

SENATE JUDICIARY COMMITTEE
Senator Thomas Umberg, Chair
2025-2026 Regular Session

AB 1916 (Lee)
Version: June 4, 2026
Hearing Date: June 16, 2026
Fiscal: Yes
Urgency: No
ME

SUBJECT

Courts: court interpreters

DIGEST

This bill applies the Trial Court Interpreter Employment and Labor Relations (Act) to American Sign Language interpreters.

EXECUTIVE SUMMARY

The Trial Court Interpreter Employment and Labor Relations Act (Act) was created through SB 371 (Escutia, Ch. 1047, Stats. 2002) to provide workplace protections for court interpreters who had largely been independent contractors. The legislation excluded American Sign Language interpreters from being covered by the Act.

This bill would apply the Act to American Sign Language interpreters. It is sponsored by the California Federation of Interpreters to ensure American Sign Language interpreters have the same ability to receive the workplace protections that other language interpreters receive.

Counsel is unaware of any legislative history that explains why American Sign Language interpreters were excluded from the Act in 2002. The bill is supported by Disability Rights California, California Coalition of Agencies Serving the Deaf, and NorCal Services for Deaf & Hard of Hearing. The bill is opposed by the Judicial Council of California.

PROPOSED CHANGES TO THE LAW

Existing law:

- 1) Establishes the Trial Court Interpreter Employment and Labor Relations Act, and excludes sign language interpreters. (Gov. Code §§ 71800 et seq.)

- 2) Defines “certified interpreter” and “registered interpreter” as a natural person who either: holds a valid certificate as a certified court interpreter issued by a certification entity approved by the Judicial Council; or, until January 1, 1996, is named and maintained on the list of recommended court interpreters previously established by the State Personnel Board or established by an entity provisionally approved under one of the certification program designated by the Judicial Council. (Gov. Code § 71801 (a).)
- 3) Defines “qualified interpreter” as an interpreter who has been certified as competent to interpret court proceedings by a testing organization, agency, or educational institution approved by the Judicial Council as qualified to administer tests to court interpreters for individuals who are deaf or hard of hearing. (Evid. Code § 754 (f).)

This bill:

- 1) Specifies that American Sign Language interpreters are covered by the Trial Court Interpreter Employment and Labor Relations Act.

COMMENTS

1. Stated need for the bill

According to the author:

For deaf and hard-of-hearing Californians who rely on American Sign Language (ASL), qualified interpreters are essential to ensuring that court proceedings are fair, accurate, and accessible. Despite playing a critical role in our justice system, ASL interpreters working in California’s trial courts are currently excluded from the same collective bargaining framework as other court interpreters. AB 1916 promotes fairness, strengthens language access, and helps ensure that our courts remain accessible to all Californians by including interpreters in the same bargaining structure as other court interpreters.

2. The bill is supported by disability rights organizations and opposed by the Judicial Council of California

In 2002, the Legislature approved SB 371 (Escutia, Ch. 1047, Stats. 2002), which established the Trial Court Interpreter Employment and Labor Relations Act. Among other things, the Act allowed court interpreters to form, join, and participate in a labor union. During the legislative process, the bill was amended to exempt sign language interpreters from the Act. For a detailed analysis of the importance of interpreters for access to justice and the strengthening of worker protections for trial court interpreters through the decades, *see* the Senate Judiciary Committee’s analysis of AB 792 (Lee, Ch. 277, Stats. 2025).

According to the California Coalition of Agencies Serving the Deaf and NorCal Services for Deaf & Hard of Hearing:

We witness every day, on the front lines, the life changing impact that effective communication access has for Deaf Californians.

Access to qualified language services is fundamental to a fair and functioning justice system. Court interpreters ensure individuals can fully participate in legal proceedings, understand their rights, communicate effectively, and have their voices meaningfully heard. For Deaf and Hard of Hearing Californians, ASL interpreters are not optional accommodations – they are essential to due process and equal access under the law.

Without qualified interpreters, Deaf individuals are at significant risk of misunderstanding court proceedings, missing critical information, or being unable to communicate effectively with judges, attorneys, and court personnel. The consequences can directly affect an individual's safety, livelihood, family, and legal rights.

AB 1916 recognizes the professionalism and critical role of ASL interpreters within California's court system. Including ASL interpreters within the Trial Court Interpreter Employment and Labor Relations Act will help create greater consistency, fairness, stability, and professional recognition statewide.

California courts continue to face serious challenges in recruiting and retaining qualified interpreters, even as demand for services grows. This legislation represents an important step toward strengthening and stabilizing the interpreter workforce so courts can operate more efficiently and ensure timely, accessible proceedings for Deaf and Hard of Hearing Californians.

California Federation of Interpreters (CFI) Local 39000, sponsors of the bill, write:

This bill recognizes the importance of American Sign Language interpreters in creating proper access to justice for the deaf and hard of hearing community. These individuals must be able to properly communicate and interact with judges, attorneys, and other court staff just as any other individual.

Expanding the provisions of the Trial Court Interpreter Employment and Labor Relations Act to include American Sign Language interpreters is an important step in creating a more consistent and fairer framework across the court interpreter profession. Court Interpreters do important and specialized work that involves extensive training and certification. Ensuring that ALL court interpreters-including sign language- are being properly recognized and compensated for their work is critical to this profession.

Courts across California continue to face challenges when it comes to recruiting and keeping qualified interpreters employed in the courts. The demand for court interpreters continues to grow, as well as the gaps in service. California needs a strong court interpreter workforce, adding sign language interpreters to this legislation helps bridge those gaps building strength in this area. Courts should be looking to employ interpreters instead of looking outward to independent contractors. When courts have a stable and supported staff of interpreters, they can confidently rely on them to ensure court proceedings needing interpreters are operating efficiently.

This legislation is important to ensuring the courts are continuing to grow with the needs of ALL Californians in our justice system. AB 1916 takes an important step in strengthening language access in courts across California regardless of language or communication.

According to Disability Rights California in support of the bill:

For over 20 years, Californian sign language interpreters have been treated to an unequal employment provisions compared to non-ASL interpreters, on the basis of disability. In 2002, the Trial Court Interpreter Employment and Labor Relations Act was enacted to allow verbal language interpreters to receive full rights of employee status, collective bargaining, and unionizing. Cal. Gov. Code Section 71802. These rights were not afforded to sign language interpreters. *Id.* at 71801. The law exempted the very interpreters focused on protecting individuals in the court system from detail of full and equal access, all while they were denied full and equal access in their own profession.

AB 1916 ensures unequal treatment in court employment between sign language and non-sign language interpreters is rectified. Sign language interpreters, who may have or not have disabilities, will not be unfairly discriminated against in their employment. In California, sign language interpreters are often covered by antidiscrimination law, as they can be discriminated against “on the basis of [their] association with persons with disabilities.” Government Code Section 14326(b).

When California’s court system provides effective communication and equal access via many different resources and tools, including sign language interpretation, the disability community will receive a better opportunity to equal access to justice. For example, disabled court participants that have effective communication sign language interpretation are better equipped to (1) request a reasonable accommodation for interpretation, (2) understand opposing parties, judge, and jury discussions, and (3) be better able to identify roles and responsibilities of themselves and others, and (4) clarify important factual misunderstandings about the case.

The Judicial Council of California writes the following in their letter of opposition:

In 2001, the Judicial Council supported the Interpreter Act as it provided for employee status for court interpreters while maintaining appropriate flexibility for the use of independent contractors, which enabled the courts to ensure critical language access to court users when employee interpreters are insufficient or unavailable. The Interpreter Act, however, was designed to apply to spoken language interpretation and many provisions in the act specifically apply to spoken language interpretation. As sign language interpretation requires more frequent breaks and often is team-based interpretation, there are concerns that the working conditions between spoken and sign language interpretation are different enough to require separate negotiations. By adding sign language interpretation to the Interpreter Act, the courts have serious concerns around being able to continue conducting effective and efficient bargaining negotiations. These two groups, while both providing interpretation, have separate employment considerations that are problematic for combined negotiations.

The majority of courts currently rely on independent contractor sign language interpreters and there are concerns that the time and day limits included in the Interpreter Act could limit the ability of courts to be able to contract sign language interpreters when necessary to meet the language access needs of court users. Under the Interpreter Act, non-opt out independent contractors must be offered court employment after being appointed for 45 court days by the same court during the same calendar year. Then, upon reaching a statutory 100-day ceiling with an independent contractor, the court cannot contract with that interpreter for the remainder of the calendar. This provision has been in effect for more than twenty years and has not appreciably increased the number of interpreter employees. For sign language, there are currently only nine employed interpreters in four courts and 43 certified independent contractors across the state. The real impact of the 100-day ceiling is a loss of interpreter resources as contractors must stop providing services for the remainder of the year. This results in end-of-year continuances and/or courts being compelled to bring in contractors from further and further away at greater public expense in order to conduct hearings. Adding more restrictions to an interpreter pool that is already too small will further hamstring the courts and limit language access for court users.

SUPPORT

California Federation of Interpreters Local 39000 (sponsor)

California Coalition of Agencies Serving the Deaf

Disability Rights California

NorCal Services for Deaf & Hard of Hearing

One Individual

OPPOSITION

Judicial Council of California

RELATED LEGISLATION

Pending legislation: None known.

Prior legislation:

AB 792 (Lee, Ch. 277, Stats. 2025) permitted multiregional bargaining between the regional court interpreter employment relations committees and recognized court interpreter employee organizations with the mutual consent of the parties.

AB 1032 (Pacheco, Ch. 556, Stats. 2023) authorized courts to hire relay interpreters, provided that certain conditions are met; provided that open court interpreter positions will be subject to the TCIELRA if they have been open for a year or more; permitted individual trial courts to set additional compensation for court interpreters; and the order of priority for applicants for full-time and part-time court interpreter positions.

AB 432 (Fong, 2023) would have established the California Court Interpreter Workforce Pilot Program, which would be administered by the Judicial Council to develop training and increase the number of eligible applicants for employment as court interpreters, until January 1, 2030. AB 432 died in the Senate Judiciary Committee after the contents of the bill were passed through the Budget Act of 2023 (SB 101 (Committee on Budget, Ch. 12, Stats. 2023)).

AB 101 (Skinner, Ch. 12, Stats. 2023) among other things, established the California Court Interpreter Workforce Pilot Program in the substantially same form as set forth in AB 432 (Fong, 2023).

SB 1155 (Hueso, Ch. 852, Stats. 2018) deleted the provision excluding small claims proceedings from the definition of a court proceeding for purposes of the requirement to use certified court interpreters, thereby extending that requirement to small claims proceedings.

AB 1657 (Gomez, Ch. 721, Stats. 2014) stated that it is imperative that courts provide interpreters to all parties who require one, and set forth the requirement that Judicial Council reimburse trial courts for interpreter services provided in civil actions.

SB 371 (Escutia, Ch. 1047, Stats. 2002) enacted the Trial Court Interpreter Employment and Labor Relations Act to provide workplace protections for court interpreters. The bill excluded sign language interpreters from the Act's protections.

PRIOR VOTES:

Assembly Floor (Ayes 64, Noes 2)
Assembly Appropriations Committee (Ayes 12, Noes 0)
Assembly Judiciary Committee (Ayes 11, Noes 1)
