Tennessee Court Clerk's Guide For Locating an Interpreter For Limited English Proficiency (LEP) Cases

Locating an Interpreter

Appointing an 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. Once the judge has determined the language needed and has entered an order for an interpreter to be appointed, an interpreter should be located with the following preferences, as evidenced in Tenn. Supreme Court Rule (SCR) 42:

(1) Certified
(2) Registered
(3) Non-Credentialed

It is important to locate credentialed interpreters because certified interpreters have passed all exams that SCR 42 requires credentialed interpreters to take; and registered interpreters are either waiting to take the oral exam or have not passed all parts. Non-credentialed interpreters either have not been tested or have not passed any exam.

The AOC maintains a roster of interpreters at www.tncourts.gov. Once on the AOC webpage, click on "Programs". On the left hand side of the page, click on "Find a Court Interpreter". The roster is arranged alphabetically by language and then by city. Should you need an interpreter in a language other than Spanish not listed on the roster, please contact the AOC at (615) 741-2687.

Credentialed interpreters are willing to travel statewide. Should there not be a credentialed interpreter in your county, please contact one in another locality.

When to Use a Non-Credentialed Interpreter

A non-credentialed interpreter may be appointed upon a finding that diligent, good faith efforts to obtain the certified or registered interpreter have been made and none has been found to be reasonably available. If a language is not listed on the court roster, services of a non-credentialed interpreter may be utilized.

Unacceptable examples for using an interpreter (list is not exhaustive)

- Finding someone who works across the street at the Mexican restaurant because an interpreter is needed on a short notice
- Previously retired bailiff that has minimal foreign language skills, but understands a little Spanish
- Relatives or friends of the defendant
- Someone who volunteers at the courthouse and speaks Spanish

When non-credentialed interpreters are used, there is a high possibility of misinterpretation that can directly affect the outcome of a case.

When To Locate Multiple Interpreters

If the court expects the hearing or trial to last for several hours or days, the court may wish to appoint two interpreters. Due to the level of concentration required to accurately conduct a simultaneous interpretation, interpreters require frequent breaks. If the court appoints two interpreters, they can conduct a continuous interpretation by alternating, thereby allowing the court to conduct the proceedings without unnecessary delays or interruptions.

Rules that Govern the Appointment, Credentialing, and Compensation of Interpreters

Tenn. R. Crim. P. 28
Tenn. S. Ct. Rules 13, 41, and 42
Tenn. R. Civ. P. 54
Tenn. R. Evid. 604
Tenn. Code Ann. § 16-3-813

For more information contact the Administrative Office of the Courts at (615) 741-2687
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Languages Other Than Spanish

For cases in which the interpreter is to be paid by the AOC from the indigent defense fund, Tennessee Supreme Court Rule 13 allows courts to approve a "reasonable rate" for languages other than Spanish "if the court finds that the rates are inadequate to secure the services of a qualified interpreter." For cases involving non-indigent parties, the interpreters' fees are to be charged as court costs making guidelines for Rule 13 are inapplicable.

Interpreter Compensation

(Applicable to criminal indigent cases only)

Certified interpreters are compensated at a rate of $50 per hour, with a $500 daily max.

Registered interpreters are compensated at a rate of $40 per hour, with a $400 daily max.

Non-credentialed interpreters are compensated at a rate of $25 per hour, with a $350 daily max.

Interpreters are also paid a 2 hour minimum when providing in-court interpretation. Review or transcription/translation of audio or video tapes is compensated according to the rates above. Document translation is compensated at a rate of $.20 per word.

For inquiries regarding what services may be assessed against the Indigent Defense Fund, please contact Jeana Hendrix or Sandy Workman at (615) 741-2687.

Court Interpreter Credentialing Program Contact Information

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