

## **Proposed Rule 1705: Kansas Judicial Branch Court Interpreter Orientation**

The Kansas Supreme Court is accepting public comment on proposed Rule 1705: Kansas Judicial Branch Court Interpreter Orientation.

Proposed Rule 1705 would require foreign language court interpreters to complete the Kansas Judicial Branch Court Interpreter Orientation before providing an interpretation or translation service in a district court, except in the case of an emergency as determined by the judge. The orientation will be a free, web-based overview of court interpretation skills, best practices, ethics and the Kansas court system.

The proposed rule would not apply to sign language interpreters or interpreters providing interpretation services from a remote location outside of Kansas. The orientation requirement would become effective six months after the effective date of the rule.

Under the proposed rule, interpreters must provide a copy of their certificate of orientation completion to a judicial district's local language access coordinator. A certificate would not substitute for a judicial determination of an interpreter's qualifications or for taking an interpreter's oath.

The proposed rule would impose new duties on local language access coordinators and Office of Judicial Administration staff regarding the retention and notation of interpreters' certificates of completion. Orientation registration information will be provided on the Kansas judicial branch website.

Comment may be made by email to [publiccomments@kscourts.org](mailto:publiccomments@kscourts.org) until 5 p.m. Friday, October 30, 2020. The subject line must read "Rule 1705."

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### **Rule 1705**

#### **KANSAS JUDICIAL BRANCH COURT INTERPRETER ORIENTATION**

- (a) **Applicability.** The Kansas judicial branch court interpreter orientation is a free, web-based overview of court interpretation skills, best practices, and ethics and the Kansas court system. This rule applies to an interpreter who provides interpretation or translation services in a district court, except for the following:
- (1) a sign language interpreter; or
  - (2) an interpreter providing interpretation services from a remote location outside of Kansas.
- (b) **Orientation Registration Information.** The Office of Judicial Administration provides registration information for the Kansas judicial branch court interpreter orientation on the Kansas judicial branch website.

**(c) Completion of Orientation Required.**

- (1) An interpreter must not provide an interpretation or translation service in a district court unless the interpreter has completed the Kansas judicial branch court interpreter orientation, except in a case of emergency as determined by the judge.
- (2) The requirement of subsection (c)(1) becomes effective six months after the effective date of this rule.

**(d) Certificate of Completion; Responsibilities.**

- (1) Upon completion of the Kansas judicial branch court interpreter orientation, an interpreter may print a certificate of completion. The interpreter must provide a copy of the certificate of completion to a Kansas judicial district's local language access coordinator.
- (2) A local language access coordinator who receives an interpreter's certificate of completion must retain it during the period of the interpreter's service. The certificate of completion may be retained in electronic format. The local language access coordinator must promptly forward an electronic copy of the certificate of completion to the Office of Judicial Administration.

**(e) Electronic List.** After receiving a copy of an interpreter's certificate of completion, the Office of Judicial Administration must note receipt of the certificate of completion on an electronic list available to the district courts. The notation on the electronic list is verification that the interpreter has completed the Kansas judicial branch court interpreter orientation.

**(f) Not a Substitute for Qualification or Oath.** The presence of a certificate of completion is not a substitute for a judicial determination of an interpreter's qualifications under K.S.A. 75-4353 or the taking of an interpreter's oath under K.S.A. 75-4354.