

In the Indiana Supreme Court

Cause No. 20S-MS-1



Order Amending Interpreter Code of Conduct and Procedure and Disciplinary Process for Certified Court Interpreters and Candidates for Interpreter Certification

Under the authority vested in this Court to provide by rule for the procedures employed in all courts of this state and this Court's inherent authority to supervise the administration of all courts of this state, the Indiana Interpreter Code of Conduct and Procedure Rules II, III, and V; and Disciplinary Process for Certified Court Interpreters and Candidates for Interpreter Certification Rule 7, are amended as follows (deletions shown by ~~striking~~ and new text shown by underlining):

Interpreter Code of Conduct & Procedure

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Rule II. Definitions

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Consortium

~~The Consortium for State Court Interpreter Certification, operated by the National Center for State Courts, is an organization responsible for facilitating court interpretation test development and administration standards, providing testing materials, developing educational programs and standards, and facilitating communication among member states and entities in order for individual member states and entities to have the necessary tools and guidance to implement certification programs.~~

Council of Language Access Coordinators

The Council of Language Access Coordinators (CLAC) is a partnership of member states that has pooled financial and other resources to develop, maintain and administer court interpreting exams to support states' court interpreter certification programs and other language-access services.

Each member state is represented by a statewide coordinator responsible for the state's court language access service. The council's work is managed through projects of national interest in the area of language access and consists of coordinators, court administrators and staff provided by the National Center for State Courts (NCSC).

Rule III. Standards

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2. Accuracy.

- a) Each court interpreter shall faithfully and accurately interpret what is said without embellishment, paraphrasing, or omission while preserving the language level of the speaker to the best of said interpreter's skill and ability.
- b) Each court interpreter shall provide the most accurate form of a word in spite of a possible vulgar meaning. Colloquial, slang, obscene or crude language as well as sophisticated and scholarly language shall be conveyed in accordance with the usage of the speaker. An interpreter is not to tone down, improve, summarize, or edit any statements.

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Rule V. State Certified Court Interpreters

1. To receive Indiana Court Interpreter Certification status, the candidate shall:

- a) Complete any required application forms and pay any required fees.
- ~~a) Submit to a criminal background check. Conviction for any felony or for a misdemeanor involving dishonesty or false statement shall disqualify a candidate from certification if the conviction is ten years old or less.~~
- b) Attend an approved two-day orientation seminar.
- c) Pass an approved criterion-referenced written examination with at least an 80% score. ~~On the multiple-choice portion and a score of "borderline" or better on the translation portion of the examination.~~
- d) Attend an approved two-day skills building ~~seminar~~workshop.
- e) Attend an approved one-day simultaneous workshop.
- ~~ef) Pass all three parts of the oral exam individually with at least a 70% score in each section of the examination.~~
- g) Submit to a criminal background check. Conviction for any felony or for a misdemeanor involving dishonesty or false statement shall disqualify a candidate from certification if the conviction is ten years old or less.
- h) Sign a disclosure of contact information providing a valid phone number and email to be listed on the Certified Interpreter Registry
- i) Sign an oath promising to comply with the Indiana Supreme Court Interpreter Code of Conduct and Procedure
- ~~f) Complete any required application forms and pay any required fees.~~

2. Candidates will be granted two years from the ~~skills building program~~orientation seminar to take and pass the oral exam. If more than two years elapse without the candidate passing the oral exam, the ~~skills building portion~~orientation seminar and written examination must be retaken.

3. Interpreters with certification as a federal court interpreter or certified in another ~~Consortium~~CLAC state shall be certified as an Indiana state court interpreter after completing any required reciprocity application, paying any required fees, and submitting to a criminal background check.

Disciplinary Process for Certified Court Interpreters & Candidates for Interpreter Certification

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Rule 7. Appeal

The interpreter may appeal the decision of the Chief Administrative Officer (CAO) of Indiana

Office of Judicial Administration (IOJA) to a three-member panel of the ~~Indiana Supreme Court Interpreter Advisory Board~~ Indiana Supreme Court Language Access Advisory Committee¹ no later than twenty (20) days after the decision is mailed to the interpreter. The appeal shall include the interpreter's written objections to the decision. The three-member panel of the Indiana Supreme Court ~~Language Access Advisory Committee Advisory Board~~ shall review the record of the hearing to determine whether the decision reached and sanctions imposed were appropriate, or whether the IOJA abused its discretion.

These amendments shall take effect January 1, 2021.

Done at Indianapolis, Indiana, on 10/8/2020.



Loretta H. Rush
Chief Justice of Indiana

All Justices concur.

¹ The Indiana Supreme Court Language Access Advisory Committee ~~Interpreter Advisory Board~~ was created ~~by the Commission on Race and Gender Fairness in June 2003 under Indiana Administrative Rule 4(C)~~. The ~~Board's~~ Committee's membership includes judicial officers, attorneys, interpreters, and other public officials. Members serve ~~staggered terms of one (1) to three (3) years~~ a three (3) year term, with a limit of two (2) terms, for a maximum of six (6) years of consecutive service.