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August 30, 2011

SEP 02 2011

Honorable Michael W. Catalano, Clerk
100 Supreme Court Building
401 Seventh Avenue North
Nashville, TN 37219-1407

Re: Comments, Tennessee Court Orders 2011-24
Docket No. M2011-01747-SC-RL2-RL

Dear Mr. Catalano,

My comments are limited to proposed Rule 42(f). I am opposed to the changes in the rule whereby a writing must be created and entered into the record of the proceedings. I serve in a Municipal Court which is not a court of record. The proposed change to this rule would be unduly burdensome to Municipal Courts whereby a written document must be created which may be similar from case to case but would necessarily be different. This document would then need to somehow be entered onto the record when there is no record. It would require, at a minimum in an attempt to comply with the rule, to have the Judge dictate the statement to, I suppose, the Clerk who would then need to type the statement and then somehow staple or attach it to whatever citation, parking ticket, or other ordinance violation that is the subject of the hearing.

The court's compliance with the rule as now in effect requires the Court to simply verbalize all of the efforts made to obtain a certified or registered interpreter and to determine the capabilities of the proposed non-credentialed interpreter and since these efforts must only be verbalized in open Court, it is not unduly burdensome to do so.

I therefore respectfully oppose the amendment to the rule unless an exclusion is made therein for Municipal Courts or other non-record Court proceedings.

I appreciate the opportunity to make my thoughts and comments known.

Sincerely,

Ewing Sellers

ES:sm

cc: Tennessee Municipal Judges Conference Legislative Committee

L. Michael Zogby
Federally & TN Certified Spanish Court Interpreter
7094 Nolen Park Circle
Nolensville, TN 37135-9505

October 4, 2011

Michael W. Catalano, Clerk
100 Supreme Court Bldg
401 Seventh Avenue North
Nashville, TN 37219-1407



Re: Proposed Changes to Rules 41 and 42

Dear Mr. Catalano:

Upon review of the recommended new text to Rules 41 and 42, I would like to add my voice in support of proposed changes. As an active interpreter working in Middle Tennessee, I believe that the proposed changes represent a positive step forward in ensuring more access to quality interpretation in our judicial system.

There is one minor change or modification that I offer to the proposed amendment to Rule 42, Section 3(f), in order for it to better correlate with the current wording in Rule 42, Section 3(c). Proposed modification is as follows:

(f) A summary of the efforts made to obtain an interpreter in accordance with the preferred order listed above in Section 3(c) (i.e., 1. State certified court interpreter; 2. State registered court interpreter; 3. Non-credentialed court interpreter) and to determine the capabilities of the proposed non-credentialed interpreter, in the event a certified or registered court interpreter is not available, shall be made in writing and shall be entered into the record of the proceedings.

The above amendment would, in my opinion, set out clearly the steps that courts are required to take so as to abide by Supreme Court rules governing the appointment of court interpreters in their respective jurisdictions.

I appreciate the opportunity your office has given our interpreting community to offer input into such an important process.

Respectfully yours,

A handwritten signature in black ink, appearing to read "L. Michael Zogby". The signature is fluid and cursive, with a long horizontal stroke at the end.