



Summary of the Amended Rules for the Use of Interpreters for Non-English-Speaking Persons

Effective January 1, 2024

Article I: Definitions and Committee's Role

- ▶ **The Committee added definitions and sets out its role regarding establishing programs for licensing interpreters and establishing the minimum requirements and procedures for qualifying interpreters.**
- ▶ **The Committee will also establish fees for licensing and maintain an Interpreter Roster.**
- ▶ **The Administrative Office of the Courts (“AOC”) will provide all necessary regulatory and staff support to the Committee.**

Article II: Categories of Licensed Interpreters

- The Committee has created new designations of licensed interpreters.
- The new designations replace the existing Certified, Conditionally Approved, and Registered Interpreter Lists.
- The framework allows courts to appoint interpreters based on their skill level and the complexity of the proceedings.
- The highest-performing interpreters are termed "master licensed legal interpreters" and can interpret any type of proceeding.
- Interpreters with lower scores will have limitations on the types of proceedings they can handle.
- The article also allows for apprentice interpreters and ad hoc interpreters in specific situations.

Master Licensed Legal Interpreter

- Complete mandatory orientation
- Pass English written exam with 80% accuracy or higher
- Excel in a performance examination

Licensed Legal Interpreters

- Complete mandatory orientation
- Pass English written exam with 80% accuracy or higher
- Performance examination

Conditionally Licensed Legal Interpreters

- Complete mandatory orientation
- Pass English written exam with 80% accuracy or higher
- Pass performance examination (various options)

Apprentice Interpreters

- Complete mandatory orientation
- Complete 20 observation hours
- Pass English written exam with 80% accuracy or higher

Ad Hoc Permitted Interpreters

- Should be reserved for situations in which there is no licensed interpreter available
- Provide AOC with the necessary contact information for the ad hoc permitted interpreter
- Serve no more than five times per calendar year

Article III: Interpreter Requirements and Continuing Education

- ▶ **Article III of the Rules contains detailed requirements that interpreters must meet to maintain their designations and requirements for continuing education.**
- ▶ **The new Rules set out these requirements in greater detail than the existing rules, which simply gave the previous Commission the power to establish the requirements.**
- ▶ **Article III also sets out conditions by which an interpreter whose license has lapsed can reinstate his or her license.**

Article IV: Disciplinary Procedures

- ▶ **In Article IV, the Rules set out a more detailed procedure for disciplining interpreters. The list of reasons for which the Committee may discipline an interpreter is nearly the same as the list of infractions in the existing rules, with the following addition to the list: “misrepresentation to a court or third party of their current designation or status with the Committee.”**
- ▶ **The disciplinary procedures mirror those used by the Judicial Council Board of Court Reporting.**

Article V: Recommendations for Interpreter Appointments

- ▶ **Article V contains the recommendations of the Committee for the appointment of interpreters. While these recommendations are not binding on courts, the Committee hopes that courts will grant the recommendations the appropriate deference.**
- ▶ **This Article also contains recommendations for individuals who should not be appointed as interpreters because of conflicts and the use and explanation of relay and team interpreting, among other recommendations.**

Article VI: Interpreter's Oath and Other Sections

- ▶ **Article VI of the Rules contains the interpreter's oath, which is unchanged from the existing rules.**
- ▶ **This Article also contains sections on confidentiality and public comment, which are substantially similar to those in the existing rules.**

Article VII: Creating a Record of Proceedings

- ▶ **In Article VII, the Rules expand on the existing rules with regard to creating a record of the proceedings.**
- ▶ **The new Rules require the interpreter to be identified on the record and prohibit interpreters from extemporaneously sight translating written evidentiary material without proper preparation, and advanced notice or interpreting English audio or video recordings.**

Article VIII: Code of Professional Responsibility

- ▶ **Article VIII of the Rules contains the Code of Professional Responsibility for Interpreters, which is substantially the same as that in the existing rules, with the addition of the following:**
- ▶ **Interpreters shall bring to the court's attention any circumstance or condition that impedes full compliance with any applicable provisions of this Code of Professional Responsibility for Interpreters, including interpreter fatigue, the need for team interpreting, inability to hear, or inadequate knowledge of specialized terminology.**
- ▶ **Article VIII states that if an interpreter is subject to multiple ethical guidelines, he or she must follow the strictest applicable guideline.**

Appendix A: Hierarchy of Interpreter Designations

- ▶ **Appendix A of the new Rules sets out the hierarchy of interpreter designations and recommends that courts appoint the most qualified interpreter available.**
- ▶ **Appendix A includes information also set forth in Article II so it can be used as an independent reference without turning to the entirety of the Rules.**

Training

We are pleased to announce that the amended rules will take effect on January 1, 2024. To ensure a comfortable transition and proper understanding of the rule changes, comprehensive training for all court personnel will be provided.

This training will aim to equip court clerks and other personnel with the necessary knowledge and skills to implement the new rules effectively, ensuring a high standard of legal interpreting services in the state.

Please visit the Committee on Court Interpreters' website to access a detailed copy of the amended rules.

<https://ocp.georgiacourts.gov/commission-on-interpreters/>