



## Minnesota Judicial Branch Policy and Procedures

<b>Policy Source:</b>	State Court Administrator
<b>Policy Number:</b>	513(c)
<b>Category:</b>	Court Operations
<b>Title:</b>	Court Interpreter Roster Qualifications
<b>Origination Date:</b>	October 21, 2014
<b>Effective Date:</b>	October 21, 2014, December 1, 2020
<b>Revision Date:</b>	October 20, 2020
<b>Contact:</b>	Director, Court Services Division

### Court Interpreter Roster Qualifications

#### I. POLICY STATEMENT

Judicial Council Policy 513 establishes the Court Interpreter Program and designates under Minn. Gen. R. Prac. 8, that the State Court Administrator administers the Court Interpreter Program to provide accurate interpretation of court proceedings so non-English speakers and those disabled in communication are afforded equal access to justice. This policy establishes the minimum requirements for inclusion on the Statewide Roster of Court Interpreters, and certification exam testing practices, employee interpreter qualifications, and character and fitness standards required under Minn. Gen. R. Prac. 8.

#### II. APPLICABILITY

Court Interpreter Program procedures apply to all court interpreters providing interpreting services during hearings and trials in the Minnesota District Court system.

#### III. DEFINITIONS

- A. **“National Center for State Courts Written Test”** refers to the test developed and maintained by the Language Access Services Section of the National Center for State Courts. The multiple choice test can be administered in sections: questions 1 – 75 test basic knowledge of the English language and questions 76 – 135 test knowledge of the legal process, terms, and ethics applicable to the role of the court interpreter.
- B. **“Oral Proficiency Interview (OPI)”** refers to an interactive interview, conducted by one of two proprietary testing agencies, to assess and certify the candidate’s proficiency in a target language.
- C. **“Spoken Language Certification Oral Exam”** refers to testing instruments developed and maintained by the Language Access Services Section of the National Center for State Courts and made available to state courts. The full exam includes sight translation (two portions), consecutive interpreting and simultaneous interpreting.

- D. **“Statewide Roster of Court Interpreters”** refers to the roster maintained and published by the State Court Administrator. The roster identifies interpreters by language, qualification level and provides contact information.

#### **IV. ROSTER REQUIREMENTS**

##### **A. Roster Eligibility**

Minn. Gen. R. Prac. 8.01 (a) requires interpreters complete the following to be on the Statewide Roster of Court Interpreters:

1. Achieve a passing score on the Written English Proficiency Test provided by the National Center for State Courts (NCSC),
2. Successfully complete the New Interpreter Orientation class as defined by the Program Coordinator,
3. Achieve a passing score on the Ethics and Legal Terminology portion of the NCSC Written Test, and
4. File a written affidavit every two years with the State Court Administrator’s Office that includes:
  - a. Agreement to comply with the Code of Professional Responsibility for Interpreters in the Minnesota State Court System.
  - b. Agreement to abide by all the State Court Administrator Policies and Procedures.
  - c. Notice of obligation to disclose in writing any past or future misdemeanor, gross misdemeanor, or felony criminal charges to the Court Interpreter Program.
5. Submit a criminal background check report at the interpreter’s expense to the program manager every 5 years. A report is required from each state where the interpreter resided during the past 5 years.

Interpreters on the roster on the effective date of this policy have 90 days from the effective date to meet requirements in 4 and 5 to qualify for continued inclusion on the statewide roster.

##### **B. Certification Qualification**

Minn. Gen. R. Prac. 8.01(b) requires interpreters complete the following to be listed as Certified on the Statewide Roster of Court Interpreters.

1. For spoken language certification, the Minnesota Judicial Branch uses the Oral Exam testing materials and protocols provided by the National Center for State Courts, Language Access Services. Interpreters must complete all of the following steps to achieve certification status on the statewide roster of court interpreters in spoken language:
  - a. Meet all requirements to be on the statewide roster as defined in part IV.A.

- b. Candidates must initially take the test in all three modes on the same day or within the same testing period.
  - c. Candidates must pass all three modes of the exam (Simultaneous, Consecutive, and Sight Translation) with a score of at least 70 percent in each section.
  - d. Candidates may retain passing score(s) achieved on each mode for up to 12 months and retest only in the mode(s) they did not previously pass.
  - e. Candidates must wait at least 10 months before retesting.
  - f. Candidates must pay testing fees established by the State Court Administrator.
2. For sign language court interpreters must complete all of the following steps to achieve certification status on the statewide roster of court interpreters in American Sign Language:
- a. Meet all requirements to be on the statewide roster as defined in part IV.A.
  - b. Provide verification of special certification “Legal” from the Registry of Interpreters for the Deaf.

### **C. Employee Court Interpreter Qualification**

Minn. Gen. R. Prac. 8.02 provides for the use of Employee Court Interpreters who:

- 1. Meet the requirements under Minn. Gen. R. Prac. 8.01 to be included on the statewide roster; and,
- 2. Meets the qualifications for the position as follows:
  - a. Has achieved certification status under part IV. B.;
 OR
  - b. Must take an Oral Proficiency Interview (OPI) language assessment in their target language within 2 weeks of effective date of this policy, or on or before the date of hire, whichever occurs later, and achieve a score of at least 12 if administered through ALTA Languages Services, (Oral Interpretation Assessment); or a score of Superior if administered by Language Testing International, (ACTFL OPI Speaking).
    - i. The applicant or employee is responsible for any fees required to take the OPI language assessment.
    - ii. To guarantee the identity of the test taker Human Resources staff or their designee must proctor the test.
    - iii. If an employee’s score is below the required score they can retest once but must wait 90 days before retesting. The second attempt must take place no later than 120 days after the first attempt. If, on the second attempt, they do not meet the required score they will no longer meet the qualification of an employee interpreter.

Because Minn. Gen. R. Prac. 8.02(a) requires that the court appoint a certified court interpreter when reasonably available, if and when a [National Center for State Courts \(NCSC\) Court Interpreter Oral Certification Examination](#) is available in the target language, the employee is encouraged to take the examination. The

certification testing fees incurred by current employee interpreters may be reimbursed with the approval of the State Court Administrator.

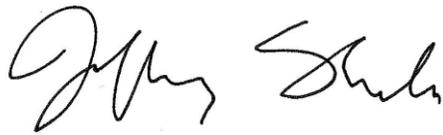
**V. RELATED DOCUMENTS**

- A. Minn. Gen. R. Prac. 8
- B. Judicial Council Policy 513; Court Interpreter Program
- C. State Court Administrator Policy and Procedures 513(a); Court Interpreter Payment Policy
- D. State Court Administrator Policy and Procedures 513(b); Use of Remote Interpreter Services
- E. The Code of Professional Responsibility for Interpreters in the Minnesota Court System
- F. Court Interpreter Affidavit

**VI. REVISION HISTORY**

- A. October 20, 2020: Policy amended to reflect revision to the Minnesota Rules of General Practice, Rule 8, (including the addition of character and fitness requirements) and to add the qualification requirements for current and future employee interpreters.

Approval:



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Jeffrey Shorba, State Court Administrator

October 20, 2020

Date