

June 28, 2023

To: Honorable Thomas Umberg, Chair
(via email) Senate Judiciary Committee
senator.umberg@senate.ca.gov, sjud.fax@sen.ca.gov

From: Coalition of Working California Court Interpreters

cc: Senate Judiciary Committee Members (via email)
(via email) Author Assembly Member Blanca Pacheco
Co-Author Assembly Member Dawn Addis
Co-Author Assembly Member David Alvarez

Re: Opposition to AB 1032 (Pacheco)

AB 1032 proposes changes to existing law that threaten to turn back the clock on more than two decades of progress by lawmakers to strengthen due process and equal access to justice for linguistic minorities in the California courts.

We are a coalition of veteran certified and registered court interpreters with decades of experience working in the California courts as employees and contractors, including current and former union members. We have worked to advance professional standards and to strengthen labor conditions for court interpreters, we have served on Judicial Council task forces and committees, and we have contributed as language access advocates, stewards, elected union officers and staff, and as educators specialized in legal interpreting.

We strongly support protecting and expanding meaningful access for linguistic minorities and increasing access to good union jobs with benefits. We urge you to reject AB 1032.

AB 1032 is a hodgepodge of misguided provisions that lacks a clear purpose. The bill would *not* increase the availability of qualified interpreters to the courts. It would leave more interpreters without benefits, erode our bargaining power and degrade language access standards. In short, it would do harm to both linguistic minorities and to our livelihoods.

The bill's sponsor, the California Federation of Interpreters (CFI), did not consult with or inform its members before introducing this bill, nor did it seek input from other stakeholders, including working interpreters, legal and language-access advocates, or the communities we serve. To garner support from interpreters and community organizations, the sponsors are promoting the bill as a pathway to benefitted union jobs for relay interpreters and contractors, but in fact the bill does *not* provide benefitted positions for either and dangerously deteriorates language access for indigenous communities.

AB 1032 would institutionalize the use of untested relay interpreters for indigenous language speakers by eliminating current restrictions that allow for provisional use only. It would allow

ongoing employment of untested relay interpreters for these communities exclusively while maintaining current restrictions for all other languages. Lowering the required standards of competence for indigenous languages would establish a separate and unequal standard of justice for these vulnerable communities and set a dangerous precedent for all linguistic minorities.

A recent amendment to AB 1032 requiring that the hiring court have certified employees available to pair with untested relay interpreters does not rectify the problem. It protects accuracy for only half of the communication without requiring that the relay interpreter prove Spanish proficiency. A provision establishing a 45-day limit on the use of contracted non-certified/non-registered interpreters may seem good in theory but would prove detrimental for indigenous languages for which demand outstrips supply and no credentialing pathway exists.

AB 1032 would also require courts to hire a potentially unlimited number of as-needed employees into a confusingly redundant pro tempore employment category. The positions come with the questionable requirement that courts shall pay new hires more than current staff. As-needed interpreters – some with benefits, some without – have already been working in courts in every region in the state since the start of the employment system. A cloned intermittent classification will generate disputes and clearly complicate bargaining in the state's four multi-employer regions.

This new category of employment will hardly persuade contractors to trade in the proven negotiating power they now hold as free agents. More troubling, the introduction of limitless pro-temp positions with no guarantee of hours or benefits would certainly undermine the existence of full-time positions and would inevitably erode the bargaining power of unionized interpreters as a whole.

Amendments with permissive language that courts *may* provide recruitment incentives, bonuses and COLA's change nothing of substance. The courts have always been authorized to do so. The language only provides, at best, that interpreters in some places will receive bonuses provided to other employees. Our bargaining history, and unclear language in the bill around uniform compensation, undermine the prospects of more meaningful base wage gains.

Overall, AB 1032 fails to address the fundamental cause of the courts' problem with recruiting and retaining enough fully qualified, certified and registered interpreters. It ignores underlying realities in the marketplace for skilled legal interpreters, including demand in other sectors and a history of disparate treatment and depressed court interpreter wages for both staff and contractors.

Judges, lawyers, court reporters and clerks in state courts earn pay comparable to, if not higher than, their federal counterparts. Only interpreters are subject to a gaping disparity between state and federal wages. California courts pay us 40% less than our counterparts in federal courts.

Lowering language access standards for indigenous populations and eroding access to jobs with adequate pay, hours and benefits would only exacerbate long-term job vacancies across the state and daily shortages that leave litigants unserved and cases unheard.

This state of affairs begs the question of whether the trial courts' decades-long disparate treatment of interpreters in pay and professional recognition is rooted in the broader systemic discrimination against linguistic minorities, based on national origin. AB 1032 would only create additional pretexts to further erode language access and due process in the trial courts:

- The Judicial Council has long sought to lower certification standards rather than pay professional interpreters fair wages that reflect the skills, knowledge and experience required to provide meaningful language access – even though the Legislature has consistently provided funds to improve and expand language services.
- The courts are currently expanding the use of ad hoc remote interpreting without appropriate technology, restrictions or protocols, and we regularly experience the damaging impact this has on access and interpreter performance.
- Courts are increasingly using remote interpreters from out of state and even abroad, particularly for languages of lesser diffusion, including indigenous languages.

These developments undermine mandates by the California Legislature and United States Department of Justice to expand and improve language access in all court proceedings pursuant to Title VI of the Civil Rights Act. The California State Legislature would do well to thoroughly investigate and rectify these issues.

We have decades of experience working in the California courts and advocating for professional and ethical language access. From our perspective, AB 1032 is fundamentally flawed, and the muddled language of the amendments put forward fail to address the serious issues raised in opposition.

There are far stronger and more meaningful steps that can be taken to protect union jobs and increase access to competent interpreters in California courts. A transparent and inclusive process with all stakeholders, including rank and file interpreters, would be the starting point. We urge you to identify more effective measures to protect language rights and the integrity of the judicial system.

Respectfully,

Coalition of Working California Court Interpreters

[signatories attached]

June 28, 2023 Letter to Senate Judiciary Committee: Opposition to AB 1032 (Pacheco)

Coalition of Working California Interpreters

Titles and Positions held

1. Naomi Adelson
Certified Spanish, State and Federal
Staff Interpreter Alameda County
CA Language Access Task Force, Educator & trainer of Indigenous Language Interpreters, former CFI Region 2 Executive Board Representative and bargaining team member. Master's in Global Public Policy & Strategy
2. Uri Yaval
Certified Spanish, State and Federal
Staff Interpreter Los Angeles
CFI member, Former CFI President, organizer in the campaign to gain collective bargaining rights and unionize interpreter statewide.
3. Carol Palacio
Certified Spanish, CA
Staff Interpreter San Mateo County
Current member of the Judicial Council Court Interpreter Advisory Panel, Professor in the Legal Interpreting Program, San Francisco State University. Former CFI steward, mobilizer and bargaining team member.
4. Ariel Torrone
Certified Spanish, State and Federal
Freelance, Los Angeles
Former CFI President, current exam rater for State and Federal court interpreter certification exams, lead organizer in statewide campaign to unionize interpreters. Former staff interpreter, Los Angeles.
5. Karen Stevens
Certified Spanish, State and Federal
Staff Interpreter, Los Angeles
Former CFI Vice President, former bargaining team member (2 contracts) and steward (10 years), mobilizer
6. Mary Lou Aranguren
Certified Spanish, CA
As-needed Staff, Alameda County
Former CFI staff, Legislative director and lead negotiator. Organizer in the campaign for collective bargaining rights and to unionize interpreters statewide. Commission appointments: CA Bar Access to Justice and CA Commission on Judicial Performance (2011-2018)
7. Maria del Carmen Muñoz
Certified Spanish, CA
Staff Interpreter, San Mateo County
Former CFI steward & mobilizer. Degrees: American History, Latino/Chicano Studies, Certificates: Legal/Court Interpretation and Teaching English as a Second/Foreign Language. Advocate for language rights and access on both sides of the Mexico-U.S. border.
8. Silvia San Martín
Certified Spanish, State and Federal
Staff Interpreter, San Diego County
CFI member and steward, former CFI Region 4 Representative to the Executive Board, bargaining team member
PhD in Spanish/Forensic Linguistics, MA in English Philology
9. Benjamin Yeung
Certified Cantonese, CA
As-needed Staff, San Mateo County
CFI member
10. Katy Van Sant
Certified Spanish, State and Federal
Staff Interpreter Alameda County
Former CFI Vice President, steward, mobilizer and bargaining team member
11. Kristina Ramsey
Certified Spanish, CA
Staff Interpreter Alameda County
Former CFI Region 2 Representative to Executive Board and former bargaining team member and mobilizer

June 28, 2023 Letter to Senate Judiciary Committee: Opposition to AB 1032 (Pacheco)

Coalition of Working California Interpreters

Titles and Positions held

12. Daniel Navarro
Certified Spanish, State and Federal
Staff Interpreter San Francisco
Former CFI staff, steward, and bargaining team member
13. Camille T. Taiara,
Certified Spanish, CA
Staff Interpreter Alameda County
Former chair CFI Language Access Research and Advocacy
Committee and Legislative Committee member. Co-author of reports
and comments to the Judicial Council of CA on Language Access
Task Force. Organized 1st U.S. conference for interpreters on civil
liberties impacts of video-mediated interpreting. Media strategist &
organizer during contract negotiations. Former journalist specializing
in immigrant rights and civil liberties.
14. Kate Bancroft,
Certified Spanish, State and Federal
Freelance, Bay Area Counties
Former member of Judicial Council Court Interpreter Advisory Panel.
Former CFI bargaining team member, organizer and mobilizer.
Former Staff Interpreter, Contra Costa County
15. Jacqueline Moore
Certified Spanish, CA
As-Needed employee, Los Angeles
CFI member, freelance interpreter.
16. Shannon Raintree
Certified Spanish, CA
Staff Interpreter San Francisco
Former CFI bargaining team member and mobilizer.
17. Carla Cuevas
Certified Spanish, CA
Staff Interpreter San Francisco
Former CFI bargaining team member, organizer and mobilizer.
18. Rosario del Pilar Espinosa
Certified Spanish, CA
Staff Interpreter San Francisco
CFI member, former CFI Region 2 Representative to the Executive
Board, former bargaining team member. Juris Doctor, Universidad de
Buenos Aires. LLM In Public Law, Berkeley Law School
19. Carole Glasser
Certified Spanish, State and Federal
Contractor, Bay Area Counties
Former CFI mobilizer, Instructor in the Legal and Community
Interpreting Program, Laney College, Oakland CA. Former Staff
Interpreter, Alameda.
20. Margaret Layman
Certified Spanish, State and Federal
Staff Interpreter Alameda County
Former CFI bargaining team member and mobilizer.
21. Veronica Bonfiglio
Certified Spanish, CA
Staff Interpreter Alameda County
Former CFI mobilizer.

June 28, 2023 Letter to Senate Judiciary Committee: Opposition to AB 1032 (Pacheco)

Coalition of Working California Interpreters

Titles and Positions held

22. John V. Gonzalez
Certified Spanish, CA
Freelance, Former Staff Interpreter
Contra Costa
Former CFI mobilizer.
23. Giuliana Molinari
Certified Spanish, State and Federal
Freelance, Los Angeles/Statewide
Former Interpreters Guild of America board member.
24. Rocio Gaeta
Certified Spanish, CA
Staff Interpreter Alameda County
Former CFI Bargaining Team member.
25. Michele Minsuk
Certified Spanish, State and Federal
Staff Interpreter Alameda County
CFI member, former CFI steward and bargaining team member,
former Interpreter Services Manager, Alameda County.
26. Karina McMillan-Rhea
Certified Spanish, CA
Staff Interpreter San Francisco
Former CFI steward, board member, and mobilizer. Former Instructor
in Court Interpretation Program, San Francisco State University.
Master's in Translation & Interpretation.
27. Paz Perry
Certified Spanish, State and Federal
Freelance Bay Area counties
Former Bay Area Court Interpreters Association Chair and lead
organizer. Conference Interpreter and Translator.
28. Albert S. Ortiz
Certified Spanish, State and Federal
Staff Interpreter San Mateo County
Master's in Translation & Interpretation
29. Pablo Chang-Castillo
Certified Spanish, State and Federal
Freelance in Bay Area counties
Master's degrees: Conference Interpretation, Bilingual Court
Interpretation and Translation (MACI, MABLI, MAT); Association
of Conference Interpreters (AIIC)

We endorse the June 28, 2023 letter opposing AB 1032 (attached) and add our names to the twenty-nine submitted with the original letter.

To: Senate Judiciary Committee
Re: AB 1032 (Pacheco) OPPOSED
From: *Coalition of Working California Court Interpreters*

Titles and Positions held

1. Claudia Antelo
Staff Interpreter
Los Angeles
Court Certified Interpreter, State and Federal - Spanish
CFI Member
Former CFI Board Member
Former Instructor at Southern California School of Interpretation
Former Mock Examiner Conference and Escort Interpreter
2. Alejandro Alcántara
Staff Interpreter
Los Angeles
Court Certified Interpreter, State and Federal - Spanish
CFI Member
Former Member, JC Court Interpreter Advisory Panel
Former Instructor, Southern CA School of Interpretation
Former CFI Bargaining Team Member, Mobilizer and Media Spokesperson
3. Margo Seely
Staff Interpreter
San Francisco
Court Certified Interpreter, CA - Spanish
Former CFI Bargaining Team Member
Instructor SFSU Legal Interpreting Program
Masters, Conference Interpretation, Middlebury Institute of International Studies, Monterey
4. Ted K. Kim
Pro Tem Staff Interpreter
San Francisco
Court Certified Interpreter, CA - Korean
5. Jinah Lee
Staff Interpreter
Orange County
Court Certified Interpreter, CA - Korean
CFI Member
Former CFI Mobilizer, Organizer in campaign to gain collective bargaining rights
6. Ofelia Cuenca
Freelance Interpreter
Fresno
Court Certified Interpreter, CA - Spanish
Former Staff Interpreter, Fresno
Former CFI Steward and Bargaining Team Member
7. Marta Selvi
Staff Interpreter
Marin
Court Certified Interpreter, CA - Spanish
CFI Member
Former Member, JC Court Interpreters Advisory Panel
Former CFI Secretary, Elections Committee Chair and Mobilizer
8. Lucila Gomez-Flores
Freelance Interpreter
Orange
Court Certified Interpreter, CA - Spanish
Former Secretary, CFI Executive Board
Former Staff Interpreter, Alameda County

We endorse the June 28, 2023 letter opposing AB 1032 (attached) and add our names to the twenty-nine submitted with the original letter.

To: Senate Judiciary Committee
Re: AB 1032 (Pacheco) OPPOSED
From: *Coalition of Working California Court Interpreters*

Titles and Positions held

- | | |
|---|--|
| 9. Mary Ma Staff Interpreter Santa Clara | Court Certified Interpreter, CA - Mandarin CFI Member |
| 10. Jeff Wilson Staff Interpreter Los Angeles | Court Certified Interpreter, State and Federal - Spanish Former Treasurer, CFI Executive Board Former CFI Steward |
| 11. Francisco Jirón Staff Interpreter Alameda | Court Certified Interpreter, CA - Spanish Masters in Translation and Interpretation Former CFI Mobilizer |
| 12. Doris Pacheco Freelance Interpreter Napa | Court Certified Interpreter, CA - Spanish Former Staff Interpreter, Sonoma County Former CFI Steward and Mobilizer |
| 13. Kwan (Kevin) M. Koo Staff Interpreter Orange | Court Certified Interpreter, CA - Korean |
| 14. Marina Brodskaya Pro Tem Staff Interpreter Santa Clara | Court Certified Interpreter, CA - Russian Court Registered Interpreter, CA - French |
| 15. Monica Sottolani Staff Interpreter Los Angeles | Court Certified Interpreter, CA - Spanish Former CFI Elections Committee (2015) Former CFI Strike Mobilizer/Social Committee (2007) Former CFI Union Organizer (1990's) |
| 16. Julieta Pisani McCarthy Staff Interpreter Alameda | Court Certified Interpreter, State and Federal - Spanish CFI Member MA, Translation and Interpretation MA, International Environmental Policy BA, Technical, Scientific and Literary Translation American Translators Assn. Certified Translator (Eng - Span) |
| 17. Giocanda Wishard Staff Interpreter Los Angeles | Court Certified Interpreter, CA - Spanish |

We endorse the June 28, 2023 letter opposing AB 1032 (attached) and add our names to the twenty-nine submitted with the original letter.

To: Senate Judiciary Committee
Re: AB 1032 (Pacheco) OPPOSED
From: *Coalition of Working California Court Interpreters*

Titles and Positions held

- | | |
|--|--|
| 18. Gloria Gonzalez-Martin Freelance Interpreter Sonoma | Court Certified Interpreter, CA - Spanish Former CFI Steward Former Staff Interpreter, Napa County |
| 19. Ramiro Rivas Freelance Interpreter San Francisco Bay Area | Court Certified Interpreter, State and Federal - Spanish Former Staff Interpreter, Santa Clara County |
| 20. Victor Martinez Freelance Interpreter San Francisco Bay Area | Court Certified Interpreter, State and Federal - Spanish |
| 21. Gemma Yosick Staff Interpreter San Diego | Court Certified Interpreter, CA - Spanish Former CFI Steward, Mobilizer, Union Organizer |
| 22. Sarah Margaret Roberts Staff Interpreter Alameda | Court Certified Interpreter, State and Federal - Spanish Former CFI Steward and Mobilizer |
| 23. Faera Taylor Staff Interpreter Marin | Court Certified Interpreter, CA - Spanish |
| 24. Raquel Garcia Brewer Freelance Interpreter San Francisco Bay Area | Court Certified Interpreter, State and Federal - Spanish Former Staff Interpreter Contra Costa County Former CFI Steward |
| 25. Solange Suarez Staff Interpreter Marin | Court Certified Interpreter, CA - Spanish CFI Member Former CFI Steward and Mobilizer |
| 26. Patricia Varela Freelance Interpreter Santa Cruz | Court Certified Interpreter, CA - Spanish Former CFI Mobilizer Former Staff Interpreter, Santa Cruz and Los Angeles |
| 27. Maria Dea-Flores Staff Interpreter San Diego | Court Certified Interpreter, CA - Spanish Former CFI Member and Steward |

We endorse the June 28, 2023 letter opposing AB 1032 (attached) and add our names to the twenty-nine submitted with the original letter.

To: Senate Judiciary Committee
Re: AB 1032 (Pacheco) OPPOSED
From: *Coalition of Working California Court Interpreters*

Titles and Positions held

- | | |
|---|---|
| 28. Myrna Yañez Staff Interpreter San Bernardino | Court Certified Interpreter, CA - Spanish CFI Steward |
| 29. Alejandro Gonzalez Staff Interpreter Riverside | Court Certified Interpreter, CA - Spanish CFI Steward |
| 30. Flavia Manconi Staff Interpreter Orange | Court Certified Interpreter, CA - Spanish |
| 31. Martha Hurtado Staff Interpreter Los Angeles | Court Certified Interpreter, CA - Spanish |
| 32. Luis Araoz Staff Interpreter Orange | Court Certified Interpreter, CA - Spanish Former CFI Executive Board Region 4 Representative Former CFI Steward Orange County full-time Employee since 2005 CFI Member and CFI Board Member until 2018 (expelled) |
| 33. Nao Ikeuchi Freelance Interpreter Los Angeles | Court Certified Interpreter, CA - Japanese Former CFI Executive Board Region 1 Representative Former Los Angeles Superior Court staff interpreter Former CFI Executive Board Member |
| 34. Martha Ortiz Freelance Interpreter Fresno | Court Certified Interpreter, CA - Spanish |
| 35. Alejandro Lara Freelance Interpreter Santa Clara | Court Certified Interpreter, State and Federal - Spanish |
| 36. Maria V. Arteaga Freelance Interpreter San Diego | Court Certified Interpreter, CA - Spanish San Diego Superior Court Staff Interpreter for 15 years Former CFI Treasurer, Bargaining Team Member, Steward and Mobilizer |

We endorse the June 28, 2023 letter opposing AB 1032 (attached) and add our names to the twenty-nine submitted with the original letter.

To: Senate Judiciary Committee
Re: AB 1032 (Pacheco) OPPOSED
From: *Coalition of Working California Court Interpreters*

Titles and Positions held

- | | |
|---|---|
| 37. Andrea Pollock Staff Interpreter San Francisco | Court Certified Interpreter, CA – Spanish |
| 38. Alejandro González Staff Interpreter Riverside | Court Certified Interpreter, CA - Spanish CFI Steward |
| 39. Sharmen Lewis Staff Interpreter Kern | Court Certified Interpreter, CA - Spanish |
| 40. Paz Perry Freelance Interpreter Marin | Court Certified Interpreter, State and Federal - Spanish Conference Interpreter, Translator Former BACI Lead Organizer |
| 41. Laura Villanueva Staff Interpreter San Francisco | Court Certified Interpreter, CA - Spanish |
| 42. Karina McMillan Staff Interpreter San Francisco | Court Certified Interpreter, CA - Spanish Former CFI Executive Board Member, Steward and Mobilizer Former Instructor SFSU Legal Interpreting Program Masters in Translation & Interpretation |
| 43. Juan E. Ramirez, JD Freelance Interpreter | Court Certified Interpreter, State and Federal - Spanish |
| 44. Muriel Falak Staff Interpreter San Francisco | Court Certified Interpreter, CA - Spanish Former CFI Mobilizer |