

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

AB 792 (Lee)
Version: June 12, 2025
Hearing Date: June 24, 2025
Fiscal: Yes
Urgency: No
AWM

SUBJECT

Court interpreters

DIGEST

This bill permits multiregional bargaining between the regional court interpreter employment relations committees and recognized court interpreter employee organizations with the mutual consent of the parties.

EXECUTIVE SUMMARY

The Trial Court Interpreter Employment and Labor Relations Act (TCIELRA) governs when and how courts may hire spoken-language interpreters or engage independent contractor interpreters to provide translation services in court proceedings. Among other things, the TCIELRA divides the state's counties into four regions; each region is represented by a regional court interpreter relations committee, established pursuant to rules adopted by the Judicial Council, which sets the terms and conditions for employment for court reporters within the region through the meet-and-confer process with the recognized employee organizations representing the employee-interpreters.

This bill would permit multiregional bargaining under the TCIELRA when (1) more than one region is bargaining in the same calendar year, and (2) the recognized employee organizations and the regional court interpreter employment relations committees give their consent. This option of multiregional bargaining is intended to increase efficiency in the bargaining process and, ideally, make it easier for the courts to retain much-needed employee-interpreters.

This bill is sponsored by the California Federation of Interpreters, Local 39000. The Committee has not received timely opposition to this bill. If this Committee passes this bill, it will then be heard by the Senate Labor, Public Employment and Retirement Committee.

PROPOSED CHANGES TO THE LAW

Existing law:

- 1) Establishes the TCIELRA, which provides for public employer-employee relations between trial courts and court interpreters. (Gov. Code, tit. 8, ch. 7.5, §§ 71800 et seq.)
- 2) Defines the following relevant terms:
 - a) "Certified interpreter" and "registered interpreter" are persons certified or registered to provide language translation services, not including sign language.
 - b) "Employee organization" means a labor organization that has as one of its purposes representing employees in their relations with the trial courts.
 - c) "Local compensation" means any amounts paid to employee interpreters by an individual trial court that are not paid pursuant to the regional memorandum of understanding and are not calculated on an hourly basis.
 - d) "Recognized employee organization" means an employee organization that has been formally acknowledged to represent the court interpreters employed by the trial courts in a region.
 - e) "Regional court interpreter employment relations committee" means one of the four regional court interpreter committees established by statute and subject to rules adopted by the Judicial Council. (Gov. Code, §§ 71801, 71807.)
- 3) Divides the trial courts into four regions, for purposes of developing regional terms and conditions of employment and for collective bargaining with recognized employee organizations, with each region controlled by a regional court interpreter employment relations committee, as follows:
 - a) Region 1: Los Angeles, Santa Barbara, and San Luis Obispo Counties.
 - b) Region 2: the counties in the First and Sixth Appellate Districts, except Solano County.
 - c) Region 3: the counties in the Third and Fifth Appellate Districts.
 - d) Region 4: the counties in the Fourth Appellate District. (Gov. Code, § 71807.)
- 4) Permits trial courts in a region to employ certified and registered interpreters to perform spoken language interpretation for the trial courts in full-time, part-time, or intermittent, part-time interpreter positions created by the trial courts, and establishes an order of priority for hiring. (Gov. Code, § 71806.)
- 5) Provides that the regional court interpreter relations committee shall set terms and conditions of employment for court interpreters within the region, including, but not limited to, hourly rates of pay, subject to a meet and confer in good faith; when the terms and conditions of employment are adopted by the regional court interpreter

relations committee, they shall be binding on the trial courts; unless otherwise provided in a memorandum of understanding or agreement with a recognized employee organization, other terms and conditions of employment shall be uniform throughout the region, except that health and welfare and pension benefits may be the same as those provided to other employees of the same trial court. (Gov. Code, § 71808(a).)

- 6) Provides that, notwithstanding 5), trial courts may set additional local compensation, subject to meet and confer in good faith between the trial court and the recognized employee organization; an agreement establishing local compensation shall be between the trial court and the recognized employee organization, and shall not modify the terms of a regional memorandum of understanding or agreement between the regional court interpreter employment relations committee and the recognized employee organization. (Gov. Code, § 71808(b).)

This bill:

- 1) Permits, when more than one region is bargaining in calendar year, a recognized employee organization to request multiregional bargaining.
- 2) Permits the request for multiregional bargaining in 1) to be granted with the mutual consent of the recognized employee organization and the regional court interpreter employment relations committee.

COMMENTS

1. Author's comment

According to the author:

AB 792 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.

2. 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

¹ SB 371 (Escutia, Ch. 1047, Stats. 2002).

level, Title VI of the Civil Rights Act of 1964² was interpreted to prohibit practices that result in denying meaningful access 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 percent of the interpretations, followed by Vietnamese (1.47 percent).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 AB 1657 (Gomez, Ch. 721, Stats. 2014), 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

3. Background on the TCIELRA

In 2002, the Legislature enacted the TCIELRA, which established procedures by which the trial courts would make an orderly transition from relying on independent contractors for interpretation services to using employees for interpretation services.¹² The TCIELRA built in a two-year "regional transition period" for the courts to put in place procedures for hiring, and to hire, court interpreters,¹³ and included a number of

² 42 U.S.C. §§ 2000d et seq.

³ See Exec. Order No. 13166, 65 Fed. Reg. 50121 (Aug. 11, 2000), *repealed by* Exec. Order No. 14224, 90 Fed. Reg. 11363 (Mar. 1, 2025).

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

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

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. (Judicial Council of California, *Trial Court Interpreters Program Expenditure Report for Fiscal Year 2022-23* (June 2024), p. 4, fn. 11.)

¹⁰ *Ibid.*

¹¹ Evid. Code, § 756.

¹² SB 371 (Escutia, Ch. 1047, Stats. 2002); Gov. Code, § 71802.

¹³ Gov. Code, § 71801(l).

provisions to ensure that the court interpreters who had been providing interpretation services most frequently as independent contractors were given the first choice of being hired as employees.¹⁴ The regional transition period ended July 1, 2005.¹⁵

In 2023, the Legislature enacted AB 1032 (Pacheco, Ch. 556, Stats. 2023), which modified the TCIELRA in an effort to encourage the courts to hire more employee court interpreters rather than relying on contractors. Prior to AB 1032, expenditures for independent contractors comprise between one-fifth and one-quarter of their total interpreter expenditures (with a dip in 2020-2021 that coincided with the COVID-19 related reduction in cases).¹⁶ AB 1032 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. Many of the provisions of AB 1032 took effect on January 1, 2025.

4. This bill permits court interpreter regional bargaining units to engage in multiregional bargaining with the consent of all the parties

This bill is intended to facilitate the collective bargaining process for court interpreters by allowing the recognized employee organizations for multiple units to engage in multiregional bargaining when the regions are bargaining in the same calendar year. Recent amendments taken by the author, in response to concerns raised by the Judicial Council, require that both the recognized employee organizations and the regional court interpreter employment relations committees consent to the multiregional bargaining request. This amendment should ensure that multiregional bargaining occurs only when both sides agree that it will be beneficial for the negotiations.

5. Arguments in support

According to the California Federation of Interpreters, Local 39000:

AB 792 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

¹⁴ *Id.*, §§ 71804-71806.

¹⁵ *Id.*, § 71801(l).

¹⁶ Judicial Council of California, *Trial Court Interpreters Program Expenditure Report for Fiscal Year 2021-2022* (Jun. 2023), p. 6.

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.

SUPPORT

California Federation of Interpreters, Local 39000 (sponsor)

OPPOSITION

None received

RELATED LEGISLATION

Pending legislation: None known.

Prior legislation:

AB 1032 (Pacheco, Ch. 556, Stats. 2023) modified the TCIELRA. AB 1032 is discussed in greater detail in Comment 3 of this analysis.

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.

PRIOR VOTES:

Assembly Floor (Ayes 61, Noes 5)

Assembly Appropriations Committee (Ayes 11, Noes 1)

Assembly Public Employment and Retirement Committee (Ayes 5, Noes 0)
