



Payment Policies for Contract Court Interpreters

Summary

The Judicial Council of California adopted payment policies for contract court interpreters in February 1, 2000. The payment policies reimburse interpreters for mileage, travel time, and excess pay in specific circumstances; define the full and half-day session; provide a cancellation fee under certain conditions; and allow for payment above the established rates in unusual circumstances, as defined herein.

Background

The annual Budget Act specifies that the Judicial Council sets compensation rates and policies for contract court interpreters.

Intent

The intent of these policies is to establish comprehensive payment policies for contract interpreters while continuing to allow for local flexibility. In adopting these additional payment policies, the council recognizes that some interpreters are independent contractors and that these policies are not intended to change their status as independent contractors.

Local Discretion to Meet Unique Needs

The daily payment rates below do not affect the trial court's discretion in compensating above the established rate to obtain services in unique or unusual circumstances. For example, securing the services of a Navajo interpreter from out of state or a certified interpreter in trial courts that have limited or no certified interpreters living within their jurisdiction.

Payment Policies

Definitions of half-day, full-day and night session

- a. A half-day session is defined as any portion of a consecutive four-hour period either:
 1. A morning session, beginning no earlier than 8:00 a.m. and ending by 12:15 p.m;
 2. An afternoon session, beginning no earlier than 1:00 p.m. and ending by 5:15 p.m.; or
 3. A night session, which is a separate session, as determined by the court, beginning no earlier than 5:15 p.m. and ending by 10:00 p.m.
- b. A full-day session is defined as a morning session and an afternoon session.

Daily Payment Rates

The council's goal is for the trial courts to use only certified and registered interpreters in all interpreted proceedings. For those instances in which a trial court has exhausted all options to secure the services of a certified or registered contract interpreter, the council has established a separate, lower rate schedule for noncertified and nonregistered contract interpreters. The differential structure is intended to encourage noncertified and nonregistered interpreters to gain the necessary skills to become certified or registered and to reward the efforts of those interpreters who have improved their skills and achieved certification. The rates are as follows:

Certified and registered interpreters (as of September 1, 2007)

As adopted by the Judicial Council:

Region 1: \$282.23 per full-day or \$156.56 per half-day

Region 2: \$282.23 per full-day or \$156.56 per half-day

Region 3: \$282.23 per full-day or \$156.56 per half-day

Region 4: \$282.23 per full-day or \$156.56 per half-day

If an interpreter is required to work between the hours of 12:15 p.m. and 1:00 p.m., or after 5:15 p.m. until the conclusion of the proceeding, the interpreter is entitled to hourly compensation at the full-day hourly rate as determined by the courts in each region.

Noncertified and nonregistered interpreters

Not more than \$175 per day or \$92 per half-day, as determined by the local trial court system.

Sign language interpreters

Under section 754(i) of the Evidence Code, the rate for certified court and registered contract interpreters applies to sign language interpreters for the deaf or hearing impaired.

Cancellation fee

A cancellation fee is paid under the following conditions:

- a. A contract is entered into with the interpreter more than 24 hours or one business day in advance of the assignment, and
- b. An assignment is cancelled without 24-hour notice, or for assignments beginning on the first business day of the work week, without one business day's notice.

If an interpreter receives another assignment from a state trial court system or federal court, the cancelling state trial court is entitled to an offset amount, up to the cancellation fee.

If an interpreter becomes aware that he or she is no longer available for the assignment, the interpreter has an obligation to notify the contracting court of his or her unavailability at the earliest opportunity. In such circumstances, the interpreter must notify the court more than 24 hours in advance of the scheduled assignment.

Multilingual interpreters

An amount above the daily rate may be provided for interpreters who render services in more than one language on the same day.

Mileage reimbursement

Actual mileage is reimbursed when the interpreter travels 60 miles or more roundtrip from his or her place of business (address used for tax purposes). The rate of reimbursement is the rate as authorized by the state. Extraordinary travel costs such as airfare may be reimbursed only with advanced approval of the court executive officer, or his or her designee.

Unusual circumstances

An amount above the daily rate, and/or a cancellation fee may be provided under unusual circumstances. Unusual circumstances are defined as follows:

- There are limited or no available interpreters in the needed language; and
- The alternative is to continue the proceeding.

A trial court and the interpreter may negotiate an amount for travel time in unusual circumstances.