

CHAPTER 31
ADMISSION TO THE BAR

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Rule 31.4 Admission by transferred UBE score.

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31.4(2) Time limits for transferring a UBE score. A UBE score can be transferred to Iowa subject to the following time limits:

a. Any applicant may transfer a qualifying UBE score without a showing of prior legal practice if the score was from a UBE administered within two years immediately preceding the transfer application filing date.

b. An attorney applicant may transfer a qualifying UBE score up to five years after the examination was taken upon proof that the applicant regularly engaged in the practice of law for at least two years of the last three years immediately preceding the transfer application filing date. For the purposes of this rule, “regularly engaged in the practice of law” means the applicant has practiced law for at least 1000 hours per year. The board may require the applicant to provide a certificate of regular practice required for motion applicants under Iowa Court Rule 31.13(1)(b) that addresses the period of practice this rule requires.

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Rule 31.11 ~~Automatic review~~ Supreme court review.

~~**31.11(1) Score range for review.** An applicant whose combined, scaled score on the current examination is at least 260, but less than 266, will have an automatic review of the applicant’s written answers in the MEE and MPT components of the bar examination prior to release of the bar examination results. The board will not review any examination with a combined, scaled score that does not fall within this range, and the board will not conduct any review after release of the bar examination results.~~

~~**31.11(2) Procedures for automatic review.** The board will apply the following procedures for an automatic review:~~

~~*a.* The attorney members of the board and any temporary examiners the board may designate will review the applicant’s written answers. The answers will be submitted on an anonymous basis without oral argument or hearing. If it appears that an answer should receive a different~~

~~score (whether higher or lower), that score will be used to determine the applicant's scaled score. The board will maintain a record of any changes made to the scoring of the individual questions on review.~~

~~b. Following its review, the board will recommend to the supreme court that the applicant be admitted to the practice of law in Iowa if the applicant's combined, scaled score after review is at least 266. An applicant whose combined, scaled score after review is 265 or below will be deemed to have failed the examination.~~

~~**31.11(3) Supreme court review.**~~

~~*a. Extraordinary circumstances.* An unsuccessful applicant whose combined, scaled score on the bar examination is at least 260, but less than 266, may file a petition in the supreme court requesting review of the board's determination. However, the board's decision regarding an applicant's score is final and will not be reviewed by the court absent extraordinary circumstances. "Extraordinary circumstances" would include issues such as the board's refusal to correct a clear mathematical error, but would not include a claim that the board erred in the grade assigned to a particular answer.~~

~~*b. 31.11(2) Petition for review.* The petition must be filed with the clerk of the supreme court and served upon the board. The petition must be filed within 20 days of the date the applicant's score is posted in the office of professional regulation and must be accompanied by a \$150 fee. The petition must identify in detail the extraordinary circumstances requiring supreme court review of the board's determination. If a petition is not filed within the 20-day period, the board's determination is not subject to review.~~

~~*c. 31.11(3) Supreme court order.* Upon request of the court, the board will transmit to the supreme court the complete record in the case. All documents submitted for the court's review, other than the applicant's petition, are confidential. Unless the court orders otherwise, the court will review the petition on the record previously made. After consideration of the record, the court will enter its order sustaining or denying the petition. The order of the court is conclusive. ~~All documents submitted for the court's review, other than the applicant's petition, are confidential.~~~~

Rule 31.12 Admission of attorneys from other jurisdictions; requirements and fees.

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31.12(3) The application and supporting ~~affidavits documents~~ must contain specific facts and details as opposed to conclusions, ~~must be made before an officer authorized to administer oaths,~~ and must demonstrate the following:

a. The applicant has been admitted to the bar of any other state of the United States or the District of Columbia, has ~~practiced law five full years while licensed within the seven years regularly engaged in the practice of law for at least five of the last seven years~~ immediately preceding the date of the application, and still holds a license. For the purposes of this rule, “regularly engaged in the practice of law” means the applicant has practiced law for at least 1000 hours in that year.

b. The applicant is a person of honesty, integrity, and trustworthiness, and one who will adhere to the Iowa Rules of Professional Conduct. In evaluating this factor the court may consider any findings filed with the office of professional regulation by the Commission on the Unauthorized Practice of Law pursuant to Iowa Court Rule 37.3.

c. The applicant is not currently subject to lawyer discipline in any other jurisdiction.

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Rule 31.13 Proofs of qualifications; oath or affirmation.

31.13(1) *Required certificates, affidavit, and fingerprint card.* The following proofs must be filed with the office of professional regulation to qualify an applicant for admission under rule 31.12:

a. A certificate of admission in the applicant’s state of licensure.

b. A certificate ~~of~~ from one or more of the following individuals establishing that the applicant was regularly engaged in the practice of law in the applicant’s state or states of licensure for at least five of the last seven years immediately preceding the date of the application: a clerk or judge of a court of record, a judge advocate general, or an administrative law judge, ~~that the applicant was regularly engaged in the practice of law in said state for at least five of the last seven years immediately preceding the date of the application.~~ If, due to the nature of the applicant’s practice, the applicant cannot obtain a certificate from a clerk, judge, judge advocate general, or an administrative law judge, the applicant must file a petition seeking leave to file an alternative certificate demonstrating good cause why the certificate cannot be obtained. If the supreme court grants the petition, the applicant must file an affidavit detailing the nature, dates, and locations of the applicant’s practice, along with an affidavit of a supervising attorney or another lawyer attesting to the applicant’s practice over that period.

c. A certificate of an applicant’s good moral character from a judge or clerk of the Iowa district court or of a court where the applicant has practiced within the last five years.

d. A completed fingerprint card.

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Rule 31.14 Admission pro hac vice before Iowa courts and administrative agencies.

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31.14(2) Authority of court or agency to permit appearance by out-of-state lawyer.

a. Court proceeding. A court of this state may, in its discretion, admit an eligible out-of-state lawyer, who is retained to appear as attorney of record in a particular proceeding, only if the out-of-state lawyer appears with an in-state lawyer in that proceeding.

b. Administrative agency proceeding. ~~If practice before an agency of this state is limited to lawyers, the~~Regardless of whether practice before an agency is limited to lawyers, an out-of-state lawyer must apply for admission pro hac vice to appear as attorney of record in an agency proceeding. The agency may, using the same standards and procedures as a court, admit an eligible out-of-state lawyer who has been retained to appear in a particular agency proceeding as counsel in that proceeding pro hac vice, only if the out-of-state lawyer appears with an in-state lawyer in that proceeding.

c. Subsequent proceedings. Admission pro hac vice is limited to the particular court or agency proceeding for which admission was granted. An out-of-state lawyer must separately seek admission pro hac vice in any subsequent district or appellate court proceeding.

CHAPTER 34
ADMINISTRATIVE AND GENERAL PROVISIONS

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GENERAL DISCIPLINARY RULES OF
GRIEVANCE COMMISSION AND DISCIPLINARY BOARD

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Rule 34.17 Disability suspension.

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34.17(6)

a. Upon being notified of the suspension of an attorney, the chief judge in the judicial district in which the attorney practiced may appoint an attorney or attorneys to serve as trustee to inventory the attorney's files, sequester client funds, and take any other appropriate action to protect the interests of the attorney's clients and other affected persons. In appointing a trustee, the chief judge will give due regard to any designation or standby nomination made under the provisions of Iowa Court Rule 39.18 and to the recommendation of the office of professional regulation. Any trustee appointment is subject to supreme court confirmation. The appointed attorney serves as a special member of the ~~disciplinary board and as a grievance commissioner of the supreme court~~ Client Security Commission for the purposes of the appointment.

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COMMENT: Rule 34.17 formerly appeared as Iowa Court Rule 35.17. It is amended to provide for recovery of trustee fees and costs the Client Security Commission pays through the annual assessment and reporting process and also as a condition of reinstatement. [Court Order January 26, 2016, effective April 1, 2016]

Rule 34.18 Death, suspension, or disbarment of practicing attorney.

34.18(1) Upon a sworn application on behalf of a local bar association, an attorney or entity designated or nominated on a standby basis as described in Iowa Court Rule 39.18, or the disciplinary board showing that a practicing attorney has died or has been suspended or disbarred from the practice of law and that a reasonable necessity exists, the chief judge in the judicial district in which the attorney practiced may appoint an attorney to serve as trustee to inventory the attorney's files, sequester client funds, and take any other appropriate action to protect the interests of the attorney's clients and other affected persons. In appointing a trustee, the chief judge will give due regard to any designation or standby nomination made under the

provisions of rule 39.18 and the recommendation of the office of professional regulation. The appointment is subject to supreme court confirmation. The appointed attorney serves as a special member of the ~~disciplinary board of the supreme court~~ Client Security Commission for the purposes of the appointment.

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COMMENT: Rule 34.18 formerly appeared as Iowa Court Rule 35.18. It is amended to provide for recovery of trustee fees and costs the Client Security Commission pays through the annual assessment and reporting process and also as a condition of reinstatement. [Court Order January 26, 2016, effective April 1, 2016]

CHAPTER 39
CLIENT SECURITY COMMISSION

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Rule 39.7 Exemption; retirement.

39.7(1) Certificate of exemption. A member of the bar of the supreme court who is not engaged in the practice of law in the State of Iowa may be granted a certificate of exemption by the commission, and thereafter no fee or assessment except for an annual exemption fee of \$50 and late filing penalties will be required from such member unless the member thereafter engages in the practice of law in the State of Iowa, in which case the certificate of exemption must without further order of court stand revoked, and the member must file at once the statement required by rule 39.8(1) and the questionnaire required by rule 39.11 and pay the fee and assessment due under rules 39.5 and 39.6. A member of the bar requesting a certificate of exemption must file with the director such part of the rule 39.11 questionnaire as the director may deem necessary to determine the member's status. Applications for a certificate of exemption must be submitted concurrently under rules 41.7, 42.6, and 39.7(1).

39.7(2) Certificate of ~~retirement~~relinquishment. A member of the bar of the supreme court who ~~is fully retired from the practice of law in the State of Iowa and~~ does not intend ever again to practice law in Iowa may be granted a certificate of ~~retirement~~relinquishment. Thereafter, no fee, assessment, annual statement, or questionnaire is required from such member. A member granted a certificate of ~~retirement~~relinquishment is not entitled to practice law in the ~~state~~State of Iowa and may not apply for reinstatement, but the member may be certified as an emeritus attorney under Iowa Court Rule 31.19. A member granted a certificate of ~~retirement~~relinquishment who desires to again practice law other than as an emeritus attorney must seek admission under the provisions of chapter 31 of the Iowa Court Rules. A member of the bar requesting a certificate of ~~retirement~~relinquishment must file with the director such part of the rule 39.11 questionnaire as the director may deem necessary to determine the member's status. Applications for a certificate of ~~retirement~~relinquishment must be submitted concurrently under rules ~~41.13 and~~39.7(2) and 41.13.

39.7(3) Practice of law. The practice of law as that term is employed in this chapter includes the following: examining abstracts; ~~consuming~~consuming real estate transactions; preparing legal briefs, deeds, buy and sell agreements, contracts, wills, and tax returns; representing others in any Iowa courts; the right to represent others in any Iowa courts; regularly preparing legal instruments; securing legal rights, advising others as to their legal rights or the effect of contemplated actions upon their legal rights, or holding oneself out to so do; instructing

others in legal rights; and being a judge or one who rules upon the legal rights of others unless neither state nor federal law requires the person so judging or ruling to hold a license to practice law.

39.7(4) Transition provisions.

a. The provisions of rule 39.7(1) regarding an annual \$50 fee for exempt practitioners and concurrent application for exempt status and of rule 39.7(2) regarding a separate fully ~~retired~~ relinquished status are effective January 1, 2018.

b. On or before December 31, 2017, attorneys in active status may apply for and be granted exempt status without payment of an annual fee, or emeritus status under Iowa Court Rule 31.19.

c. On or after January 1, 2018, attorneys in active status may apply for and be granted exempt status with payment of an annual fee, emeritus status under rule 31.19, or retired status under rule 39.7(2).

d. Attorneys who are in exempt status as of December 31, 2017, will be accorded legacy status. Attorneys in legacy status will have no fee payment or reporting responsibilities. For a period of five years commencing January 1, 2018, and ending December 31, 2022, attorneys in legacy status may apply for conversion to exempt status, emeritus status under rule 31.19, ~~retired~~ relinquished status under rule 39.7(2), or reinstatement to active status under rule 39.14(3). On or after January 1, 2023, attorneys in legacy status are not entitled to apply for conversion to exempt status or apply for reinstatement to active status under rule 39.14(3), but they may apply for emeritus status under rule 31.19 or ~~retired~~ relinquished status under rule 39.7(2).

Rule 39.8 Enforcement.

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39.8(5) Attorneys who have been suspended pursuant to this chapter or who currently hold a certificate of exemption or ~~retirement~~ certificate issued pursuant to rule 39.7(2) and who practice law or who hold themselves out as being authorized to practice law in this state are engaged in the unauthorized practice of law and may also be held in contempt of the court or may be subject to disciplinary action as provided by chapter 35 of the Iowa Court Rules.

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Rule 39.14 Reinstatement from exemption or suspension.

39.14(1) An attorney who has been suspended for failure to pay the annual fee or assessment

or for failure to file the statement, supplement, or questionnaire required by these rules may be reinstated upon a showing that such failure was not willful and by filing the statement required by rule 39.8(1) and the questionnaire required by rule 39.11. An attorney seeking reinstatement after suspension for failure to comply with the provisions of this rule must pay all delinquent fees, assessments and late filing penalties due under rules 39.5, 39.6, 39.8, and 39.17, and a reinstatement fee of \$100.

39.14(2) An attorney who seeks or applies for reinstatement from suspension under chapters 34 or 36 of the Iowa Court Rules must first file the statement required by rule 39.8(1) and the questionnaire required by rule 39.11, pay all fees, assessments, and late filing penalties due and unpaid under rules 39.5, 39.6, 39.8, and 39.17 ~~at the time of the suspension~~, pay the current fee and assessment required by rules 39.5 and 39.6, and pay a reinstatement fee of \$100.

39.14(3) An attorney who has been granted a certificate of exemption under the provisions of rule 39.7 may be reinstated after filing the statement required by rule 39.8(1) and the questionnaire required by rule 39.11, paying all fees, assessments, and late filing penalties due ~~at the time the exemption was granted and unpaid~~, and paying the current fee and assessment required by rules 39.5 and 39.6.

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Rule 39.18 Requirement for death or disability designation and authorization.

39.18(1) *Required designation and authorization in annual questionnaire.*

a. Each attorney in private practice must identify and authorize each year, as part of the annual questionnaire required by rule 39.11, a qualified attorney-servicing association, an Iowa law firm that includes Iowa attorneys in good standing, or an active Iowa attorney in good standing, to serve as the attorney's designated representative or representatives under this rule. An attorney may identify and authorize an Iowa law firm of which the attorney is a member to serve under this rule.

b. The attorney or entity designated under this rule is authorized to review client files, notify each client of the attorney's death or disability, and determine whether there is a need for other immediate action to protect the interests of clients.

c. The attorney or entity designated under this rule also is authorized to serve as a successor signatory for any client trust account maintained by the private practitioner under Iowa Court Rule 45.11, prepare final trust accountings for clients, make trust account disbursements, properly dispose of inactive files, and arrange for storage of files and trust account records.

d. The authority of the attorney or entity designated under this rule takes effect upon the death or disability of the designated attorney. The designated attorney or entity may apply to

the chief judge of the judicial district in which the designating attorney practiced for an order confirming the death or disability of the designating attorney. A copy of the order will be delivered to the office of professional regulation.

39.18(2) *Client list and location of key information.* Each attorney in private practice must maintain a current list of active clients, in a location accessible by the attorney or entity designated under this rule. As part of the annual questionnaire required by rule 39.11, each attorney in private practice must identify ~~the custodian and a person with knowledge of~~ the location of the client list, ~~the custodian and a person with knowledge of~~ the location of electronic and paper files and records, and a person with knowledge of the ~~custodian and~~ location of passwords and other security protocols required to access the electronic files and records. The attorney or entity designated under this rule is authorized to access electronic and paper files and records as necessary to perform duties as a designated attorney, and is authorized to access passwords and other security protocols required to access those electronic files and records.

39.18(3) *Supplemental plan.* An attorney in private practice may prepare a written plan that is supplemental to the designation and authority in the annual client security questionnaire. The supplemental written plan may designate an attorney or entity to collect fees, pay firm expenses and client costs, compensate staff, terminate leases, liquidate or sell the practice, or perform other law firm administration tasks. The supplemental written plan also may nominate an attorney or entity to serve as trustee if proceedings are commenced under the provisions of Iowa Court Rule 34.17 or 34.18.

39.18(4) *Durability.* A designation or plan under this rule must include language sufficient to make the designated attorney's or entity's powers durable in the event of the private practitioner's disability. See Iowa Code §633B.104; Iowa R. Prof'l Conduct 32:1.3 cmt. [5].

39.18(5) *Conflicts of interest.* A designated attorney or entity must not examine any documents or acquire any information containing real or potential conflicts with the designated attorney's clients. Should any such information be acquired inadvertently, the designated attorney or entity must, as to such matters, protect the privacy interests of the planning attorney's clients by prompt recusal or refusal of employment.

39.18(6) *Availability of trustee provisions.* A designated attorney or entity may petition the court, at any time, for appointment as the trustee or appointment of an independent trustee under the provisions of Iowa Court Rule 34.17 or 34.18, as applicable.

39.18(7) *Definitions.* For purposes of this rule, the following definitions apply:

a. A "qualified attorney-servicing association" is a bar association, all or part of whose members are admitted to practice law in the State of Iowa, a company authorized to sell

attorneys professional liability insurance in Iowa, or an Iowa bank with trust powers issued by the Iowa Division of Banking.

b. A “*law firm*” is a minimum of two attorneys in a law partnership, professional corporation, or other association authorized to practice law.

c. An “*attorney in private practice*” includes an active Iowa attorney who resides outside Iowa but engages in the private practice of law in Iowa.

CHAPTER 41
CONTINUING LEGAL EDUCATION FOR LAWYERS

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Rule 41.10 Reinstatement from suspension.

41.10(1) An attorney who has been suspended for failure to pay the annual fee, complete required continuing legal education, or file the annual report required by rule 41.4 may be reinstated upon a showing that such failure was not willful and by filing such report showing completion of all continuing legal education required by rules 41.3 and 42.2 through the end of the ~~last complete reporting~~current calendar year. An attorney seeking reinstatement after suspension for failure to comply with the provisions of this rule must pay all delinquent fees and late filing penalties due under rule 41.4 and a reinstatement fee of ~~\$100.00~~\$100.

41.10(2) An attorney who seeks or applies for reinstatement from suspension under the provisions of chapter 35 of the Iowa Court Rules must first file the annual report required by rule 41.4 showing completion of all continuing legal education required by rules 41.3 and 42.2 through the end of the ~~last complete reporting~~current calendar year, pay all fees and late filing penalties due under rule 41.4 and unpaid at the time of the suspension, and pay a reinstatement fee of ~~\$100.00~~\$100. The commission may grant an attorney additional time after the effective reinstatement date, on such terms and conditions as it may prescribe, to complete and furnish evidence of compliance with these continuing legal education requirements.

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Rule 41.13 Retired practitioners.

41.13(1) *Certificate of ~~retirement~~relinquishment.* A member of the bar of the supreme court who ~~is fully retired from the practice of law in the State of Iowa and~~ does not intend ever again to practice law in Iowa may be granted a certificate of ~~retirement~~relinquishment. Thereafter, no continuing legal education, annual report, or annual fee is required from such member. A member granted a certificate of ~~retirement~~relinquishment is not entitled to practice law in the State of Iowa and may not apply for reinstatement, but the member may be certified as an emeritus attorney under Iowa Court Rule 31.19. A member granted a certificate of ~~retirement~~relinquishment who desires to again practice law other than as an emeritus attorney must seek admission under the provisions of chapter 31 of the Iowa Court Rules. A member of the bar requesting a certificate of ~~retirement~~relinquishment must file with the director an application in such form as the director may deem necessary to determine the member's status. Applications for a certificate of ~~retirement~~relinquishment must be submitted concurrently under rules 39.7(2)

and 41.13(1).

41.13(2) *Transition provisions.*

a. The provisions of rule 41.13(1) regarding a separate fully ~~retired~~ relinquished status and the provisions of rules 41.7 and 42.6 regarding concurrent applications for exempt status are effective January 1, 2018.

b. On or before December 31, 2017, attorneys in active status may apply for and be granted exempt status under rules 41.7 and 42.6 or emeritus status under rule 31.19.

c. On or after January 1, 2018, attorneys in active status may apply for and be granted exempt status under rules 41.7 and 42.6, emeritus status under rule 31.19, or ~~retired~~ relinquished status under rule 41.13(1).

d. Attorneys in active status under rules 41.7 and 42.6 but exempt status under rule 39.7 as of December 31, 2017, will be administratively transferred to exempt status under rules 41.7 and 42.6 as of January 1, 2018. Attorneys administratively transferred to exempt status under this provision nonetheless will be allowed to record their continuing legal education attendance on their attorney account pages while in exempt status.

CHAPTER 47
COURT INTERPRETER AND TRANSLATOR RULES

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Rule 47.4 Classification of oral language court interpreters.

47.4(1) *Class A oral language court interpreter.* A Class A oral language court interpreter is a certified interpreter who has met the requirements in rule 47.6 to be on the Iowa roster of court interpreters and has done one of the following:

a. Satisfied all certification requirements for an oral language interpreter established by the Federal Court Interpreter Certification Program or the National Association of Judiciary Interpreters and Translators.

b. Taken oral interpretation examinations for court interpreter certification approved by the Language Access Services Section of the National Center for State Courts (NCSC) and achieved a passing score of at least 70 percent correct on each of the three parts of the oral examination (sight interpretation of written documents, consecutive interpretation, and simultaneous interpretation) in a single test session.

47.4(2) *Class B oral language court interpreter.* A Class B oral language court interpreter is a noncertified interpreter who has met the requirements in rule 47.6 to be on the Iowa roster of court interpreters and has done one of the following by July 1, 2019:

a. Taken one of the court interpreter certification examinations identified in rule 47.4(1)(b) and did not meet the test score requirements for certification, but achieved ~~an average a~~ score of at least 65 percent correct on each of the three parts of the oral interpretation examination in one test session.

b. Met the oral interpretation examination score requirements for court interpreter certification in a state that uses the oral interpretation examinations approved by the NCSC, but did not achieve scores of at least 70 percent correct on ~~all each of the~~ three parts of the oral examination in a single test session.

~~*e.* Completed a college level court interpreter training program approved by the director of the OPR with a grade point average of at least 3.0.~~

47.4(3) *Class C oral language court interpreter.* A Class C oral language court interpreter is a noncertified interpreter who has met the criteria under rule 47.6 to qualify for the Iowa roster of court interpreters, but has not met the criteria under rule 47.4(1) or (2) to be a Class A or B oral language court interpreter.

47.4(4) *Unclassified oral language court interpreter.* An unclassified oral language interpreter

has not met the requirements under rule 47.4(1), (2), or (3) to be a Class A, Class B, or Class C oral language interpreter and has not met the requirements to be on an official list of qualified court interpreters in another state.

47.4(5) *Oral language interpreters on a list of qualified interpreters approved by another state.*

a. Interpreters who have met the testing requirements for certification in rule 47.4(1)(a) or (b) by taking those examinations in another state, will be classified as certified court interpreters and receive the same hourly fee as Class A certified court interpreters in Iowa. These interpreters must still meet the requirements in rule 47.6 to be on the Iowa roster of court interpreters, and certified interpreters on the roster will receive preference for appointments over certified interpreters who are not on the roster.

b. Interpreters who have met testing and training requirements to be included on a list of qualified court interpreters in another state, but who have not met the testing requirements in rule 47.4(1)(a) or (b), will be comparable to Class C interpreters in Iowa. These interpreters must still meet the requirements in rule 47.6 to be on the Iowa roster of court interpreters, and interpreters on the roster will receive preference in appointments over interpreters who are not on the roster.

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Rule 47.6 Iowa roster of court interpreters.

47.6(1) *Management.* The director of the OPR will maintain and publish the Iowa roster of court interpreters and may determine the order in which interpreters must complete the testing and training requirements in rule 47.4 to qualify for the roster. The OPR may remove an interpreter from the roster or change an interpreter's classification on the roster if a roster interpreter takes or retakes the oral language certification exam and achieves a score on one or more parts of the exam that is less than the minimum scores required to be on the roster. The OPR may also require a roster interpreter to retake the oral language interpreter certification exam if the OPR learns through an investigation that the interpreter failed to interpret at a level of competency comparable to the minimum language proficiency qualifications for being on the roster in rule 47.6(2)(d).

47.6(2) *Testing and training requirements.* ~~To~~Beginning July 1, 2019, to be included on the roster, an interpreter must meet the qualifications in rule 47.4 and the following requirements:

a. Ethics exam. All interpreters must take a written exam on the Code of Professional Conduct for Court Interpreters and achieve a score of at least 75 percent correct, unless the interpreter has taken the same or a similar exam in another state within the past five years and achieved a score of at least 75 percent correct.

b. Written exam approved by the NCSC. Interpreters must achieve a score of at least 80 percent correct on a written exam for court interpreters that the National Center for State Courts (NCSC) has approved and that includes at least the following areas: general English vocabulary, legal

terminology, and legal procedures. This requirement may be waived by the director of the OPR if the interpreter has taken the same test in Iowa or another jurisdiction within the past five years, achieved a score of 80 percent correct, and has regularly provided court interpreter services each year since taking the exam.

~~*c. Oral proficiency interview exam.* Under the supervision of OPR staff or a designee of the OPR director, an oral language interpreter must complete an oral proficiency interview exam offered by ALTA Language Services in the interpreter's non-English language and achieve a score of at least 11 on a scale of 12. Interpreters classified as class A or B before July 1, 2015, are not required to take this exam. Interpreters not on the roster before July 1, 2015, must pass ALTA's oral proficiency interview exam to be listed on the roster.~~

~~*d.c. Court interpreter orientation program.* An interpreter must complete the court interpreter orientation program approved by the director of the OPR. The director of the OPR may waive this requirement for an interpreter who has completed a similar training program in another jurisdiction within the past three years, and who has regularly provided court interpreter services each year since completing that program.~~

~~*d. Oral interpretation exam.*~~

~~(1) An interpreter of a language for which one of the testing organizations identified in rule 47.4(1) offers a court interpreter certification exam must take one of the exams and achieve a score of at least 55 percent correct on each of the three parts of the exam (sight, consecutive, and simultaneous interpretation).~~

~~(2) An interpreter of a language for which the NCSC does not offer a court interpreter certification exam must take the ALTA Language Services oral proficiency interview (speaking and listening) exam in English and the interpreter's other language, under the supervision of a designee of the director of the OPR, and must achieve a score of at least 11 (on a scale of 12) on each exam.~~

~~**47.6(3) Retaking the court interpreter written and oral interpretation exams.**~~

~~*a. Written multiple-choice exams.* An interpreter may retake a written multiple-choice exam once in a six-month period. When there are multiple versions of a written exam, the OPR will rotate the exam versions.~~

~~*b. Oral language certification exams the OPR conducts.* For oral language certification exams the OPR conducts, an interpreter may retake the same version of an exam once in a 12-month period. When there are multiple versions of the oral language certification exam, an interpreter must wait six months before taking a different version of the exam.~~

c. Oral language certification exams the Federal Court Interpreter Certification Program conducts. Interpreters taking oral language certification exams the Federal Court Interpreter Certification Program conducts must comply with the rules established by the program regarding the retaking of the exams.

d. ALTA Language Services oral proficiency interview (speaking and listening) exam. An interpreter may retake an ALTA Language Services oral proficiency exam only once in a six-month period.