

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

SEP 26 2008

JAMES R. LARSEN, CLERK  
DEPUTY  
SPOKANE, WASHINGTON

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

In Re )  
 )  
QUALIFICATION OF INTERPRETERS ) GENERAL ORDER NO. 08-103-1  
AS LANGUAGE SKILLED AND )  
HIRING COURT INTERPRETERS )  
\_\_\_\_\_ )

When a federally certified court interpreter is not reasonably available, the Court may use an "otherwise qualified interpreter" pursuant to 28 U.S.C. § 1827(b)(2). Interpreters who do not qualify as "professionally qualified" interpreters or federally certified court interpreters, but who can demonstrate to the satisfaction of the Court their ability to interpret court proceedings from English to a designated language and from that language to English, will be placed on the Court's local list and will be included on the Director's<sup>1</sup> master list as a "language skilled interpreter." (Qualification Guidelines for Court Interpreters and Selecting and Locating Court Interpreters, Administrative Office of the U.S. Courts.)

Qualification of Interpreters as Language Skilled in the Eastern District of Washington. The judges of this Court have determined that interpreters who are not federally certified nor professionally qualified, but who are certified by the State of Washington Courts are considered qualified as "language skilled" in the Eastern District of Washington. State certified court interpreters must pass both written and oral examinations related to the language with focus on interpreting in a court setting. In

<sup>1</sup>The Director of the Administrative Office of the U.S. Courts  
GENERAL ORDER RE QUALIFICATION OF INTERPRETERS AS LANGUAGE SKILLED  
AND HIRING COURT INTERPRETERS

1 addition, before receiving accreditation as a state certified court  
2 interpreter, the interpreter must attend a mandatory class on the  
3 Introduction to Court Interpreting, submit to a criminal background  
4 check, execute the Oath of Interpreter, complete sixteen hours of  
5 continuing education, two of which must be at a Washington State  
6 Administrative Office of the Courts approved ethics workshop, and  
7 verify at least 20 hours of court interpreting for each two-year  
8 compliance period. A certified interpreter is the highest level of  
9 formal accreditation for interpreters by the State of Washington  
10 Courts.

11 **Hiring Court Interpreters.** The Court uses interpreters in a  
12 number of different languages, and currently there are federally  
13 certified interpreters for Spanish, Haitian Creole and Navajo.  
14 Pursuant to the federal Court Interpreters Act, 28 U.S.C. §§ 1827-  
15 28, the Court will use federally certified interpreters when  
16 reasonably available, for Spanish, Haitian Creole and Navajo  
17 languages. The Court shall hire interpreters as follows:

18 1) When an interpreter is required for Spanish, Haitian Creole  
19 and Navajo, the courtroom deputy shall first contact a federally  
20 certified interpreter. The Court may pay travel and subsistence  
21 costs when necessary to assure that certified interpreters are  
22 reasonably available.

23 2) For the Spanish, Haitian Creole and Navajo languages, if no  
24 federally certified interpreter is reasonably available, the  
25 courtroom deputy shall then seek to use a state certified court  
26 interpreter (qualified as Language Skilled in the Eastern District  
27 of Washington).

28 3) When the interpreter services are needed for a language for

1 which there is no federal certification, the courtroom deputy shall  
2 use the services of a "professionally qualified"<sup>2</sup> interpreter. If  
3 no professionally qualified interpreter is reasonably available, the  
4 courtroom deputy shall then seek to use a state certified court  
5 interpreter (qualified as Language Skilled in the Eastern District  
6 of Washington).

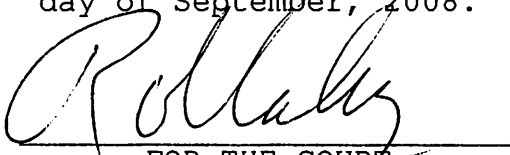
7 4) In a proceeding where no interpreter has been identified  
8 pursuant to the process described in (1), (2) and (3) above, the  
9 presiding judge shall decide the qualification of the interpreter to  
10 act as an expert pursuant to the Federal Rules of Evidence.

11 The district's list of certified, professionally qualified and  
12 language skilled interpreters shall be updated as changes occur.

13 The courtroom deputy shall record the hiring attempts made, in  
14 connection with the hiring process identified above, on the *Blanket*  
15 *Purchase Agreement Log/Contract Court Interpreter Services* form.

16 IT IS SO ORDERED pursuant to majority consensus of the judges.  
17 This General Order, 08-103-1, supersedes General Order Nos. 06-103-1  
18 and 06-103-2.

19 DATED this 26<sup>th</sup> day of September, 2008.

20 

21 FOR THE COURT  
22 ROBERT H. WHALEY  
23 CHIEF UNITED STATES DISTRICT JUDGE

24  
25  
26 <sup>2</sup>For information on eligibility to be included on the Director's  
27 master list of interpreters who are "professionally qualified", see J-Net,  
28 *Qualification Guidelines for Court Interpreters*, at  
[http://jnet.ao.dcn/District/Court\\_Interpreting/Selecting\\_and\\_Locating\\_Court\\_Interpreter/Guidelines\\_for\\_Qualifying\\_Court\\_Interpreter.html](http://jnet.ao.dcn/District/Court_Interpreting/Selecting_and_Locating_Court_Interpreter/Guidelines_for_Qualifying_Court_Interpreter.html).