

APPENDIX A

PROCEEDING TYPES AND QUALIFIED INTERPRETER ROSTER DESIGNATIONS

The use of the licensed Interpreter Roster and order of interpreter selection is important to the proper administration of language access and the provision of language access services. Any agency conducting a court proceeding should make every reasonable effort to ensure that an individual performing interpretation services in said proceeding under its control is appropriately qualified.

It is the position and direction of this Committee that, regardless of the type of court proceeding or the possible outcome of the same, agencies should secure needed interpreters from the Interpreter Roster in the following order:

- (1) Master licensed legal interpreter or licensed legal interpreter.
- (2) Conditionally licensed legal interpreter.

All other persons interpreting court proceedings shall be required to comply with these rules to the best of their ability. The Committee intends that such persons be selected by the court for interpretation only if no other interpreters on the Interpreter Roster are available. Courts should contact the AOC for assistance with basic requirements such as background checks and training to have any such other individual meet the minimal standards to be listed on the Interpreter Roster and, if appropriate and reasonably possible, be evaluated for proper placement on the Interpreter Roster. Courts should avoid, if possible, last-minute use of non-listed interpreters. Any other individual who is not listed on the Interpreter Roster and is charged to interpret in any court in the State of Georgia shall be under the jurisdiction of the Committee and bound by these rules, and any court who uses such individual should inform such non-listed interpreter of the same.

The Committee recommends that under no circumstances should the presiding judicial officer appoint any of the following to serve as an interpreter:

- (1) A family member of the LEP individual or deaf or hard-of-hearing person;
 - (2) A witness or party to the court proceeding;
 - (3) Law enforcement officers, such as probation officers, police, deputy sheriffs, or constables;
 - (4) A social worker, counselor, or health professional involved in the court proceeding;
 - (5) Any person who may have an interest or perceived interest in the outcome of the court proceeding;
- or
- (6) Any person who has been removed from the Interpreter Roster as the result of a disciplinary action.

The following types of proceedings or those proceedings with the following potential outcomes should use only qualified interpreters with corresponding designations, and the courts should consider any and all reasonable measures to provide a properly designated interpreter, including: scheduling or continuing the proceeding to a date and time when a properly designated interpreter can be secured; using remote technology, when otherwise appropriate; or contacting the AOC for assistance in locating an interpreter.

The practice of team interpreting should be used whenever deemed necessary for longer proceedings, as per Rule 5-5 of these rules.

The type of case an interpreter should be appointed to is based on their classification, which reflects the level of knowledge, skill, and abilities demonstrated during the certification process. This applies to both spoken language and sign language interpreters. Based on their classification and level of expertise, interpreters should be appointed as follows:

COURT	CASE TYPE	PROCEEDING	INTERPRETER LICENSE DESIGNATION: QUALIFIED FOR CASE TYPE
Superior and State Court – Criminal	Homicides	All proceedings	Master Licensed Legal Interpreter or Licensed Legal Interpreter only
	Felonies and Evidentiary	Trials, guilty pleas, all hearings, or parole violations	Master Licensed Legal Interpreter or Licensed Legal Interpreter only
		Arraignments, waivers, or pre-trial conferences	Master Licensed Legal Interpreter, Licensed Legal Interpreter, or Conditionally Licensed Legal Interpreter
	Misdemeanors and Summary	Bail, arraignments, guilty pleas, pre-trial proceedings, or waivers	Master Licensed Legal Interpreter, Licensed Legal Interpreter, or Conditionally Licensed Legal Interpreter
Juvenile Court	Juvenile Delinquency	Detention hearings, adjudications, probation violations, truancy, motions, or child in need of services	Master Licensed Legal Interpreter, Licensed Legal Interpreter, or Conditionally Licensed Legal Interpreter
	Juvenile Dependency	All hearings	Master Licensed Legal Interpreter or Licensed Legal Interpreter only

COURT	CASE TYPE	PROCEEDING	INTERPRETER LICENSE DESIGNATION
Superior and State Court – Civil (domestic)	Domestic Relations	Abuse, custody, support, or paternity	Master Licensed Legal Interpreter, Licensed Legal Interpreter, or Conditionally Licensed Legal Interpreter
Superior and State Court – Civil	Court, Estates, Tort, or Private Lawsuit	Pre-trial hearings, trials, depositions, arbitrations, or adoptions	Master Licensed Legal Interpreter, Licensed Legal Interpreter, or Conditionally Licensed Legal Interpreter
Superior and State Court – Civil (other)		Competency hearings	Master Licensed Legal Interpreter or Licensed Legal Interpreter only
Probate Court	All cases	All hearings	Master Licensed Legal Interpreter, Licensed Legal Interpreter, or Conditionally Licensed Legal Interpreter
Magistrate and Municipal Court	Criminal	Bail, arraignments, hearings, misdemeanors, trials, or guilty pleas	Master Licensed Legal Interpreter, Licensed Legal Interpreter, or Conditionally Licensed Legal Interpreter
	Civil	Restraining orders, protection from abuse, landlord/tenant, or small claims	
Traffic Court/ Recorder’s Court	All cases	All hearings	Master Licensed Legal Interpreter, Licensed Legal Interpreter, or Conditionally Licensed Legal Interpreter
Executive Branch and Local Agencies	Administrative Hearings	Unemployment, workers’ compensation, or reinstatement of benefits	Master Licensed Legal Interpreter, Licensed Legal Interpreter, or Conditionally Licensed Legal Interpreter