

CHAPTER 10

MCupAct



Model Court Interpreter Act

The Act shall be

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This Act

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§3. IMPLEMENTING RESPONSIBILITIES

A. The Supreme Court shall be responsible for ensuring language interpreter certification, continued proficiency, and discipline. The Supreme Court shall prescribe standards and procedures for the recruitment, testing, certification, evaluation, compensation, duties, professional conduct, continuing education, certification renewal, and other matters relating to interpreters as prescribed in this Act.

Commentary:

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**analyses and recommendations for the improvement of
the court interpreter program.**

Commentary:

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§ 6.01. The court may appoint a non-

certified interpreter only upon a finding that diligent,

good faith efforts to obtain a certified interpreter have

been made and none has been found to be reasonably

available. A non-certified interpreter may be appointed

only after the appointing authority has evaluated the

totality of the circumstances including the gravity of the

judicial proceeding and the potential penalty or

consequence involved.

§ 6.02. The court may appoint a non-

certified interpreter only upon a finding that diligent,

good faith efforts to obtain a certified interpreter have

been made and none has been found to be reasonably

available. A non-certified interpreter may be appointed

only after the appointing authority has evaluated the

totality of the circumstances including the gravity of the

judicial proceeding and the potential penalty or

consequence involved.

§ 6.03. The court may appoint a non-

B. The appointing authority may appoint a non-

certified interpreter only upon a finding that diligent,

good faith efforts to obtain a certified interpreter have

been made and none has been found to be reasonably

available. A non-certified interpreter may be appointed

only after the appointing authority has evaluated the

totality of the circumstances including the gravity of the

judicial proceeding and the potential penalty or

consequence involved.

Commentary:

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ahily acef id a f rplhge
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C. Before appointing a non-certified interpreter, the appointing authority shall make a finding that the proposed non-certified interpreter appears to have

§6. INTERPRETER OATH

**All interpreters, before commencing their duties,
shall take an oath that they will make a true and**

Being unable to interpret adequately, including where the interpreter self-reports such inability;

Knowingly and willfully making false interpretation while serving in an official capacity;

Knowingly and willfully disclosing confidential or privileged information obtained while serving in an official capacity;

Failing to follow other standards prescribed by law and the Code of Professional Responsibility for interpreters.

Commentary:

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§8. COST OF INTERPRETER SERVICES

In all legal proceedings, the cost of providing interpreter services shall be borne by the court or administrative agency in which the legal proceeding originates.

Commentary:

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§9. APPROPRIATION

To achieve the purposes of this Act, \$_____ is appropriated for the administrative office of courts to establish and operate a statewide court interpreter program.

Commentary:

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I a d y P a C o t h l l e t h e
f g d d e f t r o i t o
h i j a c t i c e g a N a b
A O C a f a l i n a v i l a n
f i l g i l g h a p r e A s v h l e t
p a s h i s t i v i d l l
p i f i c j f i c h a n
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s i n g b a s e h e t e d h g a
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i n a c t e s g , c e f i c a r e f i c a n

Ed

¹ NCSC a f p d bycm