



## ADMINISTRATIVE OFFICE OF THE COURTS

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October 30, 2006

### MEMORANDUM

**TO:** Superior Court Judges  
District Court Judges  
District Attorneys  
Clerks of Superior Court  
Trial Court Administrators  
Trial Court Coordinators

**FROM:** Judge Ralph Walker

**SUBJECT:** Foreign Language Interpreters

As a result of the passage of the Omnibus Judicial Act during the past session of the General Assembly, the Administrative Office of the Courts has been working on a process and procedure aimed at making the foreign language interpreter program more efficient and effective. We finished the last fiscal year nearly \$850,000 over budget and we think that these changes will help us curtail costs and provide better services. The highlights of these changes, which should take place on December 1<sup>st</sup>, are as follows:

- **Interpreter Registration.** We are in the process of contacting every interpreter who has worked for the courts in the past year and asking them to register with us. We will do a criminal history check and review their qualifications, and from this information we will create a list of interpreters and the counties in which they are willing to work.
- **Contracts.** We will prepare contracts for all those who register with the AOC. The contracts will specify an hourly rate based upon the qualifications of the individual, minimum hour guarantees under specific circumstances, travel rates, a statement of ethics, and method of payment including invoicing and time sheet requirements. Interpreters who are State Certified will receive the greatest hourly rate of pay. Followed by those who have passed two parts of the Certification exam or have scored at least 60% all three parts; followed by those who have taken the ethics class and passed written test; and finally then followed by those who are working today with none of the other identified proficiencies.
- **Interpreter list.** A list of those interpreters under contract will be published and updated regularly. All individuals working today will be on the new list except those who have

problems with their criminal record or those who fail to register. District court will no longer use the G-107 form for foreign language interpreters but may instead appoint interpreters via an administrative order. Superior court will continue to use the G-107 for foreign language interpreters.

- **Full time interpreters.** Some full-time interpreters will be placed in selected counties based upon an analysis of use of contracted interpreters.
- **Telephone interpreting.** The AOC will contract with a company that will provide telephonic interpreting for magistrates statewide. Specialized telephone equipment has been ordered and will be installed at those locations that need it. District attorney offices may also wish to use this service during short interviews witnesses in their office.
- **Public defenders and court appointed counsel.** The Office of Indigent Defense Services (IDS) will be assuming the financial responsibility for interpreter services for out-of-court work done for public defenders or for court appointed counsel.
- **Recoupment.** We have reviewed the case law on recouping costs for the provision of foreign language interpreter services and find that a “reasonable” fee can be charged to defendant who requires services. Therefore, we have established a \$10 fee or the actual cost of the services whichever is greater shall be charged to the defendant.

We will be sending to you shortly a copy of the new policy and procedures for interpreters that will provide greater details about the program and changes. If you have any questions concerning the new policy, procedures or fees for foreign language interpreters, please do not hesitate to contact Stephanie Scarce in Raleigh at 919 420-7970.