



Office of Language Access Services

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MEMORANDUM

To: Superior Court Judges, District Court Judges, Clerks of Superior Court, Trial Court Administrators, Trial Court Coordinators, Family Court Administrators, Magistrates, District Attorneys, Public Defenders, Language Access Coordinators, Language Access Stakeholders Committee

From: Brooke B. Crozier

Date: December 30, 2016

Re: Updated *Standards for Language Access Services* and Expansion of Language Access Services to All District Court Proceedings and Proceedings before the Clerk of Superior Court

As set forth in the *Standards for Language Access Services*, the North Carolina unified court system is committed to the continued provision and expansion of language access services to limited English proficient (LEP) persons whom the courts serve. This memorandum announces the approval of the updated and amended edition of the *Standards for Language Access Services* for the Judicial Branch of North Carolina, which will be effective January 1, 2017. This revised version has been updated and amended for clarification purposes.

This memorandum also announces the expansion of language access services to all proceedings before the District Court and all proceedings heard before the Clerk of Superior Court, effective January 1, 2017. As of that date, spoken foreign language court interpreters shall be provided at state expense for LEP parties in interest in the following types of proceedings:

1. All civil court proceedings before the District Court, and certain civil proceedings before the Superior Court,
2. Subsequent appeals from District Court proceedings to Superior Court,
3. All proceedings before the Clerk of Superior Court,
4. Subsequent appeals from decisions by the Clerk of Superior Court to District Court or Superior Court, and
5. All criminal proceedings.¹

¹ Pursuant to Section 5.2 of the *Standards for Language Access Services*, the complete list of currently covered court proceedings can be found at <http://www.nccourts.org/LanguageAccess/Interpreters/ExpandedServicesAndStandards.asp>.

With the cooperation of all judicial officials, court personnel, and attorneys, we should be able to provide services for these cases using existing resources. The key is to ensure an interpreter is scheduled only when it is clear that the proceeding for which the interpreter is requested is, in fact, going to be heard by the judicial official. To assist with effective interpreter scheduling, updated language access guidance charts are attached for both court personnel and attorneys regarding how to obtain the language access services necessary for the matter to be heard.

With this expansion, providing court interpreters and scheduling cases requiring court interpreters may be a new process for some, so the Office of Language Access Services (OLAS) offers the following tips:

1. When actions are filed, the language access needs of the parties should be identified and noted in the case file and via the *Interpreter Language Needed* Indicator in the appropriate system: ECITATION, NCAWARE, ACIS, CCIS-CC, CCIS-DA, CCIS-PD, VCAP, or JWISE.
2. A [Request for Spoken Foreign Language Court Interpreter](#) must be submitted to the Language Access Coordinator (LAC) **for each court appearance**.
3. Communicate and work with your LAC. Court personnel and judicial officials in criminal courts and civil courts must coordinate calendars to make the most judicious use of the scheduled court interpreter's time throughout the courthouse. To the extent possible, court interpreters are expected to cover the needs of the entire courthouse for all covered case types, so please expect to share the interpreter with other courtrooms.
4. Failure to submit a request for services with sufficient time for the LAC to secure a qualified court interpreter may result in a delay or postponement of the court proceeding.
5. If multiple proceedings are identified on a calendar that require interpreting services in the same language, those cases should be **grouped and scheduled on the same day and a single interpreter scheduled to cover all of them**. Requests will be easier to fill by the LAC if more than one case is scheduled on the calendar that will utilize the services of the court interpreter.
6. **Interpreters are neutral language conduits**, so it is not necessary to schedule an interpreter for each party in a single case if the parties speak the same non-English language.
7. Make every effort to **minimize the interpreter's time in the court proceeding** by hearing the cases requiring an interpreter as soon as possible after the interpreter arrives in the courtroom.
8. **Notify the LAC and the interpreter as soon as the case is delayed, continued, or otherwise disposed**. The interpreter is entitled to payment if not notified of case cancellation at least 24 hours prior to the scheduled court proceeding.

OLAS will provide technical assistance to court officials and Language Access Coordinators to assist with this expansion to help promote the efficient allocation of current staff and contract interpreting services.

If you have any questions about this memorandum or future plans, please contact OLAS staff at (919) 890-1407.