

**IN THE THIRD JUDICIAL CIRCUIT OF FLORIDA  
ADMINISTRATIVE ORDER NO. 2007-002**

**COURT INTERPRETER PROGRAM**

*Whereas*, pursuant to the Fifth Amendment of the United States Constitution, no person shall "be deprived of life, liberty, or property, without due process of law;" and

*Whereas*, pursuant to Article I, section 21 of the Florida Constitution, all persons are entitled to access to the courts; and

*Whereas*, non-English speaking persons or hearing impaired persons, when participating in a court proceeding, cannot be guaranteed due process of law or meaningful access to the courts without the assistance of a foreign language interpreter or sign language interpreter; and

*Whereas*, effective July 1, 2006, the Supreme Court of Florida adopted the Florida Rules for Certification and Regulation of Court Interpreters, establishing standards and procedures for qualifications, certification, professional conduct, discipline, and training of foreign language court interpreters who are appointed by a court of competent jurisdiction; and

*Whereas*, by July 1, 2008, Florida courts are mandated to be in compliance with rule 2.560(e), Florida Rules of Judicial Administration, which will require the use of foreign language interpreters under specified circumstances; and

*Whereas*, in order to ensure compliance with the Americans With Disabilities Act and rule 2.540, Florida Rules of Judicial Administration; and

*Whereas*, to ensure uniform and skilled interpretations, to avoid real or perceived conflicts of interest within court proceedings, and in order to meet the Supreme Court of Florida standards and procedures for foreign language court interpreters, it is necessary to **establish uniform guidelines for foreign language court interpretation within the Third**

Judicial Circuit; it is therefore

**ORDERED:**

**INTERPRETER REQUESTS**

1. The Third Judicial Circuit hereby establishes a Court Interpreter Program under the direction of the Administrative Office of the Courts.

2. The Court Interpreter Program shall maintain a list of approved interpreters for criminal, domestic violence, dependency, and some civil and family proceedings involving indigent parties.

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

4. The scheduling of court interpreters shall occur only through the Court Interpreter Program. Whenever possible, requests for court interpreters shall be made in advance of the court date. Requests may be made by e-mail at [Interpreter@jud3.flcourts.org](mailto:Interpreter@jud3.flcourts.org) or by telephone at (386) 758-2163. E-mail sent to [Interpreter@jud3.flcourts.org](mailto:Interpreter@jud3.flcourts.org) cannot include any other addresses in the "To", "cc" or "bcc" address lines. Additional addresses will prevent delivery to the interpreter address.

Persons making the interpreter request must include the following information:

- a. the style of the case;
- b. type of event;
- c. the date and time the interpreter is needed;
- d. the language needed;
- e. the name of the person requiring the service;
- f. the name and telephone number of the person making the request;
- g. the location of the event; and
- h. the estimated duration of the event.

**DEFINITIONS OF APPROVED INTERPRETERS**

5. By March 5, 2007, all foreign language court interpreters in the Third

Circuit must meet the qualifications of a Duly Qualified Interpreter as defined by Rule 14.100, Florida Rules for Certification and Regulation of Court Interpreters, prior to being hired for interpretive needs.

6. By July 1, 2008, pursuant to Fla. R. Jud. Admin. R. 2.073 (e), whenever possible, foreign language court interpreters utilized in the Third Judicial Circuit shall be certified pursuant to Rule 14.100, Florida Rules for Certification and Regulation of Court Interpreters or shall have a Certificate of Qualification from the Office of the State Courts Administrator in Tallahassee.

7. For interpretive needs of languages rarely encountered in the Third Judicial Circuit, *e.g.*, Farsi or Mandarin Chinese, the Court Interpreter Program may be required to schedule a freelance interpreter who has not met all of the standards under Rule 14.100, Florida Rules for Certification and Regulation of Court Interpreters. The presiding judge must then qualify the freelance interpreter, prior to the utilization of the interpreter, in a manner consistent with rule 2.560(e) (2).

8. Only persons employed as freelance interpreters with the Third Judicial Circuit Court Interpreter Program and scheduled through the Court Interpreter Program are permitted to act as interpreters at court events. Persons who have not entered into a Professional Services Agreement with the Court Interpreter Program are *not* authorized to act as court interpreters, *e.g.*, volunteers, deputies, attorneys, family members, friends, the public, and court staff.

9. Approval to serve as a court interpreter within the Third Judicial Circuit may be revoked without cause, at any time, by the Chief Judge.

#### **QUALIFICATION**

10. Prior to commencement of each court event, all court interpreters must

be qualified by the presiding judge and take an oath pursuant to section 90.606 (3), Florida Statutes.

### **PAYMENT**

11. Payment of court interpreters will be made pursuant to the terms outlined in each interpreter's individual Professional Services Agreement.

### **CANCELLATION POLICY**

12. Persons who request a sign language interpreter must inform the Court Interpreter Program of a cancellation at least two working days prior to the scheduled event. Failure to provide at least two working days notice of cancellation will result in the person or entity requesting the interpreter to be responsible for payment of the interpreter invoice.

13. Persons who request a foreign language interpreter must inform the Court Interpreter Program of a cancellation at least twenty-four hours prior to the scheduled court event. Failure to provide this notice may result in the person or entity requesting the interpreter to be responsible for payment of the interpreter invoice.

14. Court interpreters will be notified of cancellations by the Court Interpreter Program at the time of the cancellation. If notification of a cancellation is not given until the day of the event, the court interpreter will be paid for one hour of work whether the event was an in-county or out-of-county event. Cancellations made prior to the day of the event will not result in compensation to the interpreter.

15. A court interpreter must notify the Court Interpreter Program immediately if unable to interpret at a scheduled event. Failure to give advance notice may result in removal from the Court Interpreter Program list.

### LANGUAGE LINE

16. When an interpreter need arises at first appearance, at other court events of brief duration, in an emergency situation, on a holiday or during the weekend, a commercial "language line" may be utilized as an interpretive service and arranged by the Court Operations Manager by calling 386-758-2163 on weekdays; and by paging on the weekends and holidays at: 877-240-3085. For all other court events of longer duration, such as hearings, trials, etc., a court interpreter should be present in the courtroom to interpret.

### WEEKEND OR HOLIDAY SIGN LANGUAGE INTERPRETIVE NEEDS

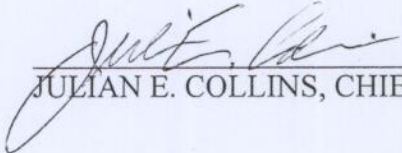
17. If a Sign Language Interpreter is needed on a weekend or court holiday, the jail shall page the Court Operations Manager at: 877-240-3085.

### PROCEEDINGS

18. A court interpreter may only interpret for one defendant or party during a proceeding where the appearance of a conflict of interest may be created, e.g., family law case or where due to the duration of the event the interpreter would not receive adequate breaks, e.g., trial with multiple defendants. In those instances, each defendant or party to a proceeding in need of interpretive services shall be assigned an interpreter.

19. This Order rescinds and supersedes Administrative Order No. 2005-018 dated September 7, 2005.

**ORDERED** on March 6, 2007.

  
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JULIAN E. COLLINS, CHIEF JUDGE