

A Guide for Iowa Court Interpreters

Overview

Language interpreters play a critical role in the legal process by facilitating accurate communication between the court and persons who lack – or have limited – English proficiency. Under Iowa law, anyone who cannot speak or understand the English language and who is a litigant (party to a legal proceeding) or a witness in a case is entitled to the services of an interpreter at the court proceeding. Anyone who is deaf or hard-of-hearing and who is a party to, witness at, or a participant in a case is entitled to an interpreter without expense, unless the deaf or hard-of-hearing person waives the right to an interpreter.

This Guide explains Chapter 47 of the *Iowa Court Rules*, which regulate qualifications and appointment of court interpreters. The guide also explains the steps interpreters must follow to be compensated for their services. If you want more information on how to be appointed as a court interpreter in your county or judicial district, contact a district court administrator's office near you. (See page 11 of this Guide for a list of the eight district court administration offices.) If you have other questions after reading this Guide, you may contact:

State Court Administration
Language Access Services Office
1111 East Court Avenue
Des Moines, IA 50319
court.interpreter@iowacourts.gov
515.348.4904

Minimum Qualifications for Court Interpreters in Iowa

Under Iowa Court Rule 47.2, all court interpreters, even those who are not on the Roster of Court Interpreters, must meet the following basic qualifications:

- 1) Be at least 21 years old
- 2) Have the equivalent of two years or 48 hours of college courses or meet criteria to be on the official roster of court interpreters
- 3) Complete an official Application to be an Oral (or Sign) Language Court Interpreter, on which you must provide information on your education and employment experience that supports your claim that you would be a competent court interpreter. Pay the \$25 application fee.
- 4) Sign an oath that you have read, understand, and will abide by the Code of Professional Conduct for Judicial Branch Interpreters (Chapter 48 of the Iowa Court Rules). The oath is at the end of the Application form.
- 5) Complete and sign a "Release/Waiver" form to permit a criminal background check, which will be conducted by the Language Access Services Office in Des Moines, IA.

NOTE: Forms for the Application, Release/Waiver, and Registration are available at:
<https://www.iowacourts.gov/iowa-courts/court-interpreters/how-to-become-an-interpreter/>

Iowa's Roster of Court Interpreters

Under Chapter 47 of the Iowa Court Rules, an interpreter who is on the statewide Roster of Court Interpreters – and who is reasonably available – will be appointed before a non-roster interpreter. There are three classes of Roster interpreters: Class A (Certified), Class B, and Class C.

Requirements for being on the Roster

In addition to meeting the basic qualifications for court interpreters listed above, an interpreter must complete the following requirements to be listed on the Roster:

1. *Pass the written exam for court interpreters;*
2. *Attend a court interpreter orientation program;*
3. *Achieve a certain score on the oral exam for court interpreters*
 - *If the oral exam is not available in the interpreter's language, the interpreter must score at least 11 on the ALTA Oral Proficiency Interview (OPI) (see details below).*

These requirements must be completed within three years from the date of the interpreter's application to be a court interpreter. For example, if the interpreter applies and takes only the orientation program, they must also pass both exams within the three-year period beginning on the date their application is received by the Language Access Services Office.

1. *Pass the written exam for court interpreters*

The written exam for court interpreters is developed by the National Center for State Courts Language Access Services Section (hereafter NCSC). With a total of 135 multiple-choice questions (in English), it tests an interpreter's knowledge of:

- A. General English vocabulary (50 questions) and slang (25 questions);
- B. Legal terms (36 questions), court-related issues (14 questions), and ethics (10 questions).

Additionally, Iowa Court Rule 47.6(2)(a) requires interpreters to pass an ethics exam that covers Iowa's Code of Professional Conduct for Court Interpreters (Chapter 48 of the Iowa Court Rules). This is in addition to the 10 ethics questions on the NCSC portion of the written exam. To pass the written exam, interpreters must score at least 80% on the NCSC portion of the exam and 75% on the Iowa ethics portion.

2. *Attend a court interpreter orientation program*

The Iowa Judicial Branch conducts a one-day orientation program twice or three times a year. The registration fee is \$50.00. For more information and to register for the orientation program, go to:

<https://www.iowacourts.gov/iowa-courts/court-interpreters/how-to-become-an-interpreter/>

3. *Achieve a certain score on the oral exam for court interpreters*

The NCSC offers oral exams in approximately 18-20 non-English languages. The languages offered by NCSC change from time to time. If an interpreter's language is not offered by the NCSC for oral exam, the interpreter must take the ALTA Oral Proficiency Interview (OPI), as described below. To be eligible to take the NCSC's oral certification exams in Iowa, interpreters must first pass the written exam and attend the orientation workshop.

Through the use of recorded court testimony, other recorded in-court statements, and legal documents, the NCSC oral exam assesses an interpreter's ability to completely and accurately perform three types of oral interpreting:

- ❑ Oral interpretation of written documents
- ❑ Consecutive interpreting
- ❑ Simultaneous interpreting

States that use the NCSC exams differ in the criteria they use for determining who passes the exams. Overall, the pass rate for the NCSC's certification exams is about 10 to 20 percent, so interpreters must be well-prepared to take these exams.

Class A: To become a Class A Certified interpreter in Iowa, interpreters must score at least **70 percent correct on each of the three parts of the certification exam in a *single test session***. This is a high standard among the NCSC states. Many NCSC states allow interpreters to pass all three parts over multiple test sessions, by retaking just the parts of the exam that they failed in previous test sessions.

Class B: To become a Class B interpreter in Iowa, interpreters must score at least **65 percent on each of the three parts of the exam in a single session**. Alternatively, an interpreter may become a Class B interpreter if they have met the oral exam requirements for certification in another state, but did not achieve scores of at least 70 percent on each of the three parts in a single test session.

Class C: To become a Class C interpreter in Iowa, interpreters must score at least **55 percent correct on each of the three parts of the exam**.

If NCSC does not offer an oral exam in a particular language, the interpreter must achieve a score of at least 11 out of 12 on the ALTA Oral Proficiency Interview (OPI), in both English and the non-English language.

Additional requirements for sign language interpreters

To be listed on the official roster of court interpreters, a sign language interpreter must hold a permanent license issued by the Iowa Board of Sign Language Interpreters and Translitterators.

In order to be a class A certified court interpreter, the interpreter must also have a "specialist certificate: legal (SC:L)" or a conditional legal interpreting permit—relay (CLIP-R) from the National Testing System of the Registry of Interpreters for the Deaf (RID).

In order to be a class B interpreter, the interpreter must have at least one of the following certificates: a certificate based on the National Interpreter Certification (NIC) examination; an advanced (NAD IV) or master (NAD V) certificate from the National Association for the Deaf (NAD); a valid comprehensive skills certificate (CSC), a master comprehensive skills certificate (MCSC), both a certificate of interpretation (CI) and a certificate of transliteration (CT), or a certified deaf interpreter (CDI) certificate from the National Testing System of the RID. For more information on the requirements for sign language in Iowa, see the department of human rights website at:

<https://humanrights.iowa.gov/cas/ds/interpreting>

Waiver of Roster requirements

The Language Access Services Office may waive the NCSC's multiple choice exam or Iowa's ethics exam for interpreters who have passed the same exam *within the last five years* in another state that is a member of the NCSC. The Office may also waive the requirement of the court interpreter orientation program if the interpreter has taken a comparable program *within the last three years* in another state that is a member of the NCSC. While Iowa will recognize the certified status of an interpreter who meets Iowa's testing requirements for certification, an interpreter will not be placed on the roster until the interpreter has met all the roster requirements. An Interpreter who does not pass all three parts of the oral certification exam in one sitting does not meet Iowa's testing requirement for certification.

Court Interpreter Certification in Iowa

Under Chapter 47 of the Iowa Court Rules, the courts will appoint a Class A certified court interpreter, if one is reasonably available, before they will appoint a noncertified interpreter. Certified court interpreters also receive a higher hourly fee than noncertified interpreters. To become a Class A certified court interpreter in Iowa, an interpreter must meet the requirements to be on the Roster of Court Interpreters – AND – complete the following additional steps:

Certification of sign language interpreters

To be classified as a certified court interpreter for sign language, interpreters must hold a permanent license from the Iowa Board of Sign Language Interpreters and Transliterators and pass a specialized exam in court interpreting and obtain a Specialist Certificate: Legal (SC:L) from the National Testing System of the Registry of Interpreters for the Deaf (RID) or obtain a conditional legal interpreting permit - relay (CLIP- R) from RID. For more information on the requirements for sign language interpreters in Iowa, see the Iowa Department of Human Rights website at:

<https://humanrights.iowa.gov/cas/ds/interpreting>

Certification of oral language interpreters

In addition to achieving a passing score of at least 70 percent on the NCSC oral certification exam described above, an oral language interpreter may achieve certification in Iowa by passing the certification exams offered by one of the following organizations:

- ✓ The Federal Court Interpreter Certification Program
 - See <http://www.ncsc.org>
- ✓ The National Association of Judiciary Interpreters and Translators
 - See www.najit.org

Recognition of certifications awarded by other NCSC states

Interpreters can take the NCSC's certification exams in any state that is a member of the NCSC. To obtain certification in Iowa, however, an interpreter must – in a single test session – achieve scores of at least 70 percent correct on each of the three parts of the oral interpretation exam (simultaneous interpretation, consecutive interpretation, and oral interpretation of written documents).

Schedule and registration for the written exams, oral language certification exams, and orientation workshops

The Language Access Services Office will offer the written and oral exams as well as the orientation workshops twice or three times each year. The schedule for the certification exams will normally be available on the judicial branch website. For more information go to:

<https://www.iowacourts.gov/iowa-courts/court-interpreters/how-to-become-an-interpreter/>

Preparing for the oral language certification exams

The court interpreter certification exams identified above are very difficult. The pass rates range from 10 to about 20 percent. We strongly recommend that candidates prepare diligently before taking the oral exams for court interpreter certification. One of the best ways to prepare is to use the Practice Examination Kits. Information on ordering the kits can be found on the NCSC website.

Policies on Re-taking the Exams for Court Interpreters

Written exams

If an interpreter does not pass the written exam on the first try, they may retake it. Iowa Court Rule 47.6(3) permits interpreters to retake the written exam once in a 6-month period. According to the NCSC's guidelines, an interpreter can take the same version of a written exam only one time in a 12-month period and should never be allowed to take the same version more than twice. When there are multiple versions of the written exam, the Language Access Services Office will offer a different version for interpreters who are re-taking the exam.

Oral interpretation (“certification”) exams

The NCSC enforces the same rules regarding the certification exams: interpreters may not take the same version of the exam more than once in a 12-month period; and they may never take the same version more than twice. When there are multiple versions of the exam, the Language Access Services Office will offer a different version for interpreters who are re-taking the exam. Multiple versions of the exam are not offered in every language.

Preferences in the Appointment of Court Interpreters

According to Chapter 47 of the Iowa Court Rules, when a court needs a language interpreter, the court will appoint the highest-ranking interpreter who is reasonably available; and within each classification the courts will give preference to interpreters who are on the statewide Roster. Court interpreters are ranked in the following order of preference:

- Class A** – Certified oral & sign language court interpreters: meet Iowa's standards for certification (see certification requirements above)
- Class B*** – Noncertified oral & sign language court interpreters: exceed basic Roster requirements (see notes below)”
- Class C** – Noncertified oral language court interpreters on the **Roster**: have met basic Roster requirements
- Oral language interpreter on the list of approved interpreters in another jurisdiction.**
- Unclassified** – Noncertified oral language court interpreters **not on the Roster**:

*Class B noncertified **sign** language interpreters include those who hold a permanent license from the Iowa Board of Sign Language Interpreters and Transliterators have at least one of the following certificates: a certificate based on the National Interpreter Certification (NIC) examination; an advanced (NAD IV) or master (NAD V) certificate from the National Association for the Deaf (NAD); a valid comprehensive skills certificate (CSC), a master comprehensive skills certificate (MCSC), both a certificate of interpretation (CI) and a certificate of transliteration (CT), or a certified deaf interpreter (CDI) certificate from the National Testing System of the RID. According to Court Rule 47.5, there are no “Class C” sign language interpreters.

Appointment of Court Interpreter

When a court needs a language interpreter, it must issue an order appointing the interpreter. The party needing the services of an interpreter (or the party's attorney) should inform the court that an interpreter is needed – and for which language. If the court agrees that a party or witness needs an interpreter, it will issue an order approving the application for appointment. The court will appoint an interpreter according to the Iowa Court Rules.

When a hearing or trial is expected to be complex or to last more than four hours, a second interpreter must be employed to provide sufficient breaks for the interpreters without regularly disrupting the trial or hearing. If the court is responsible for paying the interpreters, the court must approve the appointment of a second interpreter prior to the hearing or trial.

Interpreters Must Take an Oath

All language interpreters must take an oath confirming that they have the knowledge and skills to interpret completely and accurately, they understand and will abide by the code of conduct, Chapter 48, and they will interpret to the best of their ability. All court interpreters must complete and official Application to be a Court Interpreter. It includes a written oath at the end of the form, which interpreters must sign. Interpreters are also required to take the oath in open court, or before, interpreting in a deposition.

Compensation of Court Interpreters

Determination of fees for court interpreters

The Iowa State Court Administrator has issued an Administrative Directive on the Compensation of Court Interpreters, which can be found at:

<https://www.iowacourts.gov/iowa-courts/court-interpreters/info-for-current-interpreters/>

The Administrative Directive governs a variety of issues involved in the compensation of court interpreters, so interpreters should become familiar with the terms in the Directive. One of the key sections in the Directive establishes the fee schedule for court interpreters, which is shown here:

Sign language interpreters:

Class A (certified): \$82

Class B (noncertified): \$55

Oral language interpreters:

Class A (certified): \$58

Class B (noncertified): \$46

Class C (noncertified): but on the statewide Roster of Court Interpreters: \$40

Unclassified: not on the statewide Roster of Court Interpreters: \$25

Who pays the court interpreter?

A person who needs a court interpreter shall have an interpreter appointed by the court. However, the person or entity responsible for paying the interpreter depends on a number of factors, including the type of case involved, whether the party needing court interpreter services is indigent, and the governmental body that uses the interpreter.

Type of Court Case	Who Pays the Interpreter
Criminal, Juvenile, Civil and domestic cases (including contempt cases)(with some exceptions for guardianship cases pursuant to Iowa Code section 232D.505)	The party needing the interpreter is responsible, but to avoid delays and ensure due process, the court may pay the interpreter -- by ordering payment from the court's Jury & Witness Fund -- then charge the fees as court costs (IA Code 622A.3).
Deaf or hearing-impaired party, witness, or participant in a court hearing – and the court appoints the interpreter	The county where the hearing is held pays the interpreter. (IA Code 622B.7)
Cases heard by an administrative law judge or agency in state government	The administrative agency is responsible for paying the interpreter; or the interpreter is paid according to policies established by the administrative agency

If there is *any doubt* about who will pay for a court interpreter appointed by the court, the court will pay the interpreter – even if the person needing the interpreter is not indigent – but the court will charge the interpreter fees as court costs to the appropriate party at the end of the case. To avoid delays in getting paid,

an interpreter should take steps to clarify who will pay for his or her services before agreeing to provide interpretation services.

Law enforcement agencies and prosecuting attorneys also use interpreters to interview non-English speaking defendants or witnesses while investigating a crime or performing other law enforcement functions. These functions are not part of the court process, so a court order is not required to appoint an interpreter. This also means that the city, county, or state agency utilizing the interpreter in these situations is responsible for paying the interpreter. Thus, interpreters employed by the Department of Corrections or Correctional Services, State Highway Patrol, city police, county sheriff, county attorney, or city attorney must file payment claims with the appropriate governmental agency. Any questions about payment procedures should be directed to the city, county, or state agency that originally contacted the interpreter for interpreting services.

If an interpreter is unsure about who should be paying the court interpreting fees, court personnel can usually help the interpreter determine which agency is responsible for payment.

Filing a claim for compensation

Note: Filing a claim with the appropriate office will facilitate timely processing.

1) When paid by the court

Each defendant is a single case, so an interpreter must file a separate claim for each defendant that receives interpreting services.

Court interpreters should use the “**Fee Itemization Form and Court Order Approving Claim for Court Interpreter Services**” developed by the State Court Administrator’s Office when filing their claims. This form also contains the judge’s order approving the amount of the claim. You will find the form at:

<https://www.iowacourts.gov/iowa-courts/court-interpreters/info-for-current-interpreters/>

Court staff in most counties will assist interpreters in getting copies of the court documents necessary to attach to their claim forms, however, the court interpreter bears the primary responsibility for filing claims.

The **deadline** for submitting claims is **45 days**.

2) When paid by the county (All sign language interpreters are paid by the county, as well as oral language interpreters who provide interpreting services in mental or substance abuse commitment proceedings and certain minor guardianship proceedings.)

In this situation, contact the clerk of court in the county in which the proceeding was held to determine what information the county needs from the interpreter. Most counties require:

- (1) An itemized statement of services provided by the interpreter.
- (2) A copy of the application and court order approving the interpreter’s appointment.
- (3) Court order signed by the court approving the dollar amount of the claim.

Court staff in most counties will assist interpreters in getting copies of court documents necessary to attach to their claim forms.

In civil, domestic, or other non-criminal cases involving an indigent party, the court may appoint and pay a court interpreter from its revolving fund (also known as the “jury and witness fund”).

- *Where to submit claims for payment by the court*

By **mailing** paper file-stamped copies of the required documents to:
Finance Office, State Court Administration, 1111 E. Court Ave, Des Moines IA 50319

-OR-

By **emailing PDF** versions of file-stamped copies of the required documents to Interpreter.Claims@iowacourts.gov. Include the county and case number in the subject line of the email.
Example: LINN AGCR0123456

- *Required forms when submitting a claim for payment by the court*

The first time you submit a claim to this office, you should include a: **Substitute W9/Vendor Update Form.**

Be sure to fill in all the necessary information and sign it. You need to submit this form only one time, unless you change your name, address, or phone – or the way you organize your interpreting business (e.g., you change from a partnership to a corporation). Then you must submit a revised W9 to this office.

Please submit claims for payment by following the “Instructions for Court Interpreters and Translators on Submitting Fee Claims. This instruction form and the W9 form are available on the Iowa judicial branch website at:

<https://www.iowacourts.gov/iowa-courts/court-interpreters/info-for-current-interpreters/>

(2) Deadline for submitting claims

Court interpreters must file claims for payment within 45 days after completion of the agreed upon services in a case.

(3) When paid by an agency or other person responsible for paying the interpreter

When a government agency is responsible for payment, file the claim with that agency. In all other situations, if you need assistance in obtaining payment for your services, contact the clerk of district court in your county or the nearest district court administration office (see table below).

Continued on the next page

J. Iowa District Court Administration Offices and Judicial District Map

District 1 (Northeast)

Black Hawk County Courthouse
316 East 5th Street
Waterloo, IA 50702
(319) 833-3332

District 5 (South Central)

Polk County Courthouse
500 Mulberry Street -- Room 411
Des Moines, IA 50309
(515) 286-3198

District 2 (North Central)

Webster County Courthouse
701 Central Avenue, 4th Floor
Fort Dodge, IA 50501
(515) 576-6336

District 6 (East Central)

Linn County Courthouse
P.O. Box 5488
Cedar Rapids, IA 52406-5488
(319) 398-3920, ext. 100

District 3 (Northwest)

Woodbury County Courthouse
7th and Douglas, Room 210
Sioux City, IA 51101
(712) 279-6608

District 7 (East)

Scott County Courthouse
416 West 4th Street
Davenport, IA 52801
(563) 326-8783

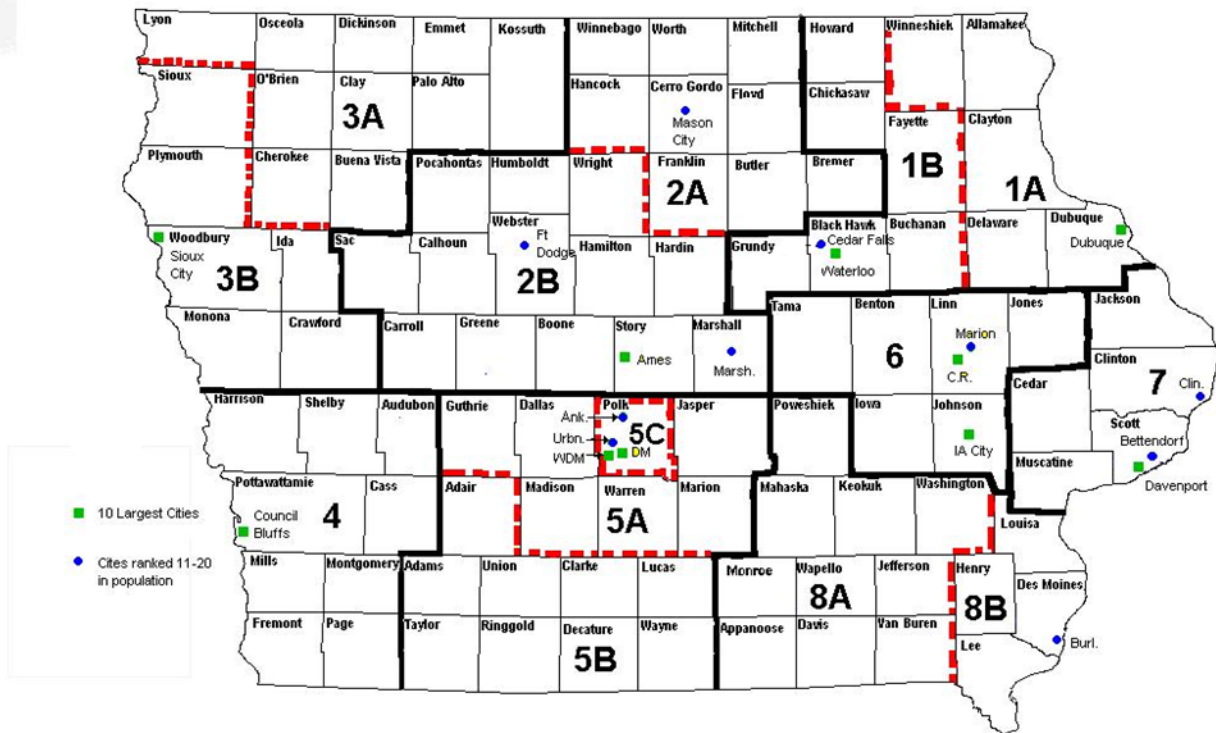
District 4 (Southwest)

Pottawattamie County Courthouse
227 S. 6th St. -- 4th Floor
Council Bluffs, IA 51501
(712) 328-5733

District 8 (Southeast)

Wapello County Courthouse
211 East 4th, Box 1319
Ottumwa, IA 52501
(641) 684-6502

Map of Iowa's 8 Judicial Districts and Their Subdistricts



Resources for Court Interpreters

Resources for Spanish Interpreters

Spanish/English Dictionaries

- Oxford Spanish-English Dictionary
- Simon & Schuster's International Dictionary
- American Heritage Larousse Spanish Dictionary
- Harper-Collins Spanish Dictionary

Bilingual (English/Spanish, Spanish/English) Legal Dictionaries

- *Butterworth's English-Spanish Dictionary*, by Cabanellas & Hoague
- *West's Spanish-English/English-Spanish Law Dictionary*, by Solís & Gasteazoro
- *Bilingual Dictionary of Criminal Justice Terms*, by Benmaman, Connolly & Loos, published by Gould
- *Spanish-English Dictionary of Law and Business*, by Thomas L. West III, published by Protea Publishing, ISBN 1-883707-37-4
- *Diccionario de terminología jurídica mexicana*, by Javier F. Becerra, published by Escuela Libre de Derecho, ISBN 968-6236-08-02
- *Bilingual Law Dictionary/Diccionario Jurídico Bilingüe*. Gallegos, Cuauhtémoc, published by Merl Publications, 2005. ISBN 1-886347-03-4

General Language References (Spanish)

- *Diccionario de ideas afines*, by Fernando Corripio, published by Editorial Herder
- *Larousse Diccionario de la lengua española*
- *Vox diccionario general ilustrado de la lengua española*
- *Diccionario de uso del español* by María Moliner
- *Diccionario de dudas y dificultades de la lengua española*, by Manuel Seco, published by Espasa Calpe
- *Using Spanish Synonyms*, by R.E. Bachelor, pub. Cambridge University Press
- *Diccionario razonado de sinónimos y contrarios*, by José M. Zainquí, pub. Editorial de Vecchi
- *NTC Dictionary of Spanish False Cognates*, pub. National Textbook Company

Legal Dictionaries for Interpreters of Other Selected Languages

The website for the Superior Court for Sacramento California has bi-lingual legal dictionaries or glossaries of legal terms in several languages including (but not limited to):

- English/Arabic
- English/Hmong
- English/Russian
- English/Spanish
- English/Urdu
- English/Vietnamese

You can find these legal dictionaries at:

http://www.saccourt.com/geninfo/legal_glossaries/legal_glossaries.asp

The New Jersey state courts prepared a list of legal dictionaries in several languages, which you can find at the following website: <http://www.judiciary.state.nj.us/interpreters/dict.pdf>

Other Important Publications and Resources

- ACEBO Skills Development for Interpreters
 - www.acebo.com/recref.htm
- de Jongh, Elena M., *An Introduction to Court Interpreting: Theory and Practice*, University Press of America (Maryland: 1992)
- Gonzalez, Vasquez and Mikkelson, Holly, *Fundamentals of Court Interpretation*, Carolina Academic Press, (Durham, NC: 1991)