

THE EIGHTH JUDICIAL CIRCUIT OF FLORIDA
ADMINISTRATIVE ORDER NO. 1.11

COURT INTERPRETER PROGRAM

In order to establish the specific circumstances for appointment of interpreters, modify the requirements for approved interpreters, and to further clarify that the Eighth Judicial Circuit's Court Interpreter Program is in compliance with the Fifth Amendment to the United States Constitution, Article I, section 21 of the Florida Constitution, and Florida Rule of Judicial Administration 2.560,

IT IS ORDERED:

APPOINTMENT OF INTERPRETERS FOR NON-ENGLISH SPEAKING PERSONS

1. Criminal or Juvenile Delinquency Proceedings. In any criminal or juvenile delinquency proceeding in which a non-English-speaking person is the accused, an interpreter shall be appointed for the accused. If a non-English-speaking person is a victim, or a parent or guardian of an accused juvenile, an interpreter shall be appointed unless the Court finds that the victim, parent, or guardian does not require the services of a court-appointed interpreter.

2. Fundamental Interest at Stake. In any court proceeding in which a fundamental interest is at stake; such as dependency, termination of parental rights, domestic violence injunctions, civil commitment, paternity determinations, or actions determining incapacity, an interpreter shall be appointed for a non-English-speaking litigant.

3. Other Proceedings. In all other court proceedings, the Court may appoint an interpreter, subject to availability, upon a finding by the court that the non-English-speaking litigant is indigent and unable to provide an interpreter of their own.

INTERPRETER REQUESTS

4. The Eighth Judicial Circuit will operate a Court Interpreter Program under the direction of the Administrative Office of the Courts.

5. The Court Interpreter Program will maintain a list of approved interpreters.

6. Court interpreters will be employed as freelance interpreters on an as needed basis.

7. The scheduling of court interpreter needs shall occur only through the Court Interpreter Program. Requests for court interpreters must be made in advance of the court date, whenever possible. Requests may be made by e-mail at Interpreter@circuit8.org or by telephone at (352) 264-7084 or (352) 264-7002. Persons making the interpreter request must include the following information:

- i. the style of the case;
- ii. the date and time the interpreter is needed;
- iii. the language needed;
- iv. the name of the person requiring the service;
- v. the name of the person making the request;
- vi. the location of the event; and
- vii. the estimated duration of the event.

APPROVED INTERPRETERS

8. Before being hired by the Eighth Judicial Circuit, court interpreters must be approved by the Court Interpreter Program. Effective October 1, 2015, an approved court interpreter is a person who has: (1) registered with the Office of the State Courts Administrator and met all other criteria required by Rule 14.200-14.230, Florida Rules for Certification and Regulation of Spoken Language Court Interpreters; (2) completed a successful interview with the Director of the Court Interpreter Program; (3) agreed in writing to abide by the Code of Professional Responsibility for Interpreters; and, (4) undergone a criminal background check including fingerprinting.

9. For interpretive needs of languages rarely encountered in the Eighth Judicial Circuit, e.g., Farsi or Mandarin Chinese, the Court Interpreter Program may be required to schedule an interpreter who has not met all of the standards under Rule 14 of the Florida Rules for Certification and Regulation of Court Interpreters. The presiding judge must qualify the language interpreter of the less common language prior to the utilization of the interpreter, in a manner consistent with Fla. R. Jud. Admin. 2.560(e)(2). On the record objections or waivers, as well as the extent of use for the interpreter shall be in accordance with Fla. R. Jud. Admin. 2.560(e)(3) and 2.560(e)(4).

10. In all Eighth Judicial Circuit court proceedings, certified court interpreters who have fulfilled the requirements set forth in Rule 14.205, Florida Rules for Certifications and Regulations of Spoken Language Court Interpreters, and who meet the approved court interpreter standards listed above, are preferred for designation and shall be appointed whenever possible. Language skilled court interpreters and provisionally approved court interpreters as designated in Rules 14.210 and 14.215, Florida Rules for Certification and Regulation of Spoken Language Court Interpreters, will be appointed in appropriate court proceedings when a certified court interpreter is unavailable.

11. All court interpreters in the Eighth Judicial Circuit must sign a contract that outlines their specific rate of pay and terms of service. Court interpreters will be compensated only for interpretive services scheduled through the Court Interpreter Program.

QUALIFICATION

12. Prior to commencing their interpretive services, all court interpreters must be qualified by the presiding judge and take an oath pursuant to section 90.606(3), Florida Statutes.

CANCELLATION POLICY

13. Persons who request a sign language interpreter must inform the Court Interpreter Program of a cancellation within two working days prior to the scheduled event.

Failure to provide this notice of cancellation may result in the person or entity requesting the interpreter being assessed costs for payment of the interpreter invoice.

14. Persons who request a foreign language interpreter must inform the Court Interpreter Program of a cancellation twenty-four hours prior to the scheduled court event. Failure to provide this notice of cancellation may result in the person or entity being assessed costs for payment of the interpreter invoice.

15. Court interpreters must notify the Court Interpreter Program immediately when a court interpreter is unable to appear at a scheduled event. Failure to give advance notice may result in removal from the Court Interpreter Program list.

LANGUAGE LINE

16. In all counties of the Eighth Judicial Circuit, when the need for an interpreter arises at first appearance or other court events of short duration, an offsite commercial interpreter such as “language line” may be used as the interpreter for such event.

17. For all other court events of longer duration, such as hearings, trials, etc., a court interpreter should be present in the courtroom to interpret.

FIRST APPEARANCE

18. On weekdays, court interpreters shall provide interpretive services from the courtroom or over the courtroom phone conference system for defendants at the jail who are in need of interpretive services.

19. On the weekend and on court holidays, Alachua Court Services’ pretrial staff or jail staff will inform the courtroom clerk that a language interpreter is needed for a specific defendant (or defendants). Regional county jail staff will indicate on their First Appearance Worksheet/Docket whether a language interpreter is needed. A copy will be forwarded by court reporting to the courtroom clerk. At the commencement of court, and at a time directed by the presiding judge, the courtroom clerk will dial into the Court’s commercial language line

account. Court Services' pretrial staff or jail staff will then send an e-mail to Interpreter@circuit8.org with the name of the defendant, the defendant's case number, and the date that a language line service was utilized.

PROCEEDINGS

20. A court interpreter may only interpret for one defendant or party during a proceeding. Each defendant or party who qualifies for interpretive services shall be assigned a separate interpreter.

This administrative order replaces and supersedes Administrative Order 1.11(v2), entitled "Court Interpreter Program" entered on August 17, 2015.

The effective date of this Order is October 1, 2015.

ORDERED ON this 18th day of August, 2015.



Toby S. Monaco, Acting Chief Judge