

CHAPTER 10

MCupAct



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Model Court Interpreter Act

The Act shall be

self-referential

in its title

and, if necessary

by

the

title of the

Act shall be such

as to give effect

to the purpose

of the 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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c i t i n s o f i c e f o i s f a t e c h p

Spi h e g a t e f i c a g n .

T h i s i n g e g i n t o n h e t h e
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p i t s g a t e t f i c a g n s a y
t h e g a t e f i c a n i n g s a f l e

f o r t h e d e c e n t
t a n t e f e i t h a
p h y s i c a l i n e
g h e i n s e f f i c s h e s P i o
f i t g g i h e p c y h i y f d e

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(3) ~~Til~~ ~~g~~ ~~ra~~ ~~nd~~ ~~en~~ ~~ing~~,
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(4)

§ 6. 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.

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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so acef i d p e thept chit s
6 cts thespn gtha
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juct s maceo cef i d p h
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qtheggh i clat h e thos
h e d h a i n t g a n e
a h i l y a c e f i d a p r a p l i g e
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g h a r g c e f i d p
A i u h e y h e i r a i s i d
h e a c e f i d i p s l y
a h p h n e g i y h o i g d
h e p s p d n o u l f i c t i t o
b a h n e c s a c e f i d p F o
p f o f j r i n h t h a c e f i d p
i s i l g i a l l j u d c t r i g h t b e i d
" h a h e h a r i n d s o r a
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t h e g g h i c h a s h e t

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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the court shall
have the authority
to hire a interpreter

§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:

A court or administrative agency shall have the authority to hire an interpreter for a party who is unable to understand or be understood in a proceeding. The cost of such services shall be borne by the court or administrative agency in which the proceeding originates.

This section shall not be construed to require a court or administrative agency to hire an interpreter for a party who is unable to understand or be understood in a proceeding.

It is the intent of the legislature to ensure that all parties to a proceeding are able to understand and be understood.

§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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f aiscn
A hsc to hets a
i gndle dychinat
6 f i c6 hets Ef f shchne
hsc a hshc
Ipsh Co shls the
f gnd hnt i to
hri pnt hscgnsh
AOC a f shshsh
f ilg ilg h a pge Asv lct
pshh shshsh
p i f i c p i chshn
Tl sh hets shng he
i pef i chgn hshnt f i c6
shshsh tcti p
c6 f i chf of a f sh f shshgd
shcti p g gnd -
shng bshchshshsh a
pshh C6 f i chf sh
shshsh sg, c6 f i chshshsh

Ed

¹ NCSC a f p d bycm