

The background features the Great Seal of the State of Oklahoma, which is a five-pointed star. The star is set against a circular border containing the text "GREAT SEAL OF THE STATE OF OKLAHOMA". The seal itself depicts a central figure holding a scale of justice, surrounded by various symbols of industry and agriculture. The Latin motto "LABOR OMNIA VINCIT" is inscribed on a banner across the center. The entire graphic is rendered in a light blue, semi-transparent style.

COURTROOM INTERPRETER PROGRAM

Supreme Court of Oklahoma

Administrative Office of the Courts

Please fill out
the survey
using the
following QR
Code!



WHO CAN REQUEST AN INTERPRETER?

To ensure compliance with Title VI of the Civil Rights Act, Interpreters should be furnished at the expense of the court in all proceedings and all case types, including:

Indigent and non-indigent parties.

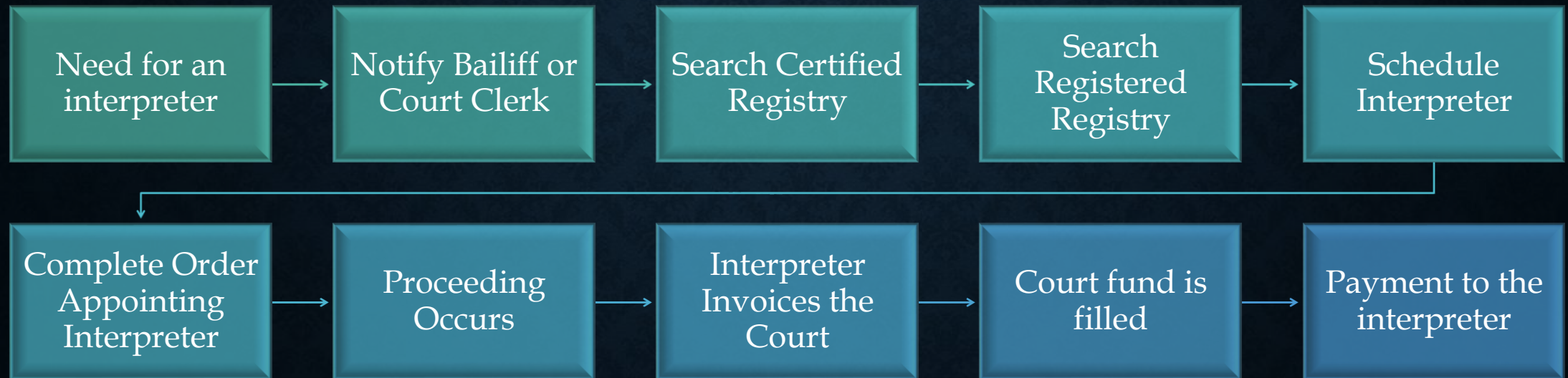
Parties with private counsel, public defender, or pro se.

Civil cases (including VPOs, family, FEDs/evictions).

Criminal and Juvenile (delinquent and deprived).

Parties, parents and guardians of parties, and witnesses.

PROCESS OF OBTAINING AN INTERPRETER



IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

_____,)
Plaintiff/Petitioner,)
vs.) Case No. _____)
_____,)
Defendant/Respondent.)

ORDER APPOINTING INTERPRETER AND RECOMMENDING PAYMENT

Now on this ____ day of _____, 20____, comes before the undersigned Judge, the request for appointment of a:

- foreign language interpreter who speaks _____ or
- sign language interpreter to assist in this matter.

The Court, being fully advised in its premises, finds that it is meritorious and should be granted.

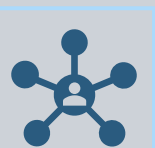
IT IS THEREFORE ORDERED, that _____, an interpreter with the highest level of qualification available on this date and time is hereby appointed to interpret in this cause.

The Court further recommends expenses for the interpreter shall be paid from the Oklahoma County Court Fund in accordance with State law and Supreme Court Order.

ORDER APPOINTING INTERPRETER

- Must be filled as part of the official record with the interpreter's full name and credential level.
- Used to pay the interpreter.
- Must be signed by the Judge.

WHEN THE LANGUAGE IS NOT ON THE REGISTRY



Contact Irene Collazo, AOC
Language Access Program
Coordinator.

Phone: (405) 556-9881

E-mail: Irene.Collazo@oscn.net



When contacting any out of state interpreter to provide services, all rates must be negotiated up front before hiring the interpreter for the assignment. Most are willing to work with [SCAD order Re: Payment of Interpreters.](#)



Keep in mind rare languages may cost more. (See provision 10)



Consider a telephonic or video connection. The interpreter should be able to assist with details about how best to set that up using the equipment available in your courtroom. See also District Court Rule 34.



FILED
SUPREME COURT
STATE OF OKLAHOMA

SEP 13 2021

2021 OK 42
IN THE SUPREME COURT OF THE STATE OF OKLAHOMA JOHN D. HADDEN
CLERK

In re: INTERPRETER FEES)
) No. SCAD-2021-53
) PUBLISH OBJ ONLY

ORDER

Pursuant to the provisions of 63 O.S.2011, § 2415 and 20 O.S.2011, § 1707(A) and the administrative authority vested in the Court by Article VII, Section 6 of the Oklahoma Constitution, Administrative Directive No. SCAD-2020-113 relating to the payment of foreign language interpreters and interpreters for the deaf and hard-of-hearing is hereby superseded. The provisions of this directive shall become effective October 1, 2021.

1. **Order of Preference.** When securing an interpreter provided at the expense of the court, judges and court clerks shall follow the order of preference set forth in 20 O.S.Supp.2020, § 1710, which states in part:

In district court proceedings, the court shall endeavor to obtain the services of a courtroom interpreter with the highest available level of credential prior to accepting services of an interpreter with lesser credential and skill. Certified courtroom interpreters have the highest recognized level of credential in this state, and registered courtroom interpreters have the next highest level. . . .

2. **Hourly Rates – Foreign Language Interpreters.** Spoken-language interpreters provided at the expense of the court shall be paid at the following hourly rates for in court services related to the specific case assignment:

- a. Certified Courtroom Interpreters shall be paid not to exceed Eighty Dollars (\$80.00) per hour.
- b. Registered Courtroom Interpreters shall be paid not to exceed Sixty Five Dollars (\$65.00) per hour.
- c. Provisional Status Interpreters shall be paid not to exceed Fifty Dollars (\$50.00) per hour.
- d. All other spoken language interpreters may be paid not to exceed Forty Dollars (\$40.00) per hour. Nothing herein is intended to require

the court fund to pay a bilingual person who performs incidental interpretation in a particular matter, such as a friend or family member of a party. No mileage shall be paid for interpreters in this category.

3. **Hourly Rates – Sign Language Interpreters.** Sign Language Interpreters provided at the expense of the court shall be paid at the following hourly rates:

- a. Certified Sign Language Interpreters shall be paid not to exceed Eighty Dollars (\$80.00) per hour. A "Certified Sign Language Interpreter" is defined in Rule 12(a) of the Rules of the State Board of Examiners of Certified Courtroom Interpreters, 20 O.S.Supp.2020, ch. 23, app. II.
- b. All other Qualified Legal Interpreters shall be paid not to exceed Sixty Dollars (\$60.00) per hour. A "Qualified Legal Interpreter" for the deaf and hard-of-hearing is defined in 63 O.S.2011, § 2408(2).
- c. To the extent a court—in keeping with 20 O.S.Supp.2020, § 1710 and Rule 12(f)(2) of the Rules of the State Board of Examiners of Certified Courtroom Interpreters—finds good cause not to use a Certified Sign Language Interpreter or a Qualified Legal Interpreter because it would not be practical to secure their services within a reasonable time frame and then utilizes some other sign language interpreter, such sign language interpreter may not be paid for services rendered or for mileage out of the court fund.

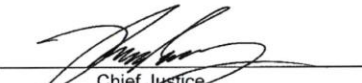
4. **Billable Time.**

- a. Certified and Registered Courtroom Interpreters, and Certified Sign Language Interpreters, shall be paid a minimum of two hours per day for court interpreting services in a district court. After the first two hours of billable time, services should be invoiced and paid at the appropriate hourly rate in 15-minute increments, rounded to the nearest quarter hour.
- b. Interpreters who are not Certified or Registered are not entitled to the two-hour minimum unless the judge specifically authorizes otherwise for good cause (such as assignments requiring significant travel or rare languages).
- c. Billable time includes all time during which the interpreter is required to be present in the courthouse and available to interpret, as well as time spent actually interpreting.

- d. Double billing on multiple cases is prohibited. The two-hour minimum may be invoiced and paid only once per day in the same district courthouse, regardless of the number of cases covered by the interpreter. Billable time beyond the two-hour minimum shall not total more than the actual time spent providing professional services in any district courthouse, covering one or more cases.
 - e. Except for trial proceedings, billable time shall not exceed 8 hours per court day.
 - f. Interpreters appearing remotely via telephone or video may be paid a one-hour minimum, unless the judge specifically authorizes otherwise for good cause (such as assignments requiring rare languages). After the first hour of billable time, services should be invoiced and paid at the appropriate hourly rate in 15-minute increments, rounded to the nearest quarter hour.
5. **Travel Time.** Mileage shall be paid pursuant to the State Travel Reimbursement Act, 74 O.S. §§ 500.1 *et seq.* Interpreters shall not be reimbursed at an hourly rate for travel time.
6. **Lodging and Per Diem.** For multi-day assignments, an interpreter may be paid for lodging and per diem pursuant to the State Travel Reimbursement Act if the total expense to the court would be equal to or less than daily mileage to and from the assignment location.
7. **Cancellation Fee.**
- a. A cancellation fee in the amount of \$100.00 may be invoiced and paid if cancellation of a Certified or Registered Courtroom Interpreter's assignment occurs with less than 24 hours' notice to the interpreter. The fee does not apply to cancellations due to inclement weather or health emergencies.
 - b. The cancellation fee may not be invoiced and paid more than once per day in the same district courthouse.
 - c. Interpreters who are not Certified or Registered are not entitled to the cancellation fee. However, a courtesy notice of cancellation of at least four hours is recommended.

- d. If cancellation occurs after an interpreter starts traveling to, or appears for, an assignment, the interpreter may request reimbursement for any applicable mileage.
8. **Judges' Responsibilities.**
- a. Judges shall make every effort to arrange their dockets so as to minimize the amount of billable time an interpreter must wait before or between proceedings, and to maximize the use of the interpreter during the first two hours of billable time on as many cases as possible. Judges in the same courthouse should endeavor to coordinate docket scheduling as much as possible to maximize the use of interpreter time.
 - b. Absent extraordinary circumstances, judges and attorneys serving in a case should not function as foreign or sign-language interpreters in that case. In any such case where a judge or attorney must function as an interpreter, the assigned judge shall make a full record, including any objection by the parties and an explanation of the extraordinary circumstances, for later appellate review.
9. **Interpreters' Responsibilities.** By accepting assignments in the district courts, interpreters agree to comply with all billing requirements, and shall submit complete and accurate invoices on such forms as may be required. Before submitting an invoice to the court clerk for payment, interpreters shall be responsible for obtaining any judicial approval, and attaching any supporting documentation, including the district court and the case number for each individual for services provided.
10. **Exceptions.** The Chief Justice may authorize a departure from the hourly rates or other provisions of this SCAD when necessary to meet the language access needs of the courts. The trial judge or court clerk shall obtain authorization in advance from the Chief Justice before accepting interpreter services at rates other than those set forth herein or when services are required for more than 5 consecutive days.

DONE BY ORDER OF THE SUPREME COURT IN CONFERENCE THIS
13TH DAY OF SEPTEMBER, 2021.


Chief Justice

ALL JUSTICES CONCUR.

Request for Exception to SCAD

- Document any deviation from payment SCAD.
 - Rates
 - Credential level
- Send to Caroline Weaver, District Court Services Manager.
- Receive approval from the Chief Justice.

Request for Exception to SCAD-2020-113	
Payment of Courtroom Interpreters	
The trial judge or court clerk shall obtain authorization in advance from the Chief Justice before accepting interpreter services at rates other than those set forth in SCAD-2020-113 or when services are required for more than 5 consecutive days.	
Fiscal Year <input style="width: 100px;" type="text"/>	
County: <input style="width: 100px;" type="text"/>	County No. <input style="width: 100px;" type="text"/>
Court Clerk: <input style="width: 100px;" type="text"/>	Request Date: <input style="width: 100px;" type="text"/>
Reason for Deviation	
<input style="width: 100%; height: 100%;" type="text"/>	
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Case Number	Defendant
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District Judge-Member, Court Fund Governing Board	Date
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Other Member, Court Fund Governing Board	Date
<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>
Approved <input type="checkbox"/> Denied <input type="checkbox"/> Chief Justice	Date
<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>

Note:

- The District Judge must sign the request.
- The following documents must be submitted with the request.
 - Copy of quote from Interpreter
 - Order Appointing Interpreter

VOIR DIRE QUESTIONS FOR ASSESSING INTERPRETER QUALIFICATIONS

- Are you a Certified Interpreter? Are you a Registered Interpreter?
- Are you listed on the Oklahoma Supreme Court's interpreter registry? Do you have your courtroom interpreter badge furnished by the AOC?
- What is your native language? Have you had an opportunity to speak with Mr./Ms. _____? Is your dialect compatible?
- Have you ever interpreted for any of the people involved in this case?
- Are you able to remain fair and impartial? Do you know any of the parties? Do you understand that you must interpret everything that is said?

ROLE OF AN INTERPRETER



Must render complete and accurate interpretation without altering, omitting, or adding anything, and without explanation.



Must be impartial and unbiased; not an attorney/friend/family member; must disclose to the court any real or the appearance of a conflict of interest.



Limited to interpreting only; must not provide legal advice and cannot independently explain plea forms, court procedure, etc.

RECORDING THE PROCEEDING

- 12 O.S. § Rule 1.410 and 20 O.S. § 1710 state that any court proceeding interpreted by a non-certified foreign language interpreter shall be audio taped, and the recording shall be made an official part of the record.
- Recording to be done using a Zoom Handy Recorder, provided by MIS.

TIPS FOR WORKING WITH INTERPRETERS

- Instruct participants to speak loudly and clearly and one at a time. Allow pauses.
- If someone is speaking in the proceeding, the interpreter should be interpreting for the party with limited English proficiency (LEP).
- Be aware of long answers and brief interpretations.
- Allow to use equipment if needed.
- Ask the person with LEP clarifying questions through the interpreter.

EQUIPMENT AND TECHNOLOGY

- *LanguageLine* Services
- Audio Room Carts for Video Remote Interpretation (VRI)
- Headsets for simultaneous interpreting



FOR QUESTIONS, PLEASE CONTACT

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Gina Antipov, Director of Court Services

Gina.Antipov@oscn.net | (405) 556-9673

Sarah Lane, AOC General Counsel

Sarah.Lane@oscn.net | (405) 556-9821



COFFEE CHAT
FRIDAY, JULY 12
ROOM OK 1