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CHAPTER 34

ADMINISTRATIVE AND GENERAL PROVISIONS

GRIEVANCE COMMISSION AND ATTORNEY DISCIPLINARY BOARD

CLERK SUPREME COURT

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Rule 34.16 Suspension or disbarment on consent.

34.16(1) An attorney subject to investigation by the attorney disciplinary board or the client security commission or subject to a pending grievance proceeding involving allegations of misconduct subject to disciplinary action may acquiesce to suspension or disbarment but only by filing with the grievance commission an affidavit stating that the attorney consents to suspension of not more than a specific duration or to disbarment, ~~and indicating~~ If a grievance proceeding is already scheduled for hearing, any such affidavit must be filed at least 15 days before the scheduled hearing date unless the 15-day limit is waived by the panel president. All affidavits filed under this rule must indicate the following:

a. The consent is freely and voluntarily given without any coercion or duress and with full recognition of all implications of the consent.

b. The attorney is aware of a pending investigation or proceeding involving allegations that there exist grounds for discipline, the nature of which will be specifically set forth.

c. The attorney acknowledges the material facts of the alleged misconduct are true.

d. In the event proceedings were instituted upon the matters under investigation, or if existing proceedings were pursued, the attorney could not successfully defend against the allegations.

e. The facts admitted in the affidavit would likely result in the suspension or revocation of the attorney's license to practice law.

f. Any matters in mitigation or aggravation of the alleged misconduct.

g. Consent to any alternative or additional sanctions as provided in Iowa Court Rule 36.19.

34.16(2) The disciplinary board or client security commission must file a response to the affidavit, indicating whether ~~the board~~ it believes the misconduct admitted in the affidavit would likely result in suspension or revocation of the attorney's license to practice law and citing any legal authorities supporting its conclusion.

34.16(3) Upon receipt of the affidavit and response, the grievance commission

1 must file the affidavit and response with the supreme court clerk. The supreme
2 court may enter an order suspending the attorney's license to practice law for a
3 period no greater than the stipulated duration or disbarring the attorney on
4 consent, unless the court determines the misconduct admitted in the affidavit is
5 insufficient to support the discipline to which the attorney has consented. The
6 supreme court may also order any of the alternative or additional sanctions to
7 which the respondent has consented. If the supreme court determines the
8 affidavit does not set forth facts that support imposition of the discipline to which
9 the attorney has consented, it may either enter an order allowing the parties to
10 supplement the affidavit or an order declining to accept the affidavit. An order
11 declining to accept the affidavit does not bar further disciplinary proceedings
12 against the attorney, and does not preclude the supreme court from imposing
13 any sanction the attorney's conduct warrants upon review of a grievance
14 commission determination.

15 **34.16(4)** Any order suspending or disbarring an attorney on consent is a
16 matter of public record. If the supreme court enters an order of suspension or
17 disbarment, the affidavit and response will be made available to the public upon
18 request.

19 **COMMENT:** Rule 34.16 formerly appeared as Iowa Court Rule 35.16.

20

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

22 **34.18(1)** Upon a sworn application on behalf of a local bar association, an
23 attorney or entity designated or nominated on a standby basis as described in
24 Iowa Court Rule 39.18, the client security commission, or the disciplinary board
25 showing that a practicing attorney has died or has been suspended or disbarred
26 from the practice of law and that a reasonable necessity exists, the chief judge
27 in the judicial district in which the attorney practiced may appoint an attorney
28 to serve as trustee to inventory the attorney's files, sequester client funds, and
29 take any other appropriate action to protect the interests of the attorney's clients
30 and other affected persons. In appointing a trustee, the chief judge will give due
31 regard to any designation or standby nomination made under the provisions of
32 rule 39.18 and the recommendation of the office of professional regulation.
33 Trusteeships shall be specially assigned to the appointing chief judge, who shall
34 hear and rule upon all matters therein. The appointment is subject to supreme
35 court confirmation. The appointed attorney serves as a special member of the
36 Client Security Commission for the purposes of the appointment.

1

2 **Rule 34.23 Suspension generally.**

3

4 **34.23(2)** An attorney whose license has been suspended for a period not
5 exceeding 60 days is not required to file an application for reinstatement, and
6 the court will order reinstatement of the attorney's license on the day after the
7 suspension period expires, subject to the following exceptions:

8 a. The disciplinary board or client security commission may file and serve
9 within the suspension period an objection to the automatic reinstatement of the
10 attorney. The filing of an objection stays the automatic reinstatement until the
11 supreme court orders otherwise. If the disciplinary board or client security
12 commission files an objection, the supreme court will set the matter for hearing
13 and the supreme court clerk must enter written notice in conformance with rule
14 34.25, except that the court may waive the requirement of a 60-day waiting
15 period prior to the hearing date.

16 b. Automatic reinstatement will not be ordered until all costs assessed under
17 Iowa Court Rule 36.24 are paid and the reporting and fee payment requirements
18 of rules 39.14(2), 39.17, and 41.10(2) are completed.

19

1 **CHAPTER 36**

2 **GRIEVANCE COMMISSION RULES OF PROCEDURE**

3

4 **Rule 36.6 Filing and service of documents.** All answers, motions,
5 applications, petitions, and pleadings in connection with a complaint must be
6 filed in duplicate with the clerk of the grievance commission. The grievance
7 commission clerk must ~~prepare and mail~~ send copies to the parties and the
8 grievance commission chair if the commission is sitting as a whole or to the
9 grievance commission division president to whom the complaint has been
10 referred. On the day fixed for hearing, the ~~papers~~ documents may be filed in
11 duplicate with the grievance commission chair or the division president, who
12 must notify all parties of the filing and file a copy with the grievance commission
13 clerk. If the parties are participating in the electronic filing option, then all filings
14 and mailings under this chapter may be done electronically using that system.

15 **COMMENT:** Rule 36.6 formerly appeared as Iowa Court Rule 36.11. It is
16 amended to conform an internal reference to the new rule numbers and reduce
17 duplication with rule 36.2.

18

19 **Rule 36.10 Setting case for hearing; pretrial conference and scheduling**
20 **order.**

21 **36.10(1)** After 30 days have elapsed from the date of service of the complaint
22 and a grievance commission division is appointed to hear the matter, the
23 grievance commission clerk must arrange a telephone conference with the
24 division members and the parties to schedule the hearing, discovery, and other
25 pretrial matters. Notice of the telephone conference must be provided at least 10
26 days prior to the scheduled telephone conference.

27 **36.10(2)** The hearing must be held not less than 60 days nor more than 90
28 days after the date the answer is due. A respondent who waives this requirement
29 must file a written application for waiver of speedy hearing with the grievance
30 clerk at least three days prior to the rule 36.10(1) scheduling conference.
31 Hearings may only be set outside of this period if the division president finds
32 that good cause exists and the respondent does not object. At least 10 days
33 before the date set for the hearing, the grievance commission clerk must mail to
34 all parties and division members a copy of the order setting the hearing. If a party
35 does not participate in the scheduling conference, the grievance commission
36 clerk must provide notice of the hearing to the party by restricted certified mail

1 or personal service.

2 **36.10(3)** The division president must file a scheduling order regarding
3 discovery and other pretrial matters after the telephone conference. The
4 scheduling order must specify deadlines for disclosure of expert witnesses,
5 service of discovery requests, service of responses to discovery, exchange of
6 witness and exhibit lists, exchange of exhibits, amendment of pleadings,
7 objections to witnesses or exhibits, motions to resolve discovery issues, and any
8 other pretrial matters the division president deems appropriate.

9 **COMMENT:** Rule 36.10 formerly appeared as Iowa Court Rule 35.7. It is
10 amended to conform an internal reference to the new rule numbers and eliminate
11 duplication with rule 36.11. In addition, provisions for a mandatory pretrial
12 conference and a scheduling order regarding discovery and other pretrial matters
13 are added, reflecting actual grievance commission pretrial practice.

14

15

1 **CHAPTER 47**
2 **COURT INTERPRETER AND TRANSLATOR RULES**

3 [Prior to April 1, 2008, see Chapter 14]

4

5 ~~**Rule 47.7** Reserved. **Mandatory continuing education.** Interpreters on the~~
6 ~~Iowa statewide roster of court interpreters must satisfy continuing education~~
7 ~~requirements to remain on the roster and to maintain a certified status.~~

8 ~~**47.7(1)** *Annual report deadline; fee; hours required.*~~

9 ~~*a. Annual report deadline.* Beginning in 2017, by May 15 of each year,~~
10 ~~interpreters on the Iowa roster of court interpreters must report to the OPR~~
11 ~~continuing education hours for the previous calendar year, using a form the OPR~~
12 ~~provides.~~

13 ~~*b. Annual report fee.* Upon the filing of the annual continuing education report,~~
14 ~~interpreters on the statewide roster must pay a fee of \$10 to the OPR.~~

15 ~~*c. Required hours of continuing education.* Beginning in 2016, during each~~
16 ~~calendar year interpreters on the Iowa roster of court interpreters must attend~~
17 ~~at least six hours of continuing education that contributes directly to the~~
18 ~~professionalism and competency of the court interpreter. At least one of the six~~
19 ~~hours must address court interpreter ethics. Court interpreters on the Iowa~~
20 ~~roster of court interpreters do not have to meet these continuing education~~
21 ~~requirements during the first calendar year the interpreters are on the roster,~~
22 ~~but they must file the annual continuing education report and pay the annual~~
23 ~~continuing education fee by May 15 of the following calendar year.~~

24 ~~**47.7(2)** *Education program requirements.* Either live on site or live interactive~~
25 ~~computer based education may be used to fulfill the continuing education~~
26 ~~requirements. Up to three hours of the continuing education requirements may~~
27 ~~be fulfilled by unmoderated activity. "Unmoderated activity" means continuing~~
28 ~~education activity presented by delayed or on demand transmission or~~
29 ~~broadcast, in pre-recorded media such as audiotape, videotape, CD, podcast,~~
30 ~~CD-ROM, DVD, self paced computer based instruction, or another format,~~
31 ~~which has an interactive component and is approved by the OPR. The Language~~
32 ~~Access in the Courts Advisory Committee will develop guidelines governing~~
33 ~~approved unmoderated activity. The OPR may request additional information on~~
34 ~~a program for which continuing education credit is sought, and may refer the~~
35 ~~program to a panel of the Language Access in the Courts Advisory Committee for~~
36 ~~a decision as to whether the program should be approved.~~

1 ~~**47.7(3)** *Carryover of continuing education hours.* Up to six hours of continuing~~
2 ~~education may be carried over from one reporting period into the next reporting~~
3 ~~period. There will be no carryover of hours beyond one reporting period, and~~
4 ~~ethics credits may not be carried over except as regular credit hours.~~

5 ~~**47.7(4)** *Late filing of report; penalty and suspension.* Interpreters who miss the~~
6 ~~May 15 deadline may file their annual reports on or before August 15, but they~~
7 ~~must assert good cause for failing to meet the deadline and pay the annual report~~
8 ~~fee in rule 47.7(1)(b) plus a late fee of \$35. Court interpreters who fail to file their~~
9 ~~reports on or before August 15 will have their names removed from the Iowa~~
10 ~~roster of court interpreters and their certified status, if any, suspended.~~

11 ~~**47.7(5)** *Agreement on extension; suspension.* Court interpreters who file a report~~
12 ~~on or before August 15 but cannot report sufficient continuing education hours~~
13 ~~may apply to the OPR for permission to complete the missing continuing~~
14 ~~education hours on or before November 15. Court interpreters who do not report~~
15 ~~sufficient continuing education hours under this rule and do not complete any~~
16 ~~required continuing education under an agreement with the OPR will have their~~
17 ~~names removed from the Iowa roster of court interpreters and their certified~~
18 ~~status, if any, suspended.~~

19 ~~**47.7(6)** *Application for reinstatement.* An interpreter who has been suspended~~
20 ~~for failure to comply with the reporting requirements of rule 47.7(1) may file an~~
21 ~~application for reinstatement of the interpreter's name to the Iowa roster of court~~
22 ~~interpreters and of the interpreter's certified status, if applicable. The application~~
23 ~~must be filed with the OPR and include payment of a \$100 reinstatement fee.~~
24 ~~The interpreter must file all missing reports, show that all required continuing~~
25 ~~education hours have been obtained, and pay any unpaid filing fees. The~~
26 ~~interpreter must also swear or affirm that the interpreter did not provide~~
27 ~~interpreting services in any legal or court proceeding during the suspension~~
28 ~~period. The OPR may determine whether any additional conditions for~~
29 ~~reinstatement are necessary.~~

30 ~~**47.7(7)** *Certificate of exemption.* An interpreter may request a certificate of~~
31 ~~exemption from the continuing education requirements of this rule. When a~~
32 ~~certificate of exemption is issued, the interpreter's name will be removed from~~
33 ~~the Iowa roster of court interpreters. The interpreter may seek reinstatement~~
34 ~~following exemption under the provisions of rule 47.7(6). If the exemption period~~
35 ~~exceeds five years, the interpreter may be required to retake the interpreter~~
36 ~~orientation program and any testing the OPR determines is necessary for~~

1 ~~reinstatement.~~

2

3 **Rule 47.10 Complaint and disciplinary process.**

4 ~~47.10(1) Purpose.~~ These rules establish a complaint and disciplinary process
5 that ensures due process for court interpreters and translators formally accused
6 of misconduct under rule 47.10(5) the procedure whereby an oral or sign
7 language interpreter or translator may be removed or suspended from the roster
8 described in rule 47.6.

9 ~~47.10(2) Applicability.~~ These rules apply to the delivery of services by oral and
10 sign language interpreters or translators in any legal proceeding, court-ordered
11 program, or office of the Iowa Judicial Branch. ~~These rules also apply to real-~~
12 ~~time reporters when providing language access to court users.~~

13 **47.10(3) Procedures for complaints against oral language court interpreters or**
14 **translators.**

15 *a. Complaints.* A complaint against a court interpreter or a translator must be
16 filed with the OPR on a form available from that office or through the Iowa
17 Judicial Branch website. A complaint must be signed by the complainant,
18 provide the complainant's full address, telephone number, and email address, if
19 any, and contain substantiating evidence supporting the complaint. The OPR or
20 the state court administrator may also initiate a complaint.

21 *b. Review of complaints.* The OPR will review all complaints and may seek
22 additional information from the complainant as well as a response from the court
23 interpreter or translator if it deems necessary. If the OPR determines that the
24 allegations made within the complaint are serious enough to warrant the
25 suspension or removal of the court interpreter or translator from the roster, then
26 the OPR will forward the complaint, response, and any investigative materials
27 ~~The OPR will refer the complaint to the chair of the advisory committee.~~ The chair
28 will appoint a panel of at least three advisory committee members to consider
29 the complaint.

30 *c. Dismissal of complaints.* The advisory committee panel may dismiss the
31 complaint without further action if it appears the complaint wholly lacks merit,
32 alleges conduct that does not constitute misconduct or rise to the level of a
33 disciplinary violation under the Code of Professional Conduct for Court
34 Interpreters and Translators, or does not comply with the requirements for a
35 complaint or is not supplemented as requested. In such instances, the OPR will
36 notify the complainant of the advisory committee panel's decision. The advisory

1 committee panel's summary dismissal is not subject to review.

2 *d. Responses to complaints.* If the advisory committee panel does not dismiss
3 the complaint, ~~it shall the OPR will~~ notify the interpreter or translator of the
4 complaint in writing. The notice should state that the interpreter or translator
5 may provide a written response to the complaint, request a hearing, or both,
6 within 30 days from the date of the notice. If a written response has previously
7 been provided, the advisory committee panel may, at its discretion, request a
8 supplemental response. and direct the interpreter or translator to provide a
9 written response to the complaint within 21 days after notice of the complaint is
10 issued. A failure to file a timely response or obtain an extension of time in which
11 to do so will be deemed an admission of the interpreter or translator to the facts
12 alleged in the complaint. The OPR may forward the interpreter's or translator's
13 response to the complainant and allow the complainant to file a reply within 14
14 days after service of the response. After all responses have been received, or the
15 time for filing responses has expired, the advisory committee panel may
16 summarily dismiss the complaint pursuant to rule 47.10(3)(c) or assign the
17 matter for further investigation. If the complaint is dismissed, the OPR will notify
18 the complainant and the interpreter or translator of the advisory committee
19 panel's decision.

20 *e. Advisory committee action.* If the advisory committee panel does not dismiss
21 the complaint, the panel will review the complaint upon the papers filed unless
22 the interpreter or translator requests a hearing or the panel determines that a
23 hearing is necessary.

24 *f. Hearing and decision.*

25 (1) *Time and format of hearing.* A hearing will be scheduled to occur within 60
26 days after the complaint is assigned to the advisory committee panel. The
27 hearing will be informal and strict rules of evidence will not apply. During the
28 hearing, the interpreter or translator has the right to be represented by counsel
29 at the interpreter's or translator's expense, to confront and cross-examine
30 witnesses, and to present evidence. ~~The attorney general or the attorney general's~~
31 ~~designee may present evidence in support of the complaint at the hearing, except~~
32 ~~to the extent that facts have been deemed admitted under rule 47.10(3)(d).~~

33 (2) *Location; subpoenas; recording.* The hearing will be held at the Judicial
34 Branch Building ~~in the county where the interpreter or translator resides or~~
35 ~~where the alleged violation occurred unless the OPR and the interpreter or~~
36 ~~translator agree otherwise. An advisory committee panel member, the interpreter~~

1 or translator, the director of the OPR or the director's designee ~~or the attorney~~
2 ~~general or the attorney general's designee~~ may request the clerk of the district
3 court of the county in which the disciplinary hearing is to be held to issue
4 subpoenas in connection with the matter, and the clerk will issue the subpoenas.
5 Any member of the advisory committee panel is empowered to administer oaths
6 or affirmations to all witnesses. The hearing will be recorded electronically,
7 unless the interpreter or translator pays for a court reporter and the subsequent
8 transcript, if necessary.

9 (3) *Burden of proof.* Any grounds for discipline under rule 47.10(5) must be
10 shown by a convincing preponderance of the evidence.

11 (4) *Advisory committee panel actions.* The advisory committee panel may:

12 1. Dismiss the complaint.

13 2. Impose a private admonition.

14 ~~3. Enter into a stipulated disposition with the interpreter.~~

15 ~~4. Impose a public reprimand.~~

16 ~~53.~~ Require the interpreter to refund fees to a client for court interpreter services
17 by a specified date to remain on the roster.

18 ~~64.~~ Require that the interpreter take specified education courses by a specified
19 date to remain on the roster.

20 5. Require that the interpreter retake and pass the written, oral certification,
21 and/or ethics examinations by a specified date to remain on the roster.

22 ~~76.~~ Suspend or revoke the interpreter's roster status or certification, if any.

23 ~~87.~~ Suspend or bar the interpreter from interpreting in legal proceedings or
24 court-ordered programs, or both.

25 (5) *Advisory committee panel decision.* ~~Within 60 days after the hearing, the~~
26 The advisory committee panel will file a written decision with the chair of the
27 advisory committee, with a copy to the OPR. The OPR will promptly serve forward
28 a copy of the decision on to the interpreter or translator by restricted certified
29 mail email and ordinary post to the address on record with the OPR. If the
30 determination of the advisory committee panel was a suspension or revocation
31 of the interpreter or translator's roster status or certification, the OPR shall
32 immediately remove the interpreter or translator from the roster unless
33 otherwise instructed in writing by the chair of the advisory committee.

34 *g. Petition for review.* The interpreter or translator may file a petition for review
35 of the advisory committee panel's decision with the ~~Iowa Supreme Court~~state
36 court administrator. The petition for review must be ~~filed with the clerk of the~~

1 ~~supreme court received by the state court administrator~~ within 30 days after the
2 OPR ~~serves mails~~ the decision ~~on to~~ the interpreter or translator. ~~The interpreter~~
3 ~~or translator must serve a copy of the petition and any attachments on the OPR~~
4 ~~and any attorneys appearing in the disciplinary proceeding.~~ The petition must
5 state all claims of error that were raised before the panel and the reasons for
6 challenging the panel's determination ~~before the supreme court.~~ ~~The petition~~
7 ~~must be accompanied by a \$150 filing fee.~~ The OPR will transmit the complete
8 record in the case to the ~~clerk of the supreme court~~state court administrator.

9 *h. Submission and decision on review.* Unless the ~~supreme court orders state~~
10 ~~court administrator requests~~ otherwise, the petition will be submitted based
11 upon the record previously made and without ~~oral arguments~~supplementation or
12 hearing. After considering the record, the ~~court~~ state court administrator or the
13 state court administrator's designee may sustain or deny the petition or enter
14 such other appropriate order. The ~~court's~~ state court administrator's order is
15 conclusive, and no petition for rehearing is permitted.

16 *i. Costs.* Costs of the disciplinary proceeding will be assessed against the
17 interpreter or translator for any private admonition, public sanction, or any
18 agreed disposition that taxes costs against the interpreter or translator. For
19 purposes of this rule, costs include those expenses normally taxed as costs in
20 state civil actions pursuant to Iowa Code chapter 625, including but not limited
21 to expert witness fees and translation, transcription, and interpreter fees. The
22 interpreter or translator must pay the costs as a condition for reinstatement.

23 *j. Application for reinstatement.* An interpreter or translator may file an
24 application for reinstatement from an order suspending or revoking a
25 certification, roster status, or privilege of interpreting or translating in court. The
26 application must be filed with the OPR and include payment of a \$100
27 reinstatement fee. ~~The application must be served upon the clerk of the supreme~~
28 ~~court, all attorneys appearing in the underlying disciplinary proceeding, the state~~
29 ~~court administrator, and the chief judge of the judicial district in which the~~
30 ~~interpreter or translator resides.~~ The application must show that all conditions
31 for reinstatement imposed in the panel's decision or any resulting ~~supreme~~
32 ~~court~~state court administrator decision have been satisfied, the interpreter or
33 translator is currently fit to interpret or translate in court, and all costs have
34 been paid. The interpreter or translator must also swear or affirm that the
35 interpreter or translator did not provide interpreting or translating services in
36 any legal or court proceeding during the suspension period.

1 ~~k. Reinstatement decision.~~ The OPR will ~~forward~~ review the application for
2 reinstatement ~~to the full advisory committee.~~ ~~The committee may direct that~~
3 ~~reinstatement be granted, set the matter for hearing, or enter such other~~
4 ~~disposition or order as the matter requires and, if the requirements have been~~
5 fulfilled, may reinstate the interpreter or translator on the roster. If any
6 requirement has not been fulfilled, the OPR shall inform the interpreter or
7 translator of what remains to be completed before reinstatement on the roster
8 can occur.

9 *l. Confidentiality.*

10 (1) All records, papers, proceedings, meetings, and hearings of the advisory
11 committee panel are confidential, unless the panel imposes the following: a
12 public reprimand; a suspension or revocation of a certification, roster status, or
13 privilege to interpret or translate before the courts; a requirement that fees be
14 refunded to a client for court services; or a form of discipline that the panel and
15 the interpreter or translator agree should be made public.

16 (2) If the advisory committee panel imposes public discipline, the decision and
17 the complaint ~~will become public upon filed~~ will become ~~filing~~ with the OPR ~~will become~~
18 ~~public documents upon filing with the clerk of the supreme court.~~

19 (3) ~~Any other records and papers concerning any complaint against an~~
20 ~~interpreter or translator will remain privileged and confidential and are not~~ If the
21 advisory committee panel does not impose public discipline and the records do
22 not become public documents, the records and papers will remain confidential
23 unless they are ordered released by a judge in a related court case. The party or
24 attorney requesting the confidential records must sufficiently demonstrate to the
25 judge the relatedness of the records to the court case in question. The records
26 are not otherwise subject to discovery, subpoena, or other means of legal
27 compulsion for their release to a person other than the interpreter or translator,
28 the attorneys, or the attorneys' agents involved in the disciplinary proceeding
29 before the advisory committee panel. ~~The interpreter or translator, the attorneys,~~
30 ~~or the attorneys' agents involved in the disciplinary proceeding before the panel~~
31 ~~may not disclose to any third parties any records and papers of the advisory~~
32 ~~committee or advisory committee panel concerning any complaint unless~~
33 ~~disclosure is required in the prosecution or defense of disciplinary charges. The~~
34 ~~confidential records and papers concerning any complaint are not admissible as~~
35 ~~evidence in a judicial or administrative proceeding other than the formal~~
36 ~~interpreter or translator disciplinary proceeding under this rule.~~

1 (4) Every witness in every disciplinary proceeding under rule 47.10 must
2 swear or affirm to tell the truth and not to disclose the existence of the
3 disciplinary proceedings or the identity of the interpreter or translator until the
4 disciplinary proceeding is no longer confidential under these rules.

5 (5) Any communications, papers, and materials concerning any complaint
6 that may come into the possession of a committee member are confidential, and
7 the member must keep such confidential material in a safe and secure place.

8 (6) Nothing in this rule prohibits the advisory committee or an advisory
9 committee panel from releasing any information regarding possible criminal
10 violations to appropriate law enforcement authorities, wherever located, or to
11 interpreter or translator disciplinary and admission authorities in other
12 jurisdictions.

13 *m. Temporary suspension.* Notwithstanding the provisions of this rule, the
14 state court administrator may temporarily remove an interpreter or translator
15 from the roster and suspend the interpreter's right ~~suspend the right of any~~
16 ~~interpreter or translator~~ to interpret or translate in legal proceedings, court-
17 ordered programs, and offices of the Iowa Judicial Branch upon a showing of a
18 clear violation of the Iowa Code of Professional Conduct for Court Interpreters
19 and Translators ~~and~~ ~~for~~ exigent circumstances demonstrating that the
20 interpreter or translator currently lacks the capacity to interpret court
21 proceedings or translate court documents. Any ~~order suspending~~ suspension of
22 an interpreter's or translator's right to interpret or translate in Iowa courts must
23 provide the interpreter or translator with an opportunity to appear before the
24 supreme court and show cause file a petition for review with the state court
25 administrator explaining why the temporary suspension order should be lifted.

26

