 6th Amendment right to unfettered access to his or her attorney through his or her interpreter is even more important during an evidentiary hearing. Having an interpreter on VRI places a defendant in a situation akin to the case of <i>People v. Aguilar</i> (1984) 35 Cal.3d 785, 200 Cal. Rptr. 908; 677 P.2d 1198, where the defendant did not have immediate access to his attorney because the interpreter was interpreting for a witness on the witness stand. In the case of a VRI interpreter, the interpreter would be at a distance "on the TV." This precludes effective private colloquy between a defendant and his or her attorney during the hearing. An "in person" or waiver procedure should also apply in the case of completing a plea form. In order for counsel to be effective, he or she must have a true, interactive conversation while filling out a plea form. A "TV" interpreter literally cannot see the form in front of the defendant and cannot properly observe and relay his or her reaction to or reference to a particular provision on the form at the moment it occurs. This does not put the defendant in the same position as an English-speaking person at such a critical juncture of the case. This procedure, in fact, is both separate and unequal.</p> <p>Page 5, "Business-related travel expenses," Bullet Point 1: "Require a consistent policy application statewide by prohibiting the consolidation of travel and related business expenses into compensation rates."</p> <p>This policy attempts to place increasing limits on independent contractors. Each contractor sets his/her rates in the form that meets his/her independent business plan. The courts may then decide if the total cost of the contractor is too much or not. For example, it is often more beneficial to the Court to agree to a "flat rate." This also provides fiscal certainty to both parties. This needs to be done on a case-by-case basis, as the needs of each court vary widely across the state.</p> <p>Page 5, "Business-related travel expenses," Bullet Point 2: "Shorten the "Business-Related Travel Expenses" section for overall policy concision. Travel expenses must adhere to, and may not exceed, the limits stated in the Judicial Council's Travel and Expense Reimbursement Guidelines (Contractors) (Link B) and must be authorized in advance."</p> <p>This section does not just "shorten" the "Business Related Travel Expenses" section of the current JC Policy. It obliterates travel time compensation for traveling interpreters. The Judicial Council's Travel and Expense Reimbursement Guidelines Effective for travel on or after January 1, 2025, C, B provides: "The Judicial Council is not obligated to pay for, and Contractor shall not invoice for any hours of non-production Work expended by the Contractor or its Subcontractors' employees that are spent traveling to or from the location where the Service(s) are performed." Unless a provision for travel time is included in the Policies, remote counties or counties that do not have local interpreters available, will be unable to effectively obtain interpreters. This applies to much of Northern California. Due to the scant availability of local interpreters, these counties rely on traveling interpreters. There is no incentive for an interpreter to travel if the pay to do so remains unchanged from that received locally. In addition, CEO's must retain the authority to authorize travel and other expenses in extraordinary circumstances.</p> <p>Page 5-6, "Operational impacts: "The proposal seeks to significantly reduce the administrative burden associated with negotiating, contracting, monitoring, and maintaining independent contractor interpreter relationships across the state."</p> <p>There are no facts to support this assertion that there is a significant administrative burden in contracting with independent contractors across the state.</p> <p>Page 6, "Operational impacts: "The revised policy is intended to facilitate greater consistency in interpreter service engagements across the state and promote responsible use of public funds while ensuring the language access needs of courts users continue to be met."</p> <p>This proposed policy will, in fact, harm the small and remote counties' ability to secure certified interpreter services. The deletion of payment of travel time, especially in this time of sharply increased travel costs, will result in the traveling interpreter independent contractor's economic inability to provide services to courts. Those courts will be left</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

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|           |          | <p>with inferior and increasingly constitutionally inadequate services via the internet or uncertified interpreters when, in fact, certified interpreters ARE available. The use of non-certified interpreters when certified interpreters ARE available should never be an option, especially when it is only for a "financial" reason. This is a violation of constitutionally guaranteed fundamental fairness and equal access to justice for all.</p> <p>Comments re Attachment B: "Draft Payment Policies for Independent Contractor Interpreters" via enumerated section:</p> <p>Page 1:</p> <p>II. Authority ... "Through provisional language in the Budget Act, the Legislature requires the judicial branch to establish payment policies and set statewide or regional payment rates that do not exceed the rates paid to certified interpreters in the federal court system."</p> <p>The Budget Act of 2025, provision 18 of item 0250-101-0932, states: "[T]he Judicial Council shall set statewide or regional rates and policies for payment of court interpreters, not to exceed the rate paid to certified interpreters in the federal court system." This Act provides for "statewide or regional rates and policies for payment." As specifically stated, these are policies, not mandated law. The proposed Judicial Council Policies do not exceed federal court interpreter rates. Therefore, they are in accord with the Budget Act. However, nothing in this Budget Act provision prohibits an individual court from exceeding those policies on a case-by-case basis. Therefore, each individual county must remain authorized to exceed these policies in order to guarantee equal access to the courts by LEP individuals, such as in situations of unusual language pairs or insufficient local interpreters. The new policies must continue to acknowledge this ability to address unusual circumstances.</p> <p>III C. Compensation Rates, 1. "Interpreters will be compensated for services at a half-day, full-day, or hourly rate. Interpreters will be obligated to the court for the entirety of the contracted half-day, full-day, or hourly time."</p> <p>As stated above, independent contract interpreters are not "employees." As with other experts, they are contracted to provide a highly skilled service for specific matters. They are paid per half-day, up to 4 hours, or full day, up to 8 hours. The subject matter for which they are contracted may last only 15 minutes or it could last the entire half or full day. However, once their assigned matters are concluded, their services are concluded. They are not merely to be present for a term of hours "just in case" something else pops up. That is the purview of employee interpreters. If the Judicial Council seeks to place increasingly restrictive terms in place for ALL interpreters, the risk is high that the State and the IRS will deem ALL interpreters as "employees" under the new scheme, entitled to all rights, benefits, and privileges of employees. Also see the ABC test contained in AB5, now found in California Labor Code Section 2775.</p> <p>III C. Compensation Rates, 1 (cont'd): "The Independent Contractor Interpreter Agreement outlines the procedures for interpreter to follow if interpreter receives payment from another court during the same half-day or full-day time period as contracted."</p> <p>The procedures referenced in this section must be spelled out in this document so that they can be properly circulated for comment.</p> <p>III, C, 1, a: "Half-day rate: Paid when services are provided for any portion of a consecutive four-hour period."</p> <p>As described above, this is not well defined. The former morning/afternoon/overtime delineation provided clarity on the beginning and ending of each half-day period. This amorphous description could unjustly allow the courts to attempt to require interpreters to provide services between 3:00 and 7:00, or a similar time period, and then only pay an interpreter for a "half-day" when the assignment clearly went into an "overtime" situation past 5:00. Or pay only a half-day for a jail interview that lasts from 11:00 to 1:00 because it was not a "court session." The beginning and ending of morning and afternoon sessions must also be delineated in order to avoid abuse of this section.</p> <p>Page 1-2, III, C, 1, c: "Hourly rate: Paid when interpreting services are provided by agreement on an hourly basis, such as for brief assignments or when the interpreter is not available for all hours of a half-day or full-day session."</p> <p>This provision would allow courts to attempt to avoid paying the appropriate half-day or full day fee by scheduling matters in a way to try to invoke this "hourly rate" provision. Independent Contract Court Interpreters are paid on a half-day/full day schedule for many reasons, one of which is the ability to maintain economic viability to continue to provide services to the courts on an as needed basis. They must pay all of their own taxes, health insurance, and other benefits as they are NOT employees. Their services are required only on an intermittent basis. As such, they are generally unable to work every day of the week and most assignments are half-days, not full days. If they were reduced to an "hourly rate" simply because they were not available for a "full" 4 or 8 hours, it will render it impossible to continue providing the service because it will be simply not economically feasible. Again, interpreters are experts. They should be afforded a minimum expert fee, not an "hourly" rate.</p> <p>Page 2:</p> <p>III, C, 2: "In accordance with the annual Budget Act, compensation rates for interpreters will not exceed the rate paid</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

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|                                                                                                 |                                    | <p>to federally certified court interpreters."</p> <p>As described above, the Budget Act delineates that the policies are not to exceed the federal interpreter rates. The proposed Judicial Council Policies do not exceed federal court interpreter rates. Therefore, they are in accord with the Budget Act. In addition, these are policies, not mandated law. Nothing in the Budget Act provision prohibits an individual court from exceeding those policies on a case-by-case basis. Therefore, each individual county must retain the authority to exceed these policies in order to guarantee equal access to the courts by LEP individuals, such as in situations of unusual language pairs or insufficient local interpreters.</p> <p>III, C, 2, a and b: "Certified/Registered interpreters" and "Noncertified/Nonregistered interpreters (provisionally qualified (Cal. Rules of Court, rule 2.893))</p> <p>The rates cited need to be modified to reflect the rates paid to interpreters in the federal court system as of October 1, 2026.</p> <p>III, C, 2, d: "Additional rates based on the type of service (e.g., hearing, trial) or for interpretation of multiple language pairs in the day of service are not permitted."</p> <p>The policies should actually provide for increased payment for interpreters for long hearings and trials due to the significant wear and tear on interpreters providing these services. If the policies do not allow for trial or long hearing rates, many more interpreters will simply decline to take trials or long hearings. This will further impair the court's ability to address the continuing backlog in getting cases to trial. Even if the Judicial Council will not consider increasing rates for trials or long matters, the individual courts must retain the authority to do so in unusual circumstances. Likewise, due to the dearth of availability of interpreters for many language pairs, the Courts must retain authority to pay an additional fee for the use of multiple language pairs on a particular day.</p> <p>Thank you for your consideration of the foregoing matters.</p> <p>Very truly yours,</p> <p>LORIE J. TEICHERT Attorney at Law Certified Spanish Court Interpreter, #LA003782</p> |
| <p>Lourdes Perales, Certified Court Interpreter</p> <p><b>Comment on behalf of org?: No</b></p> | Do not agree with proposed changes | <p>Dear Judicial Council,</p> <p>I am writing to comment on Invitation to Comment SP26-05 regarding payment policies for independent contractor interpreters.</p> <p>While the proposal is presented as a modest rate increase, the combination of non-negotiable rates, mandatory full-block availability, elimination of clear session boundaries, and restricted travel reimbursement will make court work far less viable for many certified interpreters. The practical result will be fewer experienced professionals willing to accept Superior Court assignments.</p> <p>Of particular concern is the provision that treats a certified interpreter's refusal of the capped rate as "unavailability." Once that finding is made, the court may appoint a provisionally qualified interpreter who holds no statewide credential. Limited English Proficient court users are never informed of the substitution. Certification exists because neither the judge nor counsel can evaluate accuracy in real time. Expanding the use of non-credentialed interpreters in this way undermines the very safeguard the credential was created to provide.</p> <p>California is home to approximately 6.4 million Limited English Proficient residents—roughly one in six Californians. These individuals rely on competent interpretation to understand proceedings and exercise their due-process rights. When qualified interpreters become scarce, courts will be forced to rely on less experienced or uncertified substitutes. The consequences—misunderstandings, repeated hearings, and in some cases serious errors—are borne by the very people the language-access system is meant to protect.</p> <p>I respectfully ask the Judicial Council to reconsider these changes and retain the flexibility that currently allows courts to secure qualified interpreters when and where they are needed.</p> <p>Thank you for the opportunity to comment.</p> <p>Sincerely,</p> <p>Lourdes Perales</p> <p>Certified Court Interpreter</p>                                                                                                                                                                                                                                       |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

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| <p>Lu Zhu<br/>California court certified interpreter-Mandarin</p> <p><b>Comment on behalf of org?: No</b></p> | <p>Do not agree with proposed changes</p> | <p>SP26-05 - August 24, 2026</p> <p>Submitted on Fri, 08/21/2026 - 08:25</p> <p>Position on Proposal<br/>Do not agree with proposed changes</p> <p>Comments<br/>Subject: Comment in Opposition to Proposal SP26-05</p> <p>Dear Judicial Council,</p> <p>I submit these comments in opposition to the proposed revisions in SP26-05 concerning payment policies for independent contractor court interpreters.</p> <p>The proposal's non-negotiable rate structure, rigid four- and eight-hour blocks, elimination of clear morning and afternoon session boundaries, and restricted travel reimbursement will make court assignments substantially less viable for many certified interpreters. As experienced professionals reduce their availability or leave court work altogether, courts will face increasing difficulty securing qualified interpreters for their calendars.</p> <p>I am particularly concerned about the proposal's definition of interpreter "unavailability." Under the draft, a certified interpreter may be considered unavailable simply because the interpreter is unwilling to accept the maximum compensation rate established by the policy. After a diligent search, the court may then appoint a nonregistered or noncertified interpreter pursuant to rule 2.893.</p> <p>This converts a disagreement over compensation into a finding of professional unavailability. In practice, it risks creating a system in which a certified interpreter who declines a capped rate can be replaced by an interpreter who has not met the same statewide certification requirements.</p> <p>That distinction matters. Judges, attorneys, and court users generally cannot independently evaluate the accuracy of interpretation in real time. Certification exists precisely because interpretation quality must be established through objective professional standards before the interpreter enters the courtroom.</p> <p>California has approximately 6.4 million Limited English Proficient residents—roughly one in six Californians. For these court users, competent interpretation is essential to understanding proceedings, communicating effectively, and exercising due-process rights. If qualified certified interpreters become less available, the consequences may include misunderstandings, delays, repeated hearings, and potentially serious errors.</p> <p>Any short-term savings achieved through rigid and non-negotiable compensation policies should therefore be weighed against the broader costs to court efficiency, interpreter quality, and meaningful language access.</p> <p>I respectfully urge the Judicial Council to reconsider SP26-05 and preserve sufficient flexibility for courts to attract and retain experienced certified interpreters when and where they are needed.</p> <p>Thank you for the opportunity to comment.</p> <p>Respectfully,<br/>Lu Zhu</p> |
| <p>Lucinda Aragon<br/>California Court Certified Interpreter</p> <p><b>Comment on behalf of org?: No</b></p>  | <p>Do not agree with proposed changes</p> | <p>Dear Judicial Council:</p> <p>I am writing to oppose several provisions of the proposed revisions to the Superior Court Payment Policies for Independent Contract Interpreters in SP26-05.</p> <p>I am a California-certified Spanish court interpreter with more than three decades of professional interpreting experience. I currently work as a staff court interpreter, but I anticipate transitioning to independent contract work in the future when I retire. For that reason, these proposed changes directly affect both my professional future and my willingness to continue providing services to California's courts.</p> <p>I am particularly concerned about establishing the proposed half-day and full-day rates as non-negotiable maximums. Independent contractors assume expenses and risks that employees do not. They receive no paid vacation, sick leave, retirement contributions, employer-paid health insurance, or guaranteed workload, and they must pay their own self-employment taxes and business expenses. A statewide ceiling prevents courts from responding to local market conditions, interpreter scarcity, difficult assignments, travel requirements, and the experience and qualifications of individual interpreters.</p> <p>I am also concerned about requiring an independent contractor to remain available for a rigid four- or eight-hour block while simultaneously limiting the contractor's ability to negotiate compensation. If the court controls an interpreter's availability for that entire period, the interpreter cannot accept other assignments. The compensation should reflect the</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

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|                                                                                                                                                                                                                                                                       |                                         | <p>opportunity cost associated with reserving that time.</p> <p>Travel is another serious concern. California is geographically enormous, and many courts already have difficulty obtaining qualified interpreters. Restricting courts' flexibility to compensate contractors appropriately for travel may make assignments in underserved areas even more difficult to fill.</p> <p>Most troubling is any policy that could make it easier to substitute a non-certified or non-registered person simply because a qualified interpreter will not accept a capped rate. Certification exists for a reason. The solution to a shortage of qualified professionals should not be to suppress compensation until qualified professionals decline the work and then redefine them as "unavailable."</p> <p>This is ultimately not only an interpreter-compensation issue. It is an access-to-justice issue.</p> <p>Court interpreters are the means by which limited-English-proficient litigants understand proceedings, communicate with counsel, testify, and meaningfully exercise their rights. Experienced certified interpreters carry tremendous responsibility, and California should be creating policies that attract and retain highly qualified professionals rather than policies that encourage them to take their skills elsewhere.</p> <p>I respectfully urge the Judicial Council to preserve courts' ability to negotiate compensation above the stated rates when market conditions, interpreter qualifications, language scarcity, travel, or assignment requirements warrant it; preserve reasonable flexibility regarding half-day sessions and travel compensation; and ensure that compensation policies never create an incentive to use non-certified individuals when certified interpreters are available.</p> <p>As someone who has devoted decades to this profession and hopes to continue serving California's courts as an independent contractor, I ask the Judicial Council not to adopt a policy that makes doing so economically impractical.</p> <p>Thank you for considering my comments.</p> <p>Sincerely,</p> <p>Lucinda Aragon</p> <p>California Court Certified Interpreter</p> |
| <p>Madeline Rios<br/>Certified interpreter</p> <p><b>Comment on behalf of org?: No</b></p>                                                                                                                                                                            | Agree with proposed changes if modified | <p>If you start late and have to work into the afternoon, but less than 4 hours, this is a pay cut. Also, having to stay for 4 or 8 hours when you are not needed seems arbitrary. Also, the new mileage restrictions should not apply. Finally, the use of non-certified interpreters is completely unacceptable. They have not proven that they can even provide a 70% accurate rendition of the proceedings.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <p>Manako Ihaya (aka Monica)<br/>Registered Japanese Court Interpreters<br/>ATA-Certified Japanese-English Translator<br/>California Court-Registered Japanese Interpreter<br/>Registered Japanese Court Interpreters</p> <p><b>Comment on behalf of org?: No</b></p> | Do not agree with proposed changes      | <p>Dear Judicial Council,</p> <p>I submit these comments in strong opposition to the proposed revisions in SP26-05.</p> <p>The proposal's non-negotiable rate structure, rigid four- and eight-hour blocks, removal of clear morning/afternoon session definitions, and tightly restricted travel rules will significantly reduce the willingness of certified and registered interpreters to accept court work. Once experienced interpreters leave or limit their availability, the courts will face greater difficulty covering calendars with qualified professionals.</p> <p>Of particular concern is the proposal's definition of "unavailability." The draft states that an interpreter is considered unavailable if they "are unwilling to accept the maximum compensation rate established in the policy." Once that finding is made, and after a diligent search, the court may appoint a nonregistered or noncertified interpreter under rule 2.893. This provision turns a simple rate refusal into a legal finding of unavailability. In practice, it creates a direct financial incentive to replace a certified or registered interpreter who declines the capped rate with someone who has never passed a certification or registration examination. Limited English Proficient court users are never informed that this substitution has occurred. Certification and registration exists because neither the judge nor counsel can evaluate the accuracy of the interpretation in real time. By converting a cost-control measure into a structural preference for less-qualified interpreters, the proposal undermines the very safeguard the credential was designed to provide. This is not language access. It is the appearance of language access at the expense of accuracy and due process.</p> <p>This outcome directly affects California's Limited English Proficient population—approximately 6.4 million people, or one in six residents. Meaningful language access is a due-process requirement, not an optional expense. When certified and registered interpreters are driven away by inflexible and non-negotiable terms, the quality of</p>                                          |

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|                                                                                                            |                                    | <p>interpretation declines. Errors, continuances, and in the worst cases mistrials or miscarriages of justice become more likely. Any short-term budget savings will be outweighed by the long-term costs of remedying those failures.</p> <p>California has long recognized the importance of language access in a diverse state. This proposal moves in the opposite direction. I urge the Judicial Council to reject the current draft and maintain the flexibility necessary to attract and retain qualified certified and registered interpreters.</p> <p>Respectfully,</p> <p>Manako Ihaya, Registered Japanese Court Interpreters</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <p>Manuela Farrell<br/>Certified Spanish Court Interpreter</p> <p><b>Comment on behalf of org?: No</b></p> | Do not agree with proposed changes | <p>Dear Judicial Council,</p> <p>I submit these comments in strong opposition to the proposed revisions in SP26-05.</p> <p>The proposal's non-negotiable rate structure, rigid four- and eight-hour blocks, removal of clear morning/afternoon session definitions, and tightly restricted travel rules will significantly reduce the willingness of certified interpreters to accept court work. Once experienced interpreters leave or limit their availability, the courts will face greater difficulty covering calendars with qualified professionals.</p> <p>Of particular concern is the proposal's definition of "unavailability." The draft states that an interpreter is considered unavailable if they "are unwilling to accept the maximum compensation rate established in the policy." Once that finding is made, and after a diligent search, the court may appoint a nonregistered or noncertified interpreter under rule 2.893. This provision turns a simple rate refusal into a legal finding of unavailability. In practice, it creates a direct financial incentive to replace a certified interpreter who declines the capped rate with someone who has never passed a certification examination. Limited English Proficient court users are never informed that this substitution has occurred. Certification exists because neither the judge nor counsel can evaluate the accuracy of the interpretation in real time. By converting a cost-control measure into a structural preference for less-qualified interpreters, the proposal undermines the very safeguard the credential was designed to provide. This is not language access. It is the appearance of language access at the expense of accuracy and due process.</p> <p>This outcome directly affects California's Limited English Proficient population—approximately 6.4 million people, or one in six residents. Meaningful language access is a due-process requirement, not an optional expense. When certified interpreters are driven away by inflexible and non-negotiable terms, the quality of interpretation declines. Errors, continuances, and in the worst cases mistrials or miscarriages of justice become more likely. Any short-term budget savings will be outweighed by the long-term costs of remedying those failures.</p> <p>California has long recognized the importance of language access in a diverse state. This proposal moves in the opposite direction. I urge the Judicial Council to reject the current draft and maintain the flexibility necessary to attract and retain qualified certified interpreters.</p> <p>Respectfully, Manuela Farrell</p> |
| <p>Marcos Acosta<br/>CA Spanish Certified Interpreter</p> <p><b>Comment on behalf of org?: No</b></p>      | Do not agree with proposed changes | <p>Dear Members of the Judicial Council,</p> <p>Im writing to express my concerns regarding the proposed revisions to compensation policies for independent court interpreters, particularly the proposed rates, restrictions on contractor compensation, and changes to travel reimbursement.</p> <p>As a California State Certified Court Interpreter and independent contractor, I strongly support establishing compensation for court interpreters that recognizes the highly specialized skills, training, certification requirements, and professional responsibilities involved in providing effective language access in California courts.</p> <p>I believe the Judicial Council should establish contractor compensation at the same level as the current federal interpreter rates, rather than using an outdated federal benchmark. The proposed rates of \$566 for a full day, \$320 for a half day, and \$80 per hour are already below the federal rates that will take effect October 1, 2026—\$617 for a full day, \$349 for a half day, and \$87 per hour. If the California rates are not adjusted accordingly before implementation on January 1, 2027, California courts would effectively be adopting rates that are already outdated.</p> <p>More importantly, I respectfully urge the Judicial Council to maintain the existing ability of independent interpreters to negotiate compensation based on the circumstances of an assignment. Independent contractors do not receive employee benefits, paid leave, retirement benefits, or other forms of employee compensation. A mandatory maximum rate fails to recognize the economic realities of independent contracting and the differences among assignments, locations, scheduling requirements, and travel demands.</p> <p>I'm also particularly concerned about the proposed changes to travel compensation. For interpreters who regularly travel between counties to provide services to courts that do not have sufficient local certified interpreters, mileage alone does not adequately compensate for the substantial time spent traveling to and from an assignment. Travel time represents a real opportunity cost for an independent contractor, because that time cannot be used to accept another</p>                                                                                                                                                                                                                                                                                                                                                                           |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                       | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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|                                                                                                 |                                    | <p>assignment.</p> <p>Maintaining both appropriate mileage reimbursement and compensation for travel time is essential to preserving access to qualified interpreters, particularly in courts that depend on certified interpreters from other counties. Eliminating or substantially restricting travel compensation will make many assignments economically impractical and will inevitably reduce the pool of certified interpreters willing to accept them.</p> <p>It also concerns me the potential consequences of defining an interpreter as “unavailable” simply because the interpreter is unwilling to accept the maximum proposed compensation. Such a policy could result in courts turning to non-certified or non-registered interpreters when qualified certified interpreters are available but can’t reasonably accept an assignment under the proposed terms.</p> <p>That would have serious consequences for the courts and, most importantly, for LEP court users. California’s certification requirements exist to ensure that interpreters possess the linguistic proficiency, legal terminology, ethical knowledge, and courtroom skills necessary to provide accurate and impartial interpretation. Expanding the use of non-certified or non-registered interpreters as a consequence of compensation policies risks undermining those standards.</p> <p>There is a significant difference between increasing a rate and establishing a compensation structure that actually allows certified interpreters to continue providing services throughout the state. If the proposed changes make assignments economically impractical, the likely result will not simply be lower costs. It will be fewer certified interpreters accepting assignments, increased difficulty filling assignments, greater reliance on remote interpreting or non-certified interpreters, and ultimately a negative impact on court operations and meaningful language access.</p> <p>I respectfully urge the Judicial Council to reconsider the proposed policy and:</p> <p>Establish contractor rates at least at the federal rates effective October 1, 2026—\$617 full day, \$349 half day, and \$87 per hour—and continue to adjust them as federal rates change.</p> <p>Preserve the ability of independent interpreters to negotiate compensation when circumstances warrant a higher rate.</p> <p>Maintain the existing compensation structure for business-related travel, including both appropriate mileage reimbursement and compensation for travel time.</p> <p>Avoid defining a certified interpreter as “unavailable” solely because the interpreter cannot accept a proposed maximum rate.</p> <p>Ensure that any changes to compensation policies do not inadvertently encourage greater reliance on non-certified or non-registered interpreters.</p> <p>California’s courts depend on highly qualified interpreters to provide meaningful and constitutionally sound access to justice. Compensation policies should strengthen the availability of certified interpreters rather than create financial disincentives for them to continue accepting court assignments.</p> <p>I respectfully ask the Judicial Council to give these concerns serious consideration before adopting the proposed revisions.</p> <p>Thank you for your consideration and for the opportunity to provide public comment.</p> |
| Marcos Acosta<br>Certified Interpreter<br><br><b>Comment on behalf of org?: No</b>              | Agree with proposed changes        | SP26-05 - August 24, 2026<br><br>Submitted on Wed, 08/19/2026 - 15:55<br><br>Position on Proposal<br>Agree with proposed changes<br><br>Comments<br>Independent interpreter contractors meet and exceed the same requirements. They are worthy and deserving professionally of the same dollar amount.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Maria Crescimbeni<br>CA Court Certified Interpreter<br><br><b>Comment on behalf of org?: No</b> | Do not agree with proposed changes | Dear Judicial Council,<br><br>I submit these comments in strong opposition to the proposed revisions in SP26-05.<br><br>The proposal’s non-negotiable rate structure, rigid four- and eight-hour blocks, removal of clear morning/afternoon session definitions, and tightly restricted travel rules will significantly reduce the willingness of certified interpreters to accept court work. Once experienced interpreters leave or limit their availability, the courts will face greater difficulty covering calendars with qualified professionals.<br><br>Of particular concern is the proposal’s definition of “unavailability.” The draft states that an interpreter is considered unavailable if they “are unwilling to accept the maximum compensation rate established in the policy.” Once that finding is made, and after a diligent search, the court may appoint a nonregistered or noncertified interpreter under rule 2.893. This provision turns a simple rate refusal into a legal finding of unavailability. In practice, it creates a direct financial incentive to replace a certified interpreter who declines the capped rate with someone who has never passed a certification examination. Limited English Proficient court users are never informed that this substitution has                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                | Position                                | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
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|                                                                                                                          |                                         | <p>occurred. Certification exists because neither the judge nor counsel can evaluate the accuracy of the interpretation in real time. By converting a cost-control measure into a structural preference for less-qualified interpreters, the proposal undermines the very safeguard the credential was designed to provide. This is not language access. It is the appearance of language access at the expense of accuracy and due process.</p> <p>This outcome directly affects California's Limited English Proficient population—approximately 6.4 million people, or one in six residents. Meaningful language access is a due-process requirement, not an optional expense. When certified interpreters are driven away by inflexible and non-negotiable terms, the quality of interpretation declines. Errors, continuances, and in the worst cases mistrials or miscarriages of justice become more likely. Any short-term budget savings will be outweighed by the long-term costs of remedying those failures.</p> <p>California has long recognized the importance of language access in a diverse state. This proposal moves in the opposite direction. I urge the Judicial Council to reject the current draft and maintain the flexibility necessary to attract and retain qualified certified interpreters.</p> <p>Respectfully,</p>                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <p>Maria Daniela Puchulutegui<br/>California Court Certified Interpreter</p> <p><b>Comment on behalf of org?: No</b></p> | Agree with proposed changes if modified | <p>Dear Judicial Council,</p> <p>I am writing to comment on Invitation to Comment SP26-05 regarding payment policies for independent contractor interpreters.</p> <p>While the proposal is presented as a modest rate increase, the combination of non-negotiable rates, mandatory full-block availability, elimination of clear session boundaries, and restricted travel reimbursement will make court work less viable for many certified interpreters. The practical result will be fewer experienced professionals willing to accept Superior Court assignments.</p> <p>Of particular concern is treating a certified interpreter's refusal of the capped rate as "unavailability." This allows the court to appoint a provisionally qualified interpreter with no statewide credential, without informing Limited English Proficient court users of the substitution. Certification exists because neither judges nor counsel can evaluate interpretation accuracy in real time. Expanding the use of non-credentialed interpreters in this way undermines an important safeguard.</p> <p>California has approximately 6.4 million Limited English Proficient residents, roughly one in six Californians, who rely on competent interpretation to understand proceedings and exercise their due-process rights. When qualified interpreters become scarce, courts may be forced to rely on less experienced or uncertified substitutes, potentially resulting in misunderstandings, repeated hearings, and serious errors.</p> <p>I respectfully ask the Judicial Council to reconsider these changes and retain the flexibility that allows courts to secure qualified interpreters when and where they are needed.</p> <p>Thank you for the opportunity to comment.</p> |
| <p>Maria Edy Bernett<br/>Independent Contractor</p> <p><b>Comment on behalf of org?: No</b></p>                          | Agree with proposed changes if modified | <p>Good morning. Thank you for your proposals and for considering my comments. Kindly note that for Criminal court I do not recommend implementing VRI since after years of experience I note that defendants must have private conferences with their attorneys including filling out plea forms and other documents.</p> <p>In addition, prosecutors daily offer misdemeanor defendants their own plea agreements which are discussed in private and also require the filling out of forms.</p> <p>Confidentiality and access to counsel and to district attorneys for in pro per offers are paramount. The interpreter must be present to adhere to this rule.</p> <p>In other proceedings including trials, private access to counsel before, during and after are vital to due process.</p> <p>Regarding the proposed fee schedule. A statewide fee schedule to match the Federal Rate is an excellent starting point and I would like to commend this proposal.</p> <p>In addition, I would like to emphasize that to ensure court coverage, given the high volume of Spanish speaking defendants, that discretion to increase this fee be given to the courts.</p> <p>I realize the unique situations of different counties. For this reason, a clause permitting a court's discretion would be highly beneficial to ensure coverage.</p> <p>Thank you.</p>                                                                                                                                                                                                                                                                                                                                                                                                              |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                              | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
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| <p>Maria Elena Garcia Villalobos<br/>Interpreter - Spanish-English-Spanish Interpreter</p> <p><b>Comment on behalf of org?: No</b></p> | Do not agree with proposed changes | <p>Hi,</p> <p>I urge the Judicial Council to reconsider Proposal SP26-05. Rigid, non-negotiable rates and reduced flexibility will drive experienced certified interpreters away from court work. When experienced professionals leave because rates are capped and inflexible, Limited English Proficient residents of California —approximately one in six residents—lose meaningful access to justice.</p> <p>That means that California's is home to 6.4 million Limited English Proficient residents that deserve consistent access to qualified interpreters so their due-process rights are protected.</p> <p>Respectfully<br/>Maria E Garcia Villalobos<br/>Interpreter - Spanish-English-Spanish</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <p>Maria Entchevitch,<br/>Certified and Registered Court Interpreter</p> <p><b>Comment on behalf of org?: No</b></p>                   | Do not agree with proposed changes | <p>Dear Judicial Council,</p> <p>I am a Certified Court Interpreter in the Russian language. I submit these comments in strong opposition to the proposed revisions in SP26-05.</p> <p>The proposal's non-negotiable rate structure, rigid four- and eight-hour blocks, removal of clear morning/afternoon session definitions, and tightly restricted travel rules will significantly reduce the willingness of certified interpreters to accept court work. Once experienced interpreters leave or limit their availability, the courts will face greater difficulty covering calendars with qualified professionals.</p> <p>Of particular concern is the proposal's definition of "unavailability." The draft states that an interpreter is considered unavailable if they "are unwilling to accept the maximum compensation rate established in the policy." Once that finding is made, and after a diligent search, the court may appoint a nonregistered or noncertified interpreter under rule 2.893. This provision turns a simple rate refusal into a legal finding of unavailability. In practice, it creates a direct financial incentive to replace a certified interpreter who declines the capped rate with someone who has never passed a certification examination. Limited English Proficient court users are never informed that this substitution has occurred. Certification exists because neither the judge nor counsel can evaluate the accuracy of the interpretation in real time. By converting a cost-control measure into a structural preference for less-qualified interpreters, the proposal undermines the very safeguard the credential was designed to provide. This is not language access. It is the appearance of language access at the expense of accuracy and due process.</p> <p>This outcome directly affects California's Limited English Proficient population—approximately 6.4 million people, or one in six residents. Meaningful language access is a due-process requirement, not an optional expense. When certified interpreters are driven away by inflexible and non-negotiable terms, the quality of interpretation declines. Errors, continuances, and in the worst cases mistrials or miscarriages of justice become more likely. Any short-term budget savings will be outweighed by the long-term costs of remedying those failures.</p> <p>California has long recognized the importance of language access in a diverse state. This proposal moves in the opposite direction. I urge the Judicial Council to reject the current draft and maintain the flexibility necessary to attract and retain qualified certified interpreters.</p> <p>I am also a Registered court interpreter who works in a language of lesser diffusion [Bulgarian]. I submit these additional comments on Proposal SP26-05 with respect, but also with serious concern.</p> <p>Cases requiring interpreters in languages such as mine may occur far less frequently than those involving higher-demand languages. The number of qualified interpreters in my language pair tends to be limited, and I am in high demand to provide services throughout the state. Interpreters who maintain proficiency and availability in these languages depend on the ability to negotiate rates that reflect the supply and demand market forces on qualified professionals and the real cost of remaining ready to serve when needed.</p> <p>The current proposal eliminates that flexibility. By imposing non-negotiable maximum rates and removing the capacity of individual courts to adjust compensation for hard-to-cover languages and calendars, the Judicial Council will make it economically unsustainable for many of us to continue accepting Superior Court assignments. When the rare case arises that requires our language, courts will find fewer qualified interpreters willing or able to appear.</p> <p>This outcome falls hardest on the Limited English Proficient court users who speak these less common languages. They already face greater barriers to finding competent interpretation. Removing the ability to negotiate fair terms for the few professionals who can serve them is, in practical effect, discriminatory. It reduces their access to the same quality of language assistance that speakers of more common languages can still expect.</p> <p>I urge the Judicial Council to preserve the negotiability of interpreter fees so that qualified interpreters can remain available when these court users need them.</p> <p>Thank you for considering this perspective.</p> <p>Respectfully, Maria Entchevitch, Certified and Registered Court Interpreter [Russian and Bulgarian]</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                            | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
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| Maria Esperanza<br>Outeirino-Feijoo<br>Spanish Interpreter<br>CAPIT<br><br><b>Comment on behalf of org?:</b> Yes     | Do not agree with proposed changes | Do not agree with proposed changes                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Maria Eva Crescimbeni<br>Spanish Court Interpreter<br>self employed<br><br><b>Comment on behalf of org?:</b> No      | Do not agree with proposed changes | Position on Proposal<br>Do not agree with proposed changes<br><br>Comments<br>Proposal SP26-05 will reduce the availability of qualified certified interpreters in our courts. When experienced professionals leave because rates are capped and inflexible, Limited English Proficient Californians—approximately one in six residents—lose meaningful access to justice. I ask the Council to reject these changes and preserve the ability of courts to secure competent interpretation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Maria Garcia V<br>Interpreter / Spanish - English- Spanish<br><br><b>Comment on behalf of org?:</b> No               | Do not agree with proposed changes | I urge the Judicial Council to reconsider Proposal SP26-05. Rigid, non-negotiable rates and reduced flexibility will drive experienced certified interpreters away from court work. When experienced professionals leave because rates are capped and inflexible, Limited English Proficient residents of California —approximately one in six residents—lose meaningful access to justice.<br>That means that California's home to 6.4 million Limited English Proficient residents that deserve consistent access to qualified interpreters so their due-process rights are protected.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Maria I Sears<br>Certified Interpreter<br>Independent<br><br><b>Comment on behalf of org?:</b> No                    | Do not agree with proposed changes | Firm but Courteous Proposal SP26-05 will reduce the availability of qualified certified interpreters in our courts. When experienced professionals leave because rates are capped and inflexible, Limited English Proficient Californians— approximately one in six residents— lose meaningful access to justice. I ask the Council to reject these changes and preserve the ability of courts to secure competent interpretation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| María laBossierr<br>State Certified Court Interpreter<br><br><b>Comment on behalf of org?:</b> No                    | Do not agree with proposed changes | Do not agree with proposed changes<br><br>The changes will adversely affect the availability of an already weak interpreter pool and hurt non English speakers. Please be fair.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Maria Leticia Berzunza<br><br><b>Comment on behalf of org?:</b> No                                                   | Do not agree with proposed changes | I urge the Judicial Council to reconsider Proposal SP26-05. Rigid, non-negotiable rates and reduced flexibility will drive experienced certified interpreters away from court work. California's 6.4 million Limited English Proficient residents deserve consistent access to qualified interpreters so their due-process rights are protected.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Maria Palacio<br>Certified Administrative Hearing Interpreter since 1993<br><br><b>Comment on behalf of org?:</b> No | Do not agree with proposed changes | I am a State-certified (legal) interpreter for Administrative Hearings and have been so for well over 30 years; I strongly oppose SP26-05.<br><br>The California Judicial Council is already aware that better and proper rates as well as respectful work arrangements WILL resolve issues of supplying and sustaining professional interpreters. The proposal as-is, is a bad one and MUST involve input (comments and feedback) from existing certified and registered interpreters; we are the ones who know our profession and our business the best.<br><br>The proposal is a very poor one starting with a four-hour commitment. It will be impossible to adhere to this as we are all aware that depositions are at 10am and 2pm, a four-hour commitment makes no sense! The same (100%) goes for court hearings.<br><br>Also, to improve such travel rules will reduce the willingness of certified interpreters to accept work from courts.<br><br>The proposal is a very poor one as it states that if a certified interpreter declines an assignment at the capped rate, the court will note the matter as "unavailability" of a certified interpreter and may assign a non-certified/non-registered |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                                                | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
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|                                                                                                                                                                          |                                    | <p>interpreter; this WILL affect qualification standards and language-access consistency in court proceedings.</p> <p>California has long been a leader in the importance of language access in a very diverse state with millions of LEP (limited English proficient) persons. Why change now, why go backwards? Why not continue being a leader?</p> <p>I, as well as the majority (or all) of my colleagues are in strong opposition to SP26-05.</p> <p>With all due respect,<br/>Maria Palacio</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <p>Maria Rasmussen<br/>Certified med legal<br/>Interpreter<br/>CCHI council for Certified<br/>healthcare interpreter</p> <p><b>Comment on behalf of<br/>org?: No</b></p> | Do not agree with proposed changes | <p>SP26-05 - August 24, 2026</p> <p>Do not agree with proposed changes</p> <p>If the courts continue to use the services of none Certified Interpreters to work then the Interpreters do not have any incentive to become Certified Interpreters the work and has an Interpreter Non Certified Interpreter are not doing a good job. I can tell by experience I sat at a Case actually a few cases it is not a good idea to use none Certified Interpreter. There should be a test a written and oral test to provisionally Certified the Interpreters they want to work with the system.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <p>Maria Villatoro<br/>FCCI</p> <p><b>Comment on behalf of<br/>org?: No</b></p>                                                                                          | Do not agree with proposed changes | <p>Proposal SP26-05 will reduce the availability of qualified certified interpreters in our courts. When experienced professionals leave because rates are capped and inflexible, Limited English Proficient Californians—approximately one in six residents—lose meaningful access to justice. I ask the Council to reject these changes and preserve the ability of courts to secure competent interpretation.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <p>Mariam Massarat-Foudeh,<br/>Certified Farsi Interpreter.</p> <p><b>Comment on behalf of<br/>org?: No</b></p>                                                          | Do not agree with proposed changes | <p>Hello,</p> <p>I am writing to urge the Judicial Council to reconsider Proposal SP26-05. Rigid, non-negotiable rates and reduced flexibility will drive experienced certified interpreters away from court work. California's 6.4 million Limited English Proficient residents deserve consistent access to qualified interpreters so their due-process rights are protected. Thank you for your consideration.</p> <p>Kind regards,<br/>Mariam Massarat-Foudeh<br/>Certified Farsi Int.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <p>Mariana Bension-Larkin<br/>CA and Federally Certified<br/>Court Interpreter, Spanish</p> <p><b>Comment on behalf of<br/>org?: No</b></p>                              | Do not agree with proposed changes | <p>Good afternoon:</p> <p>The current proposal raises serious concerns and threatens to adversely impact court operations for cases that require interpreters booked by the courts.</p> <p>It's an undisputed fact that the courts need independent contractor court interpreters to meet their needs, and it's also undisputed that compensation offered by the courts should be comparable to what interpreters make when working on their own. If this doesn't happen, it's unlikely that interpreters will take work from the courts.</p> <p>Concerns raised by the current proposal include the following:</p> <ol style="list-style-type: none"> <li>1. The new rates would be non-negotiable (they should be).</li> <li>2. The definition of "unavailable" interpreters has been expanded to those unwilling to accept the maximum compensation proposed (\$566). This would allow the courts to appoint non-certified or non-registered interpreters, which would seriously compromise communications since there's no guarantee whatsoever that interpreters with no certification or registration are qualified to interpret accurately.</li> <li>3. The changes to business-related travel include mileage but not hourly compensation.</li> <li>4. Assignments starting between 11 AM and 1:30 PM should be paid as full days because they preclude interpreters from accepting an additional half-day job.</li> </ol> <p>I hope that the Judicial Council takes all these concerns into consideration and makes the appropriate revisions. The goal should be to work with us, not against us. There's too much at stake here.</p> <p>Thanks.</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                                        | Position                                  | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 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| <p>Mariana Bension-Larkin et. al.</p> <p>Association of Independent Judicial Interpreters of California (AIJIC)</p> <p><b>Comment on behalf of org?: Yes</b></p> | <p>Do not agree with proposed changes</p> | <p>The Association of Independent Judicial Interpreters of California (AIJIC) is a nonprofit organization that represents freelance court interpreters with Judicial Council of California certification and registration.</p> <p>We are contacting you to convey our concerns, and those of our members, regarding your current proposal to revise the payment policies for independent contractor interpreters (SP26-05). We strongly believe that if the proposal is implemented without major changes, it will adversely impact court operations for cases that require interpreters booked by the courts.</p> <p>Concerns raised by the current proposal include the following:</p> <ol style="list-style-type: none"> <li>1. The new rates proposed would be non-negotiable.</li> </ol> <p>This goes against one of the fundamental principles of independent contracting: the ability of the service provider to determine—or at least negotiate—the price of his or her services. Indeed, California Labor Code section 2776 expressly identifies the ability of a business service provider to “negotiate its own rates” as one of the conditions associated with a bona fide business-to-business independent contracting relationship. Eliminating rate negotiation while continuing to classify these interpreters as independent contractors moves the relationship in precisely the opposite direction.</p> <p>Independent contractor interpreters are not court employees. They do not receive the salary, health insurance, paid vacation, sick leave, retirement benefits, job security, or other protections that accompany employment. They operate as independent professionals, absorb their own business expenses, pay their own self-employment taxes, health insurance and assume the financial risk that comes with having no guarantee of steady work. Their compensation should reflect that distinction, and court rates should be comparable to what independents make working on their own.</p> <p>There is also a basic economic problem with imposing a single non-negotiable rate. The market for court interpreters is not uniform. Availability varies significantly by language, geographic area, travel requirements, and the number of credentialed interpreters available on a particular date. A Spanish interpreter working in a large metropolitan area and an interpreter for a language in which only a handful of credentialed professionals may be available statewide do not operate under identical market conditions. Supply and demand in an economy do not disappear simply because the entity retaining the service happens to be a court.</p> <p>If a court cannot obtain the services of a credentialed independent contractor at the offered rate, the appropriate response is to allow the court and the interpreter to negotiate a rate that reflects the circumstances, not to declare that the government's price is the only price the independent professional may accept. The current system recognizes this reality by currently allowing higher rates to be negotiated under specified circumstances. The proposed policy would eliminate that flexibility at precisely the time when the courts should be preserving every reasonable tool available to attract credentialed interpreters.</p> <p>A non-negotiable rate also creates an unusual imbalance: the interpreter remains “independent” when it comes to receiving no employee benefits but suddenly becomes considerably less independent when deciding what his or her professional services are worth.</p> <p>The courts should not be able to retain all the financial advantages of using independent contractors while eliminating one of the defining economic freedoms associated with independent contracting. For these reasons, the proposed rates should operate as standard or presumptive rates, not mandatory non-negotiable rates. Courts should retain authority to negotiate higher compensation when market conditions, interpreter availability, language scarcity, travel, or other circumstances justify doing so.</p> <p>The Judicial Council believes that the proposal could provide long-term cost savings by capping the compensation rates at the maximum allowable rates in the Budget Act and establishing a uniform statewide framework under which all courts operate when engaging interpreter services, thus mitigating competition between courts. From an administrative perspective, it is understandable that the Judicial Council would want to give all courts equal access to interpreter resources. From a practical perspective, eliminating competition among the courts does not eliminate competition for interpreters.</p> <p>Independent contractor interpreters do not work exclusively for the California courts. They can accept assignments from law firms, language agencies, and other clients. Some interpreters can also provide remote services to clients far beyond one county — or even the state— in which they live. The Judicial Council itself has recognized that competition from other industries is one of the factors affecting interpreter availability. Therefore, establishing a non-negotiable statewide rate may prevent one Superior Court from outbidding another, but it cannot prevent the private market, another government entity, or the federal courts from doing so. This distinction is critical.</p> <p>If Court A is paying \$566 and Court B is paying \$700 for the same scarce interpreter, imposing a mandatory rate of \$566 may indeed stop Court B from competing with Court A. But if that interpreter can earn \$700 elsewhere, the likely result is not that Court A now gets the interpreter. Neither court does, because the interpreter will simply take the better-paying assignment outside of the California court system.</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter | Position | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         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|           |          | <p>California already faces significant interpreter shortages with geographic limitations, a retiring workforce, difficulty passing credentialing examinations, and competition from other sectors contributing to the problem. A policy that makes court work financially less competitive risks shrinking the available contractor pool even further.</p> <p>There is also a serious retention issue. Credentialed interpreters who currently accept court assignments at negotiated rates higher than the proposed mandatory rate will have no incentives to continue working for the courts. If they can earn substantially more from providing services in depositions and other proceedings through language service providers and direct clients, they will inevitably reduce or discontinue their work for the California courts. This would produce exactly the opposite of the intended result, because instead of having multiple courts competing for a limited number of interpreters, the courts would find themselves collectively offering a rate that an increasing number of credentialed interpreters are unwilling to accept. Those courts would certainly be on equal footing, but they would be standing together without an interpreter.</p> <p>The better solution is not to eliminate competition by suppressing the ability of courts to respond to market conditions. It is to establish reasonable statewide baseline rates while preserving the authority of individual courts to negotiate higher compensation when necessary, due to language scarcity, geography, travel requirements, or demonstrated difficulty securing a credentialed interpreter.</p> <p>Ultimately, the relevant question should not be whether one California court is paying more than another. It should be whether California courts are offering sufficient compensation to attract and retain credentialed professionals necessary to provide meaningful language access in the courts. A policy that successfully prevents 58 trial courts from competing against one another but causes credentialed interpreters to take their services somewhere else has not solved the interpreter shortage.</p> <p>Additionally, the proposed \$566 ceiling is tied to a federal rate that will become outdated by the time that the new rates become effective in January 2027. Beginning October 1, 2026, federal rates for interpreters will be \$617 for a full day, \$349 for a half day, and \$87 for hour of overtime. These updated rates should be incorporated as a baseline—not a ceiling—when calculating compensation.</p> <p>The proposal also indicates that rates are being raised to the federal levels “to address increased interpreter costs while ensuring compliance with the statutory limit that rates do not exceed those paid to federally certified court interpreters.”</p> <p>The Judicial Council's phrase “statutory limit” may give the impression that California law affirmatively prohibits courts from ever paying an independent contractor more than the federal rate. The evidence does not support that proposition. Indeed, the Judicial Council's own workforce study says contractors have been negotiating rates above the federal rate. The Legislature expressly recognized that California had a shortage of certified and registered court interpreters that impaired meaningful access to justice and stated that “every effort must be made to recruit and retain credentialed interpreters to work in the state courts.”</p> <p>The “statutory limit” in the proposal seems to refer to the provisional language governing the Trial Court Trust Fund appropriation for court interpreter services. Indeed, the Judicial Council's 2025 workforce study quotes the relevant language from Provision 18 of Item 0250-101-0932 of the Budget Act of 2025: “The Judicial Council shall set statewide or regional rates and policies for payment of court interpreters, not to exceed the rate paid to certified interpreters in the federal court system.” This is by no means a general statutory cap in California law governing what an independent interpreter may charge and it should not be misconstrued as precluding an individual court from negotiating with an independent contractor compensation above that rate.</p> <p>2. The definition of “unavailable” interpreters has been expanded to those unwilling to accept the maximum compensation proposed. This would allow the courts to appoint non-certified or non-registered bilingual individuals.</p> <p>There is an important distinction here that should not be blurred. An interpreter who is already booked, out of town, ill, or otherwise unable to accept an assignment is unavailable. An interpreter who tells the court, “I am available, but my rate for this assignment is \$750,” is available. Those are two very different circumstances.</p> <p>California Government Code of California Section 68561 specifically mandates that except for good cause, any person who interprets in a court proceeding using a language designated by the Judicial Council under subdivision (a) of Section 68562 shall be a certified court interpreter. Similarly, California Rule of Court 2.893 makes certified and registered interpreters the preferred professionals for court proceedings and establishes that a non-certified or non-registered bilingual individual may be provisionally appointed only when, after a diligent search, a certified or registered interpreter is not available. Even then, the judicial officer must make findings on the record concerning the use and qualifications of the non-certified or non-registered bilingual individual.</p> <p>Court interpreting is not simply bilingual communication. A court interpreter must listen to testimony or legal arguments in one language, comprehend it instantly, retain it, convert it accurately into another language, and deliver it without adding, omitting, explaining, simplifying, or improving what was said. Depending on the proceeding, the interpreter may have to perform consecutive interpretation, simultaneous interpretation, and sight translation, sometimes switching among those modes within the same assignment. This must be done while attorneys speak</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter | Position | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         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|           |          | <p>quickly, witnesses ramble, judges interrupt, objections are made, specialized terminology appears without warning, and multiple people occasionally speak at once.</p> <p>The certification process exists precisely because speaking two languages does not establish that someone can perform these tasks competently. The Judicial Council's own examination data demonstrates just how demanding these skills are. To become a certified spoken-language court interpreter, a candidate must first pass the written examination and then pass the Bilingual Interpreting Examination (BIE) in a single sitting, achieving at least 70 percent in every section. The BIE tests bilingual language knowledge and fluency as well as the ability to perform the three modes of court interpreting and specialized vocabulary. The passing rates are remarkably low.</p> <p>According to the Judicial Council's 2025 California Court Interpreter Workforce Study, only 14 percent of candidates taking the Bilingual Interpreting Examination passed in 2021. The pass rate remained 14 percent in 2022, fell to 9 percent in 2023, and dropped to just 8 percent in 2024. In 2024, only 33 of 404 candidates passed. Those numbers matter, because they demonstrate that the ability to speak English and another language—even at a relatively high level—does not necessarily translate into the ability to interpret accurately in the courtroom. If more than nine out of ten candidates taking the certification examination in 2024 were unable to satisfy the required standard, it is difficult to justify a policy that could make it easier to bypass interpreters who have demonstrated those skills simply because they will not accept a government-imposed rate.</p> <p>The potential consequence of the new compensation policy is therefore backwards. A court could locate a certified interpreter who has passed the rigorous Judicial Council examination and demonstrated the ability to perform courtroom interpretation, determine that the interpreter is available but will not work for \$566, declare that interpreter “unavailable” for purposes of the policy, and then turn to someone who has not demonstrated the same competency through certification.</p> <p>More troubling still, the policy could create a perverse financial incentive. If credentialed independent contractors increasingly decline court work because the mandatory rate is below what they can earn elsewhere, courts will become increasingly dependent on non-certified or non-registered bilingual individuals. The very policy intended to control interpreter expenditures could therefore contribute to shrinking the pool of credentialed professionals willing to work for the courts. This would undermine years of effort by the Judicial Council to professionalize court interpreting through testing, certification, continuing education, ethics requirements, and credentialing.</p> <p>Certification should mean something. The purpose of interpreter credentialing is not to create an impressive badge. It is to protect the integrity of the judicial process and the rights of people who cannot meaningfully participate in that process without accurate interpretation, both of which will be undermined by the new policy.</p> <p>3. Changes to business-related travel include mileage but not hourly compensation.</p> <p>This will significantly affect courthouses that regularly or occasionally rely on interpreters traveling from other counties to cover assignments that cannot be filled locally.</p> <p>For an independent contractor, travel time is not free time. An interpreter who spends two hours driving to a courthouse and another two hours returning home has devoted four additional hours to that assignment, hours during which the interpreter cannot accept a deposition, hearing, arbitration, or other paid work. Mileage reimbursement covers the cost of operating a vehicle but does not compensate the interpreter for the professional time lost getting to and from the assignment.</p> <p>The impact will be particularly significant for courts that already have difficulty finding credentialed interpreters locally. These courts depend on interpreters willing to travel considerable distances to fill gaps in coverage. Eliminating compensation for travel time gives those interpreters a powerful financial reason to decline distant assignments in favor of jobs closer to home that pay more.</p> <p>For example, a \$566 assignment requiring four hours of round-trip travel is not economically equivalent to a \$566 assignment at a courthouse thirty minutes away. Yet under the proposed system, the interpreter's additional four-hour commitment would essentially be treated as having no monetary value beyond reimbursement for mileage.</p> <p>The result is not hard to predict: interpreters who currently travel across county lines will restrict the geographic area in which they are willing to work, and courts that depend on them will face an even smaller pool of credentialed interpreters, increasing the likelihood of unfilled assignments, delays, or reliance on non-certified or ‘registered’ interpreters. This also goes against the Judicial Council’s goal of giving all courts equal access to interpreter resources, since courthouses in remote areas or with a limited number of interpreters will suffer the most.</p> <p>4. SP26-05 expressly proposes abandoning the existing morning/afternoon session structure and instead applying the half-day rate whenever services fall within any consecutive four-hour period.</p> <p>Under the current structure, half-day assignments generally correspond to a morning or afternoon court session. This gives an independent interpreter at least some opportunity to accept another assignment during the other half of the day. The proposed policy eliminates those fixed morning and afternoon parameters.</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                                                                                          | Position                                  | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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|                                                                                                                                                                                                                    |                                           | <p>Consider an interpreter booked from 11:00 a.m. to 3:00 p.m. Technically, the assignment fits neatly within four consecutive hours and therefore qualifies for half-day compensation. Economically, however, it can consume virtually the interpreter's entire working day. An 11:00 a.m. start makes accepting a normal morning deposition, court appearance, arbitration, or other assignment practically impossible, particularly when travel is involved. A 3:00 p.m. finish likewise makes accepting a conventional afternoon assignment somewhere else impractical or impossible. Add travel time to and from the courthouse, parking, security screening, checking in, and the ordinary uncertainty surrounding when a court proceeding will actually conclude, and a four-hour booking in the middle of the day can easily prevent the interpreter from earning income from any other assignment that day. Yet the interpreter would receive only the half-day rate.</p> <p>That creates a significant distinction between four hours of work and four hours that effectively control the contractor's entire workday.</p> <p>Again, an independent contractor does not receive a guaranteed salary. The court does not guarantee that interpreter another assignment tomorrow, next week, or even later that month. The contractor therefore must evaluate an assignment not simply according to the number of minutes spent interpreting, but according to the other income opportunities that must be declined to accept it. The proposed policy ignores this reality.</p> <p>The problem becomes even clearer when comparing two assignments. An 8:00 a.m.–12:00 p.m. assignment may allow an interpreter to accept a 1:30 p.m. deposition elsewhere. A 1:00–5:00 p.m. assignment may permit the interpreter to work elsewhere in the morning. But an 11:00 a.m.–3:00 p.m. assignment can eliminate both opportunities.</p> <p>The proposed change therefore creates another potential incentive for credentialed independent contractors to decline court work. An interpreter offered a half-day court assignment from 11:00 a.m. to 3:00 p.m. will instead accept a private full-day assignment—or two compatible half-day assignments—that produce substantially greater income. At a minimum, the policy should preserve defined morning and afternoon half-day sessions or provide that a four-hour assignment spanning substantial portions of both sessions qualifies for full-day compensation.</p> <p>Conclusion</p> <p>California courts rely on independent contractor interpreters to meet language-access needs that cannot be satisfied by court employees alone. If the courts expect credentialed independent professionals to continue accepting these assignments, compensation and working conditions must remain reasonably competitive with those available elsewhere in the interpreting market.</p> <p>Several provisions of SP26-05 risk accomplishing the opposite. Non-negotiable rates, the elimination of compensation for travel time, a half-day structure that can effectively consume an interpreter's entire working day, and a definition of "unavailability" that includes credentialed interpreters who decline the mandated rate all create new financial disincentives for independent credentialed interpreters to accept court work. These concerns are particularly significant at a time when California is already struggling with a shortage of credentialed interpreters.</p> <p>Courts that already struggle to secure credentialed interpreters—particularly those that depend on contractors traveling from other counties—may face more difficulty filling assignments, greater risk of delays, and increased reliance on non-certified or non-registered individuals. Ultimately, it is the administration of justice that will bear the consequences when qualified interpreters are unavailable.</p> <p>Cost containment, consistency, and responsible use of public funds are legitimate goals. But a compensation policy cannot be considered successful simply because it reduces what courts are permitted to pay. It must also ensure that courts can actually obtain the qualified professionals they need. A sustainable policy should make court assignments more attractive to credentialed interpreters, not less.</p> <p>We appreciate the opportunity to comment on SP26-05 and respectfully ask the Judicial Council to reconsider these provisions and adopt a more flexible approach—one that establishes reasonable statewide baseline rates while preserving courts' ability to respond to market conditions, compensate necessary travel time, structure half-day assignments fairly, and prioritize credentialed interpreters before resorting to non-certified or non-registered bilingual individuals.</p> |
| <p>Marianne Pripps, CA and Federally Certified Court Interpreter<br/>CA and Federally Certified Court Interpreter<br/>CA and Federally Certified Court Interpreter</p> <p><b>Comment on behalf of org?: No</b></p> | <p>Do not agree with proposed changes</p> | <p>Dear members of the Judicial Council,</p> <p>Although I am an employee and not an independent contractor, I support my colleagues' position regarding Proposal SP26-05. I agree that it must be rejected.</p> <p>Under the guise of a rate increase, the Council is imposing non-negotiable ceilings, forcing interpreters to remain for entire blocks regardless of actual need, erasing clear session boundaries, and severely restricting travel reimbursement. The predictable result is that many certified interpreters will simply stop accepting Superior Court work.</p> <p>The proposal creates a direct financial incentive to replace certified interpreters with provisionally qualified ones and pay less. When a certified interpreter declines the non-negotiable rate, the draft allows the court to declare that</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

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|                                                                                                                                                                                                       |                                    | <p>interpreter “unavailable” and appoint someone who has never passed a certification exam. The LEP party is not told this has happened. Errors by non-credentialed interpreters are rarely caught in the moment.</p> <p>Turning a rate refusal into a legal finding of unavailability converts a cost-control measure into a structural preference for less-qualified interpreters. This is not language access. It is the appearance of language access at the expense of accuracy and due process.</p> <p>California has 6.4 million Limited English Proficient residents—one out of every six people in the state. These court users have a constitutional right to understand the proceedings that affect their liberty, families, and livelihoods. When the State makes it economically and practically unattractive for qualified interpreters to serve, it is the non-English-speaking public that pays the price through delayed cases, inaccurate interpretation, mistrials, and miscarriages of justice.</p> <p>Cutting interpreter flexibility to save money is false economy. The real cost will appear later in repeated hearings, appeals, and damaged public confidence in the courts. The Judicial Council should not balance budgets on the backs of Limited English Proficient Californians.</p> <p>The Council's own study, published in December 2025 (California Court Interpreter Workforce Study, page 37) spells it clearly: compensation and flexibility are decisive factors influencing interpreter recruitment and retention. A change in policy will affect every interpreter in California: contractors and employees.</p> <p>I urge the Council to withdraw this proposal.</p> |
| <p>Maribel Jimenez<br/>Certified English/Spanish<br/>Interpreter</p> <p><b>Comment on behalf of<br/>org?: No</b></p>                                                                                  | Do not agree with proposed changes | <p>These changes will reduce the willingness of experienced certified interpreters to accept court assignments when rates can no longer be negotiated to reflect real market conditions. The result will be fewer qualified interpreters available when courts need them most. California is home to approximately 6.4 million Limited English Proficient residents—roughly one in six Californians—who depend on competent interpretation to understand and participate in legal proceedings. When certified professionals leave the field or decline low-paying, inflexible assignments, those court users are left with less qualified substitutes.</p> <p>In regards to hiring non-certified interpreters, in lieu of a certified interpreter, there’s a reason for why we undergo a process to become certified. As we know it, this profession that requires extensive training and knowledge of specialized terminology. It is not a matter of being bilingual. We are required to have experience in technique as well as modes of interpretation. The profession requires continuous education and therefore, we should be compensated. We travel out of county and sometimes state. We deserve to be compensated for our travel time and mileage as we cover expenses on wear and tear of our vehicles. We incur many expenses to provide services when needed. This will definitely impact the legal sector if any bilingual individual, is allowed to interpret without adequate knowledge and training.</p>                                                                                                                                                                                       |
| <p>Mariela Gonzalez<br/>State Registered for<br/>Mixteco</p> <p><b>Comment on behalf of<br/>org?: No</b></p>                                                                                          | Do not agree with proposed changes | <p>I strongly oppose the proposed revisions to payment policies for independent contractor court interpreters. Many courts are already facing a severe interpreter shortage under current policies; lowering compensation or imposing restrictive payment terms will only make it harder to attract and retain highly qualified professionals. Accurate interpretation is essential to maintaining judicial integrity. The majority of court interpreters are skilled professionals who have completed extensive training, education, and rigorous testing. In contrast, provisionally qualified interpreters are not held to the same standards as registered or certified interpreters. How will the Judicial Council guarantee that these individuals possess the skills and knowledge required to accurately interpret complex court proceedings? Failing to ensure qualified language access creates severe risks for Limited English Proficient (LEP) individuals. Furthermore, independent contractors must cover substantial overhead expenses out-of-pocket—including general liability and health insurance, travel, and specialized equipment like interpretation devices. Because courts already absorb these overhead costs for staff employees, paying fair rates to independent contractors is often the more cost-effective choice. Ultimately, these policy changes will harm court operations and compromise equal access to justice.</p>                                                                                                                                                                                                                                                    |
| <p>Mariko Tomii<br/>Mariko Interpreter: CA-<br/>Registered Interpreter<br/>Association of Independent<br/>Judicial Interpreters of<br/>California</p> <p><b>Comment on behalf of<br/>org?: No</b></p> | Do not agree with proposed changes | <p>Dear Madam/Sir,</p> <p>I'd like to please ask you not to pass a law like that.</p> <p>I paid so much money and studied so much to pass the written exam to become a Registered Court Interpreter in California and would like to keep working as a court interpreter. I don't want non-certified and non-registered interpreters to take our jobs.</p> <p>The proposed fees don't have the Japanese language fees, but I assume that the fee for the Japanese language is similar to other languages on the list. I usually need more to travel to the courthouse in other counties or other states, and it costs a lot. I'd like to be able to negotiate such travel expenses.</p> <p>Please do not pass a law like that, I beg you.</p> <p>Sincerely yours,<br/>Mariko Tomii, CA-Registered Interpreter</p> <p>Dear colleagues,</p> <p>The Judicial Council has announced proposed revisions to the court rates paid to independent interpreters.</p> <p>The full proposal can be accessed here:<br/><a href="https://courts.ca.gov/system/files/itc/sp26-05.pdf">https://courts.ca.gov/system/files/itc/sp26-05.pdf</a></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

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|                                                                                           |                                    | <p>The proposal raises the following concerns:</p> <ol style="list-style-type: none"> <li>1. The new rates would be non-negotiable. Since independent interpreters do not receive benefits and are not employees of the court, they must retain the ability to negotiate their rates according to basic economic principles of supply and demand.</li> <li>2. The definition of "unavailable" interpreters has been expanded to those unwilling to accept the maximum compensation proposed (\$566). This would allow the courts to appoint non-certified or non-registered interpreters.</li> <li>3. The changes to business-related travel include mileage but not hourly compensation. This will significantly impact courthouses that rely on interpreters from other counties who provide their services to them on a regular or occasional basis.</li> </ol> <p>If the current proposal is approved without major revisions, these changes would go into effect on January 1, 2027. The direct result will be that a large number of independents who currently work for the courts will no longer do so, and the courts will simply resort to non-certified or non-registered interpreters. This will adversely impact the court interpreting profession.</p> <p>Please make your voices heard by submitting your comments to the Judicial Council no later than Monday 8/24. If you're going to use any of the concerns we've shared above, please do so in your own words instead of copying and pasting.</p> <p>Standing strong for interpreters statewide.</p> <p>The AIJIC Team<br/> <a href="https://www.aijic.org">https://www.aijic.org</a></p> <p>Visit <a href="https://www.aijic.org">aijic.org</a> to learn more about us.</p>                                                                                                                                                                                                                                                                                                        |
| Marina Foundi<br>Registered Court Interpreter<br><br><b>Comment on behalf of org?: No</b> | Do not agree with proposed changes | <p>To whom it may concern,</p> <p>I am the only Registered Greek Interpreter in California and the surrounding states. I fully support the propositions of the AIJIC Team. Due to the limited cases, I work as an interpreter only part time. If, with the new proposition, the courts hire other interpreters for less, I will have to completely leave it.</p> <p>Kind regards,<br/>           Marina Foundi<br/>           Registered Court Interpreter</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| marnie.angulo@mail.com<br><br><b>Comment on behalf of org?: No</b>                        | Do not agree with proposed changes | <p>Dear Judicial Council,</p> <p>Proposal SP26-05 should be rejected.</p> <p>Under the banner of a rate increase, the Council is imposing non-negotiable ceilings, forcing interpreters to remain for entire blocks regardless of actual need, erasing clear session boundaries, and severely restricting travel reimbursement. The predictable result is that many certified interpreters will simply stop accepting Superior Court work.</p> <p>The proposal creates a direct financial incentive to replace certified interpreters with provisionally qualified ones. When a certified interpreter declines the non-negotiable rate, the draft allows the court to declare that interpreter "unavailable" and appoint someone who has never passed a certification exam. The LEP party is not told this has happened. Errors by non-credentialed interpreters are rarely caught in the moment.</p> <p>Turning a rate refusal into a legal finding of unavailability converts a cost-control measure into a structural preference for less-qualified interpreters. This is not language access. It is the appearance of language access at the expense of accuracy and due process.</p> <p>California has 6.4 million Limited English Proficient residents—one out of every six people in the state. These court users have a constitutional right to understand the proceedings that affect their liberty, families, and livelihoods. When the State makes it economically and practically unattractive for qualified interpreters to serve, it is the non-English-speaking public that pays the price through delayed cases, inaccurate interpretation, mistrials, and miscarriages of justice.</p> <p>Cutting interpreter flexibility to save money is false economy. The real cost will appear later in repeated hearings, appeals, and damaged public confidence in the courts. The Judicial Council should not balance budgets on the backs of Limited English Proficient Californians.</p> <p>I urge the Council to withdraw this proposal.</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                           | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
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| Marta Castellanos<br>Healthcare Interpreter<br><br><b>Comment on behalf of org?: No</b>                             | Do not agree with proposed changes | Do not agree with proposed changes<br><br>This changes will harm the interpretes profession.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Martte Cecchi<br>Certified Court Interpreter Candidate<br><br><b>Comment on behalf of org?: No</b>                  | Do not agree with proposed changes | Dear Judicial Council,<br><br>I would like to comment on Invitation to Comment SP26-05 regarding payment policies for independent contractor interpreters.<br><br>While the proposal is presented as a modest rate increase, the combination of non-negotiable rates, mandatory full-block availability, elimination of clear session boundaries, and restricted travel reimbursement will make court work far less viable for many certified interpreters. The practical result will be fewer experienced professionals willing to accept Superior Court assignments.<br><br>Of particular concern is the provision that treats a certified interpreter's refusal of the capped rate as "unavailability." Once that finding is made, the court may appoint a provisionally qualified interpreter who holds no statewide credential. Limited English Proficient court users are never informed of the substitution. Certification exists because neither the judge nor counsel can evaluate accuracy in real time. Expanding the use of non-credentialed interpreters in this way undermines the very safeguard the credential was created to provide.<br><br>California is home to approximately 6.4 million Limited English Proficient residents—roughly one in six Californians. These individuals rely on competent interpretation to understand proceedings and exercise their due-process rights. When qualified interpreters become scarce, courts will be forced to rely on less experienced or uncertified substitutes. The consequences—misunderstandings, repeated hearings, and in some cases serious errors—are borne by the very people the language-access system is meant to protect.<br><br>I respectfully ask the Judicial Council to reconsider these changes and retain the flexibility that currently allows courts to secure qualified interpreters when and where they are needed.<br><br>Thank you for the opportunity to comment.<br><br>Sincerely,<br><br>Martte Cecchi<br><br>Certified Court Interpreter Candidate                                                                                                                                                                                                                             |
| Mary Hernandez-Castellanos<br>Spanish/ English Professional Interpreter<br><br><b>Comment on behalf of org?: No</b> | Do not agree with proposed changes | As an expertly trained and highly credentialed professional interpreter, I write to vehemently oppose the draft revision in SP26-05.<br><br>In the proposal, the non-negotiable rate structure, rigid four- and eight-hour blocks, removal of clear morning/afternoon session definitions, and tightly restricted travel rules will significantly reduce the willingness of certified interpreters to accept court work. Once experienced interpreters leave or limit their availability, the courts will face greater difficulty covering calendars with qualified professionals.<br><br>Of particular concern is the proposal's definition of "unavailability." The draft states that an interpreter is considered unavailable if they "are unwilling to accept the maximum compensation rate established in the policy." Once that finding is made, and after a diligent search, the court may appoint a nonregistered or noncertified interpreter under rule 2.893. This provision turns a simple rate refusal into a legal finding of unavailability. In practice, it creates a direct financial incentive to replace a certified interpreter who declines the capped rate with someone who has never passed a certification examination. Limited English Proficient court users are never informed that this substitution has occurred. Certification exists because neither the judge nor counsel can evaluate the accuracy of the interpretation in real time.<br><br>By converting a cost-control measure into a structural preference for less-qualified interpreters, the proposal undermines the very safeguard the credential was designed to provide. This is not language access. It is the appearance of language access at the expense of accuracy and due process.<br><br>This outcome directly affects California's Limited English Proficient population—approximately 6.4 million people, or one in six residents. Meaningful language access is a due-process requirement, not an optional expense. When certified interpreters are driven away by inflexible and non-negotiable terms, the quality of interpretation declines. Errors, continuances, and in the worst cases mistrials or miscarriages of justice become more likely. Any short-term |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                                                       | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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|                                                                                                                                                                                 |                                    | <p>budget savings will be outweighed by the long-term costs of remedying those failures.</p> <p>California has long recognized the importance of language access in a diverse state. This proposal moves in the opposite direction. I urge the Judicial Council to reject the current draft and maintain the flexibility necessary to attract and retain qualified certified interpreters.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Mary Johnston<br>Certified Healthcare Interpreter<br>Mary K. Johnston<br>Interpreting<br><br><b>Comment on behalf of org?:</b> No                                               | Do not agree with proposed changes | <p>Proposal SP26-05 will reduce the availability of qualified certified interpreters in our courts. When experienced professionals leave because rates are capped and inflexible, Limited English Proficient Californians—approximately one in six residents—lose meaningful access to justice. I ask the Council to reject these changes and preserve the ability of courts to secure competent interpretation.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Mary Lee Behar<br>Independent CA Court Certified Interpreter<br>Spotlight Interpreters<br><br><b>Comment on behalf of org?:</b> No                                              | Do not agree with proposed changes | <p>I am a court certified Spanish interpreter and a court registered French and Romanian interpreter serving the courts in California as an independent contractors</p> <p>Increasing current base rates to match the federal rates is a good first step but this must remain upwardly negotiable and should be adjusted each year for cost of living.</p> <ol style="list-style-type: none"> <li>1) As independent contractors, we should remain able to set our own rates.</li> <li>2) Accepting one fee schedule with no yearly cost of living adjustment is dangerous.</li> <li>3) Half days need to be clearly defined as before or after lunch - not ambiguous about overlap. Also, once the calendar ends, the contractor should be free to leave.</li> <li>4) This proposal seeks to make it easier to deem interpreters “unavailable” if they don’t accept the rate. This is not an accurate indicator of availability.</li> <li>5) Languages of lesser diffusion should be able to negotiate higher rates as well.</li> <li>6) Fair reimbursement for travel time, per diem, ground and air transportation and mileage remain important factors in our compensation.</li> </ol> <p>The proposed changes will reduce the willingness of experienced certified interpreters to accept court assignments when rates can no longer be negotiated to reflect real market conditions. The result will be fewer qualified interpreters available when courts need them most.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Marybel M. Cariño.<br>English/Spanish Interpreter<br>Conference Interpreter<br>Licensed Vocational Nurse<br>Independent interpreter<br><br><b>Comment on behalf of org?:</b> No | Do not agree with proposed changes | <p>To Whom It May Concern,</p> <p>I am writing to strongly oppose the proposed changes to compensation for independent court interpreters.</p> <p>I have worked as a professional interpreter for many years, and I am both California court certified and federally certified. I also own an interpreting company, so I understand firsthand what it costs to provide highly skilled professional interpreting services as an independent contractor.</p> <p>Independent interpreters are not court employees. We do not receive court employee benefits, paid vacation, sick leave, retirement contributions, or the other protections and benefits that come with employment. We pay our own business expenses, insurance, taxes, continuing education, equipment, and other professional costs. It therefore makes little sense to treat independent contractors as independent businesses while simultaneously removing their ability to negotiate their compensation.</p> <p>I am particularly concerned by the proposal to consider a certified or registered interpreter “unavailable” simply because that interpreter is unwilling to accept the maximum compensation offered. Declining a particular rate does not make a qualified professional unavailable. It means that the parties were unable to agree on compensation.</p> <p>More importantly, allowing that disagreement to become a justification for appointing a non-certified or non-registered interpreter creates exactly the wrong incentive. Certification exists for a reason. Court interpreting requires far more than bilingualism. We are responsible for accurately conveying testimony, legal terminology, questions, rulings, and sometimes extremely consequential statements in proceedings that can profoundly affect a person’s life.</p> <p>The courts should be working to retain experienced, highly qualified interpreters—not creating a system in which qualified professionals who decline a particular rate can effectively be bypassed in favor of less-qualified individuals.</p> <p>Some courts depend heavily on interpreters traveling significant distances from other counties. Mileage reimbursement alone does not compensate an independent professional for the hours during which they are traveling</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                             | Position                                       | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
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|                                                                                                       |                                                | <p>and therefore unable to accept other work. Therefore, I am concerned about eliminating hourly compensation for business-related travel.</p> <p>I understand the need for the Judicial Council to control costs and administer a statewide system efficiently. But cost containment should not come at the expense of professional standards, the viability of independent interpreting work, or meaningful language access.</p> <p>Please reconsider these provisions and engage with the independent interpreters who actually perform this work before implementing changes that may ultimately drive experienced professionals away from the courts.</p> <p>Quality court interpreting is not a luxury. It is part of ensuring that limited-English-proficient individuals can meaningfully participate in our justice system.</p> <p>Best regards,</p> <p>Comments in Attachment</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <p>Maya Fonseca<br/>Court and Federal<br/>Interpreter</p> <p><b>Comment on behalf of org?: No</b></p> | <p>Do not agree with proposed changes</p>      | <p>Position on Proposal</p> <p>Do not agree with proposed changes</p> <p>Comments</p> <p>I am a California court interpreter with over 25 years of experience.</p> <p>I was actually an F status interpreter and was one of the negotiators, for the MOU in 2021.</p> <p>Let me say this, this is as always a blatant discriminatory action, by the courts, who clearly do not care about the quality in interpretation services that LEPs require.</p> <p>This is also an affront to the immigrant community.</p> <p>By basically saying, that the courts have the right to hire non-certified interpreters, when certified interpreters will not take these assignments under the proposed changes, the courts are proceeding in a discriminatory manner against the immigrant community.</p> <p>It's just another attack.</p> <p>Basically the courts are saying, the non-English speaking community does not deserve and are entitled to actual qualified interpreters.</p> <p>It will behoove criminal defense attorneys, to file appeals, when their clients are no longer provided with interpreters that are certified and qualified.</p> <p>It is also a discriminatory action, against the interpreter professionals, who actually are largely immigrants and female.</p> <p>Also, the JCC is squirting the law, as they are imposing a fee on independent contractors.</p> <p>Contractors decide their rates.</p> <p>This is unacceptable and egregious.</p> <p>We will fight this, with all necessary legal means, so it does not come to pass.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <p>mca711<br/>Court interpreter<br/>coordinator</p> <p><b>Comment on behalf of org?: No</b></p>       | <p>Agree with proposed changes if modified</p> | <p>Good morning</p> <p>would like to clarify that starting October 1, 2026, the proposed rate is increasing for the federal court interpreters from \$566 to \$617 for a full day and from \$320 to \$349 for half a day.</p> <p>agree that the rates should not be negotiable. Allowing this has created a war among the courts to be able to obtain coverage. Also, if it works at the federal level, it should work at the state level.</p> <p>When independent contractors are unwilling to accept the maximum compensation proposed they are defined as "unavailable interpreters". I do agree with this definition. However, the courts shall not be able to appoint non-certified/non-registered interpreters in said cases, because this goes against adequate Language Access to LEPs. Allowing this to happen will simply create an uneven access for LEPs. Besides, the attorneys are going to have a feast appealing their cases for lack of appropriate interpreter's service. I believe that this issue could be fixed by allowing cross-assignments from every region, or even by utilizing other court employees to provide VRI services.</p> <p>Regarding business-related travel, it should always include mileage plus travel time. It will be unfair to the interpreter to not compensate his/her travel time, when the court is expecting the interpreter to be at the court house on a specific time.</p> <p>The proposal should made reference to the fact that the Judicial Council presented and got approval from the legislators to pay as many court interpreter coordinators positions each court consider necessary, without having to be certified court interpreters. Before, use of the fund monies was limited to one coordinator for counties with a population of 100,000 or more and it was prorated for counties with less populations and the coordinator had to be a certified interpreter. This has opened another Pandora's box, because now there are many counties using interpreter funds to pay court employees for providing minimum services for court interpreters.</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                         | Position                                  | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
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| <p>Melissa MacCracken<br/>California certified Spanish interpreter<br/>Los Angeles Superior Court</p> <p><b>Comment on behalf of org?: No</b></p> | <p>Do not agree with proposed changes</p> | <p>Follow up on my last email:<br/>Will you also be seeking to limit the amount court reporters can make in the private sector? I know some get \$1800 a day and up sometimes. And if no one accepts the lower rate, will they be replaced by non-certified court reporters?</p> <p>Hello, I am a California certified Spanish interpreter. I have been working for Los Angeles Superior Court since 1980. For 23 years I was an independent contractor and then in 2003 we were able to achieve achieve employment status. After 46 years, I am now only going to retire at the age of 69, with only 69% of my salary, and I need to supplement my income as an independent contractor. With all due respect, this was all due to the fact that for years, our wages were purposely kept very low. Now I need to continue working in retirement and I find it outlandish that you are planning to cap Interpreter fees in the private sector. While I agree that there has been a lot of abuse in the public sector, this does not mean that you should put limits on the working conditions of independent contractors in the private sector. Additionally, not all independent contractors get work every day. This could completely ruin their ability to make a living providing language access.</p> <p>Thank you for your time,<br/>Melissa MacCracken</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <p>Michael C. Beltran<br/>State Certified Court Interpreter</p> <p><b>Comment on behalf of org?: No</b></p>                                       | <p>Do not agree with proposed changes</p> | <p>Subject: Opposition to the Proposed Elimination of Travel-Time Compensation for Independent Contractor Court Interpreters<br/>Dear Members of the Judicial Council of California:</p> <p>I am writing to express my strong opposition to the proposal to eliminate travel-time compensation for independent contractor (IC) court interpreters who are state-certified and provide services throughout California.</p> <p>The current travel-time compensation of \$44.00 per hour, together with mileage reimbursement, is not an excessive benefit or an unnecessary expense. It is an important component of the compensation that makes it possible for certified interpreters to travel to counties where qualified language services are needed.</p> <p>Independent contractor interpreters routinely travel significant distances to fulfill assignments. It is not unusual for an interpreter to spend four or five hours traveling each way to a court assignment. That travel time represents a substantial commitment of our professional time. The \$44.00 hourly travel rate does not fully compensate us for the time we spend away from our homes, families, and other professional opportunities. In many instances, the current compensation is already inadequate when we consider traffic congestion, road construction, weather, accidents, delays, and the general unpredictability of California's roads.</p> <p>Mileage reimbursement addresses only the expense of operating a vehicle. It does not compensate an interpreter for the hours of professional time spent traveling. These are two distinctly different costs. Eliminating travel-time compensation while continuing to expect interpreters to travel long distances would effectively require certified professionals to absorb those hours of uncompensated labor themselves.</p> <p>There is also a serious concern with the suggestion that, if certified interpreters are unwilling or unable to accept assignments under these conditions, the Judicial Council may turn to non-certified interpreters.</p> <p>That approach raises a fundamental question: What is the purpose of California's rigorous court interpreter certification system if the courts can simply substitute individuals who have not demonstrated the same level of competence?</p> <p>State-certified court interpreters have made a significant investment in achieving and maintaining professional competency. We have undergone rigorous training, prepared for and successfully passed the state certification examination, and continue to meet professional requirements through continuing education. Certification provides the courts and the public with an objective measure that an interpreter has demonstrated the knowledge and skills necessary to perform this critical function.</p> <p>Non-certified interpreters, by definition, have not demonstrated that same level of proficiency through California's certification process. Their individual qualifications, language proficiency, interpreting skills, and understanding of court procedures may vary considerably. The Judicial Council cannot reasonably assume that replacing a certified interpreter with a non-certified individual will provide the same quality, accuracy, or reliability of interpretation.</p> <p>Court interpretation is not simply a matter of knowing two languages. It requires exceptional command of both languages, accuracy, impartiality, knowledge of legal terminology and court procedures, the ability to interpret rapidly and accurately under pressure, and an understanding of the serious consequences that can result from an interpreting error. In criminal, family, juvenile, civil, and other proceedings, the quality of interpretation can directly affect a person's ability to understand and participate in the judicial process.</p> <p>Access to justice should not be measured solely by the lowest possible cost of providing an interpreter.</p> <p>If the Judicial Council eliminates travel-time compensation, the likely result will not simply be lower costs. It may also be fewer certified interpreters willing to accept assignments outside their immediate geographic areas, particularly assignments requiring many hours of unpaid travel. This could make it more difficult—not easier—to obtain qualified</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                  | Position                                | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
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|                                                                                                            |                                         | <p>interpreters for courts and languages that already face shortages.</p> <p>The current travel-time compensation helps create an incentive for certified interpreters to make themselves available where they are needed. Removing that incentive risks discouraging exactly the professionals the courts should want to retain and attract.</p> <p>Rather than eliminating travel-time compensation, the Judicial Council should consider the broader cost and public-policy implications of doing so. A reliable court system requires qualified interpreters to be available when and where they are needed. Compensating certified professionals reasonably for the substantial time required to travel to those assignments is an investment in the quality, efficiency, and integrity of the judicial process.</p> <p>I respectfully urge the Judicial Council to reconsider this proposal and maintain travel-time compensation for state-certified independent contractor court interpreters.</p> <p>Certified interpreters are not simply interchangeable service providers. We are professionals who have demonstrated our competence through a rigorous state certification process and who continue to maintain that competence through ongoing education and professional development. The courts should recognize and preserve that distinction rather than creating a compensation structure that encourages certified interpreters to decline assignments while making greater use of individuals whose qualifications have not been similarly established.</p> <p>Quality interpretation is an essential component of meaningful access to justice. The compensation structure should support—not undermine—the availability of qualified, certified court interpreters throughout California.</p> <p>Thank you for your consideration of this important issue.</p> <p>Respectfully,</p> <p>Michael C. Beltran<br/>California State-Certified Court Interpreter</p> |
| <p>Michael Hong<br/>Court Certified Mandarin Interpreter</p> <p><b>Comment on behalf of org?:</b> No</p>   | Do not agree with proposed changes      | <p>Do not agree with proposed changes</p> <p>SP26-05 is a short-sighted cost-cutting measure that will harm California's 6.4 million Limited English Proficient residents. Driving certified interpreters out of the courts through rigid, non-negotiable rates will produce more errors, delays, mistrials, and miscarriages of justice. The Council should withdraw this proposal.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <p>Michèle Stevens<br/>Spanish interpreter</p> <p><b>Comment on behalf of org?:</b> No</p>                 | Agree with proposed changes if modified | <p>Dear judicial Council,</p> <p>The administrations of the Superior Courts of CA have created a statewide shortage of interpreter employees by underpaying employees and overpaying Independent Contractors in the courts, therefore disincentivizing employment, in violating CA CODE 71802.</p> <p>Staff interpreters deserve to make the same rates listed in your proposal SP 26-05. If you raise employees' salaries to what they deserve, interpreters will be knocking down the doors of all the courts and you will have as many professional, reliable, happy interpreters as you please. Right now there is an avoidable exodus to the private sector and other states. It an easy fix...incentivize employment, raise staff rates to Federal rate.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <p>Michelle Topete<br/>Spanish Certified Court Interpreter</p> <p><b>Comment on behalf of org?:</b> No</p> | Do not agree with proposed changes      | <p>Dear Judicial Council,</p> <p>Proposal SP26-05 should be rejected.</p> <p>Under the banner of a rate increase, the Council is imposing non-negotiable ceilings, forcing interpreters to remain for entire blocks regardless of actual need, erasing clear session boundaries, and severely restricting travel reimbursement. The predictable result is that many certified interpreters will simply stop accepting Superior Court work.</p> <p>The proposal creates a direct financial incentive to replace certified interpreters with provisionally qualified ones. When a certified interpreter declines the non-negotiable rate, the draft allows the court to declare that interpreter "unavailable" and appoint someone who has never passed a certification exam. The LEP party is not told this has happened. Errors by non-credentialed interpreters are rarely caught in the moment.</p> <p>Turning a rate refusal into a legal finding of unavailability converts a cost-control measure into a structural preference for less-qualified interpreters. This is not language access. It is the appearance of language access at the expense of accuracy and due process.</p> <p>California has 6.4 million Limited English Proficient residents—one out of every six people in the state. These court users have a constitutional right to understand the proceedings that affect their liberty, families, and livelihoods. When</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

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|                                                                                                                                                                                                                               |                                         | <p>the State makes it economically and practically unattractive for qualified interpreters to serve, it is the non-English-speaking public that pays the price through delayed cases, inaccurate interpretation, mistrials, and miscarriages of justice.</p> <p>Cutting interpreter flexibility to save money is false economy. The real cost will appear later in repeated hearings, appeals, and damaged public confidence in the courts. The Judicial Council should not balance budgets on the backs of Limited English Proficient Californians.</p> <p>I urge the Council to withdraw this proposal.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Miguel Carram<br>Judicial Interpreter<br><br><b>Comment on behalf of org?:</b> No                                                                                                                                             | Do not agree with proposed changes      | SP26-05 - August 24, 2026<br><br>Do not agree with proposed changes<br><br>Independent contractor interpreters are needed! Interpreters and entities should be able to negotiate rates amongst themselves as they wish depending on the job, which is a decision made between the two of them and not what (CEAC) wants. Judicial Interpreters have worked long and hard for their licenses and should be able to cover any assignment, at any negotiated rate without a cap. The judicial system at this time needs all the interpreters they can get, but licensed! LEP's will not have the proper assistance, if interpreters are feeling undercut because they will not accept the job and then a very watered down version of interpreters will need to be used and nobody wants that. Judicial interpreters are professionals and also officers of the court and while independent attorneys and court reporters are negotiating their own rates without worrying about a cap, the interpreters wings are trying to get clipped and that is unjust. I completely disagree with what the CEAC is attempting to bring forth with payment changes to independent contractor interpreters and it should remain as it is now, free to negotiate their own rates without caps. Thank you.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Mintao Huang<br>California Court Certified Interpreter, Mandarin and Cantonese<br>Professionally Qualified Interpreter, United States District Courts<br>ATA Certified Translator<br><br><b>Comment on behalf of org?:</b> No | Agree with proposed changes if modified | 21 August 2026<br><br>Position: Agree with the proposal only if modified.<br><br>I am a California court certified interpreter in Mandarin and Cantonese and a professionally qualified interpreter in the United States District Courts. I contract with California trial courts and I also serve private clients, so I have a financial interest here and I state it at the outset. Every figure below comes from a document the Judicial Council has published, so the committee can check it.<br><br>I do not ask the Council to withdraw SP26-05, and I accept that the Budget Act sets the maximum at the federal rate. My objection is narrow. The maximum should govern the ordinary case. It should not be an absolute bar. A ceiling with no exception does not only limit what an interpreter earns. It removes the courts' own ability to reach interpreters who are not local — and in my languages that describes most of the state.<br><br>Three further comments follow: on unavailability, on the ordering of certified and noncertified interpreters, and on the half-day period.<br><br>1. The maximum should be the rule, not an absolute ceiling.<br><br>For counties with established local rosters — Los Angeles, Orange, San Diego, San Francisco — I do not contest the maximum. Those courts fill most calendars at the posted rate, and interpreters who need more, myself included, have already stopped competing for that work. My concern is the hundredth case.<br><br>Paying above the proposed ceiling is not hypothetical. It is current practice. Attachment A records what courts actually paid last year:<br><br>Full-day amounts, all languages and regions (cap \$566) 82 cells with data, 28 (34%) above the proposed cap<br>Half-day amounts, all languages and regions (cap \$320) 86 cells with data, 42 (49%) above the proposed cap<br><br>Highest full-day averages: Mixteco, Region 1 — \$883 · Farsi, Region 4 — \$822 · Farsi and Dari, Region 2 — \$795 · Korean, Region 1 — \$762. Not the languages with abundant local interpreters.<br><br>Those amounts were paid because courts needed coverage they could not otherwise obtain. The proposal makes them unlawful. It does not make the need go away.<br><br>No certified interpreter in my languages lives in Shasta, Siskiyou, San Luis Obispo, or the eastern end of Riverside. I have covered matters in all of them. Someone has to travel, and the premium is not a premium on the interpreting. It is payment for what the assignment actually consumes.<br><br>Figure 1. What a distant assignment actually costs. A matter in a far county can occupy some twenty-eight hours door to door, including a night away in order to be reliably present for the morning calendar. It is paid as one day. Being compensated at roughly the value of a second day for that is not an extraordinary request. It is arithmetic. |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter | Position | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
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|           |          | <p>The same gap opens in the large counties at peak. Local rosters are adequate most of the time and short when filings cluster. On those days the court needs someone from outside the county, and the only reason anyone comes is that the pay reflects the trip.</p> <p>One point deserves emphasis. The existing exception does not oblige a court to pay anything. The court canvasses other interpreters, documents the effort, and the executive officer approves or refuses. What SP26-05 removes is not the court's power to decline. It is the court's power to agree.</p> <p>Proposed amendment. Retain a narrow, documented exception in place of the deleted "Costs Exceeding Normal Rates" section: available only after a diligent search under rule 2.893 has failed to secure a certified or registered interpreter at the maximum rate; written approval by the court executive officer; documentation retained with the claim; annual reporting of its use to the Council. Cost discipline in the ordinary case, a lawful route in the extraordinary one.</p> <p>2. The unavailability provision should be struck.</p> <p>Section III.F deems an interpreter "unwilling to accept the applicable maximum compensation rate" to be unavailable, and sends the court to rule 2.893 on that basis.</p> <p>As a statement of fact it is wrong. An interpreter who declines a rate is not unavailable. She is credentialed, willing, and free on the date. What has not happened is agreement on price.</p> <p>The legal difficulty is worse. Section 68561(a) requires a certified interpreter; subdivision (c) permits a noncertified appointment only for good cause; subdivision (e) requires the record to show that finding. This definition lets a court satisfy that predicate with its own pricing decision. The record would show good cause. The operative cause would be a budget decision that never appears on it. I do not suggest the committee intends this. The language permits it, and that is reason enough.</p> <p>Proposed amendment. Delete "and/or unwilling to accept the applicable maximum compensation rate, established herein," leaving unavailability its ordinary meaning: inability to serve on the requested date.</p> <p>3. Certified interpreters are already being passed over.</p> <p>I have asked repeatedly to join the interpreter rosters of several large county courts, Los Angeles and Orange among them, at each court's own posted rate and not above it. I received no reply and was not added. Certified colleagues report the same. We were not refused on the merits; the inquiries went unanswered. Those courts have meanwhile been covered in substantial part by interpreters holding no certification.</p> <p>To be clear: I have no objection to registered interpreters, nor in principle to provisionally qualified ones, whose service is necessary when no one else can be found. My objection is to the ordering. A certified interpreter who is available, has asked to be engaged, and will work at the posted rate should not be passed over for someone who has not passed the examination. Section 68561 states that as a requirement.</p> <p>Figure 2. Spending on interpreters who are not certified is growing about six times faster than the program that funds it. This is happening now, with no rate disagreement to explain it. A provision deeming a rate refusal to be unavailability would supply documented justification for a substitution already under way without one.</p> <p>4. The half-day period should stay anchored to a court session.</p> <p>Today the four-hour period is fixed to a defined session: morning, beginning no earlier than 8:00 a.m. and ending by 12:15 p.m., or afternoon. Section III.C.1.a removes that anchor. Read with the new duty to remain "obligated to the court for the entirety of the contracted" period, the court may place four hours anywhere in the day while the interpreter is barred from taking anything on either side of it.</p> <p>Figure 3. A floating four-hour window consumes the whole day and is paid as half of one. Under the current boundaries an interpreter engaged for the morning can take an afternoon matter elsewhere. Under the proposal a window placed across the midday break forecloses both ends of the day.</p> <p>The maximums come from the federal schedule. The time definitions do not:</p> <p>Federal schedule source of the proposed maximums — SP26-05 as drafted</p> <p>Half day: Up to four hours — Any portion of any consecutive four-hour period<br/> Full day: More than four hours, up to eight — Both a morning and an afternoon session<br/> Beyond eight hours: Compensated at the hourly rate — No provision</p> <p>A single continuous session of five or six hours is a full day under the schedule the committee is adopting, and a half</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                             | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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|                                                                                                                                       |                                    | <p>day under this policy.</p> <p>Proposed amendment. Restore the morning and afternoon session boundaries; or adopt the federal time definitions together with the federal rates — half day up to four hours, full day above four and up to eight, hours beyond eight at the hourly rate.</p> <p>Closing</p> <p>The committee is addressing a real problem. Costs rose nineteen percent in one fiscal year against a fixed allocation, and courts bidding against one another for the same small workforce is not sustainable. I do not dispute the framework, and I do not seek more than the maximum in the ordinary case. I ask only that the extraordinary case remain possible.</p> <p>Figure 4. The interpreters who can still make the trip are a shrinking group. Fifty-four credentialed interpreters in this state are under thirty-five. Five hundred and ninety-six are sixty-five or older. Long-distance coverage depends on the left of this chart, and there is very little of it.</p> <p>THE POINT I WOULD MOST ASK THE COMMITTEE TO CONSIDER</p> <p>An absolute ceiling does not only remove an interpreter's opportunity to serve a distant court. It removes the court's own mobility — its ability to reach beyond the county for an interpreter it cannot find at home. That capacity is thin and thinning, as Figure 4 shows. Interpreters late in a career are the least willing to drive four hours each way and stay the night. The ones who will still make the trip are the ones for whom it remains worth making. Remove the financial reason and the trip stops being made — not because anyone refused the work, but because no one is left who can afford to accept it. The court that loses most is the rural court. The person who loses most is the litigant waiting in it.</p> <p>I am grateful for the opportunity to comment, and would gladly provide the underlying calculations, or examples of the assignments described, to committee staff.</p>                                                                                                                                   |
| <p>Mireya Coria<br/>Contract interpreter<br/>AJIC</p> <p><b>Comment on behalf of org?: No</b></p>                                     | Do not agree with proposed changes | <p>To Whom It May Concern:</p> <p>I am contacting you to communicate my concerns about the current proposal to modify the current payment policies for contract interpreters starting in 2027.</p> <p>I strongly oppose SP26-05 given that it limits contract interpreters' availability to work, and it decreases our payment rates significantly.</p> <p>It also limits interpreters by being classified as "unavailable" to justify courts to contact professionally qualified interpreters. This will affect contract interpreters all over the state by diminishing our workload and lowering the standard for court interpreters all around. All of this can be easily avoided by meeting with organizations such as AJIC, who are willing to assist with proposing better solutions that reflect interpreters' needs.</p> <p>I appreciate this opportunity to comment on my concerns about SP26-05 and look forward on hearing about improved changes for all contract interpreters.</p> <p>-Mireya Coria</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <p>Miriana Moran<br/>Court Interpreter In Training<br/>Freelance Interpreter<br/>Self</p> <p><b>Comment on behalf of org?: No</b></p> | Do not agree with proposed changes | <p>SP26-05 - August 24, 2026</p> <p>Position on Proposal<br/>Do not agree with proposed changes</p> <p>Comments<br/>Dear Judicial Council,</p> <p>I submit these comments in opposition to the proposed revisions in SP26-05.</p> <p>The proposal's non-negotiable rate structure, rigid four- and eight-hour blocks, removal of clear morning/afternoon session definitions, and tightly restricted travel rules will significantly reduce the willingness of certified interpreters to accept court work. Once experienced interpreters leave or limit their availability, the courts will face greater difficulty covering calendars with qualified professionals.</p> <p>I am particularly concerned regarding the proposal's definition of "unavailability." The draft states that an interpreter is considered unavailable if they "are unwilling to accept the maximum compensation rate established in the policy." Once that finding is made, and after a diligent search, the court may appoint a non-registered or non-certified interpreter under rule 2.893. This provision turns a simple rate refusal into a legal finding of unavailability. In practice, it creates a direct financial incentive to replace a certified interpreter who declines the capped rate with someone who has never passed a certification examination. Limited English Proficient court users are never informed that this substitution has occurred. Certification exists because neither the judge nor counsel can evaluate the accuracy of the interpretation in real time. By converting a cost-control measure into a structural preference for less-qualified interpreters, the proposal undermines the very safeguard the credential was designed to provide. This is not language access. It is the appearance of language access at the expense of accuracy and due process.</p> <p>This outcome directly affects California's Limited English Proficient population—approximately 6.4 million people, or one in six residents. Meaningful language access is a due-process requirement, not an optional expense. When</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                    | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
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|                                                                                              |                                    | <p>certified interpreters are driven away by inflexible and non-negotiable terms, the quality of interpretation declines. Errors, continuances, and in the worst cases mistrials or miscarriages of justice become more likely. Any short-term budget savings will be outweighed by the long-term costs of remedying those failures.</p> <p>California has long recognized the importance of language access in a diverse state. This proposal moves in the opposite direction. I urge the Judicial Council to reject the current draft and maintain the flexibility necessary to attract and retain qualified certified interpreters.</p> <p>Respectfully, Miriana Moran, Court Interpreter In Training</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <p>Miwako Yamamoto<br/>Miwako K Yamamoto LLC</p> <p><b>Comment on behalf of org?: No</b></p> | Do not agree with proposed changes | Do not agree with proposed changes                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <p>Monica P. Almada, CCI</p> <p><b>Comment on behalf of org?: No</b></p>                     | Do not agree with proposed changes | <p>To the Judicial Council's Court Executives Advisory Committee (CEAC),</p> <p>I would like to thank you for the proposed raises to the current very low Court Interpreter Fees to match the current Federal Court Interpreter fees of \$320 / \$566, which actually will be out of date in just over one month - as of Oct 1, 2026 (set to increase by \$29 / \$51 respectively) - It would be great if the proposal's language would include all future Federal rates' increases to maintain the intended parity.</p> <p>I find in your proposal many concerning areas that must be brought to your attention:</p> <p>1) it makes said rates non-negotiable. The flexible arrangements interpreters have with individual courts, which include higher rates, travel differentials, negotiated mileage, adjustments for hard-to-cover calendars, will basically disappear as Courts will no longer be allowed to pay above the federal maximum. This makes the proposal look like a raise, but in reality, it is pay cut in disguise, especially for those who interpret indigenous or other exotic languages. These languages' rates are well above the proposed rates, not from overpayment but from scarcity. Failing to consider them could cause their current scarce availability to be extinguished.</p> <p>2) It proposes rigid 4-hour and 8-hour blocks. The proposal treats independent contractors as employees, by forcing them to remain available for the whole 4-hour block of time, even if a morning calendar ends early, for example, preventing them from taking other jobs, as if they were under an employee contract, and were not independent.</p> <p>3) It strangely proposes the 4-hour block of time to shift throughout the day, so if an interpreter starts later than 8 AM, the block bleeds into the afternoon, preventing the interpreter from obtaining another job to complete a full day of work. Why prevent anyone from working a full day to earn a living? Defining a half day work as a consecutive 4-hour period without a fixed start time that allows an interpreter to work a full day, causes unnecessary harm, which could also mean that the interpreter is forced to take other assignments within normal blocks of hours, simply to be able to make ends meet, reducing their availability in Courts.</p> <p>4) it restricts travel reimbursement. Not allowing an independent contractor to negotiate it, again blurs the line of the actual contract relationship from independent to employee. Independent contractors by definition are free to negotiate, including travel reimbursement.</p> <p>5) Most alarmingly, it proposes that, if a certified interpreter is available and willing to accept an assignment, but declines to accept the capped rate, a non-certified interpreter can easily be hired in his/her place, falsely noting that a certified interpreter was simply "unavailable". It is hard to imagine that this part of the proposal is other than an error that needs to be immediately corrected, as I am sure nobody from the Committee is promoting recording false statements on paper to manipulate rate payments. The most disturbing part is that it proposes to easily and completely ditch an entire profession, the arduous path to certification, strict continuous education requirements to ensure access to justice for LEP residents, and simply allow absolutely unprepared people with no interpreting skills to do the job, endangering the LEP resident, and defeating the purpose of our justice system. This is no different than refusing to pay a surgeon his/her rates, quickly hiring a secretary to perform the surgery, and adding insult to injury by falsely stating the doctor was unavailable; the latter sounds, in my opinion, like a fraudulent manipulation of facts, completely defying the strict dictionary definitions of the words "Available" and "Unavailable". Roughly one in six Californians are LEP residents, who depend on professional interpretation to understand and participate in legal proceedings. When certified professionals leave the field or decline low-paying, inflexible assignments, those court users are left with unqualified substitutes who have actually caused real harm in the past: misunderstandings, delayed proceedings, mistrials, and in the worst cases, miscarriages of justice.</p> <p>When making this proposal it is imperative to keep in mind the real market conditions, and ensure the proposed rates</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                               | Position                                | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
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|                                                                                                                                                         |                                         | <p>and terms accurately reflect them. The current proposal and its immediate consequences, without the proposed corrections and changes, come across as discriminatory actions against our limited English proficient population. If the State is looking to reduce its legal-process budget, it should not do so at the expense of the due process rights of the population it claims to protect.</p> <p>I ask that you please consider these changes, for the benefit of, and to protect, a very large part of our California population in need of equal access to justice.</p> <p>Kind Regards,</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <p>Mylene Green<br/>Certified Court Interpreter<br/>(Spanish Language)<br/>Self Employed</p> <p><b>Comment on behalf of org?: No</b></p>                | Agree with proposed changes if modified | <p>Agree with proposed changes if modified</p> <p>I travel to courthouses that are far away, who rely in great part on out-of-the-area interpreters. I would no longer consider those courthouses because of the lack of paid travel time. This is something that should be reconsidered since I am one of many independent contractors, who are in the same position.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <p>Naeem Mazhar<br/>CA Court Certified Hindi &amp; Urdu Interpreter</p> <p><b>Comment on behalf of org?: No</b></p>                                     | Do not agree with proposed changes      | <p>The Proposal SP26-05 is clearly a cleverly crafted proposal to do harm to interpreters &amp; the LEP public at large. I brought my competent service from immigration courts to CA courts because I could negotiate better rates. This proposal would drive away professionals like me from CA courts. When experienced interpreters leave because rates are capped and inflexible, Limited English Proficient people would lose meaningful access to justice. I ask the Council to reject these changes and preserve the ability of courts to secure competent interpretation.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <p>NAJIT Board of Directors<br/>National Association of Judiciary Interpreters and Translators (NAJIT)</p> <p><b>Comment on behalf of org?: Yes</b></p> | Do not agree with proposed changes      | <p>Comments on SP-26-05, Court Interpreters:<br/>Revisions to Payment Policies for Independent Contractor Interpreters</p> <p>Dear Chief Justice Guerrero and Members of the Judicial Council:</p> <p>The National Association of Judiciary Interpreters and Translators (NAJIT) wishes to express its appreciation for the opportunity to comment on these proposed revisions. NAJIT commends the Judicial Council of California for recognizing the importance of effective language access in California's courts and for acknowledging interpretation as a profession indispensable for enabling the judiciary to deliver effective access to its courts to persons with limited English proficiency.</p> <p>Founded in 1978, NAJIT represents judiciary interpreters, legal translators, and ancillary stakeholders committed to advancing professional standards and ensuring equal access to justice for individuals who are limited English proficient.</p> <p>We have identified some items in your proposed payment policies we wish to highlight for your consideration.</p> <p>1. The proposal appears to set a "one size fits all" compensation structure for state interpreters of varied qualifications. The model it seeks to emulate from the Administrative Office of the United States Courts (AOUSC) establishes three tiers of compensation based on certification test availability and scores.:</p> <ul style="list-style-type: none"> <li>- Compensating state certified interpreters at the same level of federally certified interpreters should be equally scaled to reflect the competency levels demonstrated through objective test results. Interpreters with credentials requiring a lower test score should be proportionately compensated rather than having a single rate for all interpreters that does not incentivize higher levels of skills and knowledge. See, for example, the National Center for State Courts' State Court Interpreter Testing Desk Reference Manual, §14.<br/><a href="https://nationalcenterforstatecourts.app.box.com/s/han8yeln3luel1das8pfd5dj4sxcwk4g">https://nationalcenterforstatecourts.app.box.com/s/han8yeln3luel1das8pfd5dj4sxcwk4g</a>.</li> <li>- While we support compensating judiciary interpreters according to demonstrated skills and knowledge levels, interpreters working in uncertified languages should have a path to become eligible for higher rates of compensation through proper credentialing. We offer two recommendations for this: <ul style="list-style-type: none"> <li>o Adopt the certification examinations available from the National Center for State Courts in all languages not presently being certified in California; and</li> <li>o Where no exam currently exists, develop a method to qualify interpreters for the higher rate of compensation.</li> </ul> </li> <li>- Compensation practices should also reflect local cost of living and independent contractors' cost of doing business. California courts can attract and retain highly qualified interpreters through fair compensation practices, thereby ensuring meaningful language access for the State's LEP population.</li> <li>- Even though the proposal recognizes that the federal rates will increase effective October 1, 2026, it proposes using</li> </ul> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

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|                                                                                                                                                                                                 |                                           | <p>the current rates that have been in place since January 1, 2023. We recommend using the October 1st rates in order to prevent obsolescence even before the new rates go into effect.</p> <p>2. With respect to “Standardized contracting requirements” and §II.C.1., NAJIT recommends a policy similar to the one currently in effect in the State of New Jersey: “If interpreting time is less than the contracted unit of time and the VCIS or designee determines that there is no reasonable probability that other language needs for the contract interpreter will arise (including telephone and video interpreting), with consent of the VCIS or designee, the contract interpreter may check out with the VCIS or designee and the Judiciary agrees to pay for the full period of time originally contracted (within the constraints of the cancellation policy).” II.4.a. on p. 12 of New Jersey’s Professional Service Statement of Work, <a href="https://www.njcourts.gov/sites/default/files/public/language-services/pssw-ls-sample.pdf">https://www.njcourts.gov/sites/default/files/public/language-services/pssw-ls-sample.pdf</a>.</p> <p>3. With respect to travel time, NAJIT recommends that the compensation policy include a provision for the time an interpreter must invest traveling to and from an assignment. This is an integral part of the overall commitment the interpreter makes in order to provide the required services to the court. See, for example, the Blanket Service Agreement for Contract Court Interpreters in federal courts. (<a href="https://www.uscourts.gov/file/rateinfosheetpdf">https://www.uscourts.gov/file/rateinfosheetpdf</a>).</p> <p>4. With respect to the unavailability language, §III.F states that an interpreter should be considered unavailable if “unwilling to accept the maximum compensation rate established in the policy.” NAJIT strongly recommends eliminating that language because it goes against the nature of an independent contractor’s relationship with the courts as their client, and would constitute an inappropriate intrusion into the interpreters’ private business practices.</p> <p>5. With respect to the proposed change in fixed schedules for half-day rates on morning and afternoon court sessions, NAJIT recommends that the judiciary retain “fixed schedules based on morning and afternoon courts sessions.” Four-hour segments during any part of the day have the potential to reduce an independent contractor’s work opportunities elsewhere, which would make working for the courts much less attractive, regardless of the rate increases.</p> <p>We encourage the Judicial Council to reconsider the portions of the proposed Revisions to Payment Policies for Independent Contractor Interpreters that we have mentioned above, in order to be better aligned with the current market conditions for judiciary interpreters who are independent contractors and the needs of the LEP populations in the State of California. You may contact NAJIT at <a href="mailto:office@najit.org">office@najit.org</a> should you have any additional questions for us.</p> <p>Respectfully submitted,<br/>NAJIT Board of Directors</p> |
| <p>Nancy Gallardo<br/>Certified Medical Interpreter / Education Interpreter / Conference Interpreter / Community Interpreter<br/>NAETISL, AAITE</p> <p><b>Comment on behalf of org?: No</b></p> | <p>Do not agree with proposed changes</p> | <p>Dear Judicial Council,</p> <p>I submit these comments in strong opposition to the proposed revisions in SP26-05.</p> <p>The proposal’s non-negotiable rate structure, rigid four- and eight-hour blocks, removal of clear morning/afternoon session definitions, and tightly restricted travel rules will significantly reduce the willingness of certified interpreters to accept court work. Once experienced interpreters leave or limit their availability, the courts will face greater difficulty covering calendars with qualified professionals.</p> <p>Of particular concern is the proposal’s definition of “unavailability.” The draft states that an interpreter is considered unavailable if they “are unwilling to accept the maximum compensation rate established in the policy.” Once that finding is made, and after a diligent search, the court may appoint a nonregistered or noncertified interpreter under rule 2.893. This provision turns a simple rate refusal into a legal finding of unavailability. In practice, it creates a direct financial incentive to replace a certified interpreter who declines the capped rate with someone who has never passed a certification examination. Limited English Proficient court users are never informed that this substitution has occurred. Certification exists because neither the judge nor counsel can evaluate the accuracy of the interpretation in real time. By converting a cost-control measure into a structural preference for less-qualified interpreters, the proposal undermines the very safeguard the credential was designed to provide. This is not language access. It is the appearance of language access at the expense of accuracy and due process.</p> <p>This outcome directly affects California’s Limited English Proficient population—approximately 6.4 million people, or one in six residents. Meaningful language access is a due-process requirement, not an optional expense. When certified interpreters are driven away by inflexible and non-negotiable terms, the quality of interpretation declines. Errors, continuances, and in the worst cases mistrials or miscarriages of justice become more likely. Any short-term budget savings will be outweighed by the long-term costs of remedying those failures.</p> <p>California has long recognized the importance of language access in a diverse state. This proposal moves in the opposite direction. I urge the Judicial Council to reject the current draft and maintain the flexibility necessary to attract and retain qualified certified interpreters.</p> <p>Respectfully,</p> <p>Nancy Gallardo</p> <p>Certified Medical Interpreter</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                     | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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| Natalia Garcia Pasmanick<br><br><b>Comment on behalf of org?: No</b>                                          | Do not agree with proposed changes | The proposed changes will endanger the judicial system and the public at large. Using trained and certified interpreters is non negotiable if California values the integrity of judicial proceedings. These changes will lead to a massive misuse of public funds. Not paying professionals will mean a lot of wasted time and wasted public resources long term in order to deal with the many issues that will undoubtedly arise as a result.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Natasha Kharikova<br>Certified Russian-language court interpreter<br><br><b>Comment on behalf of org?: No</b> | Do not agree with proposed changes | The proposal's non-negotiable rates, removal of clear morning/afternoon session definitions, and restrictive travel rules will reduce the willingness of certified interpreters to accept court assignments. As experienced interpreters become less available, courts will face increasing difficulty covering calendars with qualified professionals. Moreover, the proposal creates a direct financial incentive to replace certified interpreters with provisionally qualified interpreters, undermining the quality and effectiveness of language access. As a certified Russian-language court interpreter, I am particularly concerned about the impact on less commonly spoken languages, such as mine. Maintaining proficiency and availability in these languages requires flexibility in compensation to reflect market demand and the real cost of remaining available when needed. The proposed changes would eliminate that flexibility by imposing maximum rates and limiting courts' ability to adjust compensation. For many interpreters, this could make Superior Court assignments, and potentially remaining in the profession at all, economically unsustainable. California has long been a national leader in ensuring meaningful language access for all. It is therefore deeply concerning to see a proposal that could undermine access to qualified court interpreters. I urge the Judicial Council to reject the current draft and preserve the flexibility needed to attract and retain qualified certified interpreters.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Nevin Krizman<br><br><b>Comment on behalf of org?: No</b>                                                     | Do not agree with proposed changes | SP26-05 is a short-sighted cost-cutting measure that will harm California's 6.4 million Limited English Proficient residents. Driving certified interpreters out of the courts through rigid, non-negotiable rates will produce more errors, delays, mistrials, and miscarriages of justice. The Council should withdraw this proposal.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Nick Zacherl<br>techlexlanguages.com<br><br><b>Comment on behalf of org?: No</b>                              | Do not agree with proposed changes | <p>According to the December 17th, 2025 JCC Workforce study:<br/> Augmentation to the annual appropriation for the Trial Court Trust Fund, Court Interpreters Program is recommended as a first-line approach to securing Language Access, and plans to expand this funding from the General Fund should be first priority (pages 9, 11, 18)<br/> The "100-day rule" should indeed be eliminated to maximize market flexibility and efficiency (page 9).<br/> Freelancers (1193) outnumber Employee interpreters (673) working in the state, with a clear trend: over a 15 percent decline between 2024 and 2025. (page 17)<br/> Market rates are currently at \$140 per hour for freelancers (page 20). Since freelancers traveling more than 1.5 hours one-way to an assignment cannot be expected to fit 2 half-days in one working day, the market reality is that freelancers traveling over 1.5 hours one way for in-person work must charge full days, which are now worth approximately \$1,200.<br/> Courts paying for freelancers who work in-person need to adopt this reality into budgeting for freelance work.<br/> Shortages in Languages Other Than Spanish present an issue for language access in the courts (page 8). California should recognize certification in LOTS (French, for Example) when court certification in LOTS is granted by other states, and recruit these certified LOTS interpreters as a priority, rather than demoting certain certified interpreters to Registered status despite full certification per NCSC Consortium standards in non-California states.<br/> Conclusion:<br/> The 17th, 2025 JCC Workforce study outlines the balance that must be struck between market realities, and the need to provide uncompromising language access in the California courts.<br/> The first line approach should, simply put, be to increase interpreter funding rather than risk losing experienced, valuable interpreters to an open market the California Courts clearly recognize in the Workplace Study, are powerless to control, and which interpreters are free to enjoy.<br/> Market Realities:<br/> The market for certified court interpreters applies to and clearly shapes both employee and freelance interpreter careers and choices.<br/> Employees are clearly leaving for the freelance market because, on the freelance market, one is free to expect:</p> <ul style="list-style-type: none"> <li>•</li> <li>• Between \$200,00 and \$300,000 per year in financial compensation.</li> <li>•</li> <li>•</li> <li>• The freedom to leave the workplace once interpreter work is completed (not after, or at 5PM as a rule, and a key reason interpreters leave</li> </ul> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                    | <ul style="list-style-type: none"> <li>• staff positions for the free market)</li> <li>•</li> <li>•</li> <li>•</li> <li>• The freedom to contract with and work for whomever one pleases,</li> <li>•</li> <li>•</li> <li>• The freedom to negotiate and set fair market rates, including individually negotiated flat daily rates</li> <li>•</li> </ul> <p>California will continue to lose employee interpreters to the freelance market so long as employees are deprived of these freedoms and expectations.<br/>The overuse of remote interpreting and the use of uncertified interpreters will compromise access to justice and should be avoided.<br/>Attempting to deprive professionals working in a free and open market of their ability to negotiate market rates will simply cost California Courts language access due to interpreters shifting their services to clients (as mentioned in the Workplace Study) willing to pay market rates.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Noel Dawit Abraham<br>NDA Interpreting &<br>Translating Services LLC<br><br><b>Comment on behalf of org?: No</b>                                                                                                                                                                                                                                                                                                                                                    | Do not agree with proposed changes | <p>Do not agree with proposed changes</p> <p>Independent contractors need to have the ability to negotiate their own rates according to the market.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Noemi Gonzalez-Rocha<br>The Medical/Community<br>Interpreter International®<br>Trainer, CA Court<br>Certified Interpreter, ATA<br>Certified Translator,<br>Language Justice<br>Advocate, Consultant &<br>Coach, Events Director,<br>CAPIT's Judicial<br>Interpreters' Committee<br>Chair.<br>A Simple Translation<br>California Association of<br>Professional Interpreters &<br>Translators (CAPIT,<br>formerly NCTA)<br><br><b>Comment on behalf of org?: Yes</b> | Do not agree with proposed changes | <p>Dear Court Interpreters Advisory Committee,</p> <p>Dear Judicial Council,</p> <p>I submit these comments in strong opposition to the proposed revisions in SP26-05.</p> <p>First, this proposal seeks to make cuts at the expense of the rightful access to the justice system for millions of Californians who speak a language other than English. This outcome directly affects them, to the tune of approximately 6.4 million people, or one in six residents. Meaningful language access is a due-process requirement, not an optional expense. When certified interpreters are driven away by inflexible and non-negotiable terms, the quality of interpretation declines. Errors, continuances, and in the worst cases mistrials or miscarriages of justice become more likely. Any short-term budget savings will be outweighed by the long-term costs of remedying those failures.</p> <p>Additionally, the proposal's non-negotiable rate structure, rigid four- and eight-hour blocks, removal of clear morning/afternoon session definitions, and tightly restricted travel rules will significantly reduce certified interpreters' willingness to accept court work. But please make no mistake, this is not truly a choice for us. The proposed rates make it impossible to earn a decent wage, considering our high health insurance costs, self-employment taxes, liability insurance, etc., let alone save for retirement. Once experienced interpreters leave or limit their availability, the courts will face greater difficulty covering calendars with qualified professionals.</p> <p>Of particular concern is the proposal's definition of "unavailability." The draft states that an interpreter is considered unavailable if they "are unwilling to accept the maximum compensation rate established in the policy." Once that finding is made, and after a diligent search, the court may appoint a nonregistered or noncertified interpreter under rule 2.893. This provision turns a simple rate refusal into a legal finding of unavailability. In practice, it creates a direct financial incentive to replace a certified interpreter who declines the capped rate with someone who has never passed a certification examination. Limited English Proficient court users are never informed that this substitution has occurred. Certification exists because neither the judge nor counsel can evaluate the accuracy of the interpretation in real time. By converting a cost-control measure into a structural preference for less-qualified interpreters, the proposal undermines the very safeguard the credential was designed to provide. This is not language access. It is the appearance of language access at the expense of accuracy and due process.</p> <p>California has long recognized the importance of language access in a diverse state. This proposal moves in the opposite direction. I urge the Judicial Council to reject the current draft and maintain the flexibility necessary to attract and retain qualified certified interpreters.</p> <p>Respectfully,</p> <p>Noemi Gonzalez-Rocha<br/>           A Simple Translation<br/>           Serving the SF Bay Area &amp; Phoenix, AZ</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                           | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
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|                                                                                                                                                     |                                    | <p>The Medical/Community Interpreter International® Trainer<br/> CA Court Certified Interpreter<br/> ATA Certified Translator<br/> Language Justice Advocate, Consultant &amp; Coach<br/> Events Director, California Association of Professional Interpreters &amp; Translators (CAPIT, formerly NCTA)<br/> CAPIT's Judicial Interpreters' Committee Chair</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <p>Noemi Meza<br/> Non-Attorney Hearing Rep<br/> FAST Services</p> <p><b>Comment on behalf of org?: Yes</b></p>                                     | Do not agree with proposed changes | <p>Proposal SP26-05 will reduce the availability of qualified certified interpreters in our courts. When experienced professionals leave because rates are capped and inflexible, Limited English Proficient Californians—approximately one in six residents—lose meaningful access to justice. I ask the Council to reject these changes and preserve the ability of courts to secure competent interpretation.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <p>Norma Herrera<br/> Interpreter</p> <p><b>Comment on behalf of org?: No</b></p>                                                                   | Do not agree with proposed changes | <p>Proposal SP26-05 will reduce the availability of qualified certified interpreters in our courts. When experienced professionals leave because rates are capped and inflexible, Limited English Proficient Californians—approximately one in six residents—lose meaningful access to justice. I ask the Council to reject these changes and preserve the ability of courts to secure competent interpretation.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <p>Ofelia Sandoval<br/> Certified Spanish Interpreter</p> <p><b>Comment on behalf of org?: No</b></p>                                               | Do not agree with proposed changes | <p>To Whom It May Concern:</p> <p>I feel the need to voice my concerns regarding these revisions. Specifically, removing travel time compensation. I started traveling to other counties in 2021, not by choice. We independent contractors are bound by the 100 day rule in region 3 and are forced to travel to other counties to maintain full time employment. Removing travel time compensation would be a severe hardship.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <p>Olivia Singier et. al.<br/> California Association of Professional Interpreters and Translators</p> <p><b>Comment on behalf of org?: Yes</b></p> | Do not agree with proposed changes | <p>The California Association of Professional Interpreters and Translators (CAPIT) submits this comment in opposition to SP26-05 Court Interpreters: Revisions to Payment Policies for Independent Contractor Interpreters on behalf of Limited English Proficient (LEP) Californians, court users and litigants, certified and registered court Interpreters across California, independent contractor Interpreters, and court employees alike.</p> <p>Negative Impact on LEP Users<br/> The Draft is flawed because its fiscal analysis measures Interpreter spending but does not measure the negative language-access impact on limited English proficient (LEP) court and out-of-court users, nor the costs that said impact generates. That conclusion is asserted, not demonstrated, which leads to potentially deeply inequitable outcomes for immigrants.</p> <p>Contradicting Existing and Proposed Credential Review Procedures<br/> The Judicial Council is moving into two contradicting directions at once. SP26-04 proposes strengthening credential review procedures for credentialed Interpreters. SP26-05 expands reliance on provisionally qualified Interpreters whom the Judicial Council's existent and proposed procedures cannot reach. The Judicial Council cannot claim to be proposing safeguards to protect the rigor of credentialed Interpreters, while making it easier for provisionally qualified Interpreters to be used instead of credentialed ones.</p> <p>Certified and provisionally qualified Interpreters are not interchangeable. Errors made by the latter are not detectable in real time. Judges and counsel are generally not fluent in the non-English language, court reporters are tasked with only capturing the spoken English, and likely none of them have been evaluated for their language abilities the way certified Interpreters have.</p> <p>Errors surface on appeal, if ever, and only if someone who is bilingual was in the room and objected. The certification</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

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|           |          | <p>requirements exist precisely because after-the-fact detection does not work. More provisional appointments mean more undetected error, and no line item captures the cost to the parties and to the court of litigating a challenged case again. Further, nothing under the Judicial Council's current procedures holds them accountable.</p> <p>The Draft Treats Interpreters as a Line Item, Not as The Workforce Language Access Depends On<br/>The third group this Draft affects is the people who do the work. They are the only group SP26-05 models; and it models them as a cost.</p> <p>1. NEGATIVE IMPACT ON LEP USERS<br/>A limited English proficient party in a California courtroom cannot evaluate the language proficiency of the Interpreter standing next to them. They cannot tell whether a rendered interpretation of a question was rendered accurately, whether their answer was compressed, or whether a hesitation or a correction was dropped. They have no way of knowing whether the person interpreting for them passed a state examination or was engaged that morning because a certified Interpreter declined the court's rate. LEPs are asked to place everything—their testimony, their understanding of what a judge just ordered, their liberty and in some cases and their children—in a person whose qualifications they cannot see and would not be told about.</p> <p>The certification requirement exists for this reason, not because certified Interpreters are better people. Neither the court user, nor the judge, nor counsel, nor the court reporter can perform the language proficiency check themselves. The credential is the only proxy any of them have.</p> <p>The Lep Population Matters. LEP court users have little political power, appear disproportionately in high-consequence and low-visibility proceedings, and are those least likely to detect a miscarriage of justice or to be positioned to protest one. A safeguard aimed at this population must be structural, because it will not be enforced from below.</p> <p>The Judicial Council has been told, in detail, that the existing protections are already failing<br/>On August 4th, 2026—twenty days before comments on this Draft were due—more than three dozen legal services and civil rights organizations submitted a joint letter to the Advisory Committee on Providing Access and Fairness documenting the current state of language access in California courts.</p> <p>That letter should be read alongside SP26-05 because it describes the conditions this Draft would be adopted into.</p> <ul style="list-style-type: none"> <li>- In an unlawful detainer matter in Los Angeles, a judicial officer declined to wait for a Spanish Interpreter, calling it an inefficient use of resources, and ruled. The litigant learned what had happened only after the hearing ended.</li> <li>- In another Los Angeles unlawful detainer case, two judicial officers pressed the Cantonese-speaking tenant to proceed without an Interpreter. When asked the tenant's own attorney to interpret. Counsel had to explain on the record that she and her client did not share a language. A judicial officer told her that insisting on an Interpreter would hurt her client in settlement because the landlord's fees would keep accruing. In Santa Barbara County, Self-Help Center staff tell Mixteco-speaking court users to bring their own Interpreters.</li> <li>- Multiple courts—Merced, San Benito, Napa, Ventura, Orange County small claims—direct court users to bring a friend or family member to interpret their proceedings.</li> </ul> <p>The joint letter documents that Rule 2.893 is not being followed even now. The signatories report that when untrained bilingual family members do end up interpreting, judicial officers frequently fail to provisionally qualify them as the rule requires. That finding matters more here than anywhere else in the letter: SP 2605 rests its entire safeguard on Rule 2.893 compliance and a coalition of the organizations that appear in these courtrooms daily has just told the Judicial Council the rule is being skipped.</p> <p>SP26-05 makes that proxy negotiable. Section III.F of the Draft provides that an Interpreter unwilling to accept the maximum rate is "considered unavailable;" and unavailability is what permits a court to appoint someone who holds no credentials at all. The LEP party is never told this happened. Nothing in the Draft requires it.</p> <p>The fiscal analysis is incomplete on its own terms. The stated purpose is to control costs and make sure language access needs continue to be met. The Draft spends pages on dollars—\$135 million, \$20 million more, 19% cost growth, \$7 million to match federal rates. It says nothing about interpretation accuracy, error rates, or outcomes for the people who need professional Interpreters.</p> <p>We recognize that a fiscal analysis is about money and we address it on that basis. The problem with that approach is that it accounts for only one side of the ledger. Failed interpretation generates additional costs the courts must pay:</p> <ul style="list-style-type: none"> <li>- Continuances when no Interpreter can be secured—courtroom, judicial, clerk, council, and party time, consumed twice.</li> <li>- Appeals alleging errors in interpretation, and the briefing and record preparation required.</li> </ul> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

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|           |          | <p>- Reversals and retrials. No line item in this draft captures the cost to the parties and to the court of litigating a challenged case again. A single retrial exceeds the per diem differential on hundreds of assignments.</p> <p>- Post judgment litigation, surfacing years after the per diem was saved.</p> <p>- Exposure to Civil Rights litigation under Title VI and Government Code Section 11135. The Department of Justice language Access investigation into the Superior Court of California, County of Los Angeles closed only in 2020.</p> <p>The Court Executives Advisory Committee (CEAC) asked courts to estimate savings, training hours, and case management changes. It did not ask a single question about interpretation quality, or about any of the costs listed above. A cost containment analysis that omits the cost generated by the containment measure is not complete, and the \$7 million estimate cannot be relied upon.</p> <p><b>2. CONTRADICTING EXISTING AND PROPOSED CREDENTIAL REVIEW PROCEDURES</b></p> <p>This Draft and SP26-04 are out for comment at the same time, from the same Judicial Council. One tightens accountability for the people who are accountable under the proper credentialing process. The other creates a financial incentive to use the people who are not. Read together, they do not describe a coherent policy; rather, it describes a system tightening its grip on the credential while quietly reducing how often the credential is required.</p> <p>The Council should not adopt this in isolation from one another</p> <p>The contradiction is structural, not incidental. Credential review works because there is a credential to lose. A certified or registered Interpreter who violates the Code of Professional Conduct can be suspended or have their credential revoked, and that consequence is what gives the Code its force. A provisionally qualified Interpreter holds no credential. There is nothing to review, nothing to suspend and no statewide record that follows them. A court can decline to use that person again; but the next court has no way to know.</p> <p>So, the ethical rules bind least tightly exactly where the training is thinnest. SP26-05 will produce more of it, by design. Section III.F of the Draft converts a rate refusal into a finding of unavailability, and unavailability is what unlocks provisional qualification.</p> <p>Rule 2.893 is being used for something it wasn't built for. The rule exists for languages of lesser diffusion, where no credential is possible because no exam has been developed and there is no candidate pool to develop one for. A court that needs an Interpreter in one of those languages has no credentialed option and provisional qualification is the only mechanism available. That is the way the rule works.</p> <p>Using it for designated languages is a different thing entirely. A provisionally qualified Spanish Interpreter is, by definition, someone who did not pass the bilingual interpreting exam or never sat for it—in a language with hundreds of Spanish certified Interpreters in this state. The rule would be invoked not because no qualified person exists, but because a qualified person costs more. Section III.F of the Draft makes that substitution automatic.</p> <p>Certified and provisionally qualified Interpreters are not interchangeable</p> <p>The Draft treats them as the same product at two different prices. They are not. And the difference does not show up on the record until it is too late to fix.</p> <p><b>Example 1: Credential misrepresentation and abandonment of a live assignment.</b></p> <p>What happened. A non-certified Spanish Interpreter hired by a defense attorney appeared in a civil matter where a staff Interpreter was also working. Under oath, on the record, she stated that she was a certified court Interpreter and gave a certification number that was not hers. In reality, she was not certified. On the same day, the court's Interpreter Services Office separately engaged her as a provisionally qualified Interpreter to cover a Portuguese matter in traffic court, so the office that hired her knew she was not certified at the very moment she was telling a judge in another courtroom that she was. Her assignment was to interpret for the defense attorney's client but she left the civil proceeding to cover the traffic court assignment. Her client in the civil matter was left without the Interpreter he had been provided, and the staff Interpreter ended up interpreting for him. Later on, the staff Interpreter later on learned from the Interpreter Services coordinator that the provisionally qualified Interpreter was late to her traffic court assignment.</p> <p>What the standard required. Government Code Section 68561(e) requires Interpreters to establish their qualifications to the court, and rule 2.893 governs Interpreter conduct and conflicts. A provisionally qualified Interpreter under rule 2.893 is qualified for a specific court, a specific language, and a specific case; the qualification is provisional, temporary; it is not a credential to be represented as certification somewhere else. An Interpreter cannot hold two simultaneous engagements in two proceedings at the same time and cannot abandon a party mid-matter.</p> <p>The cost. Three things went wrong at once, and none of them were caught in real time. The false credential was accepted on the record because no one verifies against the Master List. The double-booking was possible because no one system tracked that the same person was engaged by the Interpreter Services Office and by private counsel for the same hours. And when she walked out on one of the proceedings, the only way to keep the proceeding moving was for the staff Interpreter to interpret for a party she should not have been interpreting for, a conflict that should have stopped the hearing. The record in that case reflects a certified Interpreter who was not certified and does not reflect</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter | Position | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         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|           |          | <p>any of the rest.</p> <p>Example 2: A provisional qualification is not a global credential<br/>           Another anecdotal instance: A Japanese noncertified Interpreter who added “Provisionally Certified Interpreter” to their signature line, giving the uninformed public the impression the Interpreter is properly credentialed.</p> <p>What happened. A Japanese-language Interpreter who has not passed any certification exam uses the title “Provisionally Certified Interpreter” in their email signature line, or correspondence with courts, counsel, and clients.</p> <p>What the standard required. There is no such credential. California recognizes certified Interpreters (passed the written exam and the Bilingual Interpreting Exam in a designated language) and registered Interpreters (passed the written exam and the English and non-English proficiency exams for non-designated languages). Japanese is a non-designated language so there’s no certification to hold. Rule 2.893 provisional qualification is a court’s finding about a person for a specific court, language, case, and period, not a portable credential.</p> <p>The cost. This appears in every email, indefinitely, to an audience with no way to check it. A private client hiring for a deposition sees the word “certified” and assumes state testing. An attorney who has never had to distinguish certified from registered from provisionally qualified reads it as verification and doesn’t voir dire. The person least able to evaluate it, the LEP party, is the one relying on it most. And every time “provisionally certified” circulates, the real credential means slightly less.</p> <p>Nothing in the Draft, and nothing in the unreleased standardized agreement, requires an Interpreter to state a credential accurately or requires the court to verify it. This is another clear indication that interpreting is not seen as important and LEP’s do not matter.</p> <p>Common errors made by provisionally qualified Interpreters</p> <ul style="list-style-type: none"> <li>- Accuracy: Summarizing instead of interpreting; dropping hesitations, false starts, and self-corrections that carry evidentiary weight; flattening register so a defendant’s colloquial speech comes out neutral and standard, or outright wrong due to literal translation, which changes how the trier of fact reads credibility; not interpreting everything said in the courtroom.</li> <li>- Protocol: Interpreting in third person or in summary; not interrupting to request repetition; addressing the witness without permission or transparency during testimony; not putting corrections or impediments on the record.</li> <li>- Role boundaries: Talking directly with witnesses or parties off the record; explaining proceedings or answering questions that belong to counsel; undisclosed prior contact with a party. These are rule 2890 violations and a monolingual judge cannot see them.</li> <li>- Credential misrepresentation: An Interpreter stating on the record that they are certified while not appearing in the Master List.</li> </ul> <p>Provisionally qualified Interpreters in designated languages are a different problem—and nothing holds them accountable<br/>           Rule 2.893 was written for languages where no credential exists. If a court needs an Interpreter for Mam, Chuj, or Kanjobal, there is no exam to pass and provisional qualification is the only mechanism available to provide interpretation in these languages. This is what the rule is for.</p> <p>What it is like for a certified Interpreter to work alongside a provisionally qualified Interpreter. This is not a matter of polish. Interpreters who have not been tested and have not worked many years in court usually have not built the specific habits the work requires. They summarize instead of interpreting. They don’t interrupt to request a repetition, because they don’t know they’re allowed to. They interpret in the third person. They speak to parties and witnesses directly, answer questions that belong to counsel, and explain proceedings they should not be explaining. They don’t know how to put an impediment or a correction on the record, so they don’t. In simultaneous interpreting, they fall behind and start compressing. Often, they do not request to work in teams, and they are not positioned to recognize when the quality of their interpreting/rendition has deteriorated.</p> <p>When a non-certified certified interpreter is teamed up with a certified interpreter, the certified Interpreter absorbs all of it—monitoring the partner instead of the proceeding, deciding in real time whether an error is material enough to correct in open court, and carrying the professional exposure for the work of someone else who is less qualified. That is not team interpreting. It is supervision without authority, and it degrades the certified Interpreter’s own rendition.</p> <p>It also exposes the certified Interpreter to complaints under the very credential review procedures SP26-04 would strengthen: an Interpreter who interrupts repeatedly to correct a partner’s errors can be reported as disruptive by a judge or attorney who cannot hear what is being corrected. The Interpreter doing the work of protecting the record is the one with a credential to lose.</p> <p>Refusing a rate is not the same as being unavailable, and no judge is really checking<br/>           This is one of the most serious problems in the Draft.</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter | Position | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         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|           |          | <p>Section III.F says an Interpreter who is “unwilling to accept the applicable maximum compensation rate” is considered unavailable. Once unavailable, the court goes to rule 2.893 and can appoint a provisionally qualified Interpreter.</p> <p>Government Code Section 68561 requires a certified Interpreter in a designated language unless the judge finds good cause on the record. That standard was built for real scarcity, nobody qualified exists. It was not built for a certified Spanish Interpreter across town who said no to a below-market rate.</p> <p>How this works in practice. Rule 2.893 reads as though a judge is the gatekeeper. That is not how the process runs day to day. In most courts the Interpreter services manager or coordinator finds a potential Interpreter, decides they are qualified, engages them, fills out the paperwork, and routes the INT-110 to the presiding judge for signature. The judge does not question the Interpreter, does not ask the voir dire questions on the form, and often never meets them. The signed order then lets that Interpreter be considered for appointment by any judge of that court for six months. The judge in the individual case makes the good cause finding from a docket entry generated upstream.</p> <p>So, the safeguard is administrative, not judicial. And this Draft puts that decision squarely in the hands of the person under the most budget pressure. The coordinator or manager whose interpretation spending CEAC is trying to contain is the same person deciding whether a certified Interpreter is “unavailable” or not. Nothing requires the coordinator or manager to write down, or the judge, to be told, that a certified Interpreter was available and willing to accept the job, but could not afford to accept the rate.</p> <p>That’s an incomplete record, and it’s the kind of thing that surfaces in appeal years later.</p> <p>3. THE DRAFT TREATS INTERPRETERS AS A LINE ITEM, NOT AS THE WORKFORCE LANGUAGE ACCESS DEPENDS ON</p> <p>What the Draft does to independent contractor Interpreters</p> <p>The Draft advertises a 62% increase in the full-day rate. Most Interpreters will earn less. The figures are the soon-to-be-outdated federal rates established in January 2023, already superseded by the October 1, 2026 fee schedule three months before this policy would take effect. There is no differential increase over the years, so the number will stagnate again exactly as it did from 2000 to 2021.</p> <p>The \$80 hourly rate is a federal overtime premium repurposed as a base rate and expanded to any “brief assignment,” which converts most short calendar work into a pay cut.</p> <p>Compensated travel time disappears from the policy text into a template the Judicial Council has not released.</p> <p>And CEAC’s own Attachment A shows more than two dozen language-region averages well above the proposed cap, which are concentrated in Mixteco, Farsi, Dari, Punjabi, Hmong, and other languages in which the statewide supply is slim. These Interpreters would face cuts of 36% to 60%. An Interpreter reading this policy is being told: your rate is fixed, it will not rise, your short assignments now pay less, your travel is unpaid and there is no longer a mechanism for negotiating.</p> <p>Under the proposed policy, a Registered Mixteco Interpreter in Region 1 currently averaging \$883 per day would be capped at \$566 per day, a 36% reduction. For a non-registered Mixteco interpreter in the same region, the fee would be \$350 per day, which is a 60% reduction.</p> <p>The \$ 80 “hourly rate” is a cut</p> <p>In federal court, \$80 an hour is overtime, it only applies past eight hours. There is no federal hourly rate for short assignments. Half day covers 0 to 4 hours, full day covers 4 to 8. The Draft takes that overtime number, calls it a base hourly rate, and expands it beyond VRI and night sessions to any “brief assignment.”</p> <p>A two-hour arraignment calendar today pays a non-negotiated fee of \$175. As a half day under the new proposed rates, it would pay \$320, less of what it currently pays today. If billed hourly under the new proposed rate (\$80 per hour), this assignment would pay \$160. For a noncertified Interpreter, the same two hours pay \$88 instead of \$190 for a half day rate.</p> <p>Short calendars, arraignments, 1368 referrals, traffic, restraining orders, probation reviews, are a huge share of daily Interpreter work. This is where the “long-term savings” come from. The Draft proposes a 62% raise. Most Interpreters will earn less.</p> <p>Some Interpreters will accept these terms. Many will not, and while it would appear that the Interpreters best positioned to leave are those with the scarcest skills, the pay cut will also apply to Spanish-language Interpreters whose fees are much higher on the open market and whose utilization rate is above 90%.</p> <p>What does the Draft do to staff Interpreters</p> <p>CEAC has correctly identified the problem and reached for the wrong lever. The Draft observes that contractor pay rose “alongside stagnant or declining spending on court employees,” and that some employees are quitting or retiring</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

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|           |          | <p>early to move to contract work because it pays better.</p> <p>That finding supports two opposite conclusions. One is that contractors accept/demand more than the current \$175 half-day minimum, which was not increased for 14 years, and when it was, went up by only \$18.44. The other is that staff Interpreters are paid too little. The Trial Court Interpreters Program expenditure numbers that CEAC relies on only show that a gap exists. It does not conclude whether the gap is due because contractor rates have increased or because staff salaries have fallen behind. CEAC assumed the first and built a policy around it.</p> <p>Reducing independent contractor pay does not make a staff position more attractive. It makes the occupation less attractive and moves people out of court work entirely, into medical, conference, community, and immigration interpreting, where the rates are not set by administrative policy. Interpreters who hold credentials in other verticals (medical, conference) may no longer strive to become court certified.</p> <p>These are not two different workforces. Interpreters move between staff and contract status throughout their careers, often more than once, and many hold staff positions while working elsewhere to complement their income. The same Master List, the same credential, the same exam. Reducing compensation on one side does not create a balance for these two groups; it lowers the ceiling on the whole occupation. And the Interpreters who left staff positions for contract work, the flight CEAC identifies, will not return to a staff position because contract rates fell. They will leave court interpreting altogether.</p> <p>The pipeline cannot absorb the loss. Bilingual Interpreting Exam passing rates are low, the credential takes years to earn, and the Judicial Council's own AB 1032 workforce study documents the shortage. A policy that reduces the expected lifetime earnings of the credential will appear in exam registration numbers within two cycles. The state has spent decades and considerable money building this workforce—from the Trial Court Interpreter Employment and Labor Relations Act through the 2015 Strategic Plan for Language Access. It can be dismantled far faster than it was assembled. This Draft would set the field back thirty years.</p> <p>When contract coverage fails, the work does not disappear. It lands on staff. More assignments per day, back-to-back calendars with no recovery time, travel between courthouses absorbed into the workday, solo coverage of proceedings that require a team, and pressure to remain in a courtroom past the point where accuracy holds up. That last one is where this stops being a labor issue and becomes a language access issue: a fatigued Interpreter in hour six of continuous simultaneous work is potentially producing a record of lesser quality than the same Interpreter in hour one, and no one in the courtroom can tell.</p> <p>The group of CEOs proposing this are the same people who set staff salaries. CEAC is composed of court executive officers. Those are the officials whose courts bargain with Interpreter unions under the Trial Court Interpreter Employment and Labor Relations Act. When the Draft observes that employee compensation has stagnated while contractor costs rose, it is describing a gap that CEAC's own members are positioned to close.</p> <p>We are not asking the Council to set staff salaries through this policy; that is what bargaining is for. We are asking the court executives who authored this Draft to address the imbalance they have documented at the table where they actually have authority to address it—rather than closing it by reducing what independent contractors earn.</p> <p><b>4. ADDITIONAL CONCERNS</b></p> <p>The Judicial Council is asking people to comment on a document it hasn't released</p> <p>The draft requires every court to use a standardized Independent Contractor Interpreter Agreement. That template decides travel time, mileage, cancellation terms, and what happens when an Interpreter is booked by two courts at once. It wasn't included in the Draft.</p> <p>We already ran this experiment in 2021, and it failed</p> <p>In 2021 rates went up from \$156.56 to \$175 for a half-day, and from \$282 to \$350 for a full day. Interpreters have since refused to accept those fees anyway, because \$175 and \$350 are still below market. Courts could not staff calendars. There were continuances, scrambling, and county-by-county confusion about what a court could legally pay. What fixed it was the "Costs Exceeding Normal Rates" section—the negotiated exception with CEO approval and the Payment Rate Authorization Form. The above-rate payments CEAC now calls the problem are actually the evidence the 2021 approach failed, and the thing that kept courtrooms running.</p> <p>The Draft deletes that section entirely. It also removes the CEO's authority over cancellation fees and makes rates non-negotiable, with no possibility for higher fees and no scarcity exception.</p> <p>Therefore, the same thing will happen, with three things making it worse:</p> <ol style="list-style-type: none"> <li>1. A rate refusal now becomes a legal finding of unavailability, so the pressure discharges into provisionally qualified appointments instead of a documented rate exception.</li> <li>2. No CEO can fix an individual case, so relief that used to take a form and a signature now requires a Judicial Council policy amendment.</li> </ol> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter | Position | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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|           |          | <p>3. The Interpreters most likely to walk away are the ones furthest above the cap—the scarce-language Interpreters the state can least afford to lose, and Spanish language Interpreters in geographical areas that are difficult to staff or regions of the state with a high cost of living.</p> <p>VRI is being expanded with no standards attached</p> <p>Section III.G says VRI may be performed by a certified, registered, or provisionally qualified Interpreter. Section III.A applies the policy to all case types "including all stages of jury trial." VRI is billed hourly. There are no proceeding-type limits, no duration limits, no technical minimums, no attorney-client audio channel requirement, and no protocol for the Interpreter to interrupt or put a bad connection on the record. The Judicial Council's own VRI guidelines, Appendix D of the Professional Standards and Ethics for California Court Interpreters, cover much of this. The draft doesn't reference them.</p> <p>VRI doesn't create Interpreters. It widens the geographic radius. And where it would genuinely help, e.g. reaching a Mixteco Interpreter in Fresno for a Santa Barbara hearing, this same policy caps that Interpreters' pay below what Fresno pays now. The two provisions work against each other.</p> <p>Travel time quietly disappeared</p> <p>The 2021 policy expressly allowed compensated travel time, capped at the hourly rate. The draft removes that and says travel time is "addressed in the Independent Contractor Interpreter Agreement," which is the template the Judicial Council and/or the CEAC have not released.</p> <p>Everything else must follow the Council's Travel and Expense Reimbursement Guidelines (Contractors). Those guidelines cover transportation, lodging, meals, and IRS mileage. They contain no travel time provision at all, because they were written for vendors delivering work product, not for people whose deliverable is showing up in a specific courtroom at a specific hour. They're also discretionary; reimbursement happens only "at Judicial Council's sole discretion."</p> <p>Federal contract terms, by contrast, pay travel time at the half-day or full-day rate, door to door.</p> <p>This is the same pattern throughout the Draft: import the federal ceiling, drop the federal terms including negotiating higher rates, that make the ceiling workable.</p> <p>This proposed policy hits hard on Interpreters covering rural and agricultural counties, in high-traffic urban cities, and disproportionately indigenous-language Interpreters, who drive two to four hours each way for one calendar. Unpaid travel time on a short hourly engagement isn't a pay cut; it's a reason to stop taking the assignment.</p> <p>Four hours of driving for a two-hour, \$160 calendar is a six-hour day paid at under \$27 an hour, before fuel and meals. Which produces a finding of unavailability. Which produces a provisionally qualified appointment, or VRI, in a dependency hearing in Madera County.</p> <p>Several contradictions in the Draft</p> <p>Half day vs. full day contradict each other. The half-day rate now applies to "any consecutive four-hour period," but the full-day rate still requires "both a morning and afternoon court session." Someone working 10:00 to 6:00 has worked eight hours and arguably qualifies for neither.</p> <p>Cancellation fees. "A reasonable estimate" is undefined and 58 courts will apply it 58 ways, which defeats the uniformity goal. If anything should be uniform, it's the cancellation policy. Federal pays the full applicable rate, and two full days for proceedings are set for five days or longer.</p> <p>Sign language Interpreters have no policy. The 2021 policy addressed them and carved them out of travel limits under Evidence Code § 754. The draft just excludes them.</p> <p>The effective date is too tight. January 1, 2027 gives the courts about three months to renegotiate every Interpreter contract in the state under a template that doesn't exist publicly yet. Interpreters need notice too as many will be deciding whether to keep taking court work at all.</p> <p>5. RECOMMENDATIONS</p> <p>CAPIT's recommendations are classified into the three groups affected by this Draft.</p> <p>They contain changes we believe are necessary for a fair and equitable policy that preserves the right to meaningful language access for California's limited English proficient population a</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

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| Omar Brady<br>Contreras-Martinez &<br>Brady<br><br><b>Comment on behalf of org?: No</b>                                                                                                       | Do not agree with proposed changes | SP26-05 is a short-sighted cost-cutting measure that will harm California's 6.4 million Limited English Proficient residents. Driving certified interpreters out of the courts through rigid, non-negotiable rates will produce more errors, delays, mistrials, and miscarriages of justice. The Council should withdraw this proposal.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               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| Omkar Shashikant Kalaskar<br>CA Certified Court Interpreter, Federally Certified Court Interpreter, Conference Interpreter Independent Contractor<br><br><b>Comment on behalf of org?: No</b> | Do not agree with proposed changes | <p>SP26-05 - August 24, 2026</p> <p>Position on Proposal<br/>Do not agree with proposed changes</p> <p>Comments<br/>Council Members,</p> <p>My name is Omkar Kalaskar and I am a Spanish-English court and conference interpreter with more than a decade of experience professionally, and a graduate of the Monterey Institute of International Studies (MIIS) MA in Spanish Interpretation and Translation. I am a California Certified Interpreter and Federally Certified Court Interpreter (FCCI). As an independent contractor, I have worked in the public, private, and non-profit sectors, and currently provide my services in the California Superior Court System. I am writing today to express my alarm and concern about SP26-05, developed by the JCC to modify significant sections of independent contractor agreements to introduce fee caps and undercut travel time payment. I urge all decision-making parties on the council to withdraw the proposal. I respectfully lodge my opposition based on personal experience and the reality that SP26-05 will harm access to justice and due process for Limited English Proficiency individuals in the California court system. The demand for interpreter services would be impossible to meet, as independent contractors would be forced out of the court system statewide. As independent contractor interpreters, we provide a high demand and necessary service in various sectors and venues, creating a viable market that is mutually beneficial for the court system. Providing language access to LEP individuals is a constitutional right that, according to jurisprudence, those who are navigating the court and legal system must exercise freely. There is currently more demand for interpreters than supply, which provides work for independent contractors every day that the courts are open, particularly in more populated areas. The existence of this high demand market, combined with our independent contractor status, naturally gives us right to negotiate rates within reasonable ranges. The government cannot infringe on the free market right to negotiate rates for interpreters. Just as other service providers (HVAC repair, plumbers, etc.), we have a highly skilled profession, and clients must respect the fees that we set for our services, which are a reflection of our worth. Additionally, as independent contractors, we incur a great deal of business expenses that include interpretation equipment, personal liability insurance, car maintenance, and continuing education courses, without the benefits that employees receive. We run our own businesses, and we depend on travel time payment to supplement our income. Without travel time pay, some interpreters could see a reduction of their income by up to one-third, pushing them down towards the median income levels statewide. Interpretation is a highly specialized skill, and compensation should reflect that and be significantly higher than median income levels. We don't deserve to be degraded and maligned and have our wages depressed, especially given the ever-increasing cost of living in California.</p> <p>Given that there are so many jurisdictions, counties use travel time rates to attract and retain contractors and to support county employees. Without independent contractors, court systems would simply be unable to process the high volume of cases that arise daily. Interpreters who are county employees would find it impossible to cover the case loads, leading to unreasonable delays in access to justice and due process. Implementation of JCC proposals would be irresponsible, jamming up the already backlogged court system.</p> <p>Rules about independent contractor agreements imposed by the JCC itself are responsible for the current situation regarding travel time pay. Since independent contractors can make significantly more money by commuting to other counties, they do not stay in their local jurisdictions to work. JCC could solve the issue of high travel time rates if it wanted to by simply raising rates for local interpreters as an incentive to stay and work locally. Even with increased rates, overall interpreter expenditures would be reduced due to reduction in travel time and mileage pay. For example, I live in the Sacramento area, but I don't work in the Sacramento Superior Courts. I would happily work in my local courts for an increased rate of, say, \$750/full day, instead of seeking out that compensation elsewhere. However, due to the JCC's own rules, it is more acceptable to pay an interpreter to come to Sacramento from several hours away and pay them upwards of \$1,000/full day instead of paying a local interpreter a satisfactory rate that would save the county significant funds by reducing overall interpretation services expenditures. This is a completely nonsensical policy and has led directly to the current travel and commuting arrangements that interpreters establish with the various counties. This JCC rule forces independent contractors to commute, which, in turn exposes these interpreters to dangers on the roads. Travel time is a form of compensation which acknowledges these risks, time, expense, and private vehicle use that we dedicate in order to contribute to the necessary business of courts across the state.</p> <p>The 100-day rule currently in effect, which bans independent contractors from working more than 100 days per calendar year in a given county also forces independent contractors to travel to other jurisdictions. This rule goes against logic and the JCC's own recommendations. It is completely unnecessary. Eliminating this rule would allow</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                    | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
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|                                                                                                                                              |                                    | <p>interpreters to work in areas closer to their homes, thereby also reducing travel time expenses. Among the most harmed by the JCC's new proposals would be rural counties that depend on independent contractors. There aren't enough local interpreters in these jurisdictions to cover all the language access need. These counties therefore use travel time as an essential incentive to attract interpreters from further away. If the JCC proposals are adopted, they would be a violation of access to justice and due process for LEP individuals in these counties. The JCC has also proposed increasing the use of Video Remote Interpretation (VRI) to meet need and reduce travel costs. This is another misguided proposal that would delay access to justice and due process. VRI interpretation presents numerous challenges that at best are a huge waste of time and financial resources, and, at worst, could lead to litigation and mistrial issues. It is not appropriate for long hearings nor evidentiary hearings due to technical challenges regarding audio, and the disconnect that the interpreter has with the proceedings. A VRI interpreter often cannot see exhibits and cannot detect facial expressions and body language that make up a large part of language and are essential to communicating the words of the LEP individual clearly and accurately. I can guarantee that using more VRI interpretation in court settings will not only be detrimental to LEPs and interpreters. Judges, district attorneys, public and private defenders, and court staff will despise this method of interpretation, as it will extend hearing length and generate confusion, impeding an already backlogged system. Perhaps the most alarming aspect of SP26-05 is the fee caps. The proposal allows courts to deem interpreters as "unavailable" if they do not accept the capped fees. The inevitable result will be a large reduction in the number of certified interpreters in the court system, as certified and experienced interpreters are able to find higher rates on the private market. The JCC would be creating a dangerous precedent of allowing non-certified interpreters to be used after classifying large numbers of independent contractors as "unavailable", while not notifying the LEP individual of the change. Non-certified interpreters have not met the rigorous standards and do not possess the level of skill that certified and experienced interpreters have achieved. The JCC would be severely harming due process and access to justice at major risk by allowing the use of non-certified interpreters, and could create major issues leading to mistrials and massive delays, further wasting public resources and causing life-altering consequences. Also concerning is the modification of half and full day definitions. When an independent contractor must travel more than an hour one-way for an assignment, they must, due to necessity, charge a full day, as the time commitment does not allow them to accept work from other sources on that day. Forcing half days or hourly compensation on independent contractors will simply lead to an absence of independent contractors, which would be an absolute disaster for the court system.</p> <p>Finally, I would like to cite a 2025 workplace study on court interpreters that was developed by the JCC itself. This study seems to contradict the provisions of SP26-05, and instead recommends increases to the annual appropriation for the Trial Court Trust Fund for the Court Interpreters Program to secure language access, and plans to expand this funding from the General Fund should be first priority (pages 9, 11, 18 of the study). Market rates are currently at \$140 per hour for freelancers (page 20). Speaking as a Federally Certified Court Interpreter, the JCC must keep base fees aligned with the federal rate, otherwise, FCCIs will be drawn to other interpretation clients in other government entities and/or the private sector. The base fee as of October 1, 2026 for FCCIs should raise to the new \$617/\$349/\$87 system, and continue to rise every time the federal rate increases. The JCC approach should be to retain and direct funding towards competent certified interpreters, and continuing to while also increasing pay and incentives for county employed staff interpreters. Employees and contractors are not at odds. We support each other and work together every single day, forming relationships that are essential to ensuring that everyone fully understands the criminal and civil proceedings in which they are involved. I am urging the council to reject SP26-05. It is a lose-lose situation for all parties involved. Thank you,</p> |
| Oscar Alvarado<br>CA Court Certified Interpreter<br><br><b>Comment on behalf of org?: No</b>                                                 | Do not agree with proposed changes | <p>Good afternoon, I love my job. I love being able to provide an equal footing in our legal system to those that need it. I think it's a right that would be inadvertently be affected by passing these proposals. These non negotiable rates could very well reduce the court's ability to retain interpreters. If the compensation does not match our professional requirements, these rigid fees and the rising cost of living may force us to seek other work. The Judicial Council should measure the cost of failed or delayed processes, not just the amount it takes to hire an interpreter. Not anyone can be an interpreter; it's a skill that is polished through education and experience. Relying on less experienced and less qualified individuals would be a disservice to those involved in the legal system such as attorneys, judges, doctors, litigants, defendants, victims, witnesses, parents, even children; thereby affecting meaningful language access.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Pablo Chang-Castillo<br>Registered French & Provisionally-qualified Portuguese Court Interpreter<br><br><b>Comment on behalf of org?: No</b> | Do not agree with proposed changes | <p>Dear Judicial Council,</p> <p>I am a federally and state certified court interpreter in SPANISH who works in two other languages of lesser diffusion namely FRENCH and PORTUGUESE. I submit these comments on Proposal SP26-05 with respect, but also with serious concern.</p> <p>Cases requiring interpreters in languages such as mine may occur far less frequently than those involving higher-demand languages such as SPANISH. The number of qualified interpreters in my language pair tends to limited, and I am in high demand to provide services throughout the state. Interpreters who maintain proficiency and availability in these languages depend on the ability to negotiate rates that reflect the supply and demand market forces on qualified professionals and the real cost of remaining ready to serve when needed.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                               | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
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|                                                                                                                                         |                                    | <p>The current proposal eliminates that flexibility. By imposing non-negotiable maximum rates and removing the capacity of individual courts to adjust compensation for hard-to-cover languages and calendars, the Judicial Council will make it economically unsustainable for many of us to continue accepting Superior Court assignments. When the rare case arises that requires our language, courts will find fewer qualified interpreters willing or able to appear. I, for one, would stop providing services to the courts.</p> <p>This outcome falls hardest on the Limited English Proficient court users who speak these less common languages. They already face greater barriers to finding competent interpretation. Removing the ability to negotiate fair terms for the few professionals who can serve them is, in practical effect, discriminatory. It reduces their access to the same quality of language assistance that speakers of more common languages can still expect.</p> <p>In addition, eliminating the dual language remuneration equates to devaluing multilingual interpreters and our worth in addition to further exacerbating the availability of interpreters of languages of lesser diffusion. I for one would NOT accept to provide French nor Portuguese language services during the same day I offer Spanish services IF remunerated under a one-language fee as you erroneously propose. This does recognize the value, time, investment it takes to learn and work in multiple languages for the courts. Please reconsider. You would be losing many multilingual interpreters such as myself and further exacerbate the availability of the other languages we provide.</p> <p>I urge the Judicial Council to preserve the negotiability of interpreter fees so that qualified interpreters can remain available when these court users need them.</p> <p>Thank you for considering this perspective.</p>                                                                                                  |
| <p>Pablo Chang-Castillo,<br/>Certified Court Interpreter,<br/>SPANISH</p> <p><b>Comment on behalf of org?: No</b></p>                   | Do not agree with proposed changes | <p>Dear Judicial Council,</p> <p>Proposal SP26-05 should be rejected.</p> <p>Under the banner of a rate increase, the Council is imposing non-negotiable ceilings, forcing interpreters to remain for entire blocks regardless of actual need, erasing clear session boundaries, and severely restricting travel reimbursement. The predictable result is that many certified interpreters will simply stop accepting Superior Court work.</p> <p>The proposal creates a direct financial incentive to replace certified interpreters with provisionally qualified ones. When a certified interpreter declines the non-negotiable rate, the draft allows the court to declare that interpreter “unavailable” and appoint someone who has never passed a certification exam. The LEP party is not told this has happened. Errors by non-credentialed interpreters are rarely caught in the moment.</p> <p>Turning a rate refusal into a legal finding of unavailability converts a cost-control measure into a structural preference for less-qualified interpreters. This is not language access. It is the appearance of language access at the expense of accuracy and due process.</p> <p>California has 6.4 million Limited English Proficient residents—one out of every six people in the state. These court users have a constitutional right to understand the proceedings that affect their liberty, families, and livelihoods. When the State makes it economically and practically unattractive for qualified interpreters to serve, it is the non-English-speaking public that pays the price through delayed cases, inaccurate interpretation, mistrials, and miscarriages of justice.</p> <p>Cutting interpreter flexibility to save money is false economy. The real cost will appear later in repeated hearings, appeals, and damaged public confidence in the courts. The Judicial Council should not balance budgets on the backs of Limited English Proficient Californians.</p> <p>I urge the Council to withdraw this proposal.</p> |
| <p>Pablo Henonin<br/>California Court Certified Interpreter<br/>Independent interpreter</p> <p><b>Comment on behalf of org?: No</b></p> | Do not agree with proposed changes | <p>Dear Judicial Council members:</p> <p>I hope all of you are doing well.</p> <p>This email is in response to the proposed revisions to the court rates paid to interpreters. I believe the changes are detrimental to the interpreting profession and I strongly oppose them.</p> <p>The new proposed changes would impose restrictions on independent interpreters while removing legal protections, ability to negotiate rates based on specific circumstances and also limiting the ability to set working schedules. We as independent contractors operate as small businesses and rely on these freedoms. Most of the expenses that form part of running a business in this way are not considered here.</p> <p>If rates are capped and restricted in such ways as SP6-05 proposes, there might be a migration of some of the most qualified independent interpreters to other areas, leaving the courts with a lowered level of non-certified, non-registered, non-regulated interpreters. This proposal does not state how the quality of the services of such interpreters will be monitored.</p> <p>I believe that this proposed change will only lead to a degradation of quality in this field and those of limited English proficiency will probably suffer the most.</p> <p>I urge you to not implement this proposal.</p> <p>Best regards,</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                          | Position                                  | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
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| <p>Paloma Gaos<br/>Certified Interpreter<br/>Certified Interpreter</p> <p><b>Comment on behalf of org?: No</b></p> | <p>Do not agree with proposed changes</p> | <p>Dear Judicial Council,</p> <p>I submit these comments in strong opposition to the proposed revisions in SP26-05.</p> <p>The proposal's non-negotiable rate structure, rigid four- and eight-hour blocks, removal of clear morning/afternoon session definitions, and tightly restricted travel rules will significantly reduce the willingness of certified interpreters to accept court work. Once experienced interpreters leave or limit their availability, the courts will face greater difficulty covering calendars with qualified professionals.</p> <p>Of particular concern is the proposal's definition of "unavailability." The draft states that an interpreter is considered unavailable if they "are unwilling to accept the maximum compensation rate established in the policy." Once that finding is made, and after a diligent search, the court may appoint a nonregistered or noncertified interpreter under rule 2.893. This provision turns a simple rate refusal into a legal finding of unavailability. In practice, it creates a direct financial incentive to replace a certified interpreter who declines the capped rate with someone who has never passed a certification examination. Limited English Proficient court users are never informed that this substitution has occurred. Certification exists because neither the judge nor counsel can evaluate the accuracy of the interpretation in real time. By converting a cost-control measure into a structural preference for less-qualified interpreters, the proposal undermines the very safeguard the credential was designed to provide. This is not language access. It is the appearance of language access at the expense of accuracy and due process.</p> <p>This outcome directly affects California's Limited English Proficient population—approximately 6.4 million people, or one in six residents. Meaningful language access is a due-process requirement, not an optional expense. When certified interpreters are driven away by inflexible and non-negotiable terms, the quality of interpretation declines. Errors, continuances, and in the worst cases mistrials or miscarriages of justice become more likely. Any short-term budget savings will be outweighed by the long-term costs of remedying those failures.</p> <p>California has long recognized the importance of language access in a diverse state. This proposal moves in the opposite direction. I urge the Judicial Council to reject the current draft and maintain the flexibility necessary to attract and retain qualified certified interpreters.</p> <p>Respectfully</p> <p>Paloma Gaos</p> <p>Certified Interpreter</p> <p>Sent from my iPhone</p> |
| <p>Paola Tovar<br/>Court interpreter</p> <p><b>Comment on behalf of org?: No</b></p>                               | <p>Do not agree with proposed changes</p> | <p>I strongly oppose the proposal to eliminate travel-time compensation for independent contractor court interpreters.</p> <p>The full-day base rate compensates us for the interpreting assignment itself. Travel time and mileage compensate for something separate: the substantial additional time and expense required when we accept assignments outside our local courts.</p> <p>Many of us travel precisely because our local courts have adequate interpreter coverage while other courts do not. By accepting these assignments, traveling interpreters help the courts fill coverage gaps and ensure that limited-English-proficient court users have meaningful access to the judicial system.</p> <p>Travel time is not personal time. It is time we must dedicate exclusively to an assignment because the court needs our services at a location away from our normal area. An interpreter who spends several hours traveling to and from court has committed considerably more of the day to that assignment than an interpreter working locally, even though both receive the same base rate.</p> <p>Moreover, the travel time currently compensated often does not reflect the actual time spent on the road. California traffic, accidents, road construction, and other unavoidable delays frequently extend our travel well beyond the compensated amount. Traveling interpreters already absorb a portion of this burden.</p> <p>Travel assignments also require us to wake considerably earlier, spend prolonged periods driving, eat meals on the road, and sometimes return home very late. Repeated long-distance driving takes a physical and mental toll. As independent contractors, we do not receive employer-sponsored health benefits, paid sick leave, or other benefits that might offset those costs.</p> <p>Eliminating travel-time compensation would therefore not merely eliminate a "travel benefit." It would require independent contractors to provide hours of their professional availability to the court system without compensation.</p> <p>It would also create a serious practical problem for the courts. If interpreters are expected to spend several additional hours traveling without compensation, many will understandably decline distant assignments. This will disproportionately affect courts and communities that already have difficulty obtaining qualified interpreters.</p>                                                                                                                                                                                                                                                                                        |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                        | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
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|                                                                                                                                  |                                    | <p>Rather than eliminating travel-time compensation, the goal should be to maintain—or improve—a system that fairly compensates interpreters who are willing to travel where their services are needed.</p> <p>Traveling interpreters are helping solve a court-coverage problem. They should not be financially penalized for doing so.</p> <p>For these reasons, I respectfully urge that travel-time compensation be retained.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Pat Cordero, Certified Spanish Interpreter<br>Certified Spanish Interpreter<br><br><b>Comment on behalf of org?: No</b>          | Do not agree with proposed changes | <p>Hello,</p> <p>I have been a certified interpreter since 1991 and have worked in the courts for 30 years doing every kind of case that I was called to do. This proposal really does not seem fair to me because I think that you are not giving our profession the real value that it has. We had to train, study, and take the California test to become certified, and that was not an easy task. Then every two years we have to take 30 units of continuing education, pay for those units, provide you with at least 40 legal cases that we worked on (which is not hard to do) in order to keep our certification. And now you want to tell me that if I am offered a job in the court and I don't agree with the payment, that will immediately classify me as unavailable and that particular spot will be given to a non-certified person that does not have my experience, knowledge and does not have to comply with any of the requirements that I have to in order to keep my certification.</p> <p>Would you hire an attorney that has not finished law school or passed the bar to do a trial? I don't think you would so why would you hire a non-certified interpreter not knowing if that individual can handle the job, how well does he/she knows the legal vocabulary, if he/she is up for the task at hand to provide the non-English speaker with a competent interpretation and even worse that the non-English speaker will not be notified of this switch.</p> <p>This profession is very different from so many others. I personally do not mind if the work hours will be 4 or 8 but I can guarantee you that not every day there will be enough work for the interpreter to remain in the courtroom all 4 or 8 hours and if the idea is to cut down the pay offered from a half day or full day to hourly (the \$80 dollars stated in your proposal) because there was not enough work for the 4 or 8 hours, then you are really going to have a shortage of qualified interpreters to handle all the daily cases that are heard in a regular courthouse.</p> <p>My proposal to you is to offer the assignment to the court certified interpreter and if he/she is not willing to accept the assignment because of the amount of pay offered, before you consider that interpreter unavailable, why not offer him/her a VRI assignment instead? I have handled all sorts of cases on Zoom: Family Law, Child Support, Misdemeanor and Felony conferences with attorneys, changes of plea, continuances, juvenile cases, probate etc. It is just a matter of knowing how to use the Zoom App because it even has a language feature that allows you to interpret simultaneously.</p> <p>This is a REAL profession that requires certain skills and knowledge and just because someone is bilingual does not mean that they are able to do this job.</p> <p>Thank you for allowing me to provide you with my comments.</p> <p>Respectfully,<br/>Pat Cordero<br/>Certified Spanish Interpreter</p> |
| Patricia Chavez<br>Certified Interpreter<br>CAPIT, NBCMI<br><br><b>Comment on behalf of org?: No</b>                             | Do not agree with proposed changes | <p>Proposal SP26-05 will reduce the availability of qualified certified interpreters in our courts. When experienced professionals leave because rates are capped and inflexible, Limited English Proficient Californians—approximately one in six residents—lose meaningful access to justice. I ask the Council to reject these changes and preserve the ability of courts to secure competent interpretation.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Patricia E. Chavez<br>Certified Medical Interpreter<br>Certified Medical Interpreter<br><br><b>Comment on behalf of org?: No</b> | Do not agree with proposed changes | <p>Dear Judicial Council,</p> <p>I am writing to comment on Invitation to Comment SP26-05 regarding payment policies for independent contractor interpreters.</p> <p>While the proposal is presented as a modest rate increase, the combination of non-negotiable rates, mandatory full-block availability, elimination of clear session boundaries, and restricted travel reimbursement will make court work far less viable for many certified interpreters. The practical result will be fewer experienced professionals willing to accept Superior Court assignments.</p> <p>Of particular concern is the provision that treats a certified interpreter's refusal of the capped rate as "unavailability." Once that finding is made, the court may appoint a provisionally qualified interpreter who holds no statewide credential. Limited English Proficient court users are never informed of the substitution. Certification exists because neither the judge nor counsel can evaluate accuracy in real time. Expanding the use of non-credentialed interpreters in this way undermines the very safeguard the credential was created to provide.</p> <p>California is home to approximately 6.4 million Limited English Proficient residents—roughly one in six Californians. These individuals rely on competent interpretation to understand proceedings and exercise their due-process rights. When qualified interpreters become scarce, courts will be forced to rely on less experienced or uncertified substitutes.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

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|                                                                                                                                                                                                                                                       |                                         | <p>The consequences—misunderstandings, repeated hearings, and in some cases serious errors—are borne by the very people the language-access system is meant to protect.</p> <p>I respectfully ask the Judicial Council to reconsider these changes and retain the flexibility that currently allows courts to secure qualified interpreters when and where they are needed.</p> <p>Thank you for the opportunity to comment.</p> <p>Sincerely,</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Patricia Graham<br>Court Interpreter<br><br><b>Comment on behalf of org?: No</b>                                                                                                                                                                      | Agree with proposed changes if modified | <p>I believe that there should be a review on compensation for independent contractors.</p> <p>If there's no interpreter contractor near the location needed, how would it be compensated? There would be no motivation to accept an assignment.</p> <p>How can we be reassured that Interpreters office management would just hire students, uncertified or otherwise because they refuse to negotiate or pay a fair rate?</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Patricia Lyons<br>Certified Court Interpreter<br>CCHI Certified Spanish Interpreter<br>EIOR Immigration Court<br>DOJ Interpreter<br>UC San Diego Certified Translator<br>Lyons Interpreting & Translating<br><br><b>Comment on behalf of org?: No</b> | Do not agree with proposed changes      | <p>Rebakah Askew August 21, 2026<br/>Judicial Council of California</p> <p>RE: Opposition to SP26-05 (Court Interpreters: Revisions to Payment Policies for Independent Contractor Interpreters)</p> <p>Dear Ms. Askew and Members of the Court Executives Advisory Committee,</p> <p>I am writing to express my strong opposition to the proposed revisions to the Payment Policies for Independent Contractor Interpreters (SP26-05). As an independent contractor who provides vital language access services to the California courts, I am deeply concerned that these "cost containment" measures will severely harm the quality of justice in our state.</p> <p>Specifically, I oppose the proposed policies for the following reasons:</p> <ol style="list-style-type: none"> <li>1. Non-Negotiable Rates Ignore Market Realities: Forcing rigid, non-negotiable rates across the entire state ignores the vast differences in the cost of living and regional demand. Independent contractors must manage their own business expenses, and taking away our ability to negotiate fair fees will drive qualified professionals away from court work.</li> <li>2. Rigid Travel Compensation Limits Access: Establishing uniform travel compensation does not work for California's geography. Interpreters traveling to remote courthouses or navigating heavy metropolitan traffic will be unfairly penalized. If travel costs are not fully covered, many interpreters will simply refuse assignments in hard-to-reach areas, leaving non-English speakers without assistance.</li> <li>3. Increased Administrative Burdens: Standardizing strict contractual obligations adds more unpaid paperwork and rules for independent business owners. These changes treat independent contractors like employees without providing any employee benefits.</li> </ol> <p>While I appreciate the proposal to raise the maximum daily compensation rate, this increase is completely offset by the negative impacts of the other cost-cutting measures. Instead of containing costs by squeezing independent workers, the Judicial Council should protect language access by maintaining flexible, market-based policies.</p> <p>I urge the Committee to reject these restrictive policy revisions. Thank you for considering the perspective of the independent contractors who keep our courts accessible.</p> <p>Sincerely,<br/>           Patricia Lyons<br/>           Certified Court Interpreter #AZ-16247,<br/>           CCHI Certified Spanish Interpreter,<br/>           EIOR Immigration Court DOJ Interpreter<br/>           and UC San Diego Certified Translator<br/>           Lyons Interpreting &amp; Translating</p> <p><a href="http://www.lyonsinterpreting.com">http://www.lyonsinterpreting.com</a><br/>           (559) 779-2909</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                                                 | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
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| Patricia M. Hyatt, State & Federal Court Certified Spanish Interpreter<br>State & Federal Court Certified Spanish Interpreter<br><br><b>Comment on behalf of org?: No</b> | Do not agree with proposed changes | <p>Proposal SP26-05 will reduce the availability of qualified certified interpreters in our courts. When experienced professionals leave because rates are capped and inflexible, Limited English Proficient Californians—approximately one in six residents—lose meaningful access to justice. I ask the Council to reject these changes and preserve the ability of courts to secure competent interpretation.</p> <p>SP26-05 is a short-sighted cost-cutting measure that will harm California's 6.4 million Limited English Proficient residents. Driving certified interpreters out of the courts through rigid, non-negotiable rates will produce more errors, delays, mistrials, and miscarriages of justice. The Council should withdraw this proposal.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Patricia Mawer<br>Court-certified Spanish interpreter<br>Los Angeles Superior Court (LASC)<br><br><b>Comment on behalf of org?: No</b>                                    | Do not agree with proposed changes | <p>To Whom It May Concern,</p> <p>I have been a court-certified Spanish interpreter in the state of California for 25 years, working for both the Los Angeles Superior Court (LASC) and the private sector. I am writing to express my serious concerns regarding the current treatment of employee interpreters compared to independent contractors (ICs) within the LASC system.</p> <p>The Judicial Council of California has created a critical shortage of staff interpreters across the state's Superior Courts by underpaying employees while overpaying ICs. This approach directly disincentivizes employment, which violates California Government Code Section 71802.</p> <p>The vast majority of staff interpreters have dedicated decades of service to the LASC. Prioritizing funding for ICs rather than providing a fair pay raise to loyal employees signals that the Superior Courts have no interest in retaining staff. It is disheartening to be told that there are insufficient funds to grant staff interpreters parity with the federal system while independent contractors are paid premium rates to cover court shortages.</p> <p>Providing interpretation services to limited-English-proficient (LEP) individuals is a highly rewarding career, and we play a vital role in the judicial system. I urge you to demonstrate that staff interpreters are valued by prioritizing employee compensation and matching the federal pay rate.</p> <p>Respectfully,</p> <p>Patricia Mawer</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Patricia Sanchez Rogers,<br>Court Certified Spanish Interpreter<br>Court Certified Spanish Interpreter<br>capitnet.org<br><br><b>Comment on behalf of org?: No</b>        | Do not agree with proposed changes | <p>Dear Judicial Council,</p> <p>I submit these comments in strong opposition to the proposed revisions to SP26-05.</p> <p>The proposal's non-negotiable rate structure, rigid four-and eight-hour blocks, removal of clear morning/afternoon session definitions, and tightly restricted travel rules will significantly reduce the willingness of certified interpreters to accept court work. Once experienced interpreters leave or limit their availability, the courts will face greater difficulty covering calendars with qualified professionals.</p> <p>I kindly request from the Judicial Council to reconsider the Proposal of SP26-05 which would be an enormous detriment to our profession, to the courts ability to secure competent interpreters and most importantly, to the Limited English Proficient individuals whom we serve.</p> <p>Sincerely,</p> <p>Patricia Sanchez Rogers<br/>           Court Certified Spanish Interpreter</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Paul Boutin<br>Owner/Operator<br>Luis Munoz & Associates<br><br><b>Comment on behalf of org?: Yes</b>                                                                     | Do not agree with proposed changes | <p>Dear Judicial Council,</p> <p>Proposal SP26-05 should be withdrawn.</p> <p>Under the banner of a rate increase, the proposal imposes non-negotiable ceilings, obligates interpreters to remain available for entire contracted blocks regardless of actual need, erases the defined morning and afternoon sessions, and restricts travel reimbursement to amounts authorized in advance. The predictable result is that experienced certified interpreters will stop accepting Superior Court work.</p> <p>Section III.F is what makes this more than a pay dispute. It deems an interpreter "unavailable" when they are "unwilling to accept the applicable maximum compensation rate," which routes the court to rule 2.893 and the appointment of someone who has never passed a certification examination. Rule 2.893(d) and (e) exist to answer whether a qualified interpreter can be found. This proposal repurposes them to answer whether one accepted the Council's price. Certification exists because neither the judge nor counsel can evaluate accuracy in real time, and the finding that authorizes the substitution is made on the record, in English, in front of the only person in the courtroom who cannot follow it. That is not cost control. It is a structural preference for less-qualified interpreters, and it does not belong in a Judicial Council policy in any form.</p> <p>The Council's own data does not support the cap. In Attachment A, roughly a third of the populated full-day cells already average above \$566, and nearly half the half-day cells average above \$320. These are averages, so roughly half the payments behind them are higher still. Mixteco averages \$883 and \$784 for a full day. Farsi averages \$822. Those are not figures of overpayment. They are the price of scarcity, and capping the scarcest interpreters in the state will not produce more of them. The same table reports a \$9 half day for Korean and Chaldean, repeats "1" down the</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                          | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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|                                                                                                                                                    |                                    | <p>Region 4 half-day column, and supplies no assignment counts, no volume weighting, and no methodology. The Fiscal Impacts section concedes that some interpreters will "see rate reductions" and never says how many. A permanent statewide ceiling should not be adopted on that record.</p> <p>The drafting is careless in ways that will cost interpreters money. Attachment B hard-codes \$320, \$566, and \$80, figures that expire on October 1, 2026, three months before the policy's own effective date. The \$80 is the federal overtime rate, listed by the Administrative Office as "Overtime: \$80 per hour or part thereof." The federal system has no billing unit below a half day. Section III.C.1.c would nonetheless pay it "for brief assignments," in direct conflict with section III.C.1.a, which makes the half-day rate payable for "any portion of a consecutive four-hour period." Courts will resolve that conflict in the cheaper direction.</p> <p>This comment period is also a formality. Attachment B delegates the availability obligation, cancellation terms, mileage, and travel time to a standardized Independent Contractor Interpreter Agreement that has not been published. Those are the terms that determine what an interpreter is actually paid, and no commenter has seen them. Separately, the Budget Act provision the committee invokes authorizes "statewide or regional" rates. CEAC discarded the regional option for administrative convenience, and it is the only option that addresses languages where the statewide pool is measured in individuals rather than hundreds.</p> <p>California has 6.4 million Limited English Proficient residents, one in six people in this state, whose liberty, families, and livelihoods depend on being understood. Savings booked on the interpreter line will reappear as continuances, repeated hearings, appeals, and reversals. This is false economy, and it is paid for by the people least able to absorb it.</p> <p>Withdraw the proposal. Republish it with the Agreement attached, with rates indexed to the federal schedule, and without section III.F's redefinition of unavailability.</p> <p>Cordially,</p> <p>Paul Boutin</p> <p>Comments in Attachment</p> |
| Paulina Torri<br>Spanish Interpreter<br><br><b>Comment on behalf of org?: No</b>                                                                   | Do not agree with proposed changes | Do not agree with proposed changes                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| paxita@me.com<br><br><b>Comment on behalf of org?: No</b>                                                                                          | Do not agree with proposed changes | <p>Good morning,</p> <p>Turning a rate refusal into a legal finding of unavailability converts a cost-control measure into a structural preference for less-qualified interpreters. This is not language access. It is the appearance of language access at the expense of accuracy and due process.</p> <p>Judges, attorneys and any non English proficient person would be negatively affected by these changes.</p> <p>Furthermore, the California Labor and Workforce Development Agency states that dictating fees as "take it or leave it" offer instead of negotiating defines the individual as an employee. An independent contractor must retain control over rates and billing, the worker has to be totally free from control in that respect.</p> <p>Thank you</p> <p>Sent from my iPhone</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Polina Vasiliev, Ph.D.<br>California Certified Court Interpreter / Federal Certified Court Interpreter<br><br><b>Comment on behalf of org?: No</b> | Do not agree with proposed changes | <p>Dear Judicial Council,</p> <p>Proposal SP26-05 should be rejected.</p> <p>Under the banner of a rate increase, the Council is imposing non-negotiable ceilings, forcing interpreters to remain for entire blocks regardless of actual need, erasing clear session boundaries, and severely restricting travel reimbursement. The predictable result is that many certified interpreters will simply stop accepting Superior Court work.</p> <p>The proposal creates a direct financial incentive to replace certified interpreters with provisionally qualified ones. When a certified interpreter declines the non-negotiable rate, the draft allows the court to declare that interpreter "unavailable" and appoint someone who has never passed a certification exam. The LEP party is not told this has happened. Errors by non-credentialed interpreters are rarely caught in the moment.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                     | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
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|                                                                                                                                               |                                    | <p>Turning a rate refusal into a legal finding of unavailability converts a cost-control measure into a structural preference for less-qualified interpreters. This is not language access. It is the appearance of language access at the expense of accuracy and due process.</p> <p>California has 6.4 million Limited English Proficient residents—one out of every six people in the state. These court users have a constitutional right to understand the proceedings that affect their liberty, families, and livelihoods. When the State makes it economically and practically unattractive for qualified interpreters to serve, it is the non-English-speaking public that pays the price through delayed cases, inaccurate interpretation, mistrials, and miscarriages of justice.</p> <p>Cutting interpreter flexibility to save money is false economy. The real cost will appear later in repeated hearings, appeals, and damaged public confidence in the courts. The Judicial Council should not balance budgets on the backs of Limited English Proficient Californians.</p> <p>I urge the Council to withdraw this proposal.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <p>Raffi Aftandelian<br/>Certified court interpreter<br/>Russian interpreting and translation</p> <p><b>Comment on behalf of org?:</b> No</p> | Do not agree with proposed changes | <p>Dear Judicial Council,</p> <p>Sp26-05 categorically should not be adopted.</p> <p>I am a certified Russian interpreter, based in San Diego, working primarily with San Diego and Los Angeles County courts. Working with a language of lesser diffusion means I have to travel with some regularity to Los Angeles, which is quite taxing.</p> <p>I live in one of the most expensive cities in the United States; this proposal would dramatically reduce income for me and my colleagues, offering a wage that would be below a living wage.</p> <p>As an independent contractor, I need to have the flexibility to negotiate my own rates. By saying that I am unavailable because I will not accept a non-negotiable rate and using that as an excuse to hire a non-certified interpreter, the court risk engaging interpreters who may likely provide a lower quality service, thus depriving the limiting proficiency client of a fair hearing.</p> <p>Just for context, I currently pay \$1,950/month just for my health insurance (just to insurance myself).</p> <p>Also, the language of the current proposal is unclear as to whether travel time would be paid for as it currently is. Being paid for travel time (which, as it is, is too low a rate), makes taking assignments in Los Angeles feasible. In actuality, the travel time rate should be increased at least to account for inflation each year.</p> <p>I hear constantly that there is concern about the availability of qualified interpreters. This proposal, if adopted (even in some diluted form), will most likely ultimately lead to far lower-quality interpreting services offered in the courts and fewer interpreters offering their services to the court.</p> <p>Thank you for your attention.</p> <p>appreciatively,<br/>Raffi Aftandelian</p>                                                                                                                                                                |
| <p>Ramona Rodriguez<br/>Court certified Spanish interpreter</p> <p><b>Comment on behalf of org?:</b> No</p>                                   | Do not agree with proposed changes | <p>Dear Judicial Council,</p> <p>I am writing to comment on Invitation to Comment SP26-05 regarding payment policies for independent contractor interpreters.</p> <p>While the proposal is presented as a modest rate increase, the combination of non-negotiable rates, mandatory full-block availability, elimination of clear session boundaries, and restricted travel reimbursement will make court work far less viable for many certified interpreters. The practical result will be fewer experienced professionals willing to accept Superior Court assignments.</p> <p>Of particular concern is the provision that treats a certified interpreter's refusal of the capped rate as "unavailability." Once that finding is made, the court may appoint a provisionally qualified interpreter who holds no statewide credential. Limited English Proficient court users are never informed of the substitution. Certification exists because neither the judge nor counsel can evaluate accuracy in real time. Expanding the use of non-credentialed interpreters in this way undermines the very safeguard the credential was created to provide.</p> <p>California is home to approximately 6.4 million Limited English Proficient residents—roughly one in six Californians. These individuals rely on competent interpretation to understand proceedings and exercise their due-process rights. When qualified interpreters become scarce, courts will be forced to rely on less experienced or uncertified substitutes. The consequences—misunderstandings, repeated hearings, and in some cases serious errors—are borne by the very people the language-access system is meant to protect.</p> <p>I respectfully ask the Judicial Council to reconsider these changes and retain the flexibility that currently allows courts to secure qualified interpreters when and where they are needed.</p> <p>Thank you for the opportunity to comment.</p> <p>Sincerely,<br/>Ramona Rodriguez</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                                                | Position                                | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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|                                                                                                                                                                          |                                         | Court certified Spanish interpreter                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Raquel Reed<br><br><b>Comment on behalf of org?: No</b>                                                                                                                  | Agree with proposed changes if modified | Good afternoon<br>I believe the proposed compensation rates for Independent Contractor Interpreters is fair. It has been my experience that the majority of ICs arrive late and/or sneak out early not even fulfilling a full day. This is unfair to employees and unethical.<br>I believe mileage is fair however I do not believe it is fair that they be compensated travel time. It is truly their option to accept or reject an assignment despite its location.<br>For too the long the independent contractors have depleted the our budget.<br>Thank you<br>Raquel Reed                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Raynel Alpizar<br>Certified Court Interpreter<br><br><b>Comment on behalf of org?: No</b>                                                                                | Do not agree with proposed changes      | These changes will reduce the willingness of experienced certified interpreters to accept court assignments when rates can no longer be negotiated to reflect real market conditions. The result will be fewer qualified interpreters available when courts need them most. California is home to approximately 6.4 million Limited English Proficient residents—roughly one in six Californians—who depend on competent interpretation to understand and participate in legal proceedings. When certified professionals leave the field or decline low-paying, inflexible assignments, those court users are left with less qualified substitutes.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Regina Coronado<br>State and Federally<br>Certified Court Interpreter<br>Former Advisor to the<br>CIAP<br>court interpreters<br><br><b>Comment on behalf of org?: No</b> | Do not agree with proposed changes      | To whom it may concern,<br><br>Please do not adopt the proposed SP26-05 which will change the current Payment Policies for Contract Court Interpreters.<br><br>The proposal includes adopting the current federal rate. Contract Interpreters have been been requesting parity with the federal rate for years since the federal rate was \$350. This may attract more Court Interpreters to the profession and help retain those in the industry. Finally, a step in the right direction!<br><br>However, the other changes to the Payment Policies for Contract Court Interpreters will be counterproductive to the goal of attracting new court interpreters and retain those who are currently working in the courts. Please reconsider and eliminate the following revisions:<br><br>—Requiring interpreters to remain beyond the need for their services. This goes against independent contractor rules vs rules for employees. Once an interpreter's contracted assignment is completed they have completed their contract and should be free to leave. The contract can be for up to a four hour morning or afternoon session as the courts operate.<br><br>—Removal of the AM and PM session. The courts operate in AM and PM sessions. We are available to work and schedule with that in mind. This neither practical nor cost effective for the interpreter nor the court.<br><br>—Understand that we are not hourly workers. We book and are available to the court for AM and PM sessions. We understand that courts have other matters and that you can never know when an interpreter matter will be called.<br><br>—Changing the business related travel payment. This will severely affect interpreters who travel out of their area to serve other courts in dire need of their services. This is especially true for interpreter who work in languages of lesser diffusion. Restricting the travel time will de-incentivize the interpreter from traveling out of their area if they will receive the same or similar payment in their home courts.<br><br>—Not permitting interpreters to charge extra for interpreting two languages is not a cost saving measure. Now you will pay to have two interpreters appear when one could have done the job.<br><br>—Eliminating the courts' flexibility in negotiating a rate with a contractor. Considering a rate refusal as an interpreters "unavailability" will lead courts into hiring non-certified /registered interpreters for the LEP court users. It will also encourage the use VRI for non-qualifying court events. |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                    | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
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|                                                                                                                                              |                                    | <p>At a time when the LEP community is experiencing great vulnerability in our nation, the Judicial Council of California should be at the forefront in protecting their rights and access to justice by providing the best quality services of certified and registered court interpreters.</p> <p>Thank you,</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Reyna, Manager, Helen S Ruiz Interpreting Services Manager<br>Helen S Ruiz Interpreting Services<br><br><b>Comment on behalf of org?:</b> No | Do not agree with proposed changes | Do not agree with proposed changes<br><br>I feel that these changes are not good as they harshly restrict an interpreter's ability to earn money. It will produce more problems than it solves.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Rocio Chavez Mixteco<br><br><b>Comment on behalf of org?:</b> No                                                                             | Do not agree with proposed changes | Do not agree with proposed changes                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Roman Garcia Interpreter interpreter in the Orange County area<br><br><b>Comment on behalf of org?:</b> No                                   | Do not agree with proposed changes | <p>Dear Members of the Judicial Council and Court Executives Advisory Committee:</p> <p>My name is Roman Garcia, I am an interpreter in the Orange County area and I am writing to respectfully oppose the proposed revisions to the Payment Policies for Independent Contractor Interpreters, SP26-05.</p> <p>I understand the need to use public funds responsibly and to have consistent policies across California courts. However, setting interpreter rates as strict, non-negotiable maximums could make it harder for courts to find and retain qualified certified and registered interpreters.</p> <p>Court interpreting requires specialized training, certification, continuing education, preparation, and, in many cases, significant travel. Not all assignments or languages have the same level of availability or difficulty. The proposed policy does not appear to take these differences into account.</p> <p>There are also situations where an interpreter may reasonably need a higher rate because of the distance they must travel, the lack of available interpreters for a particular language, the length or complexity of a proceeding, or the amount of preparation required. Removing the ability to negotiate a higher rate in these situations could make qualified interpreters less willing or able to accept assignments.</p> <p>I am also concerned about defining an interpreter as "unavailable" simply because they are not willing to accept the maximum rate. An interpreter declining an assignment because the rate does not reasonably cover the time, travel, preparation, or difficulty involved does not necessarily mean that the interpreter is unavailable. This distinction is important because the policy could reduce the number of qualified interpreters willing to accept court assignments.</p> <p>Language access is an important part of due process and equal access to justice. Court interpreters help ensure that litigants, defendants, victims, and families can fully understand and participate in court proceedings. Interpretation errors or delays can have serious consequences.</p> <p>Video remote interpreting can be helpful in appropriate situations, but it should not replace qualified in-person interpreters when in-person interpretation is needed because of the nature or complexity of the proceeding.</p> <p>I respectfully urge the Judicial Council to reconsider the non-negotiable rate structure and allow reasonable exceptions for situations such as scarce languages, significant travel, complex proceedings, and other extraordinary circumstances.</p> <p>Responsible use of public funds is important, but it should not come at the expense of having qualified interpreters</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                    | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
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|                                                                                                              |                                    | <p>available when California courts need them.</p> <p>Thank you for considering my comments.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Rosa Trevizo<br>Certified Court Spanish Interpreter<br><br><b>Comment on behalf of org?: No</b>              | Agree with proposed changes        | <p>I fully support the proposed adjustment to the rates paid to independent contractors. The substantial amount that independent contractors currently earn may also be discouraging them from applying for employment opportunities with our local courts. I also believe that establishing a standardized rate would help alleviate the competition our courts face when trying to compete with the varying rates charged by independent contractors. Having a consistent and fair rate structure would provide greater predictability for the courts while also promoting fairness and equity among interpreters.</p> <p>I strongly believe that establishing a standardized rate for all court interpreters, regardless of language, is long overdue. A consistent and fair rate structure would help ensure equity among interpreters and create a more balanced approach to compensation.</p> <p>Thank you for considering this important adjustment. I fully support moving forward with a fair and standardized rate for Independent Contractors.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Rosalie Foigelman<br>Court Interpreter<br><br><b>Comment on behalf of org?: No</b>                           | Do not agree with proposed changes | <p>As a certified court interpreter for over 30 years, I am deeply concerned about the impact Proposal SP26-05 will have on experienced interpreters and the future of our profession.</p> <p>Certified interpreters invest years developing the language skills, legal knowledge, training, and professional experience required to provide accurate interpretation in court proceedings. Imposing inflexible, capped rates that do not reflect our qualifications, experience, rising costs, and the realities of independent contractor work will make it increasingly difficult for many of us to continue accepting court assignments.</p> <p>If these proposed standards are adopted, I will seriously consider leaving the court interpreting profession, and I know I will not be alone. Experienced certified interpreters have other opportunities where our skills and professional qualifications are appropriately valued and compensated.</p> <p>The greatest impact will ultimately fall on Limited English Proficient individuals who rely on us to understand and meaningfully participate in proceedings that can profoundly affect their lives. Losing experienced certified interpreters means losing accuracy, continuity, and meaningful access to justice.</p> <p>I respectfully urge the Judicial Council to reconsider these proposed restrictions and preserve reasonable rate flexibility. California should be working to retain its experienced certified interpreters—not creating standards that will drive them away.</p> |
| Rosalyn Urias<br>Court Certified Spanish interpreter<br><br><b>Comment on behalf of org?: No</b>             | Do not agree with proposed changes | <p>Do not agree with proposed changes</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Rosario Lucas Rosales.<br>California Certified Court Interpreter<br><br><b>Comment on behalf of org?: No</b> | Do not agree with proposed changes | <p>Dear Judicial Council Members:</p> <p>I am writing to strongly oppose the proposed changes in SP26-05 regarding payment policies for independent contract court interpreters.</p> <p>I am a California Certified Court Interpreter with approximately 15 years of professional experience. I have worked both as a court employee and as an independent contractor in trials, hearings, depositions, workers' compensation matters, medical-legal appointments, and other complex proceedings. I understand firsthand the skill, preparation, flexibility, and responsibility required to interpret accurately in legal settings.</p> <p>Although the proposed rates of \$320 for a half day and \$566 for a full day may initially appear to be an improvement, making those rates non-negotiable would create an artificial ceiling that fails to account for market conditions, interpreter availability, travel, specialized assignments, and last-minute or difficult-to-fill calendars. It is also concerning that these rates will already be below the updated federal rates scheduled to take effect on October 1, 2026.</p> <p>I am particularly opposed to the following provisions:</p>                                                                                                                                                                                                                                                                                                                                                    |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                            | Position                                | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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|                                                                                                                      |                                         | <ul style="list-style-type: none"> <li>• Requiring interpreters to remain available for rigid four- or eight-hour blocks, even when proceedings end early. Independent contractors receive no employee benefits, guaranteed schedules, paid leave, or long-term job security. They should not be controlled as employees while being denied the protections and benefits of employment.</li> <li>• Eliminating clear morning and afternoon session boundaries. Defining a half day as any consecutive four-hour period could prevent an interpreter from accepting other assignments and result in the loss of an entire day's income.</li> <li>• Severely restricting travel reimbursement and eliminating the ability to negotiate reasonable travel compensation. Independent interpreters frequently travel significant distances, pay for fuel and vehicle expenses, and lose additional working time while commuting to court assignments.</li> <li>• Treating the federal \$80 hourly amount as a standard hourly rate when it is used as an overtime rate after eight hours in the federal system.</li> <li>• Allowing courts to use non-certified or non-registered individuals when a qualified certified interpreter is available but cannot accept the capped compensation. Declining an inadequate rate does not make a certified interpreter "unavailable." This policy would prioritize a price cap over professional qualifications and the quality of language access.</li> </ul> <p>These changes could drive experienced certified interpreters away from court assignments and discourage qualified bilingual professionals from entering or remaining in the profession. That would ultimately harm limited-English-proficient court users, attorneys, judicial officers, and the administration of justice.</p> <p>Court interpreting is not simply bilingual conversation. A single inaccurate interpretation can affect testimony, evidentiary rulings, plea decisions, parental rights, medical findings, financial outcomes, and a person's liberty. Courts need experienced professionals capable of handling complex terminology, emotional testimony, rapid exchanges, and the ethical demands of legal proceedings.</p> <p>I respectfully request that the Judicial Council reject the non-negotiable rate caps and rigid availability requirements proposed in SP26-05. Any revised policy should preserve courts' ability to negotiate compensation based on interpreter qualifications, scarcity, assignment complexity, travel, scheduling demands, and local market conditions. It should also prioritize certified interpreters and establish clear, fair session boundaries and reasonable travel reimbursement.</p> <p>Language access is a due-process issue. California should not reduce costs by adopting policies that make it more difficult to retain the qualified professionals responsible for protecting that access.</p> <p>Thank you for considering my comments.</p> <p>Respectfully,</p> |
| Ruth MacKay<br>Interpreter<br><br><b>Comment on behalf of org?: No</b>                                               | Agree with proposed changes if modified | <p>I disagree with the limitation being proposed on compensation for travel time. Mileage in the densely populated Bay Area is irrelevant; San Francisco is only 7 miles across but it can take up to 40 minutes to drive from the west end to the main courthouse. Colleagues in San Jose can take over an hour and never leave the city limits. If the Judicial Council wants to cap travel time, that might be reasonable, but eliminating it altogether will create serious problems in staffing.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Ruth Nuno<br>California Certified Court Interpreter<br>Court Interpreter<br><br><b>Comment on behalf of org?: No</b> | Do not agree with proposed changes      | <p>Dear Judicial Council,</p> <p>I am a California Certified Court Interpreter and independent contractor, and I am writing to express serious concerns regarding several provisions of SP26-05.</p> <p>I understand the value of establishing predictable standard rates and consistent policies across the courts. In my opinion, however, a standard rate is very different from an absolute ceiling. The proposed policy removes flexibility precisely where flexibility may legitimately be needed.</p> <p>Court interpreting assignments are not interchangeable. A routine proceeding may require relatively little preparation, while another assignment may involve highly technical subject matter, extensive preparation, specialized knowledge or experience, significant travel, unusual scheduling, or circumstances that make the assignment particularly difficult to cover. A maximum rate that cannot be exceeded treats these materially different assignments as though their professional demands were the same.</p> <p>A standard rate can remain the normal rate without becoming an absolute ceiling. Courts should retain a reasonable</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter | Position | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
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|           |          | <p>mechanism for approving different compensation when the circumstances of a particular assignment warrant it. That provides consistency while recognizing the reality that professional services cannot always be reduced to a single, inflexible price.</p> <p>I am also concerned about defining a half day as any consecutive four-hour period without regard to where those hours fall within the professional workday. Four hours on a clock do not necessarily represent half of an independent contractor's marketable workday.</p> <p>An assignment positioned in the middle of the day can make accepting another substantial assignment that day impractical. Travel time, preparation, the unpredictability of when proceedings conclude, and the obligation to be available for the next assignment all affect what other professional work can realistically be accepted. A four-hour period that effectively prevents an interpreter from accepting meaningful work during either the morning or the remainder of the afternoon can have the economic effect of consuming substantially more than half of that contractor's marketable workday.</p> <p>For that reason, I urge the Council to consider whether replacing defined court sessions with any consecutive four-hour period accurately reflects the practical and economic realities of independent professional work.</p> <p>I am also concerned about the requirement that an independent contractor remain obligated to the court for the entirety of the contracted period.</p> <p>I recognize that courts need dependable interpreter coverage and that contractors may be asked to interpret in more than one proceeding during a court session. My concern is not with providing the professional services for which I have been retained. My concern is with combining increasingly rigid control over a contractor's time with an absolute ceiling on what that contractor may negotiate for providing those services.</p> <p>Independent contractors assume the costs and risks of operating independently. We manage our own schedules, business expenses, administrative work, continuing professional development, periods without assignments, and other responsibilities of independent practice. We do not receive the salary, paid leave, retirement contributions, health benefits, or other protections associated with employment. The ability to negotiate compensation and manage our professional availability is therefore particularly important.</p> <p>The Judicial Council's own recent workforce study recognizes significant challenges in recruiting and retaining qualified court interpreters, competition from other industries, and the importance of compensation in remaining competitive. Against that backdrop, I am concerned about adopting a policy that simultaneously eliminates rate negotiability and imposes more restrictive terms on the professional time of independent contractors.</p> <p>These provisions should be considered together. A non-negotiable ceiling limits the value the parties may place on an assignment regardless of its circumstances. A floating four-hour definition can consume a disproportionately large portion of a contractor's marketable day. Mandatory availability further restricts the contractor's ability to manage that professional time. Taken together, these provisions shift additional scheduling and economic burdens to independent contractors while reducing the flexibility available to them.</p> <p>Administrative consistency is a legitimate objective, but consistency does not require eliminating reasonable flexibility. Indeed, the Judicial Council already has a mechanism under the existing policy for courts to document a good-faith effort to obtain an interpreter at the standard rate and obtain approval for a higher rate when necessary. A system can therefore have standard rates while preserving a carefully controlled exception process.</p> <p>I respectfully urge the Judicial Council to preserve a mechanism for compensation above the standard rate when justified by the circumstances of an assignment; reconsider defining a half day as any consecutive four-hour period without regard to its placement within the professional workday; and reconsider contractual requirements that unnecessarily restrict the professional autonomy of independent contractors.</p> <p>California courts need experienced, qualified interpreters. Policies governing independent contractors should balance the courts' legitimate need for predictability and cost control with the economic realities necessary to keep experienced professionals willing to provide those services.</p> <p>Respectfully,</p> <p>Ruth Nuno<br/>California Certified Court Interpreter</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                   | Position                                  | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
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| <p>S. Tapia<br/>Court Certified Interpreter</p> <p><b>Comment on behalf of org?: No</b></p> | <p>Do not agree with proposed changes</p> | <p>I appreciate the opportunity to comment on the proposed revisions to the Payment Policies for Independent Contractor Interpreters. My primary concern is the potential impact of the proposed changes on language access.</p> <p>The availability of qualified court interpreters is fundamental to ensuring that limited-English-proficient (LEP) court users can meaningfully participate in court proceedings and understand the information necessary to exercise their rights. For that reason, I encourage the Judicial Council to evaluate the proposed payment structure not only in terms of projected financial savings, but also in terms of whether it will truly support the continued availability of qualified interpreters.</p> <p>A blanket payment policy can affect language access even when language access is not its stated purpose. If a mandatory, standardized, non-negotiable rate or travel policy makes certain assignments less economically feasible for independent interpreters, especially those of lesser diffusion, courts may have greater difficulty securing qualified interpreters. This risk may be particularly significant for assignments requiring substantial travel or involving languages for which there is a smaller pool of available interpreters.</p> <p>In my experience, certain languages are significantly more difficult for courts to fill than others. The availability of qualified interpreters is therefore not uniform across languages or geographic areas.</p> <p>The success of a cost-containment policy should not be measured solely by how much a court can save when hiring an interpreter. It should also be measured by whether the court can consistently and promptly secure a qualified interpreter when one is needed.</p> <p>A half-day court assignment can effectively occupy a full day when travel and waiting time are included. For an independent interpreter, that time may also represent time during which the interpreter cannot accept another assignment.</p> <p>This has implications beyond the interpreter's compensation. If the compensation structure does not adequately account for assignments requiring significant travel, interpreters may be less willing to travel to courts outside their immediate geographic area. That could disproportionately affect smaller courts or courts in areas where the local pool of qualified interpreters is limited.</p> <p>A standardized travel policy should therefore be evaluated in terms of its potential effect on geographic access to qualified interpreters.</p> <p>Interpreter availability also depends on whether interpreters can reasonably reserve time for court assignments.</p> <p>When there is a short-notice cancellation, the interpreter may be unable to replace that work with another assignment.</p> <p>This is relevant to language access because repeated scheduling inefficiencies can affect interpreters' willingness to reserve time for court work.</p> <p>Similarly, a short court assignment may require significantly more time than the actual duration of the proceeding because of travel, parking, waiting, and scheduling constraints.</p> <p>A policy that accounts only for the time spent actively interpreting may therefore underestimate the resources required to make qualified interpreters available to the courts.</p> <p>I encourage the Judicial Council to examine whether the proposed changes will actually produce net savings while maintaining or improving interpreter availability.</p> <p>For example, if a mandatory, non-negotiable, standardized rate results in fewer interpreters accepting certain assignments, the court may experience:</p> <ul style="list-style-type: none"> <li>Increased difficulty filling interpreter requests;</li> <li>More last-minute searches for available interpreters;</li> <li>Increased travel requirements for interpreters coming from other regions;</li> <li>Increased administrative workload;</li> <li>Delays or continuances when an interpreter cannot be secured; and</li> <li>Reduced access to qualified interpreters for certain languages or geographic areas.</li> </ul> <p>These outcomes could ultimately undermine both cost containment and more importantly language access.</p> <p>I therefore encourage the Judicial Council to consider language-access outcomes when evaluating projected savings.</p> <p>The proposal's impact may also vary significantly among courts. Larger courts in metropolitan areas may have access to a larger pool of local interpreters. Smaller courts or courts located farther from major population centers may rely more heavily on interpreters traveling from other counties.</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                        | Position                                       | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
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|                                                                                                                                                  |                                                | <p>A uniform policy may therefore have very different effects depending on the court's geographic location, size, and language needs.</p> <p>I encourage the Judicial Council to specifically evaluate whether the proposed policy will provide smaller and geographically isolated courts with sufficient access to qualified interpreters.</p> <p>I support the objective of establishing consistent and fiscally responsible policies for independent contractor interpreters. However, I respectfully recommend that language access be treated as a key measure of the proposal's success.</p> <p>Before implementing a non-negotiable statewide rate structure, the Judicial Council should consider:</p> <ol style="list-style-type: none"> <li>1. Whether the proposed compensation structure will maintain an adequate pool of qualified interpreters.</li> <li>2. Whether standardized travel compensation will allow courts to obtain interpreters when qualified local interpreters are unavailable.</li> <li>3. Whether the policy adequately addresses late cancellations and the time required to reserve an interpreter for court.</li> <li>4. Whether the proposed structure could disproportionately affect languages that are more difficult to fill.</li> <li>5. Whether the policy will have different effects on large metropolitan courts versus smaller or geographically isolated courts.</li> <li>6. Whether projected cost savings account for the potential administrative and operational costs associated with difficulty securing interpreters.</li> </ol> <p>In conclusion, language access is not simply a matter of having an interpreter available in theory. Meaningful language access requires courts to have timely access to qualified interpreters when and where they are needed.</p> <p>As the Judicial Council considers revisions intended to contain costs and improve interpreter resource management, I respectfully encourage the Council to ensure that the resulting payment structure does not unintentionally reduce interpreter availability.</p> <p>The most effective policy should achieve both goals: responsible stewardship of public resources and reliable, meaningful language access for all court users.</p> <p>Thank you for your consideration.</p> |
| <p>Sak Vasunilashorn<br/>California Court Interpreter/Thai, Lao<br/>California Court Interpreter</p> <p><b>Comment on behalf of org?: No</b></p> | <p>Agree with proposed changes if modified</p> | <p>Dear California Judicial Council,</p> <p>The Thai community in California is the largest Thai community in the United States, and many of them are not fluent in the English language.</p> <p>However, there are less than 20 registered Thai and Lao interpreters in California, with only about 5 registered court interpreters as independent contractors work in and outside the courtrooms in Southern California.</p> <p>It is essential for the Thai and Lao interpreters to receive reasonable attractive pays to be able to remain in the interpreting profession to assist these Thai and Lao speakers in the legal system that they need.</p> <p>As a result, please reconsider the Thai and Lao languages pay rates for FY 2024-25 as high as possible or equal to the maximum pay rates.</p> <p>Thank you in advance for your kind attention in this matter.</p> <p>Best,</p> <p>Sak Vasunilashorn</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <p>Samuel Temblador<br/>Court Interpreter<br/>(Employee)<br/>LASC</p> <p><b>Comment on behalf of org?: No</b></p>                                | <p>Do not agree with proposed changes</p>      | <p>Do not agree with proposed changes</p> <p>Attempting to place a cap on IC daily rates is misguided. The solution to the problem is to incentivize ICs to become employees earning the federal rate. This would keep them from charging exorbitant fees while preventing the interpreter profession from being eroded out of existence to the detriment of the public we serve. No one wants to work for pay that does not properly and fairly compensate our professional skills and training.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

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| <p>Sandra G. Bravo<br/>Federal Certified Court Interpreter and Certified Court Interpreter for the States of Washington, Georgia and California</p> <p><b>Comment on behalf of org?:</b> No</p> | <p>Do not agree with proposed changes</p> | <p>SP26-05 - August 24, 2026</p> <p>Submitted on Thu, 08/20/2026 - 09:44</p> <p>Position on Proposal<br/>Do not agree with proposed changes</p> <p>Comments<br/>I respectfully but strongly oppose the proposed changes to the Superior Court Payment Policies for Independent Contract Interpreters. While the proposal appears to increase published rates, it would in practice impose a rigid, non-negotiable cap that disregards market conditions, travel burdens, language scarcity, and the realities of independent contract interpreting. What is presented as administrative uniformity will function as a pay cut and will make court assignments less viable for experienced, qualified interpreters.</p> <p>The proposed structure is especially harmful because it treats independent contractors like employees for scheduling purposes while denying them the protections and benefits of employment. Requiring interpreters to remain available for fixed four-hour or eight-hour blocks, limiting negotiated travel compensation, and prohibiting courts from paying above the federal rate will prevent courts from responding to urgent calendars, remote locations, difficult proceedings, and hard-to-cover languages.</p> <p>The harm will not be limited to interpreters. Courts rely on certified and registered interpreters to protect meaningful access to justice for limited English proficient parties, witnesses, victims, defendants, and families. If qualified interpreters decline court work because compensation is capped below what is necessary to accept the assignment, courts will face more delays, continuances, administrative burdens, and pressure to use less qualified individuals. That result threatens accuracy, due process, and public confidence in the judicial system.</p> <p>These concerns are most acute for Indigenous languages and other languages of lesser diffusion, where qualified interpreters are already scarce. Higher compensation in those languages reflects scarcity and specialized skill, not overpayment. A statewide cap will not increase the supply of qualified interpreters; it will drive them away from court work when they are needed most.</p> <p>For these reasons, I urge the Judicial Council to reject the proposed changes as written. Any payment policy must preserve courts' ability to negotiate appropriate rates and travel reimbursement, maintain clear session definitions, protect the preference for certified and registered interpreters, and support—not undermine—the judiciary's obligation to provide meaningful language access. Saving money by reducing flexibility and capping compensation will ultimately cost the courts more through delays, diminished quality, and harm to the people the justice system is required to serve.</p> |
| <p>Santi Interpret Self</p> <p><b>Comment on behalf of org?:</b> No</p>                                                                                                                         | <p>Do not agree with proposed changes</p> | <p>Do not agree with proposed changes</p> <p>Does not compensate for time spent in preparation of minimum is paid.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <p>Sara Soriano<br/>Court certified Interpreter</p> <p><b>Comment on behalf of org?:</b> No</p>                                                                                                 | <p>Do not agree with proposed changes</p> | <p>To Whom it may concern,<br/>I appreciate the Judicial Council inviting our comments. I strongly feel the non negotiable rates are rigid and due to the reduced flexibility, it will cause experienced certified interpreters to walk away from court assignments especially if we have to travel. I strongly believe California's 6.4 million limited English Proficient residents deserve consistent access to highly qualified and experienced interpreters. This ensures their due process rights are protected. Thank you for considering this comment.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

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| <p>Sarah Schneider<br/>ATA Certified Translator<br/>CAPIT</p> <p><b>Comment on behalf of org?: Yes</b></p>                                         | <p>Do not agree with proposed changes</p> | <p>Dear Judicial Council,</p> <p>I submit these comments in strong opposition to the proposed revisions in SP26-05.</p> <p>The proposal's non-negotiable rate structure, rigid four- and eight-hour blocks, removal of clear morning/afternoon session definitions, and tightly restricted travel rules will significantly reduce the willingness of certified interpreters to accept court work. Once experienced interpreters leave or limit their availability, the courts will face greater difficulty covering calendars with qualified professionals.</p> <p>Of particular concern is the proposal's definition of "unavailability." The draft states that an interpreter is considered unavailable if they "are unwilling to accept the maximum compensation rate established in the policy." Once that finding is made, and after a diligent search, the court may appoint a nonregistered or noncertified interpreter under rule 2.893. This provision turns a simple rate refusal into a legal finding of unavailability. In practice, it creates a direct financial incentive to replace a certified interpreter who declines the capped rate with someone who has never passed a certification examination. Limited English Proficient court users are never informed that this substitution has occurred. Certification exists because neither the judge nor counsel can evaluate the accuracy of the interpretation in real time. By converting a cost-control measure into a structural preference for less-qualified interpreters, the proposal undermines the very safeguard the credential was designed to provide. This is not language access. It is the appearance of language access at the expense of accuracy and due process.</p> <p>This outcome directly affects California's Limited English Proficient population—approximately 6.4 million people, or one in six residents. Meaningful language access is a due-process requirement, not an optional expense. When certified interpreters are driven away by inflexible and non-negotiable terms, the quality of interpretation declines. Errors, continuances, and in the worst cases mistrials or miscarriages of justice become more likely. Any short-term budget savings will be outweighed by the long-term costs of remedying those failures.</p> <p>California has long recognized the importance of language access in a diverse state. This proposal moves in the opposite direction. I urge the Judicial Council to reject the current draft and maintain the flexibility necessary to attract and retain qualified certified interpreters.</p> <p>Respectfully, Sarah Schneider Certified Translator</p> |
| <p>Shamus Sayed, CEO of<br/>Interpreters Unlimited, Inc.<br/>CEO<br/>Interpreters Unlimited, Inc.</p> <p><b>Comment on behalf of org?: Yes</b></p> | <p>Do not agree with proposed changes</p> | <p>I respectfully oppose the proposed revisions in SP26-05.</p> <p>California should be strengthening access to qualified court interpreters, not adopting a compensation structure that may unintentionally make qualified interpreters more difficult to secure.</p> <p>The proposed payment caps remove the flexibility courts currently have to respond to real-world market conditions, including hard-to-fill languages, urgent assignments, geographic coverage challenges, travel, and other circumstances where a higher negotiated rate may be necessary. A statewide maximum rate may appear administratively simpler, but interpreter availability does not operate uniformly across every language or every part of California.</p> <p>I am also particularly concerned with any policy under which a certified or registered interpreter who declines an assignment at the capped rate may effectively be treated as "unavailable," allowing the assignment to move to a non-certified or non-registered interpreter. Cost containment should never create an incentive—directly or indirectly—to lower qualification standards in judicial proceedings.</p> <p>Court interpreting is not an ordinary commodity. Accuracy can directly affect due process, access to counsel, testimony, evidentiary issues, and a litigant's ability to meaningfully participate in the justice system.</p> <p>Rather than imposing inflexible caps, the Judicial Council should preserve reasonable local discretion and develop a payment framework that recognizes interpreter qualifications, language scarcity, geography, travel requirements, assignment duration, and prevailing market conditions.</p> <p>California's commitment to meaningful language access depends upon maintaining a strong and sustainable pool of highly qualified interpreters. I urge the Judicial Council to reconsider these provisions and engage further with interpreters, language-service organizations, courts, and other stakeholders before implementing a policy that could unintentionally reduce interpreter availability and ultimately increase court delays and costs.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <p>Shannon K. Murphy<br/>Federally Certified &amp;<br/>Court Certified Spanish<br/>Interpreter</p> <p><b>Comment on behalf of org?: No</b></p>     | <p>Do not agree with proposed changes</p> | <p>Dear Judicial Council,</p> <p>Proposal SP26-05 should be rejected.</p> <p>Under the banner of a rate increase, the Council is imposing non-negotiable ceilings, forcing interpreters to remain for entire blocks regardless of actual need, erasing clear session boundaries and severely restricting travel reimbursement. The predictable result is that many certified interpreters will simply be forced to stop accepting Superior Court work.</p> <p>The proposal creates a direct financial incentive to replace certified interpreters with provisionally qualified ones. When a certified interpreter declines the non-negotiable rate, the draft allows the court to declare that interpreter "unavailable" and appoint someone who has never been able to pass a certification exam. The LEP party is not told</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
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|                                                                                                          |                                    | <p>this has happened. Errors by non-credentialed interpreters are rarely caught in the moment.</p> <p>Turning a rate refusal into a legal finding of unavailability converts a cost-control measure into a structural preference for less-qualified interpreters. This is not language access. It is the appearance of language access at the expense of accuracy and due process.</p> <p>California has 6.4 million Limited English Proficient residents—one out of every six people in the state. These court users have a constitutional right to understand the proceedings that affect their liberty, families, and livelihoods. When the State makes it economically and practically unattractive for qualified interpreters to serve, it is the non-English-speaking public that pays the price through delayed cases, inaccurate interpretation, mistrials, and miscarriages of justice.</p> <p>Cutting interpreter flexibility to save money is false economy. The real cost will appear later in repeated hearings, appeals, and damaged public confidence in the courts. The Judicial Council should not balance budgets on the backs of Limited English Proficient Californians.</p> <p>I urge the Council to withdraw this proposal.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <p>Sherrie Reyes<br/>State Certified Spanish Interpreter</p> <p><b>Comment on behalf of org?: No</b></p> | Do not agree with proposed changes | <p>Do not agree with proposed changes</p> <p>As a Certified, self-employed interpreter and small business owner in California, I am writing to express my strict opposition to the proposed rate structures. If implemented, these changes will severely threaten my livelihood and force qualified language professionals out of the state system. Please consider the following critical impacts on our day-to-day survival:</p> <p>Failure to Address California's Cost of Living: The proposal completely ignores the massive inflationary pressures and high cost of living in California. Freezing rates or establishing rigid, low regional ceilings means independent interpreters are taking a massive pay cut in real economic terms. Our business overhead—including fuel, vehicle maintenance, professional liability insurance, and mandatory continuing education—continues to skyrocket. A uniform, suppressed rate structure is economically unsustainable.</p> <p>Destruction of Critical Livelihood Protections (Half-Day/Full-Day Minimums): As independent contractors, we do not receive health insurance, paid time off, retirement contributions, or guaranteed hours. Traditional half-day and full-day minimums, alongside robust late-cancellation protections, are the only financial safeguards we have. Accepting an assignment means turning down other work. Forcing quarter-hour granular billing or slashing cancellation fees passes 100% of the financial risk onto the interpreter, wiping out our predictable daily income.</p> <p>Violation of Independent Status: Under California Labor Code Section 2778, the legal definition of an exempt, independent sole proprietor explicitly includes the freedom to set our own market rates and terms. By forcing rigid payment ceilings, the state is overstepping its bounds and treating independent small businesses like capped employees, without providing any of the corresponding employee benefits.</p> <p>Lowering compensation limits will not save the state money; it will simply cause a catastrophic shortage of certified professionals. Qualified interpreters will shift their businesses entirely to the private sector or federal courts. This will leave state courts and injured workers reliant on uncertified individuals, causing massive delays, legal appeals, and administrative chaos.</p> <p>I strongly urge you to reject these cuts, preserve traditional half-day/full-day safeguards, and incorporate mandatory cost-of-living adjustments (COLA) into any future fee schedules.</p> |
| <p>Silvia Uribe</p> <p><b>Comment on behalf of org?: No</b></p>                                          | Do not agree with proposed changes | <p>Proposal SP26-05 will reduce the availability of qualified certified interpreters in our courts. When experienced professionals leave because rates are capped and inflexible, Limited English Proficient Californians—approximately one in six residents—lose meaningful access to justice. I ask the Council to reject these changes and preserve the ability of courts to secure competent interpretation.</p> <p>Thank you!</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
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| Sona Roesler et. Al<br><br><b>Comment on behalf of org?: No</b>                                          | Do not agree with proposed changes | <p>OBJECT TO THE PROPOSAL FOR THE FOLLOWING REASONS:</p> <p>1. THE RATES FOR INDEPENDENT CONTRACTORS CANNOT BE LIMITED</p> <p>a) Independent contractor by virtue means that the rates and mode of work CANNOT be controlled by contracting parties (private and/or government), and the independent contractors should not be deprived of their negotiation power.</p> <p>b) The Court employees receive full package of benefits (paid vacations, retirement health, sick days, family leave, etc.) from the courts and therefore their lower rates could somehow be justified.</p> <p>c) Independent contractors receive NO benefits from the Court system, have to purchase on individual basis and at much higher rates, since individuals do not have the same bargaining power, as the government.</p> <p>d) Independent contractors DO NOT have retirement plans from the government and are obliged to work beyond retirement age b/c of lack of such benefits.</p> <p>e) The rate increase for the State and Government employee interpreters does not correspond to the level of inflation and daily increasing prices on most of goods and services.</p> <p>f) The reimbursement rates SHOULD NOT be UNIFORM since cost of living even in different cities of greater LA are significantly different.</p> <p>g) The travel terms and conditions for State and Federal Governments have significant differences. For the Federal Courts, the work time count starts when leaving home for work and until return back home, minus unrelated stops. The state pays very low hourly rate based on anticipated travel time vs. the actual travel time.</p> <p>h) Independent contractors do not receive bereavement benefits and FMLA benefits and have to take time off at their own expense.</p> <p>i) The employee's actual pay increases with continued employment and does not stay at some baseline predetermined rate.</p> <p>j) Independent contractors do not have a job security. We cannot be asked to work for the same rates as the employees when we do not get benefits, and the contractors get contacted only WHEN and IF there's a specific case, while employees get paid regardless – case or no case. Moreover, in case of "exotic languages" like Armenian, travel is almost always required, so to cut the reimbursement for travel time means to ask the interpreters to pay out of pocket just to get jobs.</p> <p>k) JCC is the body to administer tests to determine interpreters' qualifications: the interpreters pay for their continuous education, attend classes every other year, and pay all the fees to keep their status as certified interpreters, when non-certified individuals have NO requirements whatsoever.</p> <p>These proposed changes would have a significant impact not only on independent contractors, but also the LEPs who depend on us, as professional interpreters to have fair access to due process. We urge to reconsider these changes and actually support the independent contractors instead of working against us.</p> <p>Respectfully,</p> <p>Sona Roesler, Certified Eastern Armenian interpreter<br/> Liliya Boshyan, Certified Eastern Armenian and Russian interpreter<br/> Magdalena Avedisyan, Certified Eastern Armenian interpreter<br/> Noune Oganessian, Certified Eastern Armenian and Russian interpreter<br/> Hasmik Hovhanisyan, Certified Eastern Armenian Interpreter<br/> Tamar Markosyan, Certified Eastern Armenian Interpreter</p> |
| Sona Roesler, certified Eastern Armenian interpreter #301832<br><br><b>Comment on behalf of org?: No</b> | Do not agree with proposed changes | <p>In Response to the Proposed Changes by JCC on Interpreter Pay</p> <p>Dear Sir/Madame,</p> <p>I am one of the 16 certified interpreters for the Eastern Armenian language in California (and none of the other states in the country offer court certification tests for the Armenian language – Western or Eastern, and there are NO Federal certification tests offered for my language), and I am also the last interpreter who was certified 10 years ago, in 2016. No one else has passed this test since then, which raises a question of why. I know there are quite competent interpreters out there who could/should be able to pass the JCC certification test for Eastern Armenian, and yet the fact is no one has passed it in 10 years. And back then, when I passed, there was one more interpreter who passed that test at the same time as I did, and there was another long gap of people passing that test before then. And from what I've heard, those who have recently taken the CA Court Interpreter Exam for the Armenian language have not gotten their results for almost a year. And again, what is the problem? Is it the contracting agency that does not provide efficient and timely test grading? If any other licensing exams, such as the bar exam, had similar delays in grading the tests, the outcome and ramifications would be different.</p> <p>The reason I am bringing up the certification issue is that it directly correlates with insufficient number of certified interpreters for Eastern or Western Armenian language, especially as the demand for certified interpreters increases every day. Recently, I have been rejecting 4-5 jobs (for depositions) a day simply because I am booked in advance for months. That is a good problem to have, and the private sector alone keeps us very busy, but I also like accommodating our courts, and I try to do it as much as possible. Some of the counties are very understanding and agreeable to do these hearings remotely, and I have talked to many of the coordinators regarding this issue and the fact that they are being wasteful when they request our presence in person just for a traffic arraignment. I live in Fresno,</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                                 | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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|                                                                                                                                                           |                                    | <p>and even my local courts understand the budgetary restrictions, so they primarily use me for their short remote hearings – it is cost effective for them and reasonable, considering our availability. But some of the counties demand an in-person appearance, which means, I would have to drive minimum of 2.5 hours (one way) to get to the requested courts, for example in Kern County, Santa Clara County (which is 3 hours away one way), or Sacramento County (which is, again at least 3 hours away in one direction); although, Sacramento County is more reasonable and only asks for my in-person appearance for trials only for important criminal cases or trials. And when I travel, that takes me away from remote depositions. So I reject more jobs to accommodate the courts. And if this current proposal passes, I would have to stop working with the courts, simply because I would have to lose money to help them.</p> <p>And I have an impression that the real reason this proposal is being introduced is to eventually get rid of the court interpreter certification entirely – why else would such a ridiculous proposal exist? As far as I know, certified Armenian interpreters who are employed by LA County (where most of the demand for my language is) are at or near the retirement age, and LA County consistently uses non-certified interpreters. And who is there to assess these interpreters' language skills for either language? How do they know what these interpreters' competency level is? And just to remind, there has been a precedent in the Eastern District of California when a non-certified interpreter was used for a Federal Criminal trial in 2005 when the federal conviction was overturned because of the use of a non-certified interpreter who not only was not certified, but was speaking the wrong dialect (Western Armenian) when the defendant needed an Eastern Armenian interpreter. I often hear constant complaints from the bi-lingual attorneys who deal with non-certified interpreters and their lack of basic language skills and professionalism.</p> <p>As for cutting the compensation for the travel time, that in and of itself would prevent me from traveling 6 hours minimum (round trip) to assist for half-day jobs.</p> <p>I am sure my colleagues can share their experiences regarding LA County and other counties from Southern California, but this proposal is troubling and, frankly, insulting to us as professionals who deal with highly-demanding task of assisting in legal proceedings.</p> <p>JCC should protect its own certification process and defend their own interpreters against the overwhelming use of non-certified individuals, who in many instances claim to be certified, misrepresent themselves, and as proven recently, go as far as commit identity theft against certified interpreters.</p> <p>Sincerely,<br/>Sona Roesler, certified Eastern Armenian interpreter #301832</p> |
| <p>Sonia Barron-Rodriguez<br/>Independent Certified<br/>Court Interpreter</p> <p><b>Comment on behalf of org?:</b> No</p>                                 | Do not agree with proposed changes | <p>Do not agree with proposed changes</p> <p>The proposal undermines our livelihood as independent interpreters. As independent interpreters we don't enjoy the benefits, vacations, insurance or any other protections that staff interpreters receive. These rate changes especially limiting getting paid travel time and extending the full and half day hours hurts us and in the end will hurt the LEP clients that need an interpreter. There is already a shortage of interpreters, instead of helping you are hurting our profession.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <p>Sonia Wichmann, PhD<br/>Swedish-English<br/>Translation/Editing/Review</p> <p><b>Comment on behalf of org?:</b> No</p>                                 | Do not agree with proposed changes | <p>Proposal SP26-05 will reduce the availability of qualified certified interpreters in our courts. When experienced professionals leave because rates are capped and inflexible, Limited English Proficient Californians—approximately one in six residents—lose meaningful access to justice. I ask the Council to reject these changes and preserve the ability of courts to secure competent interpretation.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <p>Srinapha Vasunilashorn<br/>California Court<br/>Interpreter/Thai, Lao<br/>California Court Interpreter</p> <p><b>Comment on behalf of org?:</b> No</p> | Do not agree with proposed changes | <p>Dear California Judicial Council,</p> <p>We are appalled by the proposed pay rates for FY 2024-25.</p> <p>Thai and Lao languages are the exotic languages, and there are about less than 20 of us, registered Thai and Lao interpreters, in the whole state of California.</p> <p>In Southern California alone not including court employees, there are only about 4-5 available registered independent contractors to work in and outside the courtrooms, which means the heavy work loads with the least pays for these 5 independent contractors according to this FY 2024-25 pay rate proposal.</p> <p>We feel unjust to be treated with such inequality. Please reconsider to adjust the pay rates of the Thai and Lao languages to the maximum or near maximum like other higher proposed languages pay rates.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                              | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
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|                                                                                                                                        |                                    | <p>Your kind attention in this matter will be greatly appreciated.</p> <p>Respectfully yours,</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <p>Stephanie Fiorito<br/>Vice President<br/>Continental Interpreting<br/>Services</p> <p><b>Comment on behalf of<br/>org?: Yes</b></p> | Do not agree with proposed changes | <p>Position on Proposal<br/>Do not agree with proposed changes</p> <p>Comments<br/>Continental Interpreting Services is deeply concerned about the Judicial Council of California's proposed changes to payment policies for independent contractor interpreters.</p> <p>We believe P26-05 is a short-sighted cost-cutting measure that could ultimately harm California's 6.4 million Limited English Proficient residents, court-certified interpreters, and the judicial process.</p> <p>Rigid, non-negotiable compensation rates will drive qualified, certified interpreters away from court assignments, particularly when the rates do not reflect market conditions, travel, language availability, or the complexity of an assignment.</p> <p>Turning a rate refusal into a legal finding of interpreter unavailability is especially concerning. This could create a structural preference for less-qualified interpreters (i.e. noncertified interpreters) simply because they are willing to accept the prescribed rate. That is not meaningful language access. It risks creating the appearance of language access at the expense of accuracy and due process. Court-certified interpreters undergo specialized training and certification to handle the complexity, terminology, and critical responsibilities of legal proceedings, and they should not be displaced simply because a qualified interpreter is willing to accept a lower, non-negotiable rate.</p> <p>Independent interpreters are professionals and small business owners who bear their own taxes, insurance, travel, professional development, and other operating costs. If independent interpreters leave the court system, the consequences could extend well beyond the interpreting industry, resulting in greater difficulty filling assignments, delays, errors, and potentially serious impacts on court proceedings.</p> <p>California needs more qualified court interpreters, not fewer. We respectfully urge the Judicial Council to withdraw P26-05 and work collaboratively with independent interpreters and language service providers on a payment policy that is fiscally responsible while protecting interpreter quality, availability, and access to justice.</p>                                                                                                   |
| <p>Stephanie Kuo<br/>Superior Court of Los<br/>Angeles County</p> <p><b>Comment on behalf of<br/>org?: Yes</b></p>                     | Agree with proposed changes        | <p>Agree with proposed changes</p> <p>The following comments are representative of the Superior Court of California, County of Los Angeles (Court), and do not represent or promote the viewpoint of any particular officer or employee.</p> <p>In response to the Judicial Council of California's Invitation to Comment (ITC), "Court Interpreters: Revisions to Payment Policies for Independent Contractor Interpreters," the Court agrees with the proposal and believes it appropriately addresses the stated purpose.</p> <p>The Court believes the proposal will provide cost savings by removing the option for courts to pay a higher rate under "extraordinary circumstances," establishing a consistent maximum rate and more predictable interpreter costs. This also eliminates the need to negotiate rates with contracts, thereby reducing court staff workload.</p> <p>The Court notes that it occasionally sees higher rates in rare languages, which tend to reflect a limited pool of qualified employee interpreters rather than the rate ceilings themselves. Should a ceiling be set lower than the local market can support, courts may occasionally encounter challenges such as unfilled assignments, continuances, additional travel, or greater reliance on remote or noncertified interpretation.</p> <p>To implement the proposal, the Court will need to revise its interpreter agreements to reflect the new standardized template and compensation rates. This is a significant task as there are currently more than 400 agreements that need to be updated. Additionally, the Court's staff would need to be trained on the new compensation rates. This training would be relatively straightforward and is estimated to take approximately one hour. The proposal's effective date of January 1, 2027, is sufficient time for implementation.</p> <p>The proposal will work well across courts of varying sizes, though its impact may differ based on regional economic conditions. By establishing uniform maximum rates, the policy would help align courts statewide and reduce the competition among them for interpreter services, while also decreasing the human resources devoted to the process of obtaining interpreters. One consideration is that rural courts, which typically operate in areas with a lower cost of</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                 | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
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|                                                                                                           |                                    | living, may end up paying more in percentage terms relative to their local cost of living when applying the maximum rate.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Stephanie Martinez<br>CA Court Interpreter<br><br><b>Comment on behalf of org?: No</b>                    | Do not agree with proposed changes | Dear Sir/Madam,<br>The pay for staff interpreters has been neglected for far too long. Given the critical importance that interpreters have in the system I strongly agree that lowering the pay of independent interpreters is not the answer, instead raising the pay for the staff interpreters is the solution. We need to value public service for limited English speakers.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Stephen Lank<br>CEO<br>Cesco Linguistic Services<br><br><b>Comment on behalf of org?: Yes</b>             | Do not agree with proposed changes | I urge the Judicial Council to reconsider Proposal SP26-05. Rigid, non-negotiable rates and reduced flexibility will drive experienced certified interpreters away from court work. California's 6.4 million Limited English Proficient residents deserve consistent access to qualified interpreters so their due-process rights are protected.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Steven Jason Knapp<br>U.S. and CA Certified Court Interpreter<br><br><b>Comment on behalf of org?: No</b> | Do not agree with proposed changes | <p>Dear Members of the Judicial Council,</p> <p>I'm submitting this comment on Invitation to Comment SP26-05, which addresses payment policies for independent contractor interpreters in the Superior Courts.</p> <p>Although framed as a rate increase, the proposal bundles in several other changes — fixed non-negotiable rates, mandatory availability for entire blocks of time, the loss of defined session boundaries, and tighter limits on travel reimbursement — that together make court work considerably less sustainable for many certified interpreters. The likely outcome is that fewer experienced, credentialed professionals will continue accepting Superior Court assignments.</p> <p>My sharpest concern is with the provision deeming a certified interpreter's decline of the capped rate to constitute "unavailability." That designation then opens the door for the court to appoint a provisionally qualified interpreter — someone without a statewide credential — and Limited English Proficient court users are given no notice that this substitution has occurred. The certification requirement exists precisely because judges and attorneys generally have no way to assess interpreting accuracy themselves in the moment. A policy that makes it easier to route around certified interpreters erodes the protection certification was designed to guarantee.</p> <p>Roughly 6.4 million Californians — about one in six residents of the state — have limited English proficiency and depend on accurate interpretation to follow court proceedings and exercise their due-process rights. If the pool of qualified interpreters shrinks, courts will increasingly turn to less experienced or non-credentialed substitutes by default rather than by choice. It is LEP court users, not the system, who will absorb the resulting harm: confusion, hearings that must be redone, and in the worst cases, outcomes shaped by interpreting errors.</p> <p>I urge the Judicial Council to revisit this proposal and preserve the flexibility courts currently have to secure genuinely qualified interpreters for the people who need them.</p> <p>Thank you for considering this comment.</p> <p>Respectfully,</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                          | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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| Steven Ruiz<br>Helen S Ruiz Interpreting Service<br><br><b>Comment on behalf of org?: No</b>                                       | Do not agree with proposed changes | SP26-05 will harm California's 6.4 million Limited English Proficient residents. It will drive certified interpreters out of the courts through non-negotiable rates will produce more problems than it solves. The available pool of certified and registered interpreters will shrink to a pool of the least qualified interpreters. The Council should withdraw this proposal.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Susan Randolph<br>Corporate Secretary<br>Executive Linguist Agency, Inc.<br><br><b>Comment on behalf of org?: Yes</b>              | Do not agree with proposed changes | Do not agree with proposed changes<br><br>In a large, populous state dependent for much of its prosperity on the work of people with limited English and on an efficient and competent system for providing services to them, adopting these proposals unchanged will result in limiting access to the judicial system for non-English speakers and that effect will spread inexorably to all other settings requiring interpreters. It will bring harm to those needing the service and, with a ripple effect, the rest of the economy and society in general.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| TONY BARRIERE<br>COURT CERTIFIED INTERPRETER<br>TONY BARRIERE INTERPRETING SERVICE INC<br><br><b>Comment on behalf of org?: No</b> | Do not agree with proposed changes | Dear Judicial Council,<br><br>I submit these comments in strong opposition to the proposed revisions in SP26-05.<br><br>The proposal's non-negotiable rate structure, rigid four- and eight-hour blocks, removal of clear morning/afternoon session definitions, and tightly restricted travel rules will significantly reduce the willingness of certified interpreters to accept court work. Once experienced interpreters leave or limit their availability, the courts will face greater difficulty covering calendars with qualified professionals.<br><br>Of particular concern is the proposal's definition of "unavailability." The draft states that an interpreter is considered unavailable if they "are unwilling to accept the maximum compensation rate established in the policy." Once that finding is made, and after a diligent search, the court may appoint a non registered or non certified interpreter under rule 2.893. This provision turns a simple rate refusal into a legal finding of unavailability. In practice, it creates a direct financial incentive to replace a certified interpreter who declines the capped rate with someone who has never passed a certification examination. Limited English Proficient court users are never informed that this substitution has occurred. Certification exists because neither the judge nor counsel can evaluate the accuracy of the interpretation in real time. By converting a cost-control measure into a structural preference for less-qualified interpreters, the proposal undermines the very safeguard the credential was designed to provide. This is not language access. It is the appearance of language access at the expense of accuracy and due process.<br><br>This outcome directly affects California's Limited English Proficient population—approximately 6.4 million people, or one in six residents. Meaningful language access is a due-process requirement, not an optional expense. When certified interpreters are driven away by inflexible and non-negotiable terms, the quality of interpretation declines. Errors, continuances, and in the worst cases mistrials or miscarriages of justice become more likely. Any short-term budget savings will be outweighed by the long-term costs of remedying those failures.<br><br>California has long recognized the importance of language access in a diverse state. This proposal moves in the opposite direction. I urge the Judicial Council to reject the current draft and maintain the flexibility necessary to attract and retain qualified certified interpreters. |
| Tracie Olson<br>Chief Public Defender<br>Yolo County Public Defender's Office<br><br><b>Comment on behalf of org?: Yes</b>         | Do not agree with proposed changes | Re: (SP26-05) – Court Interpreters: Revisions to Payment Policies for Independent Contractor Interpreters - OPPOSITION<br><br>Dear Members of the Judicial Council:<br><br>I write on behalf of the Yolo County Public Defender's Office to oppose SP26-05 as currently drafted. While we support increasing compensation rates for independent contractor interpreters, we are concerned that the proposal eliminates the flexibility courts need to secure qualified interpreters when the prescribed rates are insufficient.<br><br>For our clients, interpretation is not a convenience. It is often the only means by which a person can understand the proceedings, communicate confidentially with counsel, evaluate a plea offer, make informed decisions, and meaningfully participate in their defense. Effective assistance of counsel depends upon reliable communication between attorney and client.<br><br>We are particularly concerned that the proposal would allow a certified or registered interpreter to be considered "unavailable" simply because the interpreter will not accept the maximum rate. The answer to an inadequate rate should be to preserve a mechanism to obtain a qualified interpreter at reasonable compensation—not to deem that                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                                | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
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|                                                                                                                                                          |                                    | <p>interpreter unavailable and resort to someone less qualified.</p> <p>This concern is especially significant for courts that must bring interpreters from other counties or locate interpreters for less common languages. A rigid statewide compensation structure, particularly without adequate compensation for travel time, risks creating a two-tier system in which access to qualified interpretation depends upon geography.</p> <p>Remote interpretation is an important tool, but it is not a substitute in every case for qualified in-person interpretation. Among other concerns, remote interpretation can make confidential, real-time attorney-client communication extremely difficult during a hearing.</p> <p>We respectfully urge the Judicial Council to revise SP26-05 to preserve courts' ability to pay above the standard rate when necessary to obtain a qualified interpreter, reasonably compensate necessary travel time, and ensure that financial considerations alone do not result in the substitution of non-certified or remote interpreters.</p> <p>The State should not address an interpreter workforce and compensation problem by reducing the quality of language access available to those whose liberty and fundamental rights are at stake. For these reasons, the Yolo County Public Defender's Office respectfully opposes SP26-05 as drafted.</p> <p>Sincerely,</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Valdete Cooper, Port & Span Interpreter, CCHI # 004525<br>Port & Span Interpreter<br>Port & Span Interpreter<br><br><b>Comment on behalf of org?: No</b> | Do not agree with proposed changes | <p>Dear sirs.,</p> <p>I have been an interpreter for more than 10 years here in California. The proposal SP26-05 will reduce the availability of qualified certified interpreters in our courts. When experienced professionals leave because rates are capped and inflexible, Limited English Proficient Californians—approximately one in six residents—lose meaningful access to justice. I ask the Council to reject these changes and preserve the ability of courts to secure competent interpretation.</p> <p>Thank you,</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Valerie Repnau<br>Registered Interpreter<br><br><b>Comment on behalf of org?: No</b>                                                                     | Do not agree with proposed changes | <p>SP26-05 - August 24, 2026</p> <p>Submitted on Mon, 08/24/2026 - 21:27</p> <p>Position on Proposal<br/>Do not agree with proposed changes</p> <p>Comments<br/>Dear Judicial Council,</p> <p>I submit these comments in strong opposition to the proposed revisions in SP26-05.</p> <p>The proposal's non-negotiable rate structure, rigid four- and eight-hour blocks, removal of clear morning/afternoon session definitions, and tightly restricted travel rules will significantly reduce the willingness of certified interpreters to accept court work. Once experienced interpreters leave or limit their availability, the courts will face greater difficulty covering calendars with qualified professionals.</p> <p>Of particular concern is the proposal's definition of "unavailability." The draft states that an interpreter is considered unavailable if they "are unwilling to accept the maximum compensation rate established in the policy." Once that finding is made, and after a diligent search, the court may appoint a nonregistered or noncertified interpreter under rule 2.893. This provision turns a simple rate refusal into a legal finding of unavailability. In practice, it creates a direct financial incentive to replace a certified interpreter who declines the capped rate with someone who has never passed a certification examination. Limited English Proficient court users are never informed that this substitution has occurred. Certification exists because neither the judge nor counsel can evaluate the accuracy of the interpretation in real time. By converting a cost-control measure into a structural preference for less-qualified interpreters, the proposal undermines the very safeguard the credential was designed to provide. This is not language access. It is the appearance of language access at the expense of accuracy and due process.</p> <p>This outcome directly affects California's Limited English Proficient population—approximately 6.4 million people, or one in six residents. Meaningful language access is a due-process requirement, not an optional expense. When certified interpreters are driven away by inflexible and non-negotiable terms, the quality of interpretation declines. Errors, continuances, and in the worst cases mistrials or miscarriages of justice become more likely. Any short-term budget savings will be outweighed by the long-term costs of remedying those failures.</p> <p>California has long recognized the importance of language access in a diverse state. This proposal moves in the opposite direction. I urge the Judicial Council to reject the current draft and maintain the flexibility necessary to attract and retain qualified certified interpreters.</p> <p>Respectfully, Valerie Repnau, Registered Court Interpreter</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                    | Position                                  | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
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| <p>Veronica Ann Stocker<br/>California Certified Court Interpreter<br/>AIJIC</p> <p><b>Comment on behalf of org?:</b> No</p> | <p>Do not agree with proposed changes</p> | <p>August 24, 2026</p> <p>To Whom It May Concern:</p> <p>I am a California Certified Court Interpreter, an independent contractor, and a member of AIJIC. I am writing to support AIJIC's comments regarding SP26-05 and to add my voice as someone who actually makes her living doing this work.</p> <p>I am self-employed. I don't receive a salary, paid vacation, sick leave, health insurance or retirement benefits from the courts. If I don't work, I don't get paid. I accept that because I am an independent contractor. But if we are going to be treated as independent contractors when it comes to receiving no employee benefits, then we should also be treated as independent contractors when it comes to negotiating reasonable compensation for our services.</p> <p>I am especially troubled by the proposal to consider a certified or registered interpreter "unavailable" simply because that interpreter will not accept the rate being offered.</p> <p>If I am already booked or otherwise unable to work, I am unavailable. If I tell the court that I am available but cannot accept the rate being offered, I am not unavailable. We simply have not agreed on compensation. Calling me "unavailable" does not change that reality. It is simply not accurate, and I am deeply concerned that this inaccurate designation could then be used to bypass a credentialed interpreter and replace that person with someone who is not certified or registered.</p> <p>I also have to ask: if it becomes this easy to bypass certified and registered interpreters, and a non-certified or non-registered interpreter can be paid the same rate, what incentive is there for someone to go through the time, expense and difficulty of becoming certified in the first place?</p> <p>Certification is not easy. We have to develop highly specialized skills, pass a very difficult examination and continue maintaining our credentials. Being bilingual does not make someone a court interpreter. If California wants qualified interpreters in its courts, then becoming qualified has to mean something.</p> <p>I am equally concerned about treating any four consecutive hours as a half day, regardless of when those hours fall. The whole point of accepting a half-day assignment is that we still have a realistic opportunity to book the other half of the day.</p> <p>If I work from 9:00 a.m. to 1:00 p.m., I cannot take a normal 1:00 p.m. afternoon assignment, especially if I am working in person and need to travel. If I work from 10:00 a.m. to 2:00 p.m., my afternoon is essentially gone. And if I work remotely and somehow manage to schedule two four-hour assignments back-to-back, I would literally have to log off one proceeding and immediately log on to another, with no real lunch break.</p> <p>We cannot make a living being paid a half-day rate while effectively giving up an entire working day. That is the reality of this proposal for people who actually depend on interpreting for their income.</p> <p>I am also concerned about eliminating compensation for travel time. Mileage pays for the use of my car. It does not compensate me for hours spent traveling when I cannot accept other work.</p> <p>I understand that the Judicial Council has budget concerns, but independent interpreters have financial realities too. We have to earn enough from this work to support ourselves. If court assignments take up most or all of a working day but pay only a half-day rate, or if the compensation simply does not reflect the time and professional skill required, interpreters will have to make practical decisions about what work they can afford to accept.</p> <p>I respectfully ask the Judicial Council to reconsider these provisions and to take seriously the concerns raised by AIJIC. We are real people trying to make a living in a profession that requires years of skill, experience and commitment.</p> <p>And please do not call us "unavailable" when we are available. If the issue is that we cannot agree on compensation, then say that. Those are not the same thing.</p> <p>Thank you for considering my comments.</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                          | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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| <p>Veronica Britos De Campos, Certified Medical Interpreter, NBCMI</p> <p><b>Comment on behalf of org?: No</b></p> | Do not agree with proposed changes | <p>Dear Judicial Council,</p> <p>Proposal SP26-05 should be rejected.</p> <p>Under the banner of a rate increase, the Council is imposing non-negotiable ceilings, forcing interpreters to remain for entire blocks regardless of actual need, erasing clear session boundaries, and severely restricting travel reimbursement. The predictable result is that many certified interpreters will simply stop accepting Superior Court work.</p> <p>The proposal creates a direct financial incentive to replace certified interpreters with provisionally qualified ones. When a certified interpreter declines the non-negotiable rate, the draft allows the court to declare that interpreter “unavailable” and appoint someone who has never passed a certification exam. The LEP party is not told this has happened. Errors by non-credentialed interpreters are rarely caught in the moment.</p> <p>Turning a rate refusal into a legal finding of unavailability converts a cost-control measure into a structural preference for less-qualified interpreters. This is not language access. It is the appearance of language access at the expense of accuracy and due process.</p> <p>California has 6.4 million Limited English Proficient residents—one out of every six people in the state. These court users have a constitutional right to understand the proceedings that affect their liberty, families, and livelihoods. When the State makes it economically and practically unattractive for qualified interpreters to serve, it is the non-English-speaking public that pays the price through delayed cases, inaccurate interpretation, mistrials, and miscarriages of justice.</p> <p>Cutting interpreter flexibility to save money is false economy. The real cost will appear later in repeated hearings, appeals, and damaged public confidence in the courts. The Judicial Council should not balance budgets on the backs of Limited English Proficient Californians.</p> <p>I urge the Council to withdraw this proposal.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <p>Veronica Castillo, Spanish Interpreter</p> <p><b>Comment on behalf of org?: No</b></p>                          | Do not agree with proposed changes | <p>Position on Proposal</p> <p>Do not agree with proposed changes</p> <p>Comments</p> <p>I urge Proposal the Judicial Council to reconsider Proposal SP26-05.</p> <p>SP26-05 will reduce the availability of qualified certified interpreters in our courts. When experienced professionals leave because rates are capped and inflexible, Limited English Proficient Californians—approximately one in six residents—lose meaningful access to justice. I ask the Council to reject these changes and preserve the ability of courts to secure competent interpretation.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <p>Veronica P. Bonfiglio California Certified Court Interpreter</p> <p><b>Comment on behalf of org?: No</b></p>    | Do not agree with proposed changes | <p>Dear Judicial Council,</p> <p>I submit these comments in strong opposition to the proposed revisions in SP26-05.</p> <p>The proposal’s non-negotiable rate structure, rigid four- and eight-hour blocks, removal of clear morning/afternoon session definitions, and tightly restricted travel rules will significantly reduce the willingness of certified interpreters to accept court work. Once experienced interpreters leave or limit their availability, the courts will face greater difficulty covering calendars with qualified professionals.</p> <p>Of particular concern is the proposal’s definition of “unavailability.” The draft states that an interpreter is considered unavailable if they “are unwilling to accept the maximum compensation rate established in the policy.” Once that finding is made, and after a diligent search, the court may appoint a nonregistered or noncertified interpreter under rule 2.893. This provision turns a simple rate refusal into a legal finding of unavailability. In practice, it creates a direct financial incentive to replace a certified interpreter who declines the capped rate with someone who has never passed a certification examination. Limited English Proficient court users are never informed that this substitution has occurred. Certification exists because neither the judge nor counsel can evaluate the accuracy of the interpretation in real time. By converting a cost-control measure into a structural preference for less-qualified interpreters, the proposal undermines the very safeguard the credential was designed to provide. This is not language access. It is the appearance of language access at the expense of accuracy and due process.</p> <p>This outcome directly affects California’s Limited English Proficient population—approximately 6.4 million people, or one in six residents. Meaningful language access is a due-process requirement, not an optional expense. When certified interpreters are driven away by inflexible and non-negotiable terms, the quality of interpretation declines. Errors, continuances, and in the worst cases mistrials or miscarriages of justice become more likely. Any short-term budget savings will be outweighed by the long-term costs of remedying those failures.</p> <p>California has long recognized the importance of language access in a diverse state. This proposal moves in the opposite direction. I urge the Judicial Council to reject the current draft and maintain the flexibility necessary to attract and retain qualified certified interpreters.</p> <p>Respectfully,<br/>Veronica P. Bonfiglio<br/>California Certified Court Interpreter</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                                                    | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
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| <p>Vicki Lundberg<br/>Certified Medical Interpreter/Conference Interpreter/Government Interpreter<br/>Lundberg Interpreting</p> <p><b>Comment on behalf of org?: Yes</b></p> | Do not agree with proposed changes | <p>I respectfully submit this public comment in OPPOSITION to the current proposed payment policies for independent contractor interpreters.</p> <p>I have been a certified medical and civil service interpreter for 26 years in the City of San Diego. As interpreters we provide an essential, constitutionally mandated language access, yet the policies treat us as expendable rather than career professionals.</p> <p>I strongly protest:</p> <p>1.- Below-Market Compensation: Rates do not reflect the high skill, liability, certification, and years of training required for, medical, legal and civil service interpreting. This will drive certified interpreters away from medical fields, courts and community council meetings and other government agencies.</p> <p>2.- No Fair Payment for Time Worked: The refusal to guarantee full-day payment, two hour minimums, and the compensation for late cancellations means interpreters lose income for time reserved that cannot be replaced.</p> <p>3.- Delayed and Unequal Payment: Contractors wait 60-90 days for payment for the same work employees perform, with complex, county-specific invoicing that creates unpaid administrative labor.</p> <p>4.- Impact on Language Access: If contracting remains financially unsustainable, LEP court users will face delays, continuances and reduced quality of justice. In the medical field; lives are endangered because of the ignorance of medical, scientific and biological terminology.</p> <p>I urge the Council to REJECT these payment provisions and instead adopt: fair market rate with annual COLA, Statewide standardized prompt payment in 30 days, and full compensation for cancelled assignments when interpreter has appeared.</p>                                                                                                                                                                                                                                                                             |
| <p>Victor Fridman<br/>Interpreter</p> <p><b>Comment on behalf of org?: No</b></p>                                                                                            | Do not agree with proposed changes | <p>Dear Judicial Council,</p> <p>Proposal SP26-05 should be rejected.</p> <p>Under the banner of a rate increase, the Council is imposing non-negotiable ceilings, forcing interpreters to remain for entire blocks regardless of actual need, erasing clear session boundaries, and severely restricting travel reimbursement. The predictable result is that many certified interpreters will simply stop accepting Superior Court work.</p> <p>The proposal creates a direct financial incentive to replace certified interpreters with provisionally qualified ones. When a certified interpreter declines the non-negotiable rate, the draft allows the court to declare that interpreter “unavailable” and appoint someone who has never passed a certification exam. The LEP party is not told this has happened. Errors by non-credentialed interpreters are rarely caught in the moment.</p> <p>Turning a rate refusal into a legal finding of unavailability converts a cost-control measure into a structural preference for less-qualified interpreters. This is not language access. It is the appearance of language access at the expense of accuracy and due process.</p> <p>California has 6.4 million Limited English Proficient residents—one out of every six people in the state. These court users have a constitutional right to understand the proceedings that affect their liberty, families, and livelihoods. When the State makes it economically and practically unattractive for qualified interpreters to serve, it is the non-English-speaking public that pays the price through delayed cases, inaccurate interpretation, mistrials, and miscarriages of justice.</p> <p>Cutting interpreter flexibility to save money is false economy. The real cost will appear later in repeated hearings, appeals, and damaged public confidence in the courts. The Judicial Council should not balance budgets on the backs of Limited English Proficient Californians.</p> <p>I urge the Council to withdraw this proposal.</p> |
| <p>Victoria Torres</p> <p><b>Comment on behalf of org?: No</b></p>                                                                                                           | Do not agree with proposed changes | <p>Here in California we need equal access to justice.</p> <p>Enacting Proposal SP2605 will seriously limit the availability of Certified Interpreters in our Court System.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                                                             | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
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| Vinka Valdivia<br>Owner/Interpreter<br>Clear Communications<br><br><b>Comment on behalf of org?: No</b>                                                                               | Do not agree with proposed changes | There are times when it is appropriate to be able to negotiate a fee due to travel time, distance, or merely that choosing to work in Superior Court would conflict with available work at a higher rate elsewhere. Fixing fees would preclude some of us making ourselves available for work at inconvenient places or times, thus limiting language access for LEPs.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Violeta Tidwell, Certified Court Interpreter<br>Certified Court Interpreter<br><br><b>Comment on behalf of org?: No</b>                                                               | Do not agree with proposed changes | <p>Dear Judicial Council,</p> <p>I submit these comments in strong opposition to the proposed revisions in SP26-05.</p> <p>The proposal's non-negotiable rate structure, rigid four- and eight-hour blocks, removal of clear morning/afternoon session definitions, and tightly restricted travel rules will significantly reduce the willingness of certified interpreters to accept court work. Once experienced interpreters leave or limit their availability, the courts will face greater difficulty covering calendars with qualified professionals.</p> <p>Of particular concern is the proposal's definition of "unavailability." The draft states that an interpreter is considered unavailable if they "are unwilling to accept the maximum compensation rate established in the policy." Once that finding is made, and after a diligent search, the court may appoint a nonregistered or noncertified interpreter under rule 2.893. This provision turns a simple rate refusal into a legal finding of unavailability. In practice, it creates a direct financial incentive to replace a certified interpreter who declines the capped rate with someone who has never passed a certification examination. Limited English Proficient court users are never informed that this substitution has occurred. Certification exists because neither the judge nor counsel can evaluate the accuracy of the interpretation in real time. By converting a cost-control measure into a structural preference for less-qualified interpreters, the proposal undermines the very safeguard the credential was designed to provide. This is not language access. It is the appearance of language access at the expense of accuracy and due process.</p> <p>This outcome directly affects California's Limited English Proficient population—approximately 6.4 million people, or one in six residents. Meaningful language access is a due-process requirement, not an optional expense. When certified interpreters are driven away by inflexible and non-negotiable terms, the quality of interpretation declines. Errors, continuances, and in the worst cases mistrials or miscarriages of justice become more likely. Any short-term budget savings will be outweighed by the long-term costs of remedying those failures.</p> <p>California has long recognized the importance of language access in a diverse state. This proposal moves in the opposite direction. I urge the Judicial Council to reject the current draft and maintain the flexibility necessary to attract and retain qualified certified interpreters.</p> <p>Respectfully, Violeta Tidwell, Certified court Interpreter</p> |
| Vivian Belinky, State Certified Interpreter<br>State Certified Interpreter<br>Links Translating Services<br><br><b>Comment on behalf of org?: No</b>                                  | Do not agree with proposed changes | <p>To whom it may concern,</p> <p>SP26-05 is a short-sighted cost-cutting measure that will harm California's 6.4 million Limited English Proficient residents. Driving certified interpreters out of the courts through rigid, non-negotiable rates will produce more errors, delays, mistrials, and miscarriages of justice. The Council should withdraw this proposal.</p> <p>Turning a rate refusal into a legal finding of unavailability converts a cost-control measure into a structural preference for less-qualified interpreters. This is not language access. It is the appearance of language access at the expense of accuracy and due process.</p> <p>Regards,<br/>Vivian Belinky<br/>State Certified Interpreter</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Wade Deng<br>Associate professor,<br>Chinese translation and interpretation, MIIS<br>middlebury institute of international studies (MIIS)<br><br><b>Comment on behalf of org?: No</b> | Do not agree with proposed changes | <p>Dear all,</p> <p>Proposal SP26-05 will reduce the availability of qualified certified interpreters in our courts. When experienced professionals leave because rates are capped and inflexible, Limited English Proficient Californians—approximately one in six residents—lose meaningful access to justice. I ask the Council to reject these changes and preserve the ability of courts to secure competent interpretation.</p> <p>Sincerely,<br/>Wade</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

**SP 26-05**

**Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters***

| Commenter                                                                                                 | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-----------------------------------------------------------------------------------------------------------|------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Wayne Chan<br>translator   interpreter<br>monad.biz<br><br><b>Comment on behalf of org?: No</b>           | Do not agree with proposed changes | <p>Dear Members of the Advisory Committee,</p> <p>I respectfully submit the following comments regarding Proposal SP26-05.</p> <p>I appreciate the Advisory Committee's effort to establish a more consistent statewide compensation structure for court interpreters. However, I am concerned that the proposal's reliance on federal interpreter compensation as a benchmark does not support the proposed rate caps.</p> <p>While the federal judiciary maintains a relatively uniform compensation schedule, an important distinction is missing from the comparison. Federal interpreter compensation has historically moved in one direction: upward. Although federal rates have often remained below the private market, they have been increased periodically to reflect inflation, market conditions, and recruitment needs. Those increases have never been followed by reductions in compensation. This proposal, by contrast, would reduce compensation for many California court interpreters who currently accept court assignments at negotiated rates. If the federal system is being used as a model, it should be recognized as one that gradually improves compensation to remain competitive — not one that rolls compensation backward.</p> <p>More importantly, the proposal appears to focus on what courts would like to pay rather than what it actually costs to secure qualified interpreters. The fact that many courts currently negotiate rates above the proposed maximums reflects today's market, not an exception to it. Lowering the allowable rates will not change that market; it will simply make court assignments less attractive to experienced interpreters who have other professional opportunities.</p> <p>California has invested heavily in building a qualified corps of certified court interpreters. Compensation policy should support retaining that workforce. I respectfully urge the Advisory Committee to reconsider the proposed rate caps and adopt a compensation structure that reflects current market realities and helps ensure California courts can continue to recruit and retain experienced interpreters.</p> <p>Best Regards,<br/>Wayne Chan</p> |
| Wiam Elbettar<br>Self employed<br><br><b>Comment on behalf of org?: No</b>                                | Do not agree with proposed changes | Do not agree with proposed changes                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| woolens-spigots-2x@icloud.com<br><br><b>Comment on behalf of org?: No</b>                                 | Do not agree with proposed changes | SP26-05 is a short-sighted cost-cutting measure that will harm California's 6.4 million Limited English Proficient residents. Driving certified interpreters out of the courts through rigid, non-negotiable rates will produce more errors, delays, mistrials, and miscarriages of justice. The Council should withdraw this proposal.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Xiaoru Wang<br>Interpreter<br><br><b>Comment on behalf of org?: No</b>                                    | Do not agree with proposed changes | Do not agree with proposed changes                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Ya-Nan Chou, Certified Court Interpreter in Mandarin language<br><br><b>Comment on behalf of org?: No</b> | Do not agree with proposed changes | <p>SP26-05 - August 24, 2026</p> <p>Do not agree with proposed changes</p> <p>Dear Judicial Council,</p> <p>I submit these comments in strong opposition to the proposed revisions in SP26-05.</p> <p>The proposal does not address the stated purpose, instead, it risk the higher cost of justice miscarriage, mistrials, and appeals.</p> <p>The proposal's non-negotiable rate structure, rigid four- and eight-hour blocks, removal of clear morning/afternoon</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                              | Position                                  | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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|                                                                                                                        |                                           | <p>session definitions, and tightly restricted travel rules will significantly reduce the willingness of certified interpreters to accept court work. Once experienced interpreters leave or limit their availability, the courts will face greater difficulty covering calendars with qualified professionals.</p> <p>There is a shortage of certified interpreters in my language (Mandarin) and I witness the frequent removals of incompetent interpreters by the court. A non-negotiable rate structure is a wrong direction in safeguarding the LEP's constitutional rights.</p> <p>Of particular concern is the proposal's definition of "unavailability." The draft states that an interpreter is considered unavailable if they "are unwilling to accept the maximum compensation rate established in the policy." Once that finding is made, and after a diligent search, the court may appoint a nonregistered or noncertified interpreter under rule 2.893. This provision turns a simple rate refusal into a legal finding of unavailability. In practice, it creates a direct financial incentive to replace a certified interpreter who declines the capped rate with someone who has never passed a certification examination. Limited English Proficient court users are never informed that this substitution has occurred. Certification exists because neither the judge nor counsel can evaluate the accuracy of the interpretation in real time. By converting a cost-control measure into a structural preference for less-qualified interpreters, the proposal undermines the very safeguard the credential was designed to provide. This is not language access. It is the appearance of language access at the expense of accuracy and due process.</p> <p>This outcome directly affects California's Limited English Proficient population—approximately 6.4 million people, or one in six residents. Meaningful language access is a due-process requirement, not an optional expense. When certified interpreters are driven away by inflexible and non-negotiable terms, the quality of interpretation declines. Errors, continuances, and in the worst cases mistrials or miscarriages of justice become more likely. Any short-term budget savings will be outweighed by the long-term costs of remedying those failures.</p> <p>California has long recognized the importance of language access in a diverse state. This proposal moves in the opposite direction. I urge the Judicial Council to reject the current draft and maintain the flexibility necessary to attract and retain qualified certified interpreters.</p> <p>Respectfully,<br/>Ya-Nan Chou, Certified Court Interpreter in Mandarin language</p>                                                                                                                                                                                                                                                                            |
| <p>Yolanda Carpio-Moreno<br/>Certified Court Interpreter<br/>- Spanish</p> <p><b>Comment on behalf of org?: No</b></p> | <p>Do not agree with proposed changes</p> | <p>Dear Council Members:</p> <p>After reviewing the information packet regarding the proposed Revisions to Payment Policies for Independent Court Interpreters, I would like to respectfully offer my comments for your consideration, particularly regarding the proposal to compensate non-certified interpreters at the same rate as certified interpreters.</p> <p>I have worked as an independent contractor interpreter for the past two years, and I have found this work to be incredibly rewarding. On any given day, I receive numerous "thank yous" from the individuals I assist during court proceedings. Many tell me that they enter the courthouse feeling lost, intimidated, or afraid because they do not fully understand the language in which the proceedings are being conducted. They have expressed that having an interpreter present helps them feel at ease, heard, and protected.</p> <p>Those experiences continually remind me that what we do is much more than translate words from one language into another. We provide Limited English Proficient individuals with meaningful access to a judicial system they may otherwise struggle to understand.</p> <p>It is precisely because of the importance of that responsibility that I strongly disagree with compensating non-certified interpreters at the same rate as certified interpreters.</p> <p>Becoming a certified court interpreter requires far more than bilingual ability. Speaking two languages does not automatically prepare someone to interpret in a courtroom. Certified interpreters undergo specialized education and rigorous training to learn courtroom procedures, modes of interpretation, ethical requirements, legal concepts, specialized terminology, and the professional standards necessary to perform this work accurately.</p> <p>The certification process itself can be exceptionally demanding. Those who have gone through it understand the amount of preparation involved and the disappointment that can accompany narrowly missing a passing score—sometimes because of what may appear to be a single word or seemingly minor error. Yet the standards are demanding for a reason: in a courtroom, a single word can alter the meaning of testimony, a question, an answer, or a legal concept.</p> <p>Certification is also not the end of our professional responsibility. Our education is ongoing. We must complete continuing education requirements and maintain our credentials, continually strengthening our interpreting skills, expanding our vocabulary, and remaining current with the standards expected of court interpreters.</p> <p>The work itself is also considerably more demanding than it may appear to someone observing from the outside. Interpreters must listen, process meaning, retain information, accurately convert that information into another language, and deliver it—often almost simultaneously—while continuing to listen to what is being said next.</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter | Position | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         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|           |          | <p>This becomes particularly taxing during trials, lengthy hearings, or proceedings involving multiple speakers. There is a reason interpreters working lengthy proceedings may work in teams and rotate periodically. The cognitive demands of sustained simultaneous interpretation are real, and fatigue can affect accuracy. The standards, training, and practices surrounding professional court interpretation exist to protect against those risks.</p> <p>For these reasons, compensating a non-certified interpreter at the same rate as a certified interpreter does more than create a question of fairness. It risks diminishing the value of certification itself.</p> <p>Those of us who pursued certification made a deliberate investment in this profession. We invested our time, finances, education, training, and effort into meeting the standards established for court interpreters. We continue making that investment through continuing education and professional development.</p> <p>If an individual who has not completed those requirements receives identical compensation, what message does that send to those who have? More importantly, what incentive does it provide to future interpreters to undertake the arduous process of becoming certified?</p> <p>There are plenty of qualified certified independent interpreters available and willing to work for compensation that appropriately recognizes their professional credentials and expertise. If the Council determines that non-certified interpreters must be utilized to address interpreter shortages or ensure language access, I respectfully submit that the appropriate solution is not to erase the distinction between the two levels of qualification.</p> <p>I would also ask the Council to consider this issue from the perspective of the Limited English Proficient individuals whom these policies are ultimately intended to serve.</p> <p>There is an important principle routinely recognized within our courtrooms. When an individual elects to represent themselves, the court may caution that person that they will be proceeding against attorneys who have studied the law extensively, understand courtroom procedures, and are trained to advocate within the legal system. The individual may have the right to proceed without an attorney, but that does not mean the levels of training and expertise are equivalent.</p> <p>A similar principle deserves consideration here.</p> <p>A Limited English Proficient individual is already navigating an unfamiliar legal system in a language they may not understand. Their ability to comprehend and participate meaningfully in the proceeding depends heavily upon the interpreter. They deserve access, whenever reasonably possible, to language professionals who have demonstrated that they possess the specialized knowledge, skills, ethics, and competency required for the courtroom.</p> <p>The issue, therefore, should not simply be whether someone speaks both languages. The issue should be whether we continue to recognize and encourage the specialized professional qualifications that California itself has determined are important to competent court interpretation.</p> <p>I support efforts to improve language access, expand the interpreter workforce, and ensure that every person entering a California courtroom can understand and participate in the proceedings affecting them. However, those goals do not require diminishing the professional standards that certified interpreters have worked so hard to achieve.</p> <p>I respectfully urge the Judicial Council to reconsider any proposal that places certified and non-certified interpreters at the same compensation level. Instead, I ask that you preserve a meaningful differential that recognizes certification, continuing education, demonstrated competency, and professional experience.</p> <p>There is also a practical concern regarding assignments in remote or underserved areas. Some courts currently recognize the difficulty of attracting qualified interpreters to these locations and offer a higher daily rate as an incentive for independent interpreters who are willing to accept those assignments. These assignments can require significant travel, lengthy commutes, additional expenses, and, in some cases, time away from home.</p> <p>If a standardized daily rate were adopted across the board without accounting for these circumstances, the unintended result could be fewer certified interpreters willing to accept assignments in those areas. Many independent interpreters must weigh the additional travel time, distance, expense, and personal commitment involved against the compensation being offered. If an interpreter can accept an assignment closer to home for the same daily rate, there may be little practical incentive to travel several hours or remain away from home to serve a more remote courthouse.</p> <p>I respectfully encourage the Council to preserve the ability to offer appropriate compensation differentials for remote and difficult-to-staff locations. Rather than improving access by establishing uniform compensation, eliminating these incentives could inadvertently make it more difficult for courts in underserved areas to attract experienced, certified interpreters—the very professionals those courts are working so hard to secure.</p> <p>Doing so is not simply about compensating certified interpreters fairly. It is about preserving the value of professional certification, encouraging future interpreters to pursue that certification, ensuring that remote courts continue to have</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter                                                                                                                                                                                       | Position                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
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|                                                                                                                                                                                                 |                                    | <p>access to qualified professionals, and maintaining the high standards that the people who depend upon California's court interpreters deserve.</p> <p>I further urge the Council to preserve appropriate incentives for interpreters who accept assignments in remote, underserved, and difficult-to-staff locations.</p> <p>Thank you for considering my comments and for allowing independent interpreters an opportunity to have our voices heard regarding an issue that directly affects our profession and, more importantly, the individuals we serve.</p> <p>Respectfully,</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <p>Yong Jia Sunny Johnston<br/>Court Certified Mandarin Interpreter<br/>Federal Court Approved Interpreter<br/>Sunshine Language &amp; Services</p> <p><b>Comment on behalf of org?: No</b></p> | Do not agree with proposed changes | <p>Dear Judicial Council:</p> <p>My name is Yong Jia "Sunny" Johnston, I am a California-certified Mandarin court interpreter with extensive experience providing services to courts throughout Southern California for the past 16 years.</p> <p>I understand the Judicial Council's legitimate interest in controlling costs and establishing greater statewide consistency. However, cost containment must be balanced against the practical realities of securing qualified independent contractor interpreters and ensuring meaningful language access.</p> <p>I am particularly concerned about the proposed expansion of hourly compensation.</p> <p>Independent contractor interpreters do not simply sell minutes of interpreting time. When we accept a court assignment, we reserve our professional availability for that court. An interpreter who accepts a 9:00 a.m. assignment generally cannot accept another morning assignment, even if the actual proceeding ultimately lasts only 30 minutes or one hour.</p> <p>The proposed hourly compensation structure is both harmful and impractical to implement. An interpreter's work extends well beyond the time spent actively interpreting. Essential administrative tasks—including email communications, scheduling and coordination, maintaining required logs, and preparing and submitting invoices—are all necessary components of providing interpreting services. The time required to perform these duties must be recognized and appropriately accounted for in any compensation structure.</p> <p>The proposed policy itself requires interpreters to remain available for the entirety of the contracted period, while expanding hourly compensation to brief assignments. This creates the potential for an inequitable result: the court receives the benefit of the interpreter's reserved availability while compensating the interpreter only for a fraction of that time.</p> <p>I therefore respectfully urge the Judicial Council to preserve a meaningful half-day guarantee.</p> <p>I am also deeply concerned about the proposed definition of "unavailability."</p> <p>Under the draft, an interpreter may be considered unavailable not only when the interpreter cannot provide services on the requested date, but also when the interpreter is unwilling to accept the maximum compensation rate.</p> <p>There is an important distinction between a certified interpreter being unavailable to work and being available but unwilling to accept a particular rate or contractual term. Conflating the two is untruthful on its face and may have unintended consequences.</p> <p>In languages where qualified certified interpreters are difficult to secure, inflexible compensation combined with expanded hourly assignments may cause experienced interpreters to decline distant or otherwise burdensome assignments. The result may not be greater efficiency. Instead, courts may find themselves with fewer certified professionals willing to accept those assignments.</p> <p>Certification exists for an important reason. Judges, attorneys, and Limited English Proficient court users must be able to rely on interpreters whose competency has been independently demonstrated. The quality and accuracy of court interpretation directly affects a litigant's ability to understand proceedings, communicate with counsel, present evidence, and meaningfully participate in the judicial process.</p> <p>A policy designed to control costs should not inadvertently create conditions that make it more difficult for courts to retain experienced certified interpreters.</p> <p>I support reasonable measures to improve efficiency, reduce unnecessary expenditures, and establish greater consistency among California courts. However, those objectives can be accomplished without undervaluing the professional availability required of independent contractors or creating incentives that may reduce the pool of certified interpreters willing to serve courts which have the greatest difficulty obtaining language services.</p> <p>I respectfully urge the Judicial Council to remove the hourly compensation provisions, preserve half-day</p> |

Court Interpreters: Revisions to *Payment Policies for Independent Contractor Interpreters*

| Commenter | Position | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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|           |          | <p>compensation when an interpreter's availability has effectively been reserved, and revise the definition of "unavailability" so that declining a particular compensation arrangement is not treated the same as the absence of an available certified interpreter.</p> <p>Cost efficiency and meaningful language access do not have to be competing objectives. A well-designed policy should accomplish both.</p> <p>Thank you for considering these comments and the perspective of certified independent contractor court interpreters who serve California's diverse court users.</p> <p>Respectfully,</p> |



## **Payment Policies for Independent Contractor Interpreters**

(Effective January 1, 2027)

### **I. Purpose**

Originally adopted on February 1, 2000, this policy establishes standard compensation rates and payment policies for independent contractor interpreters retained by California trial courts.

### **II. Authority**

The annual Budget Act provides the judicial branch with spending authority to pay independent contractor interpreters to provide services during court proceedings and for services related to pending court proceedings taking place in or outside of a courtroom, including services provided outside of a courthouse.

Through provisional language in the Budget Act, the Legislature requires the judicial branch to establish payment policies and set statewide or regional payment rates that do not exceed the rates paid to certified interpreters in the federal court system.

### **III. Policy**

#### **A. Applicability**

These policies apply to all modes of interpretation, all litigation and event types (including all stages of jury trial), all service delivery methods (in-person, video-remote, and telephonic interpreting), and all independent contractor interpreters regardless of procurement method. This policy does not apply to sign language interpretation.

#### **B. Written Agreement**

A written agreement, defining the cost, rates, scope of work, and terms and conditions, must be in place between the court and the independent contractor interpreter (hereinafter referred to as "interpreter") before service is provided. All courts must use the standardized Independent Contractor Interpreter Agreement template to ensure the consistent and uniform application of interpreter payment policies statewide. Any contract that is initiated on or after this policy's effective date must comply with the new standardized agreement template.

#### **C. Compensation Rates**

##### **1. Interpreters will be compensated for services at a half-day, full-day, or hourly rate.**

Interpreters will be obligated to the court for the entirety of the contracted half-day, full-day, or hourly time. The Independent Contractor Interpreter Agreement outlines the procedures for interpreter to follow if interpreter receives payment from another court during the same half-day or full-day time period as contracted.

- a. Half-day rate: Paid when services are provided for any portion of a consecutive four-hour period.
- b. Full-day rate: Paid when services are provided in both a morning and afternoon court session in a single day.
- c. Hourly rate: Paid when interpreting services are provided by agreement on an hourly

basis, such as for brief assignments or when the interpreter is not available for all hours of a half-day or full-day session. If an interpreter is required to work additional hours beyond those established in a Service Request, as defined in the Independent Contractor Interpreter Agreement, the interpreter is entitled to hourly compensation in addition to other compensation received for the day.

2. In accordance with the annual Budget Act, compensation rates for interpreters will not exceed the rate paid to federally certified court interpreters. The maximum compensation rates are as follows:
  - a. Certified/Registered interpreters
    - Half day: \$349
    - Full day: \$617
    - Hourly: \$87
  - b. Noncertified/Nonregistered interpreters (provisionally qualified ([Cal. Rules of Court, rule 2.893](#)))
    - Half day: \$305
    - Full day: \$540
    - Hourly: \$76
  - c. Rates for interpreters who are certified in one or more languages and also provide noncertified interpretation in one or more languages will be paid at the certified rate for all languages.
  - d. Additional rates based on the type of service (e.g., hearing, trial) or for interpretation of multiple language pairs in the day of service are not permitted.

#### D. Cancellation Fee

1. A cancellation fee, not to exceed the half-day or full-day compensation rates included in this policy or a reasonable estimate of the total fee the court would have paid for an hourly engagement will be paid if the court entered into an agreement with an interpreter more than 24 hours or one business day in advance of the assignment and either of the following occurs:
  - The court cancels the assignment with less than 24 hours' notice.
  - The court cancels an assignment that begins on the first business day of the workweek without one business day's notice.
2. Paying a cancellation fee under any other circumstances is not permitted.
3. The rate and terms of paying a cancellation fee are included in the Independent Contractor Interpreter Agreement.

#### E. Business-Related Travel Expenses

Business-related travel expenses may be reimbursed for interpreter travel to and from an assignment, as follows:

1. Transportation, lodging, and meal and incidental expenses must adhere to, and may not exceed, the limits stated in the [Judicial Council's Travel and Expense Reimbursement Guidelines \(Contractors\)](#) and must be authorized in a Service Request. Travel and related business expenses will not exceed established per diem rates nor be lumped into compensation rates.
2. The reimbursement of travel expenses, including mileage and travel time, is addressed in the Independent Contractor Interpreter Agreement.
3. The court will not pay travel expenses, other than mileage, that are not specifically authorized in a Service Request.

F. Unavailability

For the purposes of this policy, an interpreter who is unable to provide services to the court on the requested date(s) and/or unwilling to accept the applicable maximum compensation rate, established herein, is considered unavailable.

1. The court must follow [California Rules of Court, rule 2.893](#) when a certified or registered interpreter is unavailable.

G. Video Remote Interpreting (VRI)

VRI may be performed by a certified, registered, or provisionally qualified interpreter.

DRAFT

**FY 2024–25 Average Full-Day and Half-Day Contractor Payments by Language and Region**

| <b>Regions</b>                | <b>1</b>    |             | <b>2</b>    |             | <b>3</b>    |             | <b>4</b>    |             |
|-------------------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
|                               | <b>Full</b> | <b>Half</b> | <b>Full</b> | <b>Half</b> | <b>Full</b> | <b>Half</b> | <b>Full</b> | <b>Half</b> |
| Spanish                       | 523         | 255         | 601         | 289         | 550         | 303         | 381         | 187         |
| Mandarin                      | 522         | 363         | 577         | 436         | 570         | 281         | 574         | 311         |
| Vietnamese                    |             | 245         | 577         | 288         | 470         | 291         | 731         | 424         |
| Punjabi                       | 597         | 429         | 700         | 656         | 465         | 311         | 350         | 219         |
| Cantonese                     | 397         | 389         | 365         | 352         | 542         | 273         | 675         | 391         |
| Arabic                        | 376         | 282         | 525         | 345         | 428         | 241         | 403         | 179         |
| Korean                        | 762         | 387         | 500         | 254         | 363         | 9           | 507         | 284         |
| Russian                       | 487         | 300         | 480         | 259         | 425         | 184         | 470         | 358         |
| Armenian - Eastern            | 292         | 138         |             |             | 363         | 256         | 469         | 208         |
| Farsi (Persian of Iran)       | 306         | 249         | 795         | 436         | 563         | 466         | 822         | 347         |
| Tagalog                       | 202         | 135         | 689         | 405         | 448         | 378         | 557         | 424         |
| Hmong                         |             | 350         |             |             | 378         | 136         |             | 1           |
| Mixteco                       | 883         | 588         | 784         | 404         | 616         | 412         |             | 1           |
| Dari (Persian of Afghanistan) | 517         | 362         | 795         | 436         | 499         | 361         | 629         | 253         |
| Lao                           | 333         | 213         | 500         | 325         | 451         | 280         |             | 1           |
| French                        | 327         | 160         | 626         | 410         | 535         | 243         | 601         | 260         |
| Thai                          | 333         | 213         | 500         | 327         | 423         | 237         |             | 1           |
| Hindi                         | 603         | 417         | 699         | 626         | 477         | 316         | 206         | 204         |
| Mixteco Alto                  | 518         | 542         |             |             | 616         | 413         |             | 1           |
| Romanian                      | 547         | 412         | 723         | 364         | 548         | 420         | 284         | 268         |
| Portuguese                    | 700         | 322         | 626         | 341         | 406         | 217         | 463         | 175         |
| Mixteco Bajo                  | 883         | 588         | 446         | 350         | 616         | 411         |             | 1           |
| Triqui                        |             | 350         | 521         | 427         | 411         | 173         |             | 1           |
| Chaldean                      |             | 350         | 400         | 303         | 363         | 9           | 220         | 107         |