

**Invitation to Comment**

Title	Revisions and updates to INT Forms (INT-001, INT-002, INT-100, INT-110, INT-120)
Summary	<p>The proposed revisions to the INT forms would:</p> <ul style="list-style-type: none"> <li>• Add the term “nonregistered” in several locations on the forms.</li> <li>• Correct the number of languages currently designated by the Judicial Council.</li> <li>• Add a missing step to the diligent search procedures.</li> <li>• Update the formatting to follow the current AOC style guidelines for judicial forms.</li> </ul>
Source	Court Interpreters Advisory Committee
Staff	Lucy B. Smallsreed, 415-865-7705, lucy.smallsreed@jud.ca.gov
Discussion	<p>The Judicial Council forms currently being used to provisionally qualify court interpreters are out of date. Currently, the forms address the provisional qualification of only noncertified interpreters. They fail to address the need to provisionally qualify nonregistered interpreters as well. This has resulted in widespread confusion and variation in how these forms are used at the local level. The proposed revisions to the forms would clarify that the provisional qualification procedures apply to both noncertified and nonregistered interpreters.</p> <p>The forms also are outdated in that they refer to only 8 designated languages, rather than the 12 currently designated languages for which interpreters may be certified. The proposed revisions to the forms correct the references to the designated languages to include all 12 languages for which interpreters may be certified.</p> <p>Current Form INT-120 should be updated to mention a key step in the “diligent search” procedure to determine the unavailability of a certified or registered interpreter. This step is to attempt to contact the regional interpreter coordinator for the region. The proposed revisions to the forms would include this step.</p> <p>The current forms no longer adhere to the AOC style guide for formatting. The proposed revisions to the forms adhere to the style standards for Judicial Council forms including spacing, numbering, and alignment of boxes.</p>

**SEMIANNUAL REPORT TO THE JUDICIAL COUNCIL  
ON THE USE OF NONCERTIFIED OR NONREGISTERED  
INTERPRETERS**

NOTE: California Rules of Court, rule 2.894 requires each court to report this information to the Judicial Council every six months.

REPORTING PERIOD:  January-June 20 \_\_\_\_ (Due July 31)  July-December 20 \_\_\_\_ (Due January 31)

1.  Use<sup>1</sup> of noncertified interpreters<sup>2</sup> (designated languages only) is reported as follows:

DESIGNATED LANGUAGES	Use of noncertified interpreters		
	Number of different interpreters used	Number of appearances	Number of cases
D-01. Arabic			
D-02. Armenian (Eastern)			
D-03. Armenian (Western)			
D-04. Cantonese			
D-05. Japanese			
D-06. Korean			
D-07. Mandarin			
D-08. Portuguese			
D-09. Russian			
D-10. Spanish			
D-11. Tagalog			
D-12. Vietnamese			

2.  Use<sup>1</sup> of nonregistered interpreters (nondesignated languages only) is reported on form INT-002 (attached).

3. Did you follow the procedures for a diligent search (form INT-100) before using a noncertified or nonregistered interpreter?

Yes  No (state why not):

4. What problems did you encounter?

- 5. a. Name of court:
- b. Person who completed this form:
- c. His or her telephone no.:


<sup>1</sup> "Use" is defined as anytime a minute order or docket indicates the appearance of an interpreter.

<sup>2</sup> "Noncertified interpreters" is defined as interpreters of designated languages who are NOT certified by the Judicial Council.

**SEMIANNUAL REPORT TO THE JUDICIAL COUNCIL  
ON THE USE OF NONCERTIFIED OR NONREGISTERED  
INTERPRETERS**

Date:

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(TYPE OR PRINT NAME)  (SIGNATURE OF COURT ADMINISTRATOR)

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**MAIL TO: Judicial Council of California, Court Interpreters Program, 455 Golden Gate Avenue, San Francisco, CA 94102-3660.**

NO. OF PAGES ATTACHED: \_\_\_\_\_

*DRAFT FOR REVIEW-NOT APPROVED BY JUDICIAL COUNCIL*  
**SEMIANNUAL REPORT TO THE JUDICIAL COUNCIL ON THE USE OF**  
**NONREGISTERED INTERPRETERS (*Attachment to INT-001*)**

1.  Use<sup>1</sup> of nonregistered interpreters<sup>2</sup> (nondesignated languages only) reported as follows:

NONDESIGNATED LANGUAGES (Use code numbers attached)	Use of NONREGISTERED INTERPRETERS		
	Number of different interpreters used	Number of appearances	Number of cases
Code No. N-			
Code No. N-			
Code No. N-			
Code No. N-			
Code No. N-			
Code No. N-			
Code No. N-			
Code No. N-			
Code No. N-			
Code No. N-			
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Code No. N-			
Code No. N-			
Code No. N-			
Code No. N-			
Code No. N-			
Code No. N-			
Code No. N-			
Code No. N-			

<sup>1</sup> "Use" is defined as anytime a minute order or docket indicates the appearance of an interpreter.  
<sup>2</sup> "Nonregistered Interpreters" is defined as interpreters of nondesignated languages who are not registered with the Judicial Council.

DRAFT FOR REVIEW-NOT APPROVED BY JUDICIAL COUNCIL  
**SEMIANNUAL REPORT TO THE JUDICIAL COUNCIL ON THE USE OF  
NONREGISTERED INTERPRETERS (Attachment to INT-001)**

2.  Use of nonregistered interpreters<sup>2</sup> (nondesignated languages only) reported as follows:

NONDESIGNATED LANGUAGES (Use code numbers attached)	Use of NONREGISTERED INTERPRETERS		
	Number of different interpreters used	Number of appearances	Number of cases
Code No. N-			
Code No. N-			
Code No. N-			
Code No. N-			
Code No. N-			
Code No. N-			
Code No. N-			
Code No. N-			
Code No. N-			
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Code No. N-			
Code No. N-			
Code No. N-			
Code No. N-			
Code No. N-			
Code No. N-			
Code No. N-			

<sup>1</sup> "Use" is defined as anytime a minute order or docket indicates the appearance of an interpreter.

<sup>2</sup> "Nonregistered Interpreters" is defined as interpreters of nondesignated languages who are not registered with the Judicial Council.

DRAFT FOR REVIEW-NOT APPROVED BY JUDICIAL COUNCIL  
**SEMIANNUAL REPORT TO THE JUDICIAL COUNCIL ON THE USE OF  
NONREGISTERED INTERPRETERS (Attachment to INT-001)**

**INT-002(A)**

**Language Codes**

N-001	Afgani	N-043	Khmu	N-999	Other (specify):
N-002	Albanian	N-044	Lao		
N-003	Amharic	N-045	Latvian		
N-004	Aramaic	N-046	Lithuanian		
N-006	Assyrian	N-047	Macedonian		
N-007	Belize Creole	N-048	Malay		
N-008	Bengali	N-049	Malayalam		
N-009	Bokharic	N-051	Mien		
N-010	Bulgarian	N-052	Mixteco		
N-011	Burmese	N-053	Nahuatl		
N-012	Cambodian	N-054	Navajo		
N-013	Chaldean	N-055	Norwegian		
N-014	Chamorro	N-056	Polish		
N-015	Chinoteca	N-057	Punjabi		
N-016	Creole	N-058	Quiche		
N-017	Croatian	N-059	Romanian		
N-018	Czech	N-061	Samoan		
N-019	Dutch	N-062	Serbian		
N-020	Egyptian Arabic	N-063	Serbo-Croatian		
N-021	Farsi/Persian	N-064	Shanghai		
N-022	Fijian	N-065	Sindhi		
N-023	Finnish	N-066	Sinhalese		
N-024	French	N-067	Slovak		
N-025	Garifuna	N-068	Somali		
N-026	German	N-069	Swahili		
N-027	Greek	N-070	Swedish		
N-028	Gujarati	N-071	Taiwanese		
N-029	Haitian Creole	N-072	Tamil		
N-030	Hebrew	N-073	Telugu		
N-031	Hindi	N-074	Thai		
N-032	Hmong	N-075	Tigre		
N-033	Hungarian	N-076	Tigrinya		
N-034	Icelandic	N-077	Tongan		
N-035	Igbo	N-078	Turkish		
N-036	Ilocano	N-079	Ukranian		
N-037	Ilonggo	N-080	Urdu		
N-038	Indian (Other)	N-081	Yemeni		
N-039	Indonesian	N-082	Yiddish		
N-040	Italian	N-083	Yoruba		
N-041	Jamaican Patois	N-084	Zapoteco		
N-042	Kanjobal				

## PROCEDURES AND GUIDELINES TO APPOINT A NONCERTIFIED OR NONREGISTERED INTERPRETER IN CRIMINAL AND JUVENILE DELINQUENCY PROCEEDINGS

The court is required to appoint a certified interpreter to interpret a language designated by the Judicial Council (Gov. Code, section 68561) or a registered interpreter to interpret in a language not designated<sup>1</sup> by the Judicial Council. The court may appoint a noncertified interpreter if the court (1) on the record finds good cause to appoint a noncertified interpreter and finds the interpreter to be qualified and (2) follows the procedures adopted by the Judicial Council (Gov. Code, sections 68561(c), 68564(d) and, (e); Cal. Rules of Court, rule 2.893). The court may appoint nonregistered interpreters only if (1) a registered interpreter is unavailable and (2) the good cause qualifications and procedures adopted by the Judicial Council under Gov. Code, section 68561(c) have been followed. (See Gov. Code sections 71802(b)(1) and 71802(d).)

The following procedures are applicable in criminal proceedings and juvenile delinquency proceedings under Welfare and Institutions Code section 602 et seq.

### 1. The proposed interpreter:

- a. Completes and signs under oath the form *Qualifications of a Noncertified or Nonregistered Interpreter* (form INT-110).
- b. Files the form with the court administrator.
- c. Renews the declaration of *Qualifications of a Noncertified or Nonregistered Interpreter* after six months.

### 2. The court administrator or designee:

- a. Reviews the proposed interpreter's declaration on *Qualifications of a Noncertified or Nonregistered Interpreter*.
- b. Submits the proposed interpreter's declaration on *Qualifications of a Noncertified or Nonregistered Interpreter* to the presiding judge.
- c. Sends a current copy of the *Qualifications of a Noncertified or Nonregistered Interpreter* (signed by the presiding judge within the past six months) to the courtroom.
- d. Informs the presiding judge (form INT-110) whether the proposed interpreter is within or beyond the maximum provisional qualification period allowed by California Rules of Court, rule 2.893.
- e. On the day of the proceeding, completes, signs, and files with the court a *Certification of Unavailability of Certified or Registered Interpreter* (form INT-120).
- f. Continues his or her efforts to obtain a certified or registered interpreter for the proceeding.

### 3. The presiding judge or judicial designee:

- a. Reviews the declaration on *Qualifications of a Noncertified or Nonregistered Interpreter*.
- b. May examine the proposed interpreter on his or her qualifications and may require additional information and documentation specified in the order.
- c. Signs the six-month *Finding of Provisional Qualification and Order of the Presiding Judge* (form INT-110, p. 4), if the presiding judge finds the proposed interpreter to be provisionally qualified to interpret in the court in the language specified.
- d. Renews the *Finding of Provisional Qualification and Order of the Presiding Judge* after six months, if the interpreter remains uncertified or unregistered and provisionally qualified.
- e. Makes a finding of good cause to allow a noncertified or nonregistered interpreter to interpret beyond the maximum provisional qualification period allowed by California Rules of Court, rule 2.893 (see form INT-110, p. 4).

<sup>1</sup> Languages are designated by the Judicial Council under Government Code section 68562.

**PROCEDURES AND GUIDELINES TO APPOINT A NONCERTIFIED OR  
NONREGISTERED INTERPRETER  
IN CRIMINAL AND JUVENILE DELINQUENCY PROCEEDINGS**

**4. Judge at the proceeding:**

- a. May review the *Qualifications of a Noncertified or Nonregistered Interpreter* (form INT-110) of the proposed interpreter.
- b. May examine the proposed interpreter on his or her qualifications to interpret in the proceeding and may require additional information and documentation.
- c. Makes a finding on the record that good cause exists to use the noncertified or nonregistered interpreter.
- d. If applicable, finds on the record that good cause exists under California Rules of Court, rule 2.893 to appoint a noncertified or nonregistered interpreter who has exceeded the provisional qualification periods allowed by rule 2.893.
- e. Finds on the record that the proposed interpreter is qualified to interpret the proceeding.
- f. **OR** Continues the proceeding until a certified, registered, or better-qualified interpreter is available.
- g. Informs the parties on the record that the proposed interpreter is not certified or registered.
- h. May request a stipulation or waiver from the parties on the record to the appointment of the noncertified or nonregistered interpreter.
- i. Rules on any objection to the appointment of the noncertified or nonregistered interpreter.
- j. Appoints the proposed noncertified or nonregistered interpreter to interpret in the proceeding and may appoint the interpreter to remain in the proceeding on subsequent days.

**5. Courtroom clerk:**

- a. Retains in the courtroom the Interpreter's *Qualifications of a Noncertified or Nonregistered Interpreter*.
- b. Records in the docket or minute order the information required by California Rules of Court, rule 2.893 as follows:
  - (1) The name of the interpreter;
  - (2) The language to be interpreted;
  - (3) The fact that the interpreter was administered the interpreter's oath;
  - (4) The fact that the interpreter is not certified or registered to interpret in the language to be interpreted;
  - (5) Whether a *Certification of Unavailability of Certified or Registered Interpreters* for the language to be interpreted is on file for this date with the court administrator;
  - (6) The court's finding that good cause exists for the court to appoint a noncertified or nonregistered interpreter;
  - (7) The court's finding that the interpreter is qualified to interpret in the proceeding;
  - (8) If applicable, the court's finding under rule 2.893 that good cause exists for the court to use a noncertified or nonregistered interpreter beyond the time allowed in rule 2.893; and
  - (9) If applicable, the objection or waiver of the defendant or minor under rule 2.893.



**PROCEDURES AND GUIDELINES TO APPOINT A NONCERTIFIED OR  
NONREGISTERED INTERPRETER  
IN CRIMINAL AND JUVENILE DELINQUENCY PROCEEDINGS**

**INSTRUCTIONS FOR THE COURT'S FINDING OF GOOD CAUSE AND APPOINTMENT  
OF NONCERTIFIED OR NONREGISTERED INTERPRETER**

Before the court appoints a noncertified or nonregistered interpreter, the court must make a good-cause finding on the record at the beginning of the proceeding (Gov. Code, sections 68561(c), 71802(b)(1), and (d)). The appointment and finding below states the elements required.

The court appoints the noncertified or nonregistered interpreter to interpret the stated language in the proceeding on today's date. *(At the discretion of the court, this interpreter may remain on a particular matter begun on today's date.)*

The court finds good cause to appoint the interpreter based on the certification of the interpreter coordinator<sup>2</sup> of his or her efforts to obtain an interpreter and that a certified or registered court interpreter is not available. The coordinator's certification is on file.

- The court finds the noncertified or nonregistered interpreter to be qualified to interpret in this proceeding based on (1) the interpreter's declaration of qualifications to the presiding judge and (2) the presiding judge's order provisionally qualifying the interpreter, which are on file with the court administrator, and *(optional)* (3) this court's examination in this proceeding of the interpreter.

The appointed interpreter *(choose one)*:

- has **not** been appointed by any trial court beyond the period specified in California Rules of Court, rule 2.893 **-OR-**
- has been appointed by a trial court beyond the period specified in California Rules of Court, rule 2.893, and the court finds good cause exists under rule 2.893 to continue using the interpreter.

<sup>2</sup> Person who is responsible for assigning interpreters to a court.

DRAFT FOR REVIEW-NOT APPROVED BY JUDICIAL COUNCIL  
**QUALIFICATIONS OF A NONCERTIFIED OR NONREGISTERED INTERPRETER**  
 Provisional Qualification by Order of Presiding Judge

INT-110

<b>INTERPRETER NAME:</b> <b>LANGUAGE:</b> <input type="checkbox"/> Original filing in this court <input type="checkbox"/> Renewal No.: <b>Number of six-month periods this interpreter has been used:</b> <input type="checkbox"/> Within <input type="checkbox"/> Beyond    the period allowed by Cal. Rules of Courts, rule 2.893	FOR COURT USE ONLY (FILE WITH THE COURT ADMINISTRATOR)
INSERT NAME OF COURT, JUDICIAL DISTRICT, AND BRANCH COURT, IF ANY	

The following questions may be addressed to the noncertified or nonregistered interpreter as voir dire, or the court may have the prospective interpreter answer the questions in writing on this form. All of the information provided by the noncertified or nonregistered interpreter should be considered by the court to determine whether the interpreter is appointed to interpret the stated language.

Interpreter's Name:	Phone ( <i>home</i> ):	
Address:	Phone ( <i>work</i> ):	
	Driver's License.:	State:
Language:	<b>-OR-</b> State I.D.:	State:

Designated language: Noncertified interpreter  
 Nondesignated language: Nonregistered interpreter

**1. Previous provisional qualification periods** (*since January 1996*)

a. Since January 1, 1996, have you been provisionally qualified by a presiding judge in this court or any other court under California Rules of Court, rule 2.893?

No  
 Yes. For each period state (*see p. 4*):

Beginning date:	Court:
Beginning date:	Court:
Beginning date:	Court:
Beginning date:	Court:

b. Since January 1, 1996, have you interpreted in any court without being provisionally qualified?

No     Yes (*explain, giving court names and dates*):

**2. Interpreter examinations and evaluations**

a. Have you taken the State of California Court Interpreter Certification Examination or the Judicial Council English Fluency Examination in the language to be interpreted?

Yes (*dates*):      What were the results?  
 No

b. Have you taken the State of California Administrative Hearing Interpreter Examination?

Yes (*dates*):      What were the results?  
 If passed, what is your I.D. No.?  
 No (*check one*):     Not taken     Not given in the language specified above

c. Have you taken the Federal Court Interpreter Certification Examination?

Yes (*dates*):      What were the results?  
 If passed, what is your I.D. No.? (*if applicable*):  
 No (*check one*):     Not taken     Not given in the language specified above

d. Have you taken a Court Interpreter Certification Examination from other states?

Yes (*dates*):      Give and results of each:  
 If passed, what is your I.D. No. (*if applicable*):  
 No (*check one*):     Not taken     Not given in the language specified above

(Continued on reverse)

INTERPRETER (name): _____	COURT NAME: _____
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**2. Interpreter examinations and evaluations (cont'd)**

- e. Have your interpreting skills been evaluated?  Yes  No  
 If yes, which aspects of your skills were evaluated? (check all that apply):  
 Written  
 Oral  
 Consecutive  Simultaneous  Sight translation  
 Oral and written  
 Other (specify): \_\_\_\_\_  
 What languages? \_\_\_\_\_  
 When were you evaluated? \_\_\_\_\_ What were the results? \_\_\_\_\_  
 Which authority evaluated your skills? \_\_\_\_\_

**3. General education**

- Highest level degree attained:  
 High school  Jr. college  University  Graduate degree  Postgraduate  
 Name of institution: \_\_\_\_\_  
 Degree awarded: \_\_\_\_\_ Year: \_\_\_\_\_ Major: \_\_\_\_\_  
 Degree awarded: \_\_\_\_\_ Year: \_\_\_\_\_ Major: \_\_\_\_\_

**4. Language training**

- a. How did you learn English?  
 b. How did you learn the language to be interpreted?  
 c. In which languages were you educated?  
 Language (specify): \_\_\_\_\_ Elementary Jr. High High school University  
 (1)      
 (2)      
 d. What languages  are  were spoken at home (specify): \_\_\_\_\_

**5. Interpreting and translation training**

- Institutions attended: \_\_\_\_\_ Year: \_\_\_\_\_  
 Year: \_\_\_\_\_

**6. Teaching experience**

- Do you have any language teaching experience?  Yes  No  
 If yes, which languages?  
 At what levels?

**7. Interpreting experience**

- a. Have you interpreted in any court proceedings?  Yes  No  
 When? \_\_\_\_\_ Where? \_\_\_\_\_  
 What languages? \_\_\_\_\_ Approx. No. of total days: \_\_\_\_\_ Give dates: \_\_\_\_\_  
 Type of hearing (check all that apply):  
 Trial  Arraignment  Deposition  Civil  Criminal  Juvenile  
 Which modes of interpreting did you employ? (check all that apply):  
 Consecutive  Simultaneous  Sight translation  
 b. Have you ever interpreted in an administrative hearing?  Yes  No  
 When? \_\_\_\_\_ Where? \_\_\_\_\_  
 Types of hearings (specify): \_\_\_\_\_  
 What languages? \_\_\_\_\_ Approx. No. of total days: \_\_\_\_\_ Give dates: \_\_\_\_\_  
 Which modes of interpreting did you employ? (check all that apply):  
 Consecutive  Simultaneous  Sight translation

(Continued on next page)

<b>INTERPRETER (name):</b> _____	<b>COURT NAME:</b> _____
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**7. Interpreting experience (cont'd)**

- c. Have you interpreted in any noncourt setting?  Yes  No  
 When? \_\_\_\_\_ Where? \_\_\_\_\_  
 Types of assignments? \_\_\_\_\_  
 What languages? \_\_\_\_\_ Approx. No. of total days: \_\_\_\_\_ Give dates: \_\_\_\_\_  
 Which modes of interpreting did you employ? (check all that apply):  
 Consecutive  Simultaneous  Sight translation
- d. Have you ever been disqualified from interpreting in any court or administrative hearing?  Yes  No  
 If yes, please explain:

What languages?

**8. Translation**

- Do you have any experience in written translation?  Yes  No  
 If yes please explain:

What languages? \_\_\_\_\_ Approx No. of pages: \_\_\_\_\_

**9. Code of professional conduct**

- a. Have you had any training in professional ethics for court interpreters?  Yes  No  
 Please explain:
- b. Have you taken the Judicial Council sponsored court interpreter ethics workshop?  No  Yes (date): \_\_\_\_\_
- c. Do you have a copy of the *Standards of Professional Conduct for Court Interpreters*?  Yes  No
- d. Have you read and do you understand the *Standards of Professional Conduct for Court Interpreters*?  Yes  No

**10. Training in legal terminology**

What training have you received in California legal terminology as required by Government Code section 68564?

**11. Orientation to court interpreting**

- a. Have you received training in criminal procedure?  Yes  No  
 If yes, from whom? \_\_\_\_\_  
 When? \_\_\_\_\_
- b. Have you received training in civil procedure?  Yes  No  
 If yes, from whom? \_\_\_\_\_  
 When? \_\_\_\_\_
- c. Have you taken the Judicial Council's court interpreter orientation workshop?  No  Yes (date): \_\_\_\_\_

**12. Criminal offenses**

Have you ever been convicted of violating any federal law, state law, county or municipal law, regulation, or ordinance? (Do not include traffic infractions.)  Yes  No  
 If yes, please explain:

**INTERPRETER'S DECLARATION (All interpreters must sign)**

I declare under penalty of perjury under the laws of the State of California that the information provided above and on the preceding pages is true and correct. I understand that any false or misleading statements disqualify me from being considered for interpreting assignments in the trial courts, in addition to other penalties provided by law.

Date:

_____ (TYPE OR PRINT NAME)		_____ (SIGNATURE OF PROSPECTIVE INTERPRETER)
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(Continued on reverse)

<b>INTERPRETER (name):</b> _____	<b>COURT NAME:</b> _____
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**INTERPRETER'S DECLARATION**

(Check all that apply)

1.  I have **never** been provisionally qualified or appointed to interpret in the trial courts under California Rules of Court, rule 2.893.
2.  **Noncertified interpreters**  
 I have been provisionally qualified or appointed to interpret in the trial courts under California Rules of Court, rule 2.893, AND
  - a.  I have **not** exceeded any of the provisional qualification periods stated below (see Cal. Rules of Court, rule 2.893):
    - (1) Two 6-month periods for noncertified Spanish interpreters in counties with a population greater than 80,000
    - (2) Four 6-month periods for noncertified Spanish interpreters in counties with a population less than 80,000
    - (3) Four 6-month periods for noncertified interpreters of designated languages other than Spanish
  - b.  I have exceeded the provisional qualification periods specified in California Rules of Court, rule 2.893.
3.  **Nonregistered interpreters**  
 I have been provisionally qualified or appointed to interpret in the trial courts under California Rules of Court, rule 2.893, AND
  - a.  I have **not** exceeded any of the provisional qualification periods stated below (see Cal. Rules of Court, rule 2.893):
    - (1) Four 6-month periods for nonregistered interpreters.
  - b.  I have exceeded the provisional qualification periods specified in California Rules of Court, rule 2.893.

**I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.** I understand that any false or misleading statements disqualify me from being considered for interpreting assignments in the trial courts, in addition to other penalties provided by law.

Date:

_____ (TYPE OR PRINT NAME)	_____ (SIGNATURE OF PROSPECTIVE INTERPRETER)
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**FINDING OF PROVISIONAL QUALIFICATION and ORDER OF THE PRESIDING JUDGE**  
 (Gov. Code, sections 68561(c), 68564(d), and 71802 (b)(1),(d))

1. **Interpreter (name):**
2. **Language:**
3. **Finding:** For six months from the date of this order, the above-named interpreter is found to be provisionally qualified to be considered for appointment to interpret the language specified in any proceeding in this court, and
  - a.  has not exceeded the provisional qualification periods specified in California Rules of Court, rule 2.893.
  - has exceeded the provisional qualification periods specified in California Rules of Court, rule 2.893, but good cause exists
  - b.  under rule 2.893 to continue appointing the interpreter.
4. **THE COURT ORDERS** that the above-named interpreter may be considered for appointment by any judge of this court to interpret the specified language in any proceeding for which the judge in the proceeding finds the interpreter to be qualified. **This order expires six months from the date of signature.**

Date:

_____ (TYPE OR PRINT NAME)	<input type="checkbox"/> PRESIDING JUDGE	<input type="checkbox"/> DESIGNATED JUDICIAL OFFICER
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CERTIFICATION OF UNAVAILABILITY OF CERTIFIED OR REGISTERED INTERPRETER

Form with fields for INTERPRETER'S NAME, LANGUAGE, Number of six-month periods, and FOR COURT USE ONLY (FILE WITH THE COURT ADMINISTRATOR). Includes a section for court name.

CERTIFICATION OF UNAVAILABILITY

- 1. I am the person responsible for assigning interpreters to this court.
2. I have read and understand Government Code sections 68560.5 and 68561 mandating the use of certified court interpreters...
3. After making a diligent search, I certify that NO CERTIFIED OR REGISTERED COURT INTERPRETER IS AVAILABLE ON THIS DATE...
4. I have diligently attempted to contact all certified or registered court interpreters...
5. a. I attempted to contact interpreters on the Judicial Council Master List...
b. I have also made the following efforts to obtain an interpreter...
6. I certify that the Qualifications of a Noncertified or Nonregistered Interpreter (form INT -110) for the interpreter named above was filed...
7. I certify that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME)

(SIGNATURE OF COURT ADMINISTRATOR DESIGNEE)

(See procedures on reverse)

**PROCEDURES FOR DETERMINING UNAVAILABILITY OF A  
CERTIFIED OR REGISTERED COURT INTERPRETER  
(Gov. Code, sections 68561(c), 68564(d), 71802(b)(1), 71802(d))**

## 1.0 Definitions

- 1.1 "Certified court interpreter" means a natural person who holds a valid certificate as a certified court interpreter issued by the Judicial Council or by a certification entity approved by the Judicial Council (Gov. Code, section 68566). **(Note:** Only a designated language may be certified. As of January 1, 1996, interpreters named on the list previously established by the State Personnel Board, or interpreters with documentation from the State Personnel Board or any other entity, are not "certified court interpreters," unless they also possess a valid certificate from the Judicial Council.)
- 1.2 "Registered court interpreter" means any person who interprets in a court proceeding using a language not designated by the Judicial Council whom the court qualifies under procedures and guidelines adopted by the Judicial Council AND who passes an English fluency examination offered by a testing entity approved by the Judicial Council. (Gov. Code, section 68561(d)).
- 1.3 "Designated languages" are the following languages now designated by the Judicial Council: Arabic, Armenian (Eastern), Armenian (Western), Cantonese, Japanese, Korean, Mandarin, Portuguese, Russian, Spanish, Tagalog, and Vietnamese. The designated languages may change depending on the results of a language use and need study (Gov. Code, section 68562(a)).
- 1.4 "Diligent search" refers to the procedures (*outlined below in section 2.0*) followed by the court in good faith to find a certified or registered court interpreter in the target language.
- 1.5 "Interpreter coordinator" refers to the person who is responsible for assigning interpreters to a court.

## 2.0 Procedures for Diligent Search

- 2.1 Before the court may use a noncertified or nonregistered interpreter, the interpreter coordinator shall attempt to contact interpreters on the Judicial Council Master List of Certified Court Interpreters. If no certified or registered court interpreter is available, the interpreter coordinator shall take the following steps in the order listed:
- a. The interpreter coordinator shall attempt to contact the regional coordinator for the region.
  - b. The interpreter coordinator shall attempt to contact interpreters on the list of Federal Certified Interpreters (Spanish, Haitian-Creole, or Navajo only).
  - c. The interpreter coordinator shall attempt to contact interpreters on the Master List of Certified Administrative Hearing Interpreters published by the State Personnel Board.
  - d. The interpreter coordinator shall attempt to contact interpreter agencies in the area.

## 3.0 Procedures Upon Finding of Unavailability

- 3.1 If a certified or registered court interpreter cannot be located, this form documenting the efforts made to comply with these provisions shall be completed and filed in the case. Contact shall be maintained with the courtroom officers to keep them apprised of the status of efforts to locate a certified or registered court interpreter.
- 3.2 The judge may choose to continue the matter until a certified or registered court interpreter is available.

OR

**PROCEDURES FOR DETERMINING UNAVAILABILITY OF A  
CERTIFIED OR REGISTERED COURT INTERPRETER  
(Gov. Code, sections 68561(c), 68564(d), 71802(b)(1), 71802(d))**

- 3.3 The judge may determine that it is acceptable to proceed with a noncertified or nonregistered interpreter. If so, the judge on the record shall (1) find that good cause exists for the court to appoint a noncertified or nonregistered interpreter; (2) find the noncertified or nonregistered interpreter to be qualified to interpret in the proceeding based on the interpreter's declaration of qualifications and the presiding judge's order provisionally qualifying the interpreter (form INT -110), and, if the judge deems it necessary, on the judge's examination of the interpreter; and (3) appoint the noncertified or nonregistered interpreter to interpret in the proceeding. The court shall inform the parties that the interpreter is not certified or registered and may request a stipulation or waiver. A party may object to the interpreter at any time during the proceeding that it appears to the party that the interpreter is unqualified. The court shall record in the minute order or docket the name of the noncertified or nonregistered interpreter and the other information required by California Rules of Court, rule 2.893.
- 3.4 If a particular matter is heard using a noncertified or nonregistered interpreter and further proceedings are set for a future date, the interpreter coordinator shall continue efforts to obtain the services of a certified or registered court interpreter for all subsequent hearing dates. At the discretion of the court, the interpreter appointed on a particular matter may remain on that matter.



## Item SPR08-31 Response Form

**Title:** **Revisions and Updates to INT Forms** (revise forms INT-001, INT-002, INT-100, INT-110, and INT-120)

- Agree** with proposed changes
- Agree** with proposed changes **if modified**
- Do not agree** with proposed changes

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Organization: \_\_\_\_\_

- Commenting on behalf of an organization**

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

### **To Submit Comments**

Comments may be written on this form, prepared in a letter format, or submitted online. If you are *not* commenting directly on this form, please include the information requested above and the proposal number for identification purposes. Please submit your comments online or email, mail, or fax comments.

**Internet:** [www.courtinfo.ca.gov/invitationstocomment](http://www.courtinfo.ca.gov/invitationstocomment)

**Email:** [invitations@jud.ca.gov](mailto:invitations@jud.ca.gov)

**Mail:** Ms. Camilla Kieliger  
Judicial Council, 455 Golden Gate Avenue  
San Francisco, CA 94102

**Fax:** (415) 865-7664, Attn: Camilla Kieliger

**DEADLINE FOR COMMENT: 5:00 p.m., Friday, June 20, 2008**

*Circulation for comment does not imply endorsement by the Judicial Council  
or the Rules and Projects Committee.  
All comments will become part of the public record of the council's action.*