

IN THE COURT OF APPEALS OF MARYLAND
ADMINISTRATIVE ORDER AS TO THE MARYLAND COURT INTERPRETER
PROGRAM AND COMMITTEE ON COURT INTERPRETATION AND
TRANSLATION SERVICES

WHEREAS, The Maryland Judiciary's commitment to equality, fairness and integrity in the judicial process, and the principle that justice should be accessible to all, is affirmed by Judiciary programs that support that access; and

WHEREAS, Qualified court interpreters are needed for individuals with limited English proficiency or who have a hearing disability or impairment; and

WHEREAS, In 1993, the Executive Committee of the Maryland Judicial Conference endorsed the Final Report of the Ad Hoc Committee on the Americans with Disabilities Act, including the recommendation that the Judicial Branch establish a task force to address the use of sign and spoken language interpreters in the courts; and

WHEREAS, In response to that recommendation, in 1994, the Maryland Judicial Conference Task Force on Interpreters was created and presented a Final Report, which was endorsed by the Judicial Conference's Executive Committee; and

WHEREAS, By Administrative Order, dated December 7, 1995, a court interpreter program was established for the Maryland courts, instituting the minimum requirements for court interpreters, including submission of a Maryland Judiciary information form, attendance at a mandatory workshop on court interpreting, and passage of a certification examination, when available; and

WHEREAS, Since 1995, the Maryland Court Interpreter Program has successfully implemented training and testing programs that have yielded a diverse pool of

professional court interpreters who help provide equal access to the court system for all individuals who seek it; and

WHEREAS, In 2002, the Chief Judge of the Court of Appeals established the Committee on Court Interpretation and Translation Services to assist in increasing public confidence in the courts by developing a plan to increase the ability of those who need assistance in utilizing the services offered by the court; and

WHEREAS, While the membership of the Committee was established by the Chief Judge of the Court of Appeals, an Administrative Order establishing the Committee and addressing members, functions and duties was not issued; and

WHEREAS, On January 1, 2003, the Court of Appeals promulgated Maryland Rule 16-819, Court Interpreters; and

WHEREAS, Rule 16-819 prescribes the procedure for the appointment of an interpreter, including, *inter alia*, determining need, selection and removal of an interpreter from a proceeding; and

WHEREAS, On January 1, 2003, the Maryland Code of Conduct for Court Interpreters became effective, establishing standards of conduct for all certified interpreters, defining who is eligible for certification, and identifying the agencies and organizations that administer, supervise the use of, or deliver interpreting services in Maryland courts; and

WHEREAS, The Maryland Court Interpreter Program has changed significantly since issuance of the December 7, 1995 Administrative Order, making it appropriate to rescind that Order and issue a new Order; and

WHEREAS, It is appropriate that such an Order memorialize the Committee's existence and functions.

NOW, THEREFORE, I, Robert M. Bell, Chief Judge of the Court of Appeals and administrative head of the Judicial Branch, pursuant to the authority conferred by Article IV, § 18 of the Maryland Constitution, do hereby order this 18th day of October 2012, effective immediately:

1. Maryland Court Interpreter Program.

a. Creation. There is a Maryland Court Interpreter Program in the Administrative Office of the Courts, under the direction of the State Court Administrator.

b. Mission. The Program shall provide quality language, sign and translation services to the Maryland Judiciary.

c. Staff. The Program Services Unit of the Administrative Office of the Courts shall serve as staff to the Program.

d. Court Interpreter Registry; Standards. As part of its responsibilities, the Program shall maintain the Court Interpreter Registry for individuals who are either certified or eligible interpreters. In maintaining the Registry, the Program shall establish and maintain qualification standards consistent with applicable national standards.

e. Court Interpreter Application Procedures. The Program shall establish procedures for individuals interested in providing interpretation services for the Judiciary. At a minimum, the procedures shall require the individual to:

- 1) Submit an application in the form established by the Program;

2) Complete an orientation program on matters such as the Maryland court system; the requirements of Maryland Rule 16-819; professional and ethical requirements, including the Maryland Code of Conduct for Court Interpreters; and legal terminology;

3) Be subject to a criminal background check and not have, in a state or federal court of record, a pending criminal charge or conviction on a charge punishable by a fine of more than \$500 or imprisonment for more than six months, unless pardoned or expunged in accordance with the law;

4) For a spoken language interpreter, pass a written English examination, an oral proficiency interview and, if available in the target language, an oral certification examination;

5) For an American Sign Language Interpreter, be certified by the Registry of Interpreters for the Deaf or any successor organization;

6) Swear or affirm compliance with the Maryland Code of Professional Conduct for Court Interpreters; and

7) Pay any administrative fee established by the Program.

e. Court Interpreter Discipline. The Program shall develop and implement procedures for disciplining an individual who violates the Maryland Code of Professional Conduct for Court Interpreters or any Program requirement. The procedures shall include a process for removing an individual from the Registry for a violation of the Code or a Program requirement permanently, for matters including misrepresentation of certification, credentials or other qualification information, or for conviction of a crime other than a minor traffic offense; or temporarily, for matters including during pendency

of criminal charges. The Program shall maintain a permanent list of individuals removed from the Registry.

f. Dissemination. The Program shall disseminate the Registry and other relevant information to the courts, from time to time, as the Program determines practicable.

g. Translation. The Program shall provide for the translation of Judiciary forms and related materials deemed vital.

2. Committee on Court Interpretation and Translation Services.

a. Establishment. There is a Committee on Court Interpretation and Translation Services within the Maryland Judicial Conference that serves in an advisory capacity to the Program.

b. Composition. The Committee shall consist of nine (9) judges, representing all regions and levels of court, appointed by the Chief Judge of the Court of Appeals.

c. Chair and Vice Chair. The Chief Judge of the Court of Appeals shall designate the Chair and Vice Chair of the Committee.

d. Membership. The membership of the Committee, which is subject to modification by the Chief Judge of the Court of Appeals, shall include the following: judges representing each of the five largest counties (Baltimore City, and Baltimore, Anne Arundel, Prince George's and Montgomery Counties), as well as judges representing Baltimore suburban counties, western Maryland, the Eastern Shore and

southern Maryland, and an appellate judge. To the extent practicable, the membership shall include an equal number of Circuit and District Court judges.

e. Compensation. The members and advisors are not entitled to compensation, but to the extent provided in the Judiciary's budget, may be reimbursed for expenses in connection with travel related to the work of the Committee.

f. Staff. The Program Services Unit staff shall serve as staff to the Committee.

g. Function and Duties. The Committee shall provide advice and guidance to the Program and to the Judiciary with respect to the use of interpreters by the courts of this State.

h. Procedures. A majority of the authorized membership of the Committee constitutes a quorum. The Committee shall meet at the time and places the Chair determines, and at least one meeting per year shall be in person. Other meetings may be held electronically, including by teleconference, e-mail, phone conference or similar means. The Committee may act by consensus or with majority vote of the quorum.

3. Rescission of Prior Order. The Administrative Order, dated December 7, 1995, establishing minimum requirements for court interpreters, is rescinded.

/s/ Robert M. Bell
Robert M. Bell
Chief Judge of the Court of Appeals

Filed: October 19, 2012

/s/ Bessie M. Decker
Bessie M. Decker
Clerk
Court of Appeals of Maryland