

# Agenda

## Court Interpreter Committee

September 25, 2009  
12:00 to 1:30 p.m.

Administrative Office of the Courts  
Scott M. Matheson Courthouse  
450 South State Street  
Judicial Council Room, Suite N31

Video Conference: <https://www.via3.com/via3/login/login.aspx>

Approval of minutes	Tab 1	Judge Vernice Trease
Accounting manual changes to fee structure	Tab 2	Tim Shea
Report on FY2009 measures.		Tim Shea
OPI		Rosa Oakes
Judicial Council initiatives	Tab 3	Tim Shea

**Committee Web Page:** <http://www.utcourts.gov/committees/CourtInterpreter/>

**Meeting Schedule:** Matheson Courthouse, 12:00 to 1:30, Judicial Council Room

January 22, 2010

May 28, 2010

September 24, 2010

# Tab 1

**Draft: Subject to approval**

Minutes	Court Interpreter Committee				
Meeting Date	May 22, 2009		Meeting Room	Judicial Council Room	
Committee Member	Present	Excused	Committee Member	Present	Excused
Evangelina Burrows	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Judge Karlin Myers	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Luther Gaylord	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Judge Frederic Oddone	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Peggy Gentles	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Dinorah Padro	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Daryl Hague	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Branden Putnam	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Craig Johnson	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Carolyn Smitherman	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Deborah Kreeck Mendez	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Jennifer Storrer	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
			Judge Vernice Trease, Chair	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Staff	Tim Shea, Rosa Oakes				
Guests	Judge Meyers unable to attend because of a failure with Viack.				

Topic	Approve minutes of January 23, 2009			By	Judge Oddone
Discussion:					
Motion: Approve as prepared.				By	Craig Johnson
Vote:	Yes 10	No 0	Abstain 0	Pass <input checked="" type="checkbox"/>	No Pass <input type="checkbox"/>

Topic	Rule 3-306; Mentoring Program			By	Tim Shea; Rosa Oakes
Discussion: The proposed amendment had been published for comment. In addition to the usual groups, the court interpreters were informed and invited to comment. No comments were submitted. The rule is ready for the committee's final recommendations. Mr. Shea expressed concern about the ability to support a mentoring program as part of the initial qualifications of an interpreter. Mr. Gaylord expressed concern about mentors charging the mentee for the service. Consensus that mentor should receive education credit for the service.					
Action: Recommend approval to the Judicial Council without the mentoring provision. Defer to next meeting a discussion of market pressures on an increasing number of certified interpreters and role of the committee. In the meantime find out: Who is and is not working? What is their experience level? What factors are used to select interpreters? Are some interpreters not accepting assignments?					
Motion: Approve rule without the mentoring provisions.				By	Peggy Gentles
Vote:	Yes 10	No 0	Abstain 0	Pass <input checked="" type="checkbox"/>	No Pass <input type="checkbox"/>
Motion: Defer to next meeting a discussion of market pressures on an increasing number of certified interpreters and role of the committee.				By	Deborah Kreeck Mendez
Vote:	Yes 10	No 0	Abstain 0	Pass <input checked="" type="checkbox"/>	No Pass <input type="checkbox"/>

Topic	Fee Structure	By	Tim Shea
Discussion: Issues: wait time; minimum fee; length of payment increment.			
Action: Discuss first at the next meeting.			

# Tab 2

1 Court Interpreters

2 Purpose:

3 To outline the policies and procedures regarding payment of interpreters in courts of  
4 record and courts not of record for non-English speaking persons and for hearing-  
5 impaired persons.

6 Policy:

7 INTERPRETERS FOR NON-ENGLISH SPEAKING PERSONS

8 A. The courts will pay interpreter fees and expenses as authorized by Rule 3-306.

9 B. Hourly Rates

10 The courts will pay the following rates for a certified, approved, or conditionally  
11 approved interpreter. The courts will not pay interpreters who are not certified,  
12 approved, or conditionally approved. These rates do not apply to a court employee.

Credentials	Hourly Rate
Certified	\$38.63
Approved in languages for which there is no certification program	\$33.10
Approved in languages for which there is a certification program	\$24.82
Conditionally Approved in languages for which there is no certification program	\$24.82
Conditionally Approved in languages for which there is a certification program	\$18.03

13 C. Time

14 1. The courts will pay for time interpreting in legal proceedings from the scheduled  
15 start or actual start of the proceeding, whichever is earlier, until the end of the  
16 proceeding. If the scheduled start is delayed because of the interpreter's absence, the  
17 interpreter will be paid for time interpreting from the actual start of the legal proceeding  
18 until the end of the proceeding.

19 2. The courts will pay for time traveling in one circuit from and to the interpreter's  
20 home base and between courthouses.

21 3. The courts will pay for time waiting between legal proceedings, up to 2-hours-1  
22 hour per day, but not including the lunch hour. Travel time is not included in waiting  
23 time.

24 D. Mileage

25 The courts will pay reimbursement, at the same rate as state employees, for each  
26 mile traveled in one circuit from and to the interpreter's home base and between  
27 courthouses.

28 E. Calculations

29 1. If the sum of all time calculations is one hour or less in the morning, the interpreter  
30 will be paid for one hour. If the sum of all time calculations is one hour or less in the  
31 afternoon, the interpreter will be paid for one hour. If the sum of all time calculations is  
32 more than one hour, the interpreter will be paid in 6-minute increments.

33 2. Travel time and distance shall be calculated in accordance with charts prepared  
34 by the Administrative Office of the Courts, unless the appointing authority finds good  
35 cause for an exception.

36 3. Travel time is paid at the rate determined by the interpreter's language credentials  
37 that will be used at the legal proceeding the interpreter is going to. Travel time to the  
38 interpreter's home base is paid at the rate determined by the interpreter's language  
39 credentials used at the final legal proceeding of the day. Interpreting time and waiting  
40 time are paid at the rate determined by the interpreter's language credentials that will be  
41 used at the legal proceeding.

42 4. The court that the interpreter travels to will pay the waiting or travel time and  
43 mileage reimbursement to that courthouse. The court with the last assignment of the  
44 day will pay the travel time and mileage reimbursement to the interpreter's home base.

45 5. An interpreter may waive travel time and/or mileage reimbursement to qualify for  
46 participation in a rotation schedule.

47 F. Cancellation and early termination of legal proceedings

48 The courts will pay for canceled legal proceedings under the following conditions:

49 1. the interpreter is notified of the legal proceeding more than two business days  
50 before the scheduled start of the legal proceeding; and

51 2. the interpreter is notified of the cancellation less than two business days before the  
52 scheduled start of the legal proceeding; and

53 3. the cancellation is not due to the interpreter's absence.

54 If these conditions are met and the legal proceeding is canceled before the  
55 scheduled start, the court will pay for one hour, unless the proceeding is scheduled for 6

56 hours or more. If the proceeding is canceled after the scheduled start, the court will pay  
57 for time under paragraph C.1. If the proceeding is scheduled for 6 hours or more, the  
58 court will pay for 50% of the fee for the balance of the scheduled time up to a maximum  
59 of 6 hours. The courts will pay for travel time and mileage reimbursement for each mile  
60 actually and necessarily traveled if the interpreter is notified while in route to the legal  
61 proceeding.

62 G. On-call

63 1. Subject to the Code of Professional Responsibility, the interpreter must take  
64 assignments offered during any time the interpreter is being paid or forfeit the fee for  
65 that period of time. The interpreter will be paid one fee for that time. The appointing  
66 authority may release an interpreter if there are no assignments to offer.

67 2. If there is an extended delay in the interpreter's duties in a legal proceeding, (such  
68 as waiting for a jury to complete deliberations) the appointing authority may:

69 a. (usually for long periods) release the interpreter, in which case the interpreter has  
70 no obligation to the court and is not paid during the interim. A legal proceeding after the  
71 release is treated as a regular assignment.

72 b. (usually for intermediate periods) direct the interpreter to remain on-call, in which  
73 case the interpreter may leave the courthouse, but must be able to return within the time  
74 after notice specified by the appointing authority. The court will pay at the ratio of 1 hour  
75 for every 2 hours on-call or fractions thereof up to a maximum of 6 hours (12 hours on-  
76 call). A fraction of an hour is rounded up to the next hour. A legal proceeding after the  
77 on-call notice is treated as a regular assignment.

78 c. (usually for short periods) direct the interpreter to wait at the courthouse, in which  
79 case the court will pay for the actual waiting time.

80 H. Common carrier; lodging and per diem

81 Payment for travel by common carrier and for lodging and per diem expenses must  
82 be approved in advance by the appointing authority for a court not of record or by the  
83 deputy state court administrator for a court of record.

84 I. Request for payment

85 Interpreters in courts of record shall submit requests for payment on a form provided  
86 by the Administrative Office of the Courts. Interpreters in courts not of record shall



87 submit requests for payment on a form provided by the court. All interpreters must  
88 provide the Administrative Office of the Courts or the court not of record with a Utah  
89 taxpayer identification number or social security number prior to receiving payment.

90 INTERPRETERS FOR HEARING-IMPAIRED PERSONS

91 Interpreters for the hearing-impaired are governed by Utah Code Title 78B, Title 1,  
92 Part 2, and the Americans with Disabilities Act. The courts will pay for one interpreter for  
93 each hearing-impaired party, juror, witness or courtroom visitor in all criminal, civil, and  
94 juvenile proceedings. If a legal proceeding takes more than two hours, the courts will  
95 pay for two interpreters.

96 A. Scheduling

97 Courts should schedule an interpreter who has at least one of the following  
98 certifications in good standing:

99 State of Utah, Master Certificate;

100 Registry of Interpreters for the Deaf, Specialist Certificate: Legal;

101 Registry of Interpreters for the Deaf, Certified Deaf Interpreter; or

102 National Interpreter Certification, Master or Advanced Certificate,

103 and preferably has completed the AOC's workshop for approved interpreters.

104 If an interpreter with such credentials is not available, the courts should schedule an  
105 interpreter who has at least one of the following certifications in good standing:

106 State of Utah, Intermediate Certificate;

107 Registry of Interpreters for the Deaf, Certificate of Interpretation;

108 Registry of Interpreters for the Deaf, Certificate of Transliteration; or

109 National Interpreter Certification, Certified Level,

110 and preferably has completed the AOC's workshop for approved interpreters.

111 Courts should try to schedule appointments 24 hours or more in advance, because  
112 last-minute appointments, scheduled on the same day that service is provided, may  
113 incur surcharges. Courts should first attempt to schedule appointments through the  
114 Utah Interpreter Program. If interpreters cannot be scheduled through the Utah  
115 Interpreter Program, their services may be secured in accordance with procurement  
116 policies through individual interpreters or through private agencies.

117 B. Cancellation

118 To avoid being billed for all of a scheduled appointment, notice of cancelation should  
119 be given at least 24 hours before the start of an assignment.

120 Cancelation payment policies for language interpreters are not applicable to  
121 interpreters for the hearing-impaired. Applicable cancelation payment policies are  
122 determined by the Utah Interpreter Program or by private agencies or interpreters from  
123 whom the service is secured.

124 C. Payment

125 Pursuant to Utah Code Section 78B-1-208, an interpreter appointed under this part  
126 is entitled to a reasonable fee for his or her services, including waiting time and  
127 reimbursement for necessary travel and subsistence expenses. The fee shall be based  
128 on a fee schedule for interpreters recommended by the Division of Rehabilitation  
129 Services or on prevailing market rates. Reimbursement for necessary travel and  
130 subsistence expenses shall be at rates provided by law for state employees.

131 Any invoice for interpreter fees submitted directly to AOC Purchasing that has not  
132 been signed by the district interpreter coordinator must be verified. An AOC Purchasing  
133 Agent will contact the district interpreter coordinator, who will check court records to  
134 ensure that the invoice or request is accurate and that the amount claimed is correct.  
135 The appointing authority will pay the agency that provides the interpreting service.

136

# Tab 3

1 Rule 3-306. Court interpreters.

2 Intent:

3 To state the policy of the Utah courts to secure the rights of people in legal  
4 proceedings who are unable to understand or communicate adequately in the English  
5 language.

6 To outline the procedure for certification, appointment, and payment of court  
7 interpreters.

8 To provide certified interpreters in legal proceedings in those languages for which a  
9 certification program has been established.

10 Applicability:

11 This rule shall apply to legal proceedings in the courts of record and not of record.  
12 This rule shall apply to interpretation for non-English speaking people and not to  
13 interpretation for the hearing impaired, which is governed by Utah statutes.

14 Statement of the Rule:

15 (1) Definitions.

16 (1)(A) "Appointing authority" means a judge, commissioner, referee or juvenile  
17 probation officer, or delegate thereof.

18 (1)(B) "Approved interpreter" means a person who has fulfilled the requirements  
19 established in paragraph (3).

20 (1)(C) "Certified interpreter" means a person who has fulfilled the requirements  
21 established in paragraph (3).

22 (1)(D) "Committee" means the Court Interpreter Committee established by Rule 1-  
23 205.

24 (1)(E) "Conditionally-approved interpreter" means a person who, in the opinion of the  
25 appointing authority after evaluating the totality of the circumstances, has language  
26 skills, knowledge of interpreting techniques, and familiarity with interpreting sufficient to  
27 interpret the legal proceeding. A conditionally approved interpreter shall read and is  
28 bound by the Code of Professional Responsibility and shall subscribe the oath or  
29 affirmation of a certified interpreter.

30 (1)(F) "Code of Professional Responsibility" means the Code of Professional  
31 Responsibility for Court Interpreters set forth in Code of Judicial Administration

32 Appendix H. An interpreter may not be required to act contrary to law or the Code of  
33 Professional Responsibility.

34 (1)(G) "Legal proceeding" means a proceeding before the appointing authority. Legal  
35 proceeding does not include communication outside the court unless permitted by the  
36 appointing authority.

37 (2) Court Interpreter Committee. The Court Interpreter Committee shall:

38 (2)(A) research, develop and recommend to the Judicial Council policies and  
39 procedures for interpretation in legal proceedings and translation of printed materials;

40 (2)(B) issue informal opinions to questions regarding the Code of Professional  
41 Responsibility, which is evidence of good-faith compliance with the Code; and

42 (2)(C) discipline court interpreters.

43 (3) Application, training, testing, roster.

44 (3)(A) Subject to the availability of funding, and in consultation with the committee,  
45 the administrative office of the courts shall establish programs to certify and approve  
46 court interpreters in the non-English languages most frequently needed in the courts.  
47 The administrative office shall publish a roster of certified interpreters and a roster of  
48 approved interpreters. To be certified or approved, an applicant shall:

49 (3)(A)(i) file an application form approved by the administrative office;

50 (3)(A)(ii) pay a fee established by the Judicial Council;

51 (3)(A)(iii) pass a background check;

52 (3)(A)(iv) complete training as required by the administrative office;

53 (3)(A)(v) obtain a passing score on the court interpreter's test(s) as required by the  
54 administrative office;

55 (3)(A)(vi) complete 10 hours observing a certified interpreter in a legal proceeding;  
56 and

57 (3)(A)(vii) take and subscribe the following oath or affirmation: "I will make a true and  
58 impartial interpretation using my best skills and judgment in accordance with the Code  
59 of Professional Responsibility."

60 (3)(B) A person who is certified in good standing by the federal courts or by a state  
61 having a certification program that is equivalent to the program established under this

62 rule may be certified without complying with paragraphs (3)(A)(iv) through (3)(A)(vii) but  
63 shall pass an ethics examination and otherwise meet the requirements of this rule.

64 (3)(C) No later than December 31 of each even-numbered calendar year, certified  
65 and approved interpreters shall pass the background check for applicants, and certified  
66 interpreters shall complete at least 16 hours of continuing education approved by the  
67 administrative office of the courts.

68 (4) Appointment.

69 (4)(A) Except as provided in paragraphs (4)(B), (4)(C) and (4)(D), if the appointing  
70 authority determines that a party, witness, victim or person who will be bound by the  
71 legal proceeding has a limited ability to understand and communicate in English, the  
72 appointing authority shall appoint a certified interpreter in the following cases:

73 (4)(A)(i) criminal cases;

74 (4)(A)(ii) preliminary inquiries and cases filed on behalf of the state under Title 78A,  
75 Chapter 6, Juvenile Court Act of 1996;

76 (4)(A)(iii) cases filed against the state pursuant to Utah Rule of Civil Procedure  
77 65B(b) or 65C;

78 (4)(A)(iv) cases filed under Title 62A, Chapter 5, Part 3 Admission to Mental  
79 Retardation Facility;

80 (4)(A)(v) cases filed under Title 62A, Chapter 15, Part 6, Utah State Hospital and  
81 Other Mental Facilities;

82 (4)(A)(vi) cases filed under Title 75, Chapter 5, Parts 2, 3, and 4;

83 (4)(A)(vii) cases filed under Title 77, Chapter 3a, Stalking Injunctions;

84 (4)(A)(viii) cases filed under Title 78B, Chapter 7, Protective Orders;

85 (4)(A)(ix) cases filed under Title 26, Chapter 6b, Communicable Diseases -  
86 Treatment, Isolation, and Quarantine Procedures; or

87 (4)(A)(x) other cases in which the appointing authority determines that the court is  
88 obligated to appoint an interpreter.

89 (4)(B) An approved interpreter may be appointed if no certified interpreter is  
90 reasonably available.

91 (4)(C) A conditionally-approved interpreter may be appointed if the appointing  
92 authority, after evaluating the totality of the circumstances, finds that:

93 (4)(C)(i) the prospective interpreter has language skills, knowledge of interpreting  
94 techniques and familiarity with interpreting sufficient to interpret the legal proceeding;  
95 and

96 (4)(C)(ii) appointment of the prospective interpreter does not present a real or  
97 perceived conflict of interest or appearance of bias; and

98 (4)(C)(iii) neither a certified nor an approved interpreter is reasonably available or  
99 the gravity of the legal proceeding and the potential consequence to the person are so  
100 minor that delays in obtaining a certified or approved interpreter are not justified.

101 (4)(D) No interpreter is needed for a direct verbal exchange between the person and  
102 a probation officer if the probation officer can fluently speak the language understood by  
103 the person. An approved or conditionally approved interpreter may be appointed for a  
104 juvenile probation conference if the probation officer does not speak the language  
105 understood by the juvenile.

106 (5) Payment.

107 (5)(A) In cases described in paragraph (4), the interpreter fees and expenses shall  
108 be paid by the administrative office of the courts in courts of record and by the  
109 government that funds the court in courts not of record. The court may assess the  
110 interpreter fees and expenses as costs to a party as provided by law. (Utah  
111 Constitution, Article I, Section 12, Utah Code Sections 77-1-6(2)(b), 77-18-7, 77-32a-1,  
112 77-32a-2, 77-32a-3, 78B-1-146(3) and URCP 54(d)(2).)

113 (5)(B) The courts will pay for:

114 (5)(B)(i) one interpreter for non-English speaking defendants and non-English  
115 speaking witnesses;

116 (5)(B)(ii) a separate interpreter for each non-English speaking defendant and/or  
117 witness if the judge determines that one non-English speaking person has an interest  
118 adverse to the others, or the judge determines that due process, confidentiality, or other  
119 circumstances require that there be separate interpreters; or

120 (5)(B)(iii) two interpreters for person(s) requiring an interpreter if the judge  
121 determines that the legal proceeding is so long that two interpreters are required to  
122 alternate duties.

123 (6) Waiver. A person may waive an interpreter if the appointing authority approves  
124 the waiver after determining that the waiver has been made knowingly and voluntarily. A  
125 person may retract a waiver and request an interpreter at any time. An interpreter is for  
126 the benefit of the court as well as for the non-English speaking person, so the  
127 appointing authority may reject a waiver.

128 (7) Removal from legal proceeding. The appointing authority may remove an  
129 interpreter from the legal proceeding for failing to appear as scheduled, for inability to  
130 interpret adequately, including a self-reported inability, and for other just cause.

131 (8) Discipline.

132 (8)(A) An interpreter may be disciplined for:

133 (8)(A)(i) knowingly making a false interpretation in a legal proceeding;

134 (8)(A)(ii) knowingly disclosing confidential or privileged information obtained in a  
135 legal proceeding;

136 (8)(A)(iii) knowingly failing to follow standards prescribed by law, the Code of  
137 Professional Responsibility and this rule;

138 (8)(A)(iv) failing to pass a background check;

139 (8)(A)(v) failing to meet continuing education requirements;

140 (8)(A)(vi) conduct or omissions resulting in discipline by another jurisdiction; and

141 (8)(A)(vii) failing to appear as scheduled without good cause.

142 (8)(B) Discipline may include:

143 (8)(B)(i) permanent loss of certified or approved credentials;

144 (8)(B)(ii) temporary loss of certified or approved credentials with conditions for  
145 reinstatement;

146 (8)(B)(iii) suspension from the roster of certified or approved interpreters with  
147 conditions for reinstatement;

148 (8)(B)(vi) prohibition from serving as a conditionally approved interpreter;

149 (8)(B)(v) suspension from serving as a conditionally approved interpreter with  
150 conditions for reinstatement; and

151 (8)(B)(vi) reprimand.

152 (8)(C) Any person may file a complaint in writing on a form provided by the program  
153 manager. The complaint may be in the native language of the complainant, which the



154 AOC shall translate in accordance with this rule. The complaint shall describe in detail  
155 the incident and the alleged conduct or omission. The program manager may dismiss  
156 the complaint if it is plainly frivolous, insufficiently clear, or alleges conduct that does not  
157 violate this rule. If the complaint is not dismissed, the program manager shall mail the  
158 complaint to the interpreter at the address on file with the administrative office.

159 (8)(D) The interpreter shall answer the complaint within 30 days after the date the  
160 complaint is mailed or the allegations in the complaint are considered true and correct.  
161 The answer shall admit, deny or further explain each allegation in the complaint.

162 (8)(E) The program manager may review records and interview the complainant, the  
163 interpreter and witnesses. After considering all factors, the program manager may  
164 propose a resolution, which the interpreter may stipulate to. The program manager may  
165 consider aggravating and mitigating circumstances such as the severity of the violation,  
166 the repeated nature of violations, the potential of the violation to harm a person's rights,  
167 the interpreter's work record, prior discipline, and the effect on court operations.

168 (8)(F) If the complaint is not resolved by stipulation, the program manager will notify  
169 the committee, which shall hold a hearing. The committee chair and at least one  
170 interpreter member must attend. If a committee member is the complainant or the  
171 interpreter, the committee member is recused. The program manager shall mail notice  
172 of the date, time and place of the hearing to the interpreter. The hearing is closed to the  
173 public. Committee members and staff may not disclose or discuss information or  
174 materials outside of the meeting except with others who participated in the meeting or  
175 with a member of the Committee. The committee may review records and interview the  
176 interpreter, the complainant and witnesses. A record of the proceedings shall be  
177 maintained but is not public.

178 (8)(G) The committee shall decide whether there is sufficient evidence of the alleged  
179 conduct or omission, whether the conduct or omission violates this rule, and the  
180 discipline, if any. The chair shall issue a written decision on behalf of the committee  
181 within 30 days after the hearing. The program manager shall mail a copy of the decision  
182 to the interpreter.

183 (8)(H) The interpreter may review and, upon payment of the required fee, obtain a  
184 copy of any records to be used by the committee. The interpreter may attend all of the

185 hearing except the committee's deliberations. The interpreter may be represented by  
186 counsel and shall be permitted to make a statement, call and interview the complainant  
187 and witnesses, and comment on the claims and evidence. The interpreter may obtain a  
188 copy of the record of the hearing upon payment of the required fee.

189 (8)(I) If the interpreter is certified in Utah under Paragraph (3)(B), the committee  
190 shall report the findings and sanction to the certification authority in the other  
191 jurisdiction.

192 (9) Fees.

193 (9)(A) In April of each year the Judicial Council shall set the fees and expenses to be  
194 paid during the following fiscal year by the courts of record for the cases identified in  
195 Paragraph (4). Payment of fees and expenses shall be made in accordance with the  
196 Courts Accounting Manual.

197 (9)(B) The local government that funds a court not of record shall set the fees and  
198 expenses to be paid by that court for the cases identified in Paragraph (4).

199 (10) Translation of court forms. Forms must be translated by a team of at least two  
200 people who are interpreters certified under this rule or translators accredited by the  
201 American Translators Association.

202 (11) Court employees as interpreters. A court employee may not interpret legal  
203 proceedings except as follows.

204 (11)(A) A court may hire an employee to be an interpreter. The employee will be  
205 paid the wages and benefits of the employee's grade and not the fee established by this  
206 rule. If the language is a language for which certification in Utah is available, the  
207 employee must be a certified interpreter. If the language is a language for which  
208 certification in Utah is not available, the employee must be an approved interpreter. The  
209 employee must meet the continuing education requirements of an employee, but at  
210 least half of the minimum requirement must be in improving interpreting skills. The  
211 employee is subject to the discipline process for court personnel, but the grounds for  
212 discipline include those listed in this rule.

213 (11)(B) A state court employee employed as an interpreter has the rights and  
214 responsibilities provided in the Utah state court human resource policies, including the  
215 Code of Personal Conduct, and the Court Interpreters' Code of Professional

216 Responsibility also applies. A justice court employee employed as an interpreter has the  
217 rights and responsibilities provided in the county or municipal human resource policies,  
218 including any code of conduct, and the Court Interpreters' Code of Professional  
219 Responsibility also applies.

220 (11)(C) A court may use an employee as a conditionally-approved interpreter under  
221 paragraph (4)(C). The employee will be paid the wage and benefits of the employee's  
222 grade and not the fee established by this rule.

223