

## **SPOKANE COUNTY SUPERIOR/JUVENILE COURT** **INTERPRETER POLICY**

### **Preamble:**

Access to justice for all persons is a fundamental right. It is the policy of this court to assure that non-English-speaking persons have equal and meaningful access to the judicial system.

### **Purpose:**

The purpose of this policy is to create a uniform process by which non-English-speaking persons can obtain reasonable accommodations and access to the justice system at all court levels.

### **Procedural Requirements:**

Superior Court is required to provide language interpreters who are certified to interpret in the certifiable languages by the Washington State Administrative Office of the Courts (AOC), <http://www.courts.wa.gov> .

Those languages include:

Mandarin (Chinese)	Cantonese (Chinese)
Spanish	Vietnamese
Russian	French
Bosnian (Croatian/Serbian)	Arabic
Laotian	
Khmer (Cambodian)	Tagalog in process of being certifiable

The Court is also required to provide qualified Interpreters for those languages that are not court certifiable. The Court and parties are required to use interpreters who have been certified by the Administrative Office of the Courts, unless good cause is found for using an interpreter who is not certified. Any waiver of a certified interpreter by a defendant is to be made knowingly, voluntarily, and intelligently. Please see RCW 2.43.030.

### **Application:**

A "Motion and Order for Language Interpreter at County Expense" is used to request such service. This form is to be completed and submitted for the scheduled hearing. This form can be found at the Spokane County Court Administrators Office (3<sup>rd</sup> Floor Annex) or on line at the following link:

<http://www.spokanecounty.org/DocumentCenter/View/4541>

The form may be presented ex parte in writing or presented orally and reduced to writing. If a request for Language Interpreter is made directly by an applicant, to an employee of Spokane County Superior Court, the employee shall be responsible for ensuring that the Motion and Order for Language Interpreter at County Expense form is completed, either by having the applicant, or a person on their behalf, complete the form or by taking the information orally, completing the form themselves.

This form will then be presented to a Judicial Officer for review and signature. A copy of this form signed by a Judicial Officer will be given to the Civil Court Coordinator for the scheduling of an Interpreter by any or all of the following: Judicial Officer, Judicial Assistant, Court Clerk.

An application for Language Interpreter should be made as far in advance as practical for the proceeding for which this service is sought, but not less than 5 days prior to the proceeding, except for emergency set proceedings.

### **Coordination of Language Interpreters:**

#### **Adult Criminal Cases:**

The Court Administrators Office will schedule all Interpreters for First Appearances.

The Prosecutor's Office will then be responsible for scheduling language interpreters for Arraignment and all future hearings until a Notice of Appearance (NOA) is filed.

Upon the filing of a NOA the defense attorney will schedule the language interpreter for all future hearings.

Once an information has been filed and the individual is charged with a crime The "initiating party" (in this case the Prosecutor's Office) is responsible for payment of the interpreter fee.

#### **Juvenile Criminal Cases:**

Please see the Juvenile Offender Interpreter policy posted on the Superior Court website.

### **Dependencies/Terminations:**

For management of all hearings in active Dependency Actions, the Juvenile Court Coordinator should be notified as soon as the need for an interpreter is identified. Please provide the case information, the name of the party needing an interpreter, and the language that the party needs interpreted.

When a government agency (Attorney General's Office) initiates a proceeding where the person is compelled to attend, that agency shall arrange for and pay for the services of the language interpreter. Please see Procedural Requirements regarding languages that **require** a certified interpreter. Please note that the Juvenile Court Coordinator can assist with securing the interpreter and coordinating the schedule with all parties for Court appearances if assistance is sought far enough in advance of hearing (not less than 5 business days prior to the hearing).

In the event the matter is brought without the assistance of a governmental agency the services of the interpreter will be paid by the Court Administrator's Office. The Juvenile Court Coordinator can assist with securing the interpreter and coordinating the schedule with all parties for Court appearances (not less than 5 business days prior to the hearing).

In the event that an ASL interpreter is needed, please notify the Juvenile Court Coordinator for scheduling (not less than 5 business days prior to the hearing, except for emergency set proceedings). The Court Administrators office is responsible for the interpreter fee.

**Becca Truancies:**

The School (as initiating party for the proceeding) is responsible for payment of interpreter fees regardless of who secures/coordinates the interpreter. Please see Procedural Requirements regarding languages that **require** a certified interpreter. The Schools can request that Superior Court (through the Truancy Facilitator) secure a language interpreter and coordinate the schedule with all parties for Court appearances (not less than 5 business days prior to the hearing, except for emergency set proceedings).

**Becca ARY/CHINS:**

A party to the action (or his/her counsel) can request that Superior Court (through the ARY/CHINS Facilitator) secure a language interpreter and coordinate the schedule with all parties for Court appearances. In these cases, the Court Administrators Office shall be responsible for payment. See RCW 2.43.040.

**Family Law:**

The requesting party, represented by counsel or not, may request a language interpreter by completing the form and having it approved by a Judicial Officer. A copy of this form will be delivered to the Family Law Court Coordinator for confirmation, time, and place for the Language Interpreter for Court appearances. The Family Law Court Coordinator and the Civil Court Coordinator will work together to secure the language interpreter. The Court Administrators Office shall pay for these services of language interpreters. See RCW 2.43.040.

**Civil, Probate, Guardianship:**

The requesting party represented by counsel or not, may request a language interpreter by completing the form and having it approved by a Judicial Officer. A copy of this form will be delivered to the Civil Court Coordinator for coordination of the Language Interpreter for Court appearances. The Court Administrators Office shall pay for these services of language interpreters. See RCW 2.43.040.

**Record Keeping:**

All employees of Spokane County Superior Court are responsible for forwarding copies of the "Motion and Order for Language Interpreter at County Expense" to the Civil Court Coordinator within one business day of receipt.

**INTERPRETER SERVICES CONTACT**

**COURT ADMINISTRATOR OFFICE  
1116 W. BROADWAY AVE.  
3<sup>RD</sup> FLOOR ANNEX  
SPOKANE WA 99260  
509-477-4402**