

CONCURRENCE IN SENATE AMENDMENTS

CSA1 Bill Id:AB 792 Author:(Lee)

As Amended Ver:June 12, 2025

Majority vote

SUMMARY

Amends existing law, known as the Trial Court Interpreter Employment and Labor Relations Act (Court Interpreter Act), relating to regional bargaining and trial court interpreters.

Senate Amendments

Remove the requirement that a recognized employee organization (REO) request for multiregional if more than one region is bargaining in a calendar year be accepted in no more than 30 days unless an agreement has been reached between all but one of the regions and, instead, add that such a request be subject to the mutual consent of the REO and the regional court interpreter employment relations committee.

COMMENTS*Brief History of the Court Interpreter Act and Background*

The first of California's public sector bargaining laws was enacted in 1961. Known as the "George Brown Act" or "Brown Act," this act originally covered all public employers and recognized employees' right to participate and be represented by employee organizations. It also granted those organizations the right to meet and confer with the employer on matters affecting employment relations prior to action being taken on such matters.

The breadth of that Brown Act was reduced over time as subsequent statutes nearly removed all employees from coverage and separate statutes were enacted covering the various areas of the public sector employment in California, including court interpreters. Upon effectuation of the Court Interpreter Act in 2002, court interpreters would have a statute of their own governing their employer-employee relations, which continues to exist today.

The Court Interpreter Act divides the trial courts into four specified regions and establishes regional court interpreter employment relations committees for each of those regions. Each committee sets the terms and conditions of employment for court interpreters within the committee's respective region. However, the act does not allow consolidated multi-region bargaining to occur for court interpreters, which has led to prolonged negotiations and delayed contract resolution negatively affecting recruitment and retention.

Court Interpreters are Essential for Access to Justice in California

Court interpreters "are vital to ensuring access and fairness in the trial courts."¹ Without interpreters, litigants, witnesses, and other court users would be unable to understand the proceedings and effectively represent their interests. At the federal level, Title VI of the Civil Rights Act of 1964² was interpreted to prohibit practices that result in denying meaningful access

¹ Chapter 1047, Statutes of 2002 (Senate Bill 371, Escutia)

² Sections 2000 (d) *et seq.*, Title 42, United States Code.

to the courts by people who are limited English Proficient;³ President Trump rescinded protections for limited English speakers this year.⁴

According to the most recent data available from the Judicial Council, California's trial courts reported over 4.4 million interpretations between fiscal year 2014-2015 and fiscal year 2017-2018.⁵ Spanish accounted for over 90% of the interpretations, followed by Vietnamese (1.47%).⁶ The remaining languages in the top ten most interpreted languages are American Sign Language (ASL), Mandarin, Cantonese, Korean, Punjabi, Russian, Arabic, and Tagalog; Hmong and Eastern Armenian are close behind.⁷ Since 2014, several indigenous Mexican languages have entered the top 30 most interpreted languages, including Mixteco, Mixteco Alto, Mixteco Bajo, and Triqui.⁸ The Judicial Council provides certification for ASL and 15 spoken languages⁹ and offers a written exam and oral proficiency exam to allow individuals to be registered interpreters in 70 languages.¹⁰

In recognition of the State's linguistic diversity and the importance of interpreters in providing access to justice, the Legislature in 2014 passed Chapter 721, Statutes of 2014 (Assembly Bill 1657, Gomez), which expressly authorized trial courts to provide court interpreter services in civil actions, free of charge to the litigants, and required the Judicial Council to reimburse the trial courts for those services.¹¹

This Bill

This bill is intended to facilitate the collective bargaining process for court interpreters by allowing the REO units to engage in multiregional bargaining when both sides agree that it will be beneficial for the negotiations.

Please see the various policy committee analyses for a full discussion of this bill.

According to the Author

"[This bill] empowers California's court interpreters to collectively bargain more efficiently when multiple contracts are being negotiated at the same time. This consolidated bargaining option will promote better contracts, improving the courts' ability to recruit and retain court interpreters, and ensure court access for all Californians."

Arguments in Support

In part, part, the California Federation of Interpreters, Local 39000 states, "[in] 2001 the California Legislature adopted the California Interpreter Act to overhaul what was then a largely

³ Executive Order No. 13166, 65 Federal Register 50121 (Aug. 11, 2000), repealed by Executive Order No. 14224, 90 Federal Register 11363 (Mar. 1, 2025).

⁴ Exec. Order No. 14224, 90 Fed. Reg. 11363 (Mar. 1, 2025).

⁵ "2020 Language Need and Interpreter Use Study (March 2022)," p. 2. Judicial Council of California

⁶ *Ibid.*

⁷ *Id.* at p. 25.

⁸ *Id.* at p. 38.

⁹ The 15 certified spoken languages are Arabic, Eastern Armenian, Western Armenian, Cantonese, Farsi, Japanese, Khmer, Korean, Mandarin, Portuguese, Punjabi, Russian, Spanish, Tagalog, and Vietnamese. ("Trial Court Interpreters Program Expenditure Report for Fiscal Year 2022-23 (June 2024)), " p. 4, fn. 11. Judicial Council of California.

¹⁰ *Ibid.*

¹¹ Section 756, Evidence Code.

independent contractor workforce. By establishing an employee-centric model, courts are better able to provide language access and assign court interpreters to cases throughout courthouses and courtrooms to meet the needs of court users. However, there have been increasing obstacles to hiring court interpreters, including wages that are falling behind the private sector market. The legislature has taken many steps to address this issue including the establishment of a workforce program two years ago which resulted in 1100 applicants for less than 200 employee positions.

"[This bill] fixes one shortcoming of the California Interpreter Act as it pertains to collective bargaining. Under current law, California is divided into four regions for purposes of negotiating union contracts, each with regional teams appointed from local courts, to negotiate terms of a contract. However, often times these negotiations are prolonged, delaying resolution. At times, this delay is extended such that multiple regions are required to bargain simultaneously. However, current law does not allow for combined bargaining sessions which would provide a more efficient mechanism to resolve these labor negotiations. It is important to note that such an approach is supported by the existing funding mechanism. Local courts are ultimately not responsible for funding court interpreters – they pay for these services and then have these payments reimbursed out of the state general fund dollar for dollar. So, in the end the state budget is the source of all interpreter funding. Thus, a multi-regional approach is not hampered by local budget decisions, as all funding will be allocated by the Legislature which has never reduced the line item for interpreters. The more efficiently the courts can reach collective bargaining agreements, the more the courts and union focus time and energy on recruiting individuals to this workforce."

Arguments in Opposition

None.

FISCAL COMMENTS

This bill was passed by the Senate Committee on Appropriations pursuant to Senate Rule 28.8.

VOTES:

ASM PUBLIC EMPLOYMENT AND RETIREMENT: 5-0-2

YES: McKinnor, Boerner, Elhawary, Garcia, Nguyen

ABS, ABST OR NV: Lackey, Alanis

ASM APPROPRIATIONS: 11-1-3

YES: Wicks, Arambula, Calderon, Caloza, Elhawary, Fong, Mark González, Hart, Pacheco, Pellerin, Solache

NO: Tangipa

ABS, ABST OR NV: Sanchez, Dixon, Ta

ASSEMBLY FLOOR: 61-5-13

YES: Addis, Aguiar-Curry, Ahrens, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Connolly, Dixon, Elhawary, Ellis, Fong, Garcia, Gipson, Jeff Gonzalez, Mark González, Harabedian, Hart, Irwin, Jackson, Kalra, Krell, Lee, Lowenthal, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle

Rodriguez, Rogers, Blanca Rubio, Schiavo, Sharp-Collins, Solache, Soria, Stefani, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NO: Alanis, Davies, DeMaio, Macedo, Tangipa

ABS, ABST OR NV: Castillo, Chen, Flora, Gabriel, Gallagher, Hadwick, Haney, Hoover, Lackey, Patterson, Sanchez, Schultz, Ta

SENATE FLOOR: 30-6-4

YES: Allen, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Cortese, Durazo, Gonzalez, Grayson, Hurtado, Laird, Limón, McGuire, McNerney, Menjivar, Padilla, Pérez, Reyes, Richardson, Rubio, Smallwood-Cuevas, Stern, Umberg, Wahab, Weber Pierson, Wiener

NO: Alvarado-Gil, Choi, Grove, Jones, Seyarto, Strickland

ABS, ABST OR NV: Dahle, Niello, Ochoa Bogh, Valladares

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CONSULTANT: Michael Bolden / P. E. & R. / (916) 319-3957

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