

**ADMINISTRATIVE OFFICE OF COURTS
MISSISSIPPI COURT INTERPRETER CREDENTIALING PROGRAM
JUDICIAL BENCHCARD ON APPOINTING COURT INTERPRETERS**

Step 1: Determine if an Interpreter is Needed (Miss. Code Ann. § 9-21-79)

(1) An interpreter is needed and a court interpreter shall be appointed when the judge determines, after an examination of a party or witness, that:

(a) the party cannot understand and speak English well enough to participate fully in the proceedings and to assist counsel; or

(b) the witness cannot speak English so as to be understood directly by counsel, court and jury

Step 2: Identify the Language Spoken

If you need to determine the language spoken by an individual, you may refer the individual to the **Language Identification Flashcard** developed by the U.S. Census Bureau (*located on the back of this Judicial Benchcard*). The individual can check or point to the box that indicates which language he/she speaks. Once the language has been identified, a court interpreter can be appointed if necessary.

Step 3: Locate a Certified or Registered Interpreter

The AOC maintains a roster of interpreters at: <http://courts.ms.gov/aoc/courtinterpreter/registry.html>. At the top of the AOC webpage located on the right, click on "Court Interpreters Registry". At the bottom of the page, there is a box entitled "Interpreter Search" click on "Search". The list is arranged alphabetically. If no interpreter is listed on the roster for the language you need, please contact the AOC at **(601) 576-4632**.

Step 4: Appoint an Interpreter

Appointing an interpreter is a matter of judicial discretion. The court shall appoint an interpreter according to the following preferences:

(1) Certified (followed by)

(2) Registered (followed by)

(3) Non-Credentialed

When Should a Non-Credentialed Interpreter be Appointed?

A non-credentialed interpreter may be appointed *only if neither a certified nor a registered interpreter is reasonably available AND "the court has evaluated the totality of the circumstances including the gravity of the judicial proceeding and the potential penalty or consequence involved."* If a language is not listed, a non-credentialed interpreter may be utilized.

Appointing a Non-Credentialed Interpreter

(1) Before appointing a non-credentialed interpreter, the court shall make the following findings in open court and place those findings on the record:

(a) The proposed interpreter appears to have adequate language skills, knowledge of interpreting techniques, and familiarity with interpreting in a court setting; and the proposed interpreter has read, understands, and agrees to abide by the Mississippi Code of Ethics for Court Interpreters and the Mississippi Rules on Standards for Court Interpreters.

(2) A summary of the efforts made to obtain a certified or registered interpreter, as well as a summary of the efforts to determine the capabilities of the proposed non-credentialed interpreter, shall be made in open court and placed on the record.

Court Interpreter's Oath

The interpreter shall be required to subscribe to this oath prior to any court proceedings.

"I solemnly swear or affirm that I will interpret from (state the language) into English and from English into (state the language) accurately, completely and impartially, using my best skill and judgment in accordance with prescribed law, the Mississippi Rules on Standards for Court Interpreters, and the Mississippi Code of Ethics for Court Interpreters and discharge all the solemn duties and obligations of legal interpretation and translation."

Who is Responsible for Securing the Services of an Interpreter?

Appointing a court interpreter is a matter of judicial discretion. It is the responsibility of the court to determine whether a participant in a legal proceeding has a limited ability to understand and communicate in English thereby requiring the services of an interpreter. The court file in the case should be clearly marked and entered electronically by court personnel to ensure that an interpreter will be present when needed in any subsequent proceeding.

How are interpreters paid?

(Miss. Code Ann. § 9-21-81)

(1) Any interpreter providing services under this act shall be paid *reasonable expenses* by the court.

(2) The expenses of providing an interpreter in any court proceeding may be *assessed by the court as costs in the proceeding*, or in the case of an *indigent criminal defendant to be paid by the county*.

LANGUAGE IDENTIFICATION CARD

- Mark this box if you read or speak English.
- Arabic*
 وضع علامة في هذا المربع إذا كنت تقرأ أو تتحدث العربية.
- Armenian*
 Միջազգային լեզուները արդյունավետում, կրթական կամ կազմակերպչական:
- Bengali*
 যদি আপবি বাংলা পড়েন বা বলেন তা হলে এই বাক্সে দাগ দিন।
- Cambodian*
 ល្អប្រយោជន៍ប្រជាជន៖ ប្រើអ្នកអាន ប្រើប្រាស់កាត់។ ផ្ទៃ ។
- Chamorro*
 Moutka i kahhon ya yangin untöngnu' manaitai pat untöngnu' kumentos Chamorro.
- Simplified Chinese*
 如果你能读中文或讲中文, 请选择此框。
- Traditional Chinese*
 如果你能讀中文或講中文, 請選擇此框。
- Croatian*
 Označite ovaj kvadratić ako čitate ili govorite hrvatski jezik.
- Czech*
 Zaškrtněte tuto kolonku, pokud čtete a hovoříte česky.
- Dutch*
 Kruis dit vakje aan als u Nederlands kunt lezen of spreken.
- Farsi*
 اگر خواندن و نوشتن فارسی بلد هستید، این مربع را علامت بزنید.
- French*
 Cocher ici si vous lisez ou parlez le français.
- German*
 Kreuzen Sie dieses Kästchen an, wenn Sie Deutsch lesen oder sprechen.
- Greek*
 Σημειώστε αυτό το πλαίσιο αν διαβάζετε ή μιλάτε Ελληνικά.
- Haitian Creole*
 Make kazyò sa a si ou li oswa ou pale kreyòl ayisyen.
- Hindi*
 अगर आप हिन्दी बोलते या पढ़ सकते हैं तो इस बक्स पर चिह्न लगाएँ।
- Hmong*
 Kos lub voj no yog koj paub twm thiab hais lus Hmoob.
- Hungarian*
 Jelölje meg ezt a kockát, ha megérti vagy beszéli a magyar nyelvet.

Instructions: Place a check by the language spoken. ✓

LANGUAGE IDENTIFICATION CARD

- Italian*
 Marchi questa casella se legge o parla italiano.
- Japanese*
 日本語を讀んだり、話せる場合はここに印を付けてください。
- Korean*
 한국어를 읽거나 말할 수 있으면 이 칸에 표시하십시오.
- Laotian*
 ບັນທຶກສ່ວນສະໄໝ ທີ່ທ່ານອ່ານຫຼືພາກສາພາວ.
- Marshallese*
 Kakolleiki book (box) in eelañne kwōjela kajin im waakin (read) meajōl.
- Polish*
 Prosimy o zaznaczenie tego kwadratu, jeżeli posługujecie się Pan/Pani językiem polskim.
- Portuguese*
 Assinale este quadrado se você lê ou fala português.
- Romanian*
 Însemnați această casuță dacă citiți sau vorbiți românește.
- Russian*
 Поставьте этот квадратик, если вы читаете или говорите по-русски.
- Serbian*
 Обележите ovaj kvadratić ukoliko čitate ili govorite srpski jezik.
- Slovak*
 Označte tento štvorec, ak viete čítať alebo hovoriť po slovensky.
- Spanish*
 Marque esta casilla si lee o habla español.
- Tagalog*
 Markahan itong kwadrado kung kayo ay magunong magbasa o magsalita ng Tagalog.
- Thai*
 ทำเครื่องหมายในช่องสี่เหลี่ยมนี้ถ้าคุณอ่านหรือพูดภาษาไทย.
- Tongan*
 Maaka 'i he puha ni kapau 'oku ke lau pe lea fakatonga.
- Ukrainian*
 Відмітьте цю клітинку, якщо ви читаете або говорите українською мовою.
- Urdu*
 اگر آپ اردو پڑھتے یا بولتے ہیں تو اس خانے میں نشان لگائیں۔
- Vietnamese*
 Xin đánh dấu vào ô này nếu quý vị biết đọc và nói được Việt Ngữ.
- Yiddish*
 באצייכנט דעם קעסטל אויב איר קענט אדער רעדן אידיש.

Instructions: Place a check by the language spoken. ✓