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March 16, 2020

VIA E-MAIL AND U.S. MAIL

1303 10th Street, Suite 1173
Governor Gavin Newsom
Sacramento, CA 95814

Supreme Court of California
Chief Justice Tani G. Cantil-Sakauye
350 McAllister Street
San Francisco, CA 94102-4797

Re: URGENT need for action for Court Interpreters

Dear: Dear: Hon. Governor Newsom and Hon. Chief Justice Cantil-Sakauye

We write to you on behalf of California Federation of Court Interpreters (“CFI”) Local 39000 regarding urgent need for intervention. CFI represents the public employees who perform language access services in the State Courts throughout California.

Court interpreters are uniquely at risk of becoming infected with and transmitting COVID-19 because as opposed to Judges, court reporters, judicial assistants, clerks and office personnel who perform their services at least 6 feet away from court participants, court interpreters stand immediately next to the individual for whom they provide interpreting services. Court interpreters’ job duties require on a daily and hourly basis that they defy the most important principle of containing the virus, namely, social distancing.

The concern we raise is by no means hypothetical or exaggerated: we are aware that individuals have appeared in Manteca, San Jose, and Los Angeles Courts who self-reported or later tested positively for COVID-19 which in turn required several of our members to be quarantined.

There is an obvious solution to this dire situation: all courts must be directed to cease interpreting services unless they can ensure that basic CDC recommendations are in place including maintaining a minimum of 6 feet distance from persons for whom they provide interpreting services. Unless a court has wireless transmitters available – something that the majority of courts do not have – interpreters cannot perform in-court interpreting without putting themselves at serious risk of infection, and/or possibly infecting others. We therefore respectfully urge you to issue a directive immediately ceasing in-person interpreting in courts where sufficient wireless equipment is not available, and instead enabling court interpreters to perform services remotely.

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We understand that this critical life-saving measure has not been implemented on the basis that the Judicial Council has tasked each local court with rendering its own decisions regarding how to safeguard court-users and employees. While we respect the right of individual courts to produce their own judicial administration policies, we respectfully submit that a uniform system must be implemented to ensure that courts that do not choose to follow CDC guidelines do not become coronavirus breeding grounds. A court-by-court "solution" to a problem of this magnitude is creating undue confusion and risk. We request an immediate, uniform response from your office to address this pandemic within the judicial system which is uniquely threatening our members, the individuals for whom they provide services, and the community at large who will suffer if this situation is not redressed.

We also ask that you announce a coherent and uniform policy to mitigate the economic impact of any of the above scenarios as the lack of consistency is causing tremendous upheaval and stress for court worker families throughout the state. We respectfully request assurance that our members will continue to receive pay either as Court Holiday pay – which some courts have already implemented – or paid Administrative Leave until the COVID-19-related impacts are resolved.

Thank you in advance for your immediate attention to this matter.

Very truly yours,

MESSING ADAM & JASMINE LLP



Laurie M. Burgess

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LMB:KF