

**QUALIFICATIONS OF A NONCERTIFIED OR NONREGISTERED
SPOKEN LANGUAGE INTERPRETER**

INT-110

INTERPRETER NAME: LANGUAGE: <input type="checkbox"/> Original filing in this court Mark which 6-month period applies to this interpreter: 1st 2nd 3+ <input type="checkbox"/> Within the period allowed by Cal. Rules of Court, rule 2.893 <input type="checkbox"/> Beyond the period allowed by Cal. Rules of Court, rule 2.893	FOR COURT USE ONLY (FILE WITH THE COURT ADMINISTRATOR) DRAFT: NOT APPROVED BY THE JUDICIAL COUNCIL
NAME OF COURT, JUDICIAL DISTRICT, AND BRANCH COURT (IF ANY): 	

This form is used to appoint a PROVISIONALLY QUALIFIED interpreter for a 6-month period.
 If you are using a temporary interpreter in one brief appearance only, please use form INT-140 pursuant to rule 2.893(b)(2).

Interpreter's name:	Phone (home):	
Address:	Phone (work):	(d)(4)
	Driver's license:	State:
Language:	OR State I.D.:	State:

Please mark all that apply:

- | | |
|--|--|
| <input type="checkbox"/> Designated language: noncertified interpreter | <input type="checkbox"/> Language with no certified or registered status available, either not working from English to another language (relay interpreter) or no certified exam available in the language pairing |
| <input type="checkbox"/> Nondesignated language: nonregistered interpreter | |
| <input type="checkbox"/> Provisionally qualifying for a 6-month period | |

The following questions may be addressed to the noncertified or nonregistered interpreter as voir dire, or the court may have the prospective interpreter answer the questions in writing on this form. All of the information provided by the interpreter should be considered by the court to determine whether the interpreter is appointed to interpret the stated language.

1. Previous provisional qualification periods (since January 1996)

- a. Since January 1, 1996, have you been provisionally qualified by a presiding judge in this court or any other court under California Rule of Court, rule 2.893?
 No
 Yes. For each period state (see p. 5):
- | | |
|-----------------|--------|
| Beginning date: | Court: |
| Beginning date: | Court: |
| Beginning date: | Court: |
| Beginning date: | Court: |
- b. Since January 1, 1996, have you interpreted in any court without being provisionally qualified?
 No Yes (explain, giving court names and dates):

2. Interpreter and translator credentials

a. Please list the two most relevant interpreter or translator credentials you currently hold, and which are in good standing (e.g., court interpreter certification from another state, in another language, or for the federal courts; ATA certification; community college certificate; etc.).

Credential name:	ID #:
Language pair:	Date of initial credential:
Credential name:	ID #:
Language pair:	Date of initial credential:

INTERPRETER (name):	COURT NAME:
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3. Interpreter examinations and evaluations (related to credentials you do not currently hold)

a. Have you taken the State of California Bilingual Interpreting Exam (BIE) or the Oral Proficiency Exam in English (OPE) and/or in the other language to be interpreted? *(list all exams, date taken, and results)*

- None taken
 Yes *(fill in below):*

Exam/language:	(date):	What were the results?
Exam/language:	(date):	What were the results?
Exam/language:	(date):	What were the results?
Exam/language:	(date):	What were the results?

b. Have you taken the Federal Court Interpreter Certification Examination?

- Yes *(dates):* What were the results?
 No *(check one):* Not taken Not given in the language specified above

c. Have you taken a Court Interpreter Certification Examination from other states?

- Yes *(dates):* Give states and results of each:
 No *(check one):* Not taken Not given in the language specified above

d. Have your interpreting skills been evaluated in any other way? Yes No

If yes, which aspects of your skills were evaluated? *(check all that apply):*

- Interpreting modes:
 Consecutive Simultaneous Sight translation

Other *(specify):*

What languages?

When were you evaluated?

What were the results?

Which authority evaluated your skills?

4. Interpreting and translation training

a. Institutions attended:

Year:
 Year:
 Year:

b. Court interpreting observation *(please indicate how many hours you have observed court interpreters in the courtroom setting):*

c. Legal/court interpreting training *(select the answer below that describes your legal interpreter training):*

- (1) 40 or more hours of training in legal interpreting in the last 2 years
 (2) 80 or more hours of training in legal interpreting in the last 4 years
 (3) Less legal training than either (1) or (2) during the identified time period

5. Teaching experience

Do you have any language teaching experience? Yes No

If yes, which languages?

At what levels?

INTERPRETER (name):	COURT NAME:
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6. Interpreting experience

- a. Have you interpreted in any court or administrative proceedings? Yes No

Please mark how many proceedings or events you have interpreted in the last 6 months for each type:

Criminal Traffic Juvenile Family
Civil Small Claims Unlawful Detainers Probate/Conservatorship

Dates (if known):

List the last two counties you have worked in:

What languages?

Which modes of interpreting did you employ? (check all that apply):

Consecutive Simultaneous Sight translation

- b. Have you interpreted in any noncourt setting? Yes No

Medical, business, education, community, other (please list):

Number of events interpreted in the last 6 months:

Is your role as an interpreter compensated? Yes No

Approximate number of total days:

What languages?

Which modes of interpreting did you employ? (check all that apply):

Consecutive Simultaneous Sight translation

- c. Mentoring: Have you had 72 hours of legal interpreting experience with, or under the guidance of, a certified or registered court interpreter (includes police interpreted work, depositions, etc., as well as mock trials and other court training simulations)? Yes No

7. Translation

- a. Do you have any experience in written translation? Yes No

b. List types of documents:

c. What languages?

8. Code of professional conduct/ethics

- a. Have you had any training in professional ethics for court interpreters? Yes No
Please explain:

- b. Have you taken the State of California's court interpreter ethics course for interpreters seeking provisional qualification? Yes (date): No

(Required after the first 6-month period of provisional qualification unless you are certified or registered in a different language.)

- c. Do you have a copy of the *Standards of Professional Conduct for Court Interpreters*? Yes No
d. Have you read and do you understand the *Standards of Professional Conduct for Court Interpreters*? Yes No

9. Training in legal terminology

- a. What training have you received in California legal terminology as required by Government Code section 68564?

INTERPRETER (name):	COURT NAME:
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10. Orientation to court interpreting

- a. Have you received training in criminal procedure? Yes No
 Please describe
- b. Have you received training in civil procedure? Yes No
 Please describe
- c. Have you taken the Judicial Council's online court interpreter orientation course? Yes (date): No

(Required after the first 6-month period of provisional qualification unless you are certified or registered in a different language.)

11. General education

Highest level degree attained:
 High school Jr. college University Graduate degree Postgraduate

Name of institution:
 Degree awarded: Year: Major:
 Degree awarded: Year: Major:

12. Language training

- a. How did you learn English? (mark N/A if not interpreting in English)
- b. How did you learn the language to be interpreted?
- c. In which languages were you educated?
 Language (specify):
- | | Elementary | Jr. high | High school | University |
|-----|--------------------------|--------------------------|--------------------------|--------------------------|
| (1) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| (2) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
- d. What languages are were spoken at home (specify):

13. Disqualifications, decertifications, or criminal offenses

- a. Have you had any certifications which have lapsed or have you been disqualified from interpreting in any court or administrative hearing? Yes No

Please provide detail:

- b. Mark your relationship to the party: Acquainted Related Do not know them

Please explain or provide detail:

- c. Have you ever been convicted of violating any federal law, state law, county or municipal law, regulation, or ordinance? (do not include traffic infractions) Yes No

If yes, please explain:

INTERPRETER (name):	COURT NAME:
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INTERPRETER'S DECLARATION

Once an interpreter is provisionally qualified in one court, the relevant 6-month period applies to all courts. Please complete this declaration based on the timing of your provisional qualification status in any California trial court.

(Check all that apply)

- 1. I am unable to become certified or registered because there are no exams in my language pairing.
- 2. I am 18 years of age or older.
- 3. I have never been provisionally qualified or appointed to interpret in any trial court under California Rules of Court, rule 2.893.
- 4. I have been provisionally qualified in a different court, and I am currently in my first 6-month period of provisional qualification with any California trial court.
- 5. I am in my second or greater 6-month period of provisional qualification, and I have met the specific testing and course requirements required under rule 2.893(c)(4) or (5).
- 6. **Noncertified interpreters only**

I have been provisionally qualified or appointed to interpret in the trial courts under California Rules of Court, rule 2.893, AND

- a. I have not exceeded any of the provisional qualification periods stated below (see Cal. Rules of Court, rule 2.893).
 - (1) Two 6-month periods for noncertified Spanish interpreters in counties with a population greater than 80,000
 - (2) Four 6-month periods for noncertified Spanish interpreters in counties with a population less than 80,000
 - (3) Four 6-month periods for noncertified interpreters of designated languages other than Spanish
- b. I have exceeded the provisional qualification periods specified in California Rules of Court, rule 2.893.

7. **Nonregistered interpreters only**

I have been provisionally qualified or appointed to interpret in the trial courts under California Rules of Court, rule 2.893, AND

- a. I have not exceeded any of the provisional qualification periods stated below (see Cal. Rules of Court, rule 2.893):
 - (1) Four 6-month periods for nonregistered interpreters.
- b. I have exceeded the provisional qualification periods specified in California Rules of Court, rule 2.893.

I declare under penalty of perjury under the laws of the State of California that the information provided above and on the preceding pages is true and correct. I understand that any false or misleading statements disqualify me from being considered for interpreting assignments in the trial courts, in addition to other penalties provided by law.

Date:

(TYPE OR PRINT NAME)



(SIGNATURE OF PROSPECTIVE INTERPRETER)

INTERPRETER (name):	COURT NAME:
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PROVISIONAL QUALIFICATION and ORDER OF THE PRESIDING JUDGE
 (Gov. Code, §§ 68561(c), 68561(d), 68564(d), 68564(e), and 71802(b)(1) and (d))

1. **Interpreter (name):** _____ **Case Number:** _____

2. **Language:** _____ **Date of Proceeding:** _____

3. **Finding:** For six months from the date of this order, the above-named interpreter is found to be provisionally qualified to be considered for appointment to interpret the language specified in any proceeding in this court, and

- a. has not exceeded the provisional qualification periods specified in California Rules of Court, rule 2.893.
- b. has exceeded the provisional qualification periods specified in California Rules of Court, rule 2.893, but good cause exists under rule 2.893 to continue appointing the interpreter.
- c. is in their second or greater 6-month provisional qualification period and has met any applicable testing or course requirements as specified in California Rules of Court, rule 2.893(c)(4) or (5).
- d. is in their second or greater 6-month provisional qualification period and has not met any applicable testing or course requirements as specified in California Rules of Court, rule 2.893(c)(4) or (5), but good cause exists under rule 2.893 to continue appointing the interpreter.

P

4. **THE COURT ORDERS** that the above-named interpreter may be considered for appointment by any judge of this court to interpret the specified language in any proceeding for which the judge in the proceeding finds the interpreter to be qualified. **This order expires six months from the date of signature.**

Date: _____

 (TYPE OR PRINT NAME)

PRESIDING JUDGE

DESIGNATED JUDICIAL OFFICER

**TEMPORARY USE OF A NONCERTIFIED OR NONREGISTERED
SPOKEN LANGUAGE INTERPRETER**

INT-140

INTERPRETER NAME: LANGUAGE: <input type="checkbox"/> Original filing in this court Case number: Date of proceeding:	<i>FOR COURT USE ONLY (FILE WITH THE COURT ADMINISTRATOR)</i> DRAFT: NOT APPROVED BY THE JUDICIAL COUNCIL
NAME OF COURT, JUDICIAL DISTRICT, AND BRANCH COURT, IF ANY:	
<p align="center">This form is used to establish the qualifications of a TEMPORARY INTERPRETER for the proceeding listed below. Temporary interpreters under rule 2.893(b)(2) may be used in brief appearances such as to set a continued hearing date.</p> <p align="center">To appoint a provisionally qualified interpreter for a 6-month period, use form INT-110 and not this form.</p>	

Interpreter's name:	Phone (<i>home</i>):	
Address:	Phone (<i>work</i>):	
	Driver's license.:	State:
Language:	OR State I.D.:	State:

The following questions may be addressed to the noncertified or nonregistered interpreter as voir dire, or the court may have the prospective interpreter answer the questions in writing on this form. All of the information provided by the temporary interpreter should be considered by the court to determine whether they may be used to interpret the stated language in the proceeding above.

1. General education

Highest level degree attained:

High school Jr. college University Graduate degree Postgraduate

Name of institution:

Degree awarded: Year: Major:

Degree awarded: Year: Major:

2. Language training

a. How did you learn English? (*mark N/A if not interpreting in English*):

b. How did you learn the language to be interpreted?

c. In which languages were you educated?

Language (<i>specify</i>):	Elementary	Jr. high	High school	University
(1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

d. What languages are were spoken at home (*specify*):

INTERPRETER (name):	COURT NAME:
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3. Disqualifications, decertifications, or criminal offenses

- a. Have you had any certifications which have lapsed or have you been disqualified from interpreting in any court or administrative hearing? Yes No

Please provide detail:

- b. Mark your relationship to the party: Acquainted Related Do not know them

Please explain or provide detail:

- c. Have you ever been convicted of violating any federal law, state law, county or municipal law, regulation, or ordinance? (Do not include traffic infractions.) Yes No

If yes, please explain:

TEMPORARY INTERPRETER DECLARATION

I am 18 years of age or older and I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME)	▶	(SIGNATURE OF PROSPECTIVE INTERPRETER)
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FINDING OF QUALIFICATION FOR A SINGLE PROCEEDING
(Cal. Rules of Court, rule 2.893(b)(2))

1. Interpreter (name):

Case Number: (d)(4)

2. Language: (d)(4)

Date of Proceeding:

3. Finding: under rule 2.893(b)(2) good cause exists to use the above-named temporary interpreter, who is found to be qualified to interpret THE PROCEEDING LISTED ABOVE and not for a 6-month period.

Additionally, the judge has indicated on the record that the limited-English-proficient (LEP) person has waived the appointment of a certified, registered, or provisionally qualified interpreter.

4. THE COURT ORDERS that the above-named individual may be used to interpret the specified language for which the judge in the proceeding finds the temporary interpreter to be qualified. This order expires at the conclusion of the listed proceeding.

Date:

(TYPE OR PRINT NAME)	▶	<input type="checkbox"/> JUDGE OF THE SUPERIOR COURT
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PROCEDURES TO APPOINT A NONCERTIFIED OR NONREGISTERED SPOKEN LANGUAGE INTERPRETER AS EITHER PROVISIONALLY QUALIFIED OR TEMPORARY

The court is required to appoint a certified or registered interpreter but may **provisionally qualify** per Cal. Rules of Court, rule 2.893(d)(3) or **temporarily use** an interpreter per Cal. Rules of Court, rule 2.893(d)(4). *These procedures include **different instructions** for provisional qualification and for the use of temporary interpreters.*

How does the court appoint a potential noncertified or nonregistered interpreter?

- The court must determine if a certified or registered interpreter is expected to be available by reviewing and completing a *Certification of Unavailability of Certified or Registered Interpreter* (form INT -120). A form INT-120 must be completed, signed and filed on the day of the proceeding.
- The court must also determine if a noncertified or nonregistered interpreter is being temporarily used per rule 2.893 (b)(7) and (d)(4) or if the interpreter needs to be provisionally qualified or is already provisionally qualified.

What is the process for provisionally qualifying an interpreter?

- To provisionally qualify an interpreter, the presiding judge or judicial designee reviews the declaration on *Qualifications of a Noncertified or Nonregistered Spoken Language Interpreter* (form INT-110) and signs the six-month "Finding of Provisional Qualification and Order of the Presiding Judge" (form INT-110).
- Requirements to provisionally qualify an interpreter are different during the first six month period and subsequent six-month periods so the presiding judge or judicial designee should be careful to review if the proposed interpreter has met those requirements under rule 2.893 (f).

What is the process for temporary use of an interpreter?

- After the potential temporary interpreter has completed and signed the Temporary Interpreter Declaration on the *Temporary Use of a Noncertified or Nonregistered Spoken Language Interpreter* (form INT-140) the judge must review and sign the Finding of Qualification For a Single Proceeding.
- The judge's finding must include that the Limited English Proficient (LEP) person has waived the appointment of a certified or registered interpreter.
- The use of a temporary interpreter is effective only in one appearance before the court and may not be extended to subsequent proceedings without again completing a new form INT-140.

What are the record-keeping requirements when using a noncertified or nonregistered interpreter?

- There are specific requirements as to **who** must make findings on the record and **what** details must be included whenever a noncertified or nonregistered interpreter is used. To learn more about these requirements in each situation, you can review rule 2.893 (d)(2) and (d)(4)(A) of the California Rules of Court.
- Completed *Certification of Unavailability of Certified or Registered Interpreter* (form INT -120) forms must be filed with the court on the day of the proceeding.
- Completed *Qualifications of a Noncertified or Nonregistered Spoken Language Interpreter* (form INT-110) forms should be processed in accordance with the court's record-keeping procedures.
- Completed *Temporary Use of a Noncertified or Nonregistered Spoken Language Interpreter* (form INT-140) forms should be retained in the case file

PROCEDURES TO APPOINT A NONCERTIFIED OR NONREGISTERED INTERPRETER AS EITHER PROVISIONALLY QUALIFIED OR TEMPORARY

What does a proposed interpreter need to do to become provisionally qualified?

- Completes and signs under oath the form *Qualifications of a Noncertified or Nonregistered Spoken Language Interpreter* (form INT-110) and submits it to the court.
- Renews the declaration of *Qualifications of a Noncertified or Nonregistered Spoken Language Interpreter* after the first six months, *if* the interpreter remains uncertified or unregistered and provisionally qualified.
- If seeking provisional qualification in additional six-month periods, make sure to take required steps such as sitting for the written court interpreter exam, taking required ethics courses and/or taking relevant bilingual interpreting or oral proficiency exams. To learn more about these requirements interpreters should read rule 2.893 of the California Rules of Court.

Rule 2.893 of the California Rules of Court would be amended, effective September 1, 2017, to read:

1 **Rule 2.893. Appointment of interpreters in court proceedings**

2
3 **(a) Application**

4
5 This rule applies to all trial court proceedings in which the court appoints an
6 interpreter for a Limited English Proficient (LEP) person. This rule applies to
7 spoken language interpreters in languages designated and not designated by the
8 Judicial Council.

9
10 **(b) Definitions**

11 As used in this rule:

- 12
13
14 (1) “Designated language” means a language selected by the Judicial Council for
15 the development of a certification program under Government Code section
16 68562;
- 17
18 (2) “Certified interpreter” means an interpreter who is certified by the Judicial
19 Council to interpret a language designated by the Judicial Council under
20 Government Code section 68560 et seq;
- 21
22 (3) “Registered interpreter” means an interpreter in a language not designated by
23 the Judicial Council, who is qualified by the court under the qualification
24 procedures and guidelines adopted by the Judicial Council, including having
25 passed at least an English fluency examination offered by a Judicial Council
26 approved testing entity under Government Code section 68560 et seq;
- 27
28 (4) “Noncertified interpreter” means an interpreter who is not certified by the
29 Judicial Council to interpret a language designated by the Judicial Council
30 under Government Code section 68560 et seq.
- 31
32 (5) “Nonregistered interpreter” means an interpreter in a language not designated
33 by the Judicial Council who has not been qualified under the qualification
34 procedures and guidelines adopted by the Judicial Council under Government
35 Code section 68560 et seq;
- 36
37 (6) “Provisionally qualified” means an interpreter who is neither certified nor
38 registered but has been qualified under the good cause and qualification
39 procedures and guidelines adopted by the Judicial Council under
40 Government Code section 68560 et seq;
- 41
42 (7) “Temporary Interpreter” means an interpreter who is not certified, registered
43 or provisionally qualified, but is used one-time, in a brief, routine matter.

1
2
3 **(c) Appointment of certified or registered interpreters**
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5 If a court appoints a certified or registered court interpreter, the judge in the
6 proceeding must require the following to be stated on the record:
7

- 8 (1) The language to be interpreted;
9
10 (2) The name of the interpreter;
11
12 (3) The interpreter's current certification or registration number;
13
14 (4) A statement that the interpreter's identification has been verified as required
15 by statute;
16
17 (5) A statement that the interpreter is certified or registered to interpret in the
18 language to be interpreted; and
19
20 (6) As statement that the interpreter was administered the interpreter's oath or
21 has an oath on file with the court.
22

23 **(d) Appointment or use of noncertified or nonregistered interpreters**
24

- 25 (1) *When permissible*
26 If after a diligent search a certified or registered interpreter is not available,
27 the judge in the proceeding may either appoint a noncertified or nonregistered
28 interpreter who has been provisionally qualified under (3) or, in the limited
29 circumstances specified in (4), may use a noncertified or nonregistered
30 interpreter who is not provisionally qualified.
31

32 (2) *Required record*

33 In all cases in which a noncertified or nonregistered interpreter is appointed
34 or used, the judge in the proceeding must require the following to be stated
35 on the record:
36

- 37 (A) The language to be interpreted;
38
39 (B) A finding that a certified or registered interpreter is not available and a
40 statement regarding whether a *Certification of Unavailability of*
41 *Certified or Registered Interpreters* (form INT-120) for the language to
42 be interpreted is on file for this date with the court administrator;
43

- 1 (C) A finding that good cause exists to appoint a noncertified or
2 nonregistered interpreter;
3
4 (D) The name of the interpreter;
5
6 (E) A statement that the interpreter is not certified nor registered to
7 interpret in the language to be interpreted;
8
9 (F) A finding that the interpreter is qualified to interpret in the proceeding
10 as required in (3) or (4); and
11
12 (G) A statement that the interpreter was administered the interpreter's oath;
13
14 (3) *Provisional qualification*
15
16 (A) A noncertified or nonregistered interpreter is provisionally qualified if
17 the presiding judge of the court, or other judicial officer designated by
18 the presiding judge:
19
20 (i) Finds the noncertified or nonregistered interpreter to be
21 provisionally qualified following the *Procedures and Guidelines*
22 *to Appoint a Noncertified or Nonregistered Interpreter* (form
23 INT-100-INFO); and
24
25 (ii) Signs an order allowing the interpreter to be considered for
26 appointment on *Qualifications of a Noncertified or Nonregistered*
27 *Interpreter* (form INT-110). The period covered by this order
28 may not exceed a maximum of six months.
29
30 (B) To appoint a provisionally qualified interpreter, in addition to the
31 matters that must be stated on the record under (2), the judge in the
32 proceeding must find on the record:
33
34 (i) That the interpreter is qualified to interpret the proceeding,
35 following procedures adopted by the Judicial Council (see forms
36 INT-100-INFO, INT-110, and INT-120); and
37
38 (ii) If applicable, that good cause exists under (f)(1)(B) for the court
39 to appoint the interpreter beyond the time ordinarily allowed in
40 (f);
41
42 (4) *Temporary use*

1 A noncertified or nonregistered interpreter who is not provisionally qualified
2 under (3) may be temporarily used in a brief, routine matter if:

3
4 (A) At the request of an LEP person, the judge in the proceeding finds on
5 the record that:

6
7 (i) The LEP person has been informed and waived the appointment
8 of a certified or registered interpreter or an interpreter who
9 could be provisionally qualified by the presiding judge as
10 provided in (3);

11
12 (ii) Good cause exists to appoint an interpreter who is not certified,
13 registered, or provisionally qualified; and

14
15 (iii) The interpreter is qualified to interpret that proceeding,
16 following procedures adopted by the Judicial Council (see
17 forms INT-100-INFO and INT-140).
18

19 (B) The use of an interpreter under this subdivision is limited to the one
20 brief, routine matter before the court. The use of the interpreter in this
21 circumstance may not be extended to subsequent proceedings without
22 again following the procedure set forth in this subdivision.
23

24 (5) If a party objects to the appointment of the proposed interpreter or waives the
25 appointment of a certified or registered interpreter, that objection or waiver
26 must be on the record.
27

28 **(e) Appointment of intermediary or relay interpreters working between two**
29 **languages which do not include English**

30
31 Interpreters who work between two languages which do not include English (Relay
32 Interpreters) are not eligible to become certified or registered. However, they can
33 become provisionally qualified if the judge finds that the interpreter is qualified to
34 interpret the proceeding, following procedures adopted by the Judicial Council (see
35 forms INT-100-INFO, INT-110, and INT-120). The limitations of (f) below do not
36 apply to Relay Interpreters.
37

38 **(f) Limit on appointment of provisionally qualified noncertified and**
39 **nonregistered interpreters**

40
41 (1) A noncertified or nonregistered interpreter who is provisionally qualified
42 under (d)(3) may not interpret in any trial court for more than any four 6-
43 month periods, except in the following circumstances:

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- (A) In counties with a population greater than 80,000, a noncertified interpreter of Spanish may be allowed to interpret for no more than any two 6-month periods.

 - (B) A noncertified or nonregistered interpreter may be allowed to interpret beyond four 6-month periods, or two 6-month periods for an interpreter of Spanish under (A), if the judge in the proceeding makes a specific finding on the record in each case in which the interpreter is sworn that good cause exists to appoint the interpreter notwithstanding that he or she has failed to achieve Judicial Council certification.
- (2) Except as provided in (3), each six-month period under (1) begins on the date a presiding judge signs an order under (d)(3)(A)(ii) allowing the noncertified or nonregistered interpreter to be considered for appointment.

 - (3) If an interpreter is provisionally qualified under (d)(3) in more than one court at the same time, each six-month period runs concurrently for purposes of determining the maximum periods allowed in this subdivision.

 - (4) Beginning with the second 6-month period under (1) a noncertified or nonregistered interpreter may only be appointed if they meet all of the following conditions:
 - (A) The interpreter has taken the State of California Court Interpreter Written Exam at least once during the 12 calendar months before the appointment;

 - (B) The interpreter has taken the State of California’s court interpreter ethics course for interpreters seeking appointment as a noncertified or nonregistered interpreter, or is certified or registered in a different language from the one in which they are being appointed; and

 - (C) The interpreter has taken the State of California’s online court interpreter orientation course, or is certified or registered in a different language from the one in which they are being appointed.

 - (5) Beginning with the third 6-month period under (1) a noncertified or nonregistered interpreter may only be appointed if they meet all of the following conditions:

1 (A) The interpreter has taken and passed the State of California Court
2 Interpreter Written Exam in such a manner and with such timing that
3 they are eligible to take a Bilingual Interpreting Exam; and
4

5 (B) The interpreter has taken either the Bilingual Interpreting Exam or the
6 relevant Oral Proficiency Exam(s) for their language pairing, at least
7 once during the 12 calendar months before the appointment.
8

9 (6) The restrictions of (5)(B) do not apply to any interpreter who seeks
10 appointment in a language pairing for which no exam is available.
11

12 (7) The restrictions of (4) and (5) may be waived by the presiding judge for good
13 cause whenever there are less than 25 certified or registered interpreters
14 enrolled on the Judicial Council’s statewide roster for the language requiring
15 interpretation
16

17 **Advisory committee comment**
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19 **Subdivisions (c) and (d)(2).** When a court reporter is transcribing the proceedings or an
20 electronic recording is being made of the proceedings a judge may satisfy the “on the
21 record” requirement by stating the required appointment details in open court. If there is
22 no court reporter and no electronic recording is being made, the “on the record”
23 requirement may be satisfied by stating the required appointment details and
24 documenting them in a writing, such as a minute order, official clerk’s minutes, a formal
25 order or even a handwritten document, that is entered in the case file.
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