

**JUDICIAL COUNCIL OF CALIFORNIA  
ADMINISTRATIVE OFFICE OF THE COURTS**  
455 Golden Gate Avenue  
San Francisco, California 94102-3688

**Report**

TO: Members of the Judicial Council

FROM: Court Interpreters Advisory Panel  
Hon. Kathleen E. O’Leary, Chair  
Ekuike Falorca, Court Services Analyst, Court Interpreters Program,  
415-865-4537

DATE: September 10, 2008

SUBJECT: Court Interpreters: Interpreter Provisional Qualification Forms (revise forms INT-001, INT-002, INT-100, INT-110, and INT-120) (Action Required)

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Issue Statement

Government Code sections 68561 and 68564 require the Judicial Council to adopt and publish guidelines, standards, and legal forms for establishing on the record an interpreter’s qualifications and the court’s efforts to obtain a certified or registered court interpreter. The forms currently used by courts to provisionally qualify court interpreters and the forms used to report the use of provisionally qualified interpreters need to be revised and updated.

Recommendation

The Court Interpreters Advisory Panel (CIAP) recommends that the Judicial Council, effective January 1, 2009, revise mandatory forms INT-001, INT-002, INT-100, INT-110, and INT-120 in order to:

1. Clarify the provisional qualification process for interpreters;
2. Clarify the forms for reporting the use of provisionally qualified interpreters;
3. Facilitate the provisional qualification of nonregistered interpreters and reporting of the use of provisionally qualified interpreters;

4. Provide courts with the relevant Government Code sections and California Rules of Court related to provisional qualification of noncertified and nonregistered interpreters;
5. Ensure that the forms contain all designated languages where necessary;
6. Clarify that local court interpreter coordinators must attempt to contact interpreters on the list of federal certified interpreters in Spanish, Haitian-Creole, or Navajo before provisionally qualifying an interpreter in one of those three languages;
7. Clarify that local court interpreter coordinators must attempt to contact the regional coordinator for their region of California before provisionally qualifying an interpreter; and
8. Allow for easier use of the forms by the courts due to revised formatting and spacing.

The proposed revised forms are attached at pages 7–21.

#### Rationale for Recommendation

The court interpreter forms currently being used by the courts do not account for the provisional qualification of nonregistered interpreters. Revising the interpreter forms will facilitate the provisional qualification of nonregistered interpreters and reporting of the use of provisionally qualified interpreters because the revised forms contain the proper language in the body, headers, and footers to include nonregistered interpreters. Other revisions proposed for these forms are detailed below.

*Forms INT-001, INT-002, INT-100, INT-110, and INT-120*

The following revisions are proposed for these forms:

1. Change all form titles to include the words “registered” or “nonregistered,” where appropriate;
2. Insert the words “or registered” or “or nonregistered” throughout the forms, where appropriate;
3. Change the positioning of text and boxes in the forms to allow more space to write in information;
4. Change the numbering of pages if necessary; and
5. Correct grammatical and spelling mistakes.

*Semiannual Report to the Judicial Council on the Use of Noncertified Interpreters* (form INT-001)

The following revisions are proposed specifically for form INT-001:

1. Change the title to *Semiannual Report to the Judicial Council on the Use of Noncertified or Nonregistered Interpreters*;
2. Add the four newly designated languages—Armenian (Eastern), Armenian (Western), Mandarin, and Russian—to the form on page 1; and
3. Add the text “*for each use; if additional space is needed, attach additional pages*” to item 3 on page 1.

*Semiannual Report to the Judicial Council on the Use of Noncertified Interpreters (Attachment)* (form INT-002)

The following revisions are proposed specifically for form INT-002:

1. Change the number of the form to INT-002(A) to indicate that it is an attachment; and
2. Change the title to *Semiannual Report to the Judicial Council on the Use of Nonregistered Interpreters (Attachment to INT-001)*.

*Procedures and Guidelines to Appoint a Noncertified Interpreter in Criminal and Juvenile Delinquency Proceedings (Designated Languages)* (form INT-100)

The following revisions are proposed specifically for form INT-100:

1. Change the number of the form to INT-100-INFO to indicate that it is an information sheet;
2. Change the title to *Procedures and Guidelines to Appoint a Noncertified or Nonregistered Interpreter in Criminal and Juvenile Delinquency Proceedings*;
3. Add the words “or a registered interpreter to interpret in a language not designated<sup>1</sup> by the Judicial Council” to the first paragraph on page 1;
4. Add the footnote “Languages are designated by the Judicial Council under Government Code section 68562.” to the bottom of page 1;
5. Add the sentences “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 Government Code section 68561(c) have been followed. (See Gov. Code, section 71802(b)(1) and (d).)” to the first paragraph on page 1; and

6. Add “71802(b)(1) and (d)” to the list of Government Code sections in the first sentence on page 3.

*Qualifications of a Noncertified Interpreter* (form INT-110)

The following revisions are proposed specifically for form INT-110:

1. Change the title to *Qualifications of a Noncertified or Nonregistered Interpreter (Provisional Qualification by Order of Presiding Judge)*;
2. Add an item 3 to the “Interpreter’s Declaration” on page 4. The new item 3 contains the following text:

**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 2.893):
    - (1) Four 6-month periods for nonregistered interpreters.
  - b. I have exceeded the provisional qualification periods specified in California Rules of Court, 2.893.;
3. Add “and 71802(b)(1) and (d)” to the “Finding of Provisional Qualification and Order of the Presiding Judge” section on page 4; and
  4. Add the text “Case Number” and “Date of Proceeding” in the “Finding of Provisional Qualification and Order of the Presiding Judge” section on page 4.

*Certification of Unavailability of Certified Interpreters* (form INT-120)

The following revisions are proposed specifically for form INT-120:

1. Change the title to *Certification of Unavailability of Certified or Registered Interpreter*;
2. Add the text “Case Number” and “Date of Proceeding” under “Certification of Unavailability” on page 1;
3. Add the text “languages that have been designated by the Judicial Council and the use of registered interpreters in proceedings in languages not designated by the Judicial Council” to item 2 on page 1;
4. Add the sentence “I attempted to contact the regional coordinator for this region” to item 5(b)(1) on page 1;

5. Add a section 5(c) with the sentence, “The scheduled interpreter canceled less than 24 hours before the proceeding;”
6. Add “71802(b)(1) and (d)” to the citation in the lower right corner on page 1;
7. Add the text “Only interpreters of a designated” to item 1.1 on page 2;
8. Add “71802(b)(1) and (d))” to headers on pages 2 and 3;
9. Add an item 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).)” to page 2;
10. Add Armenian (Eastern), Armenian (Western), Mandarin, and Russian to the list of designated languages in item 1.3 on page 2;
11. Add “The interpreter coordinator shall attempt to contact the regional coordinator for the region” to item 2.1(a) on page 2; and
12. Add “(Spanish, Haitian-Creole, or Navajo only)” to item 2.1(b) on page 2.

#### Alternative Actions Considered

None.

If these forms are not revised, courts will be forced to continue using forms that do not account for the provisional qualification of nonregistered interpreters, that do not allow for the reporting of provisionally qualified nonregistered interpreters, and that are out of date.

#### Comments From Interested Parties

The proposed revisions to the interpreter forms were submitted for public comment through the normal Rules and Projects Committee circulation process, and a total of 13 public comments were received. In order for the public to easily identify changes or additions to the forms, the forms were circulated with transparent gray boxes over the revised areas. Of the 13 comments received, 7 commentators agreed and had no material comments about the revisions, 2 commentators submitted comments without taking a position, and 4 commentators agreed with the proposed changes only if modified. There were no commentators who disagreed with the proposed changes.

Of the 4 commentators who agreed to the proposed changes only if modified, one commentator cited a minor correction, made spacing recommendations, and suggested rephrasing a sentence to make it clearer. The commentator also suggested that a question regarding the procedures for a diligent search before using a noncertified or nonregistered interpreter (on form INT-001, item 3, page 1) be clarified. The commentator questioned how form INT-001 should be used in the event that the procedures for a diligent search were followed for some interpreters but not for others. The Court Interpreters Advisory Panel's response to this comment was that the forms contain sufficient space for a court to clarify to what degree the procedures for a diligent search were followed. After receiving this comment, staff revised form INT-001 to contain language stating that a court may submit additional pages, if necessary, to explain to what degree the procedures for a diligent search were followed.

Another commentator stated the wish to use the public comment period as a way to raise awareness about American Sign Language (ASL) issues. The commentator also stated that the interpreter forms should contain language stating that the *Request for Accommodations by Persons With Disabilities and Response* (form MC-410) is used for the appointment of ASL interpreters. The Court Interpreters Advisory Panel's response to the second comment was that the purpose of the interpreter forms is to provisionally qualify only spoken-language interpreters, which does not include ASL interpreters. The Court Interpreters Program notes that ASL interpreters must be certified and cannot be provisionally qualified; therefore, these forms have no relevance to ASL interpreters.

The interpreter forms were revised after all public comments were received. The revisions include the minor corrections, rephrasing of statements, and spacing issues noted by commentators.

A comprehensive chart of the public comments received is attached to this report at pages 22–27, including CIAP's response to each of the comments received.

#### Implementation Requirements and Costs

Implementation requirements include posting the revised forms to the California Courts Web site, notifying the administration of the superior courts about the revised forms, and notifying the local court interpreter coordinators that newly revised mandatory forms are now available.

Costs associated with implementing the new forms would be the cost of printing or otherwise reproducing the new forms and would vary by location.

#### Attachments

1. Forms with proposed revisions
2. Public comment chart

**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(A).

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 for each use; if additional space is needed, attach additional pages):

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 any time 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:

\_\_\_\_\_  
(TYPE OR PRINT NAME)

  
\_\_\_\_\_  
(SIGNATURE OF COURT ADMINISTRATOR)

**MAIL TO: Judicial Council of California, Court Interpreters Program, 455 Golden Gate Avenue, San Francisco, CA 94102-3688.**

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







**SEMIANNUAL REPORT TO THE JUDICIAL COUNCIL ON THE USE OF  
NONREGISTERED INTERPRETERS (Attachment to INT-001)**

**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 Government Code section 68561(c) have been followed. (See Gov. Code, section 71802(b)(1) and (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**

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**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)*:

1. has **not** been appointed by any trial court beyond the period specified in California Rules of Court, rule 2.893 **-OR-**
2. 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.

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

**QUALIFICATIONS OF A NONCERTIFIED OR NONREGISTERED INTERPRETER**  
**Provisional Qualification by Order of Presiding Judge**

<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	<small>FOR COURT USE ONLY          (FILE WITH THE COURT ADMINISTRATOR)</small>
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:
<input type="checkbox"/> Designated language: Noncertified interpreter		
<input type="checkbox"/> 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

INTERPRETER (name):

COURT NAME:

**2. Interpreter examinations and evaluations**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 translationb. 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



INTERPRETER (name): _____	COURT NAME: _____
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**7. Interpreting experience**

- 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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INTERPRETER (name):

COURT NAME:

**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)

**FINDING OF PROVISIONAL QUALIFICATION and ORDER OF THE PRESIDING JUDGE**

(Gov. Code, sections 68561(c), 68564(d), 71802 (b)(1) and (d))

1. Interpreter (name):

Case Number:

2. Language:

Date of Proceeding:

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.b.  has exceeded the provisional qualification periods specified in California Rules of Court, rule 2.893, but good cause exists 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)

 PRESIDING JUDGE DESIGNATED JUDICIAL OFFICER

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 checkboxes for 'Within' and 'Beyond' the period allowed by Cal. Rules of Courts, rule 2.893.

CERTIFICATION OF UNAVAILABILITY

Case Number:

Date of Proceeding:

- 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 in court proceedings in languages that have been designated by the Judicial Council and the use of registered interpreters in proceedings in languages not designated by the Judicial Council.
3. After making a diligent search, I certify that NO CERTIFIED OR REGISTERED COURT INTERPRETER IS AVAILABLE ON THIS DATE to interpret in the language stated above.
4. I have diligently attempted to contact all certified or registered court interpreters for this language in this county and in the neighboring counties of (specify):
5. a. I attempted to contact interpreters on the Judicial Council Master List of Certified Court Interpreters.
b. I have also made the following efforts to obtain an interpreter (see section 2.0, p.2):
(1) I attempted to contact the regional coordinator for this region.
(2) I attempted to contact interpreters on the list of Federal Certified Interpreters (Spanish, Haitian-Creole, or Navajo only).
(3) I attempted to contact interpreters on the Master List of Certified Administrative Hearing Interpreters published by the State Personnel Board.
(4) I attempted to contact interpreter agencies in this area.
c. The scheduled interpreter canceled less than 24 hours before the proceeding.
6. I certify that the Qualifications of a Noncertified or Nonregistered Interpreter (form INT-110) for the interpreter named above was filed with the court administrator within the past six months.
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) and (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 interpreters of 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) and (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.

**SPR08-31**

**Revisions and Updates to INT Forms** (revised INT-001, INT-002, INT-100, INT-110, INT-120)

All comments are verbatim unless indicated by an asterisk (\*).

	<b>Commentator</b>	<b>Position</b>	<b>Comment</b>	<b>Committee Response</b>
1.	Disability Rights Legal Center Paula Pearlman, Director of Litigation	AM	<p>In reviewing the proposed revisions to the INT forms used by the California Judicial Counsel forms we see an opportunity to clarify and to raise awareness within the court staff regarding American Sign Language (ASL) as a language for the Deaf and Hard of Hearing community. In many situations, a person who needs an ASL interpreter may not know that they are entitled to court accommodations regarding effective communication during court proceedings, and court personnel may not be aware of this as well. We suggest including in the INT forms some indication that for ASL interpreters another form must be used—MC 410 Request for Accommodations by Persons with Disabilities and Response.</p> <p>The California court rule 1.100 is explicit in the purpose of accommodation and the need for effective communications for people with disabilities as it states: “It is the policy of the courts of this state to ensure that persons with disabilities have equal and full access to the judicial system.” To meet that end, staff within the court must be aware of this policy to implement it.</p> <p>We propose that court staff be fully informed of the following when confronted with an issue involving the need for an ASL interpreter:</p> <ul style="list-style-type: none"> <li>• <b>NO CHARGE FOR SERVICES</b> That the court is to furnish at NO charge to the person a certified ASL interpreter. There may be some confusion as other language</li> </ul>	<p>The committee appreciates the Disability Rights Legal Center’s comments and believes that on-going judicial education regarding American Sign Language interpreters will allow bench officers and court staff to provide meaningful access to justice for deaf and hard of hearing individuals in court.</p> <p>It is important that bench officers and court staff are aware that there is no charge for the use of an ASL interpreter in court, that form MC-410 should be used to request an ASL interpreter, and that persons with disabilities should contact the ADA coordinator or access coordinator in a courthouse with additional questions or accommodation needs.</p> <p>However, the purpose of the interpreter forms is to provisionally qualify spoken-language interpreters, which does not include ASL interpreters. The judicial branch will continue its efforts to educate bench officers and court staff on issues related to ASL interpreters and accommodations.</p>

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	Commentator	Position	Comment	Committee Response
			<p>interpreters may be charged to the person who needs it, but in the case where an ASL interpreter is needed, the need is based on an accommodation for a disability so no charge is incurred.</p> <ul style="list-style-type: none"> <li>• MC-410 Staff is aware of the proper forms used to make requests for ASL interpreter is Judicial Counsel form MC-410: Request for Accommodations by Persons with Disabilities and Response</li> <li>• ADA Coordinator / Access Coordinator Staff refers or informs the person with a disability to the designated ADA coordinator or access coordinator at the courthouse for any additional questions or accommodations.</li> </ul> <p>The suggestions proposed will aid persons who need ASL interpreters obtain the interpreter services needed and also assist the court and its personnel uphold its policy to ensure equal access to the court system by people with disabilities.</p>	
2.	Daniel Navarro Certified Court Interpreter	AM	<p>*Commentator indicates no opposition to the proposed changes, but recommends training for bench officers and court staff regarding the provisional qualification of interpreters. Commentator also recommends the AOC provide courts with guidance as to when it may be appropriate to deny provisional qualification of an interpreter.</p>	<p>The committee appreciates Daniel Navarro’s comments and believes that ongoing judicial education regarding court interpreters will benefit court users, bench officers, and court staff.</p>

### SPR08-31

#### Revisions and Updates to INT Forms (revised INT-001, INT-002, INT-100, INT-110, INT-120)

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	Commentator	Position	Comment	Committee Response
3.	Orange County Bar Association Cathrine Castaldi, President	A	No specific comment.	No response required.
4.	State Bar of California, Standing Committee on the Delivery of Legal Services (SCDLS) Sharon Ngim, Staff Liaison	A	SCDLS generally supports this proposal.	No response required.
5.	Roberta Stibbard, Director of Court Services Superior Court of Santa Clara County		INT-100-INFO- Under 3c, delete the word “if” beginning on line 2 of that section.  INT-120- In the two places where it references “attempted to contact the regional coordinator,” I would suggest more proactive wording; i.e., I contacted instead of attempted. “Attempted” leaves the action vague and I think it needs to be clear that the courts <b>did</b> contact their regional coordinator to see if any employee interpreters were available in the region.	The committee agrees that the word “if” at the beginning of line 2 under section 3c should be deleted because it appears two times in a row.  The committee believes the word “Attempted” should remain as it currently is for the sake of consistency with the other statements on the page.
6.	Superior Court of Los Angeles County	A	No specific comment.	No response required.



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	<b>Commentator</b>	<b>Position</b>	<b>Comment</b>	<b>Committee Response</b>
7.	Superior Court of Riverside County David Gutknecht, Principal Management Analyst	AM	<p>(1) In regards to forms INT-110 and INT-120, consideration should be given to adding an area to insert the case number and court hearing date for which the interpreter was hired. This information would be helpful to the court in compiling statistical data on how many times a non-certified interpreter has been used throughout the year.</p> <p>(2) Regarding form INT-120, consider adding a box with the following language: "Due to a certified/registered interpreter canceling with less than 24 hours notice the coordinator was not able to locate a certified/registered interpreter." This would assist the court in maintaining statistical data and would provide written justification as to why a certified/registered interpreter was not used.</p>	<p>The committee agrees that a space should be added on INT-100 and INT-120 where both a case number and a hearing date can be entered.</p> <p>The committee agrees and believes a section should be added to INT-120 to note cancellation by an interpreter less than 24 hours before a scheduled appearance.</p>
8.	Superior Court of Sacramento County Robert Turner, ASO	A	We agree with the proposal as written. The proposed changes should greatly reduce the frustrations our interpreter's office has experienced in the past with the process.	No response required.
9.	Superior Court of San Diego County Michael M. Roddy, Executive Officer	AM	<p><b>Form INT-001</b></p> <p>Item 2 on page 1: The reference to form "INT-002" should be corrected to read "INT-002(A)."</p> <p>Item 3 on page 1: "Did you follow the procedures for a diligent search (form INT-100) before using a noncertified or nonregistered interpreter?" This question should be clarified because it is unclear how this item should be</p>	<p>The committee agrees item 2 on page 1 should be corrected to read "INT-002(A)."</p> <p>The committee believes there is sufficient space to answer the question on the form and to document that the procedures for a diligent search were followed for some interpreters, but not for other</p>

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	<b>Commentator</b>	<b>Position</b>	<b>Comment</b>	<b>Committee Response</b>
	Superior Court of San Diego County Michael M. Roddy, Executive Officer	AM	<p>completed if more than one noncertified or nonregistered interpreter is reported on the form. For example, what if the procedures for a diligent search were followed for some interpreters but not for others?</p> <p><b>Form INT-110</b> Item 3 under “Finding” on page 4: The first line of the finding for “b” is misaligned; it looks like it is part of the finding for “a.” It should be moved downward to line up with the box for “b.”</p> <p><b>Form INT-120</b> Item 1.1 on page 2: Change “(Note: Only a designated language may be certified.)” to “(Note: Only interpreters of a designated language may be certified.”</p>	<p>interpreters.</p> <p>The committee believes that the first line of finding “b” and the box next to finding “b” should be moved slightly down the page.</p> <p>The committee agrees with the change to INT-120.</p>
10.	Superior Court of Tulare County Deana Jasso, Court Operations Analyst	A	No specific comment.	No response required.
11.	Superior Court of Ventura County Cecilia Isaac, Court Program Manager, Court Interpreters	A	No specific comment.	No response required.

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	<b>Commentator</b>	<b>Position</b>	<b>Comment</b>	<b>Committee Response</b>
12.	Trial Court Presiding Judges Advisory Committee/ Court Executives Advisory Committee Joint Rules Working Group	A	The Trial Court Presiding Judges Advisory Committee (TCPJAC)/Court Executives Advisory Committee (CEAC) Joint Rules Working Group has no objection to these proposed changes.	No response required.
13.	Wei C. Wong Alhambra		Cantonese Interpreters should not be grandfathered to translate Mandarin. There are many differences in phraseology, term usage, such that a Mandarin speaker will declare "the words are there but all mixed up, so I don't understand!" The courts have ignored this issue altogether. Chinese used the same written language for reasons of commerce (just like the Phoenecians did by inventing "phonics") but the underlying languages were different. Same with Chinese. Cantonese interpreters should not be testing Mandarin interpreters.	Comment is not related to the proposed changes; no response required.  However, staff is aware of the issue raised and has taken steps to address it.