

SUMMIT COUNTY COURT OF COMMON PLEAS
LANGUAGE ACCESS PLAN
July 8, 2021

I. LEGAL BASIS AND PURPOSE

This document serves as the Language Access Plan (“LAP”) for the Summit County Court of Common Pleas to provide services to limited English proficient (“LEP”) individuals in compliance with Title VI of the Civil Rights Act of 1964; 45 C.F.R. § 80 et seq; and 28 C.F.R. § 42 et seq. The purpose of this plan is to provide a framework for the provision of timely and reasonable language assistance to LEP persons who come in contact with the Summit County Court of Common Pleas.

The Supreme Court of Ohio provides the following advisement:

In order to comply with the prohibition against national origin discrimination in Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et. seq., the Omnibus Crime Control and Safe Streets Act of 1968, 42 U.S.C. 3789d(c), and 28 C.F.R. Part 42, Subparts C and D, recipients of federal funds must provide meaningful access to limited English proficient (LEP) individuals. *Lau v. Nichols*, 414 U.S. 563 (1974). The U.S. Department of Justice advises that practices, such as charging for interpretation and translation services or seeking recoupment for those costs, significantly impair, restrict, or preclude the participation of LEP individuals in the judicial system and are inconsistent with recipients’ Title VI obligations. For more information, please refer to Guidance from the U.S. Department of Justice to state court justices and administrators’ Letter from Assistant Attorney of the Civil Rights Division to Chief Justices and State Court Administrators (Aug. 16, 2010); Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 67 Fed. Reg. 41455 (June 18, 2002).

This LAP is developed to ensure equal access to court services for LEP persons and persons who are deaf or hard of hearing. Although deaf and hard of hearing individuals are covered under the Americans with Disabilities Act (ADA) rather than Title VI of the Civil Rights Act, they have been included in this plan insofar as they relate to our policy of access to justice and equal protection under the law. Protections for individuals with qualifying disabilities includes the following:

- Title II of the Americans with Disabilities Act (ADA) requires public entities, including state and local courts, to provide equal access to their programs and services. 42 U.S.C. §§ 12131-12134.

- Public entities are required to “take appropriate steps to ensure that communications with applicants, participants, and members of the public with disabilities are as effective as communications with others.” 28 C.F.R. § 35.160(a).
- Public entities must “furnish appropriate auxiliary aids and services where necessary to afford an individual with a disability an equal opportunity to participate in, and enjoy the benefits of, a service, program, or activity conducted by a public entity.” 28 C.F.R. § 35.160(b)(1).
- These auxiliary aids and services include the provision of “qualified interpreters, notetakers, computer-aided transcription services, written materials,... or other effective methods of making aurally delivered materials available to individuals with hearing impairments.” 28 C.F.R. § 35.104.
- To determine “what type of auxiliary aid and service is necessary, a public entity shall give primary consideration to the requests of the individual with disabilities.” 28 C.F.R. § 35.160(b)(2).
- Deaf and hard of hearing people may not be charged for the costs of such auxiliary aids or services. 28 C.F.R. § 35.130(f).

II. NEEDS ASSESSMENT

A. Statewide

The State of Ohio provides court services to a wide range of persons, including people who do not speak English and/or who are deaf or hard of hearing. Service providers include the Supreme Court of Ohio, the courts of appeals, and trial courts throughout the state.

According to the American Community Survey as released in October 2019 by the U.S. Census Bureau, the number of people over the age of five in Ohio who, at home, speak a language other than English is approximately 825,270. The survey includes the following top 15 languages in Ohio:

<u>Language</u>	<u>No. of speakers over age of five</u>
1. Spanish	265,761
2. PA Dutch and other West Germanic	62,701
3. Chinese (Mandarin, Cantonese)	46,828
4. German	42,942
5. Arabic	41,582
6. Nepali, Marathi or Other Indic	32,446
7. Somali, Amharic & Other Afro-Asiatic	28,994
8. French	27,884
9. Hindi	18,964
10. Telugu	17,908
11. Ukrainian and Other Slavic Languages	15,067
12. Russian	14,265
13. Vietnamese	14,223
14. Tagalog (Filipino)	14,153

Correspondingly, data compiled by the Language Services Program on the use of telephonic interpreters in the state of Ohio from 2019-2020 revealed that the most widely used remote languages used in courts statewide are the following:

<u>Language</u>	<u>2019-2020 Avg.</u>
1. Spanish	1,828
2. Nepali	332
3. Arabic	270
4. French	209
5. Swahili	209
6. Somali	184
7. Kinyarwanda	103
8. Mandarin	101
9. Russian	69
10. Vietnamese	55
11. Burmese	35
12. Tigrinya	35
13. Amharic	30
14. Punjabi	25
15. Korean	20

B. Summit County Court of Common Pleas

The Summit County Court of Common Pleas will make every effort to provide services to all LEP and deaf or hard- of-hearing persons in its jurisdiction. The most commonly used languages in the Summit County Court of Common Pleas are the following:

- Spanish
- Chinese
- Arabic
- Korean
- Serbo-Croatian
- Vietnamese
- Russian
- Italian
- German
- Other Indic Languages
- Other Asian Languages
- Other Indo-European Languages

III. LANGUAGE ASSISTANCE RESOURCES

A. Language Access Coordinator

The Summit County Court of Common Pleas will designate a Language Access Coordinator. The Language Access Coordinator should report to the administrative judge since high level support is essential to successful implementation. The Language Access Coordinator, along with the Court Administrator (as applicable) and the Administrative Judge, will assist in ensuring that language services are delivered by the court in accordance with this plan and in accordance with this plan and the Rules of Superintendence for the Courts of Ohio, Rules 80 - 89.

The Summit County Court of Common Pleas's Language Access Coordinator is Robert P. Gainer. He can be reached at 209 South High Street, Akron, Ohio 44308; 330-643-2190; or rgainer@cpccourt.summitoh.net. Complaints submitted under Section VIII of this Language Access Plan will be addressed by the Language Access Coordinator within five (5) business days. In addition to the responsibilities already outlined in this plan, the Language Access Coordinator also has the following responsibilities:

- Identify qualified interpreters and translators to be included in an interpreter database or list as maintained by the court;
- Track and collect data regarding the use of interpreters, the languages needed, etc.;
- Outline measures to ensure quality control of interpreters and translators; and
- Assign qualified interpreters, translators and bilingual employees to perform language assistance functions.

B. Interpreters Used in the Courts

Under Ohio law and Supreme Court rules, there are two different instances in which a court must provide an interpreter: in a case or court function (see ATTACHMENT A: Sup.R. 80) and in connection with ancillary services (see ATTACHMENT F: Sup.R. 89). This distinction is important because the type of interpreter to be provided and the court's responsibilities differ depending on the specific situation.

By statute, Ohio courts must appoint qualified interpreters. Specifically, section 2311.14 of the Ohio Revised Code provides that courts shall provide interpreters due to hearing, speech, or other impairments of a party or a witness to a case.

Additionally, Rule 88 of the Rules of Superintendence for the Courts of Ohio, requires that the Summit County Court of Common Pleas appoint an interpreter in a case or court function when a LEP or deaf or hard of hearing individual requests an interpreter or when the court determines the services of an interpreter are necessary for the meaningful participation of the party or witness.

Under Ohio law, foreign language interpreters will be provided at court expense, if the party is found to be indigent. However, in order to comply with the prohibition against national origin discrimination in Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et. seq., the Omnibus Crime Control and

Safe Streets Act of 1968, 42 U.S.C. 3789d(c), and 28 C.F.R. Part 42, Subparts C and D, recipients of federal funds must provide meaningful access to limited English proficient (LEP) individuals. *Lau v. Nichols*, 414 U.S. 563 (1974). The U.S. Department of Justice advises that practices, such as charging for interpretation and translation services or seeking recoupment for those costs, significantly impair, restrict, or preclude the participation of LEP individuals in the judicial system and are inconsistent with recipients' Title VI obligations. For more information, please refer to Guidance from the U.S. Department of Justice to state court justices and administrators' letter from Assistant Attorney of the Civil Rights Division to Chief Justices and State Court Administrators (Aug. 16, 2010); Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 67 Fed. Reg. 41455 (June 18, 2002).

In the Summit County Court of Common Pleas, sign language interpreters will be provided at court expense for all deaf or hard of hearing court parties, witnesses, or jurors in compliance with the ADA.

IV. USE OF INTERPRETERS

A. Determining the Need for an Interpreter

There are various ways that the Summit County Court of Common Pleas will determine whether an LEP or deaf or hard of hearing person needs the services of a court interpreter. First, the LEP or deaf or hard of hearing person may request an interpreter.

Second, court personnel and judges may determine that an interpreter is necessary for the meaningful participation of a party or witness. Many people who need an interpreter will not request one because they do not realize that interpreters are available, they mistakenly think they will have to pay for the interpreter, or because they do not recognize the level of English proficiency or communication skills needed to understand the court proceeding. Therefore, when it appears that an individual has any difficulty communicating, the court staff, judge, or magistrate must provide an interpreter to ensure full access to the court. See Sup.R. 88(A)(2), (B)(1)(b). In legal proceedings, judges and magistrates must make a determination, on the record, as to the need for an interpreter. In court functions and ancillary services, designated staff may make a determination as to the need of an interpreter.

Third, once a party or a witness has been identified as an LEP or deaf or hard of hearing individual, the court will exercise every effort to appoint interpreters in all future related proceedings or court functions. Furthermore, the court will follow the requirements of Sup.R. 88 to appoint an interpreter (see Section C below). If no in-person interpreter is available at the given instance, the court will grant a continuance or if possible and appropriate, in accordance with Sup.R. 88, Appendix J, use the services of a telephonic interpreter.

B. Court Interpreter Qualifications

The Language Services Program of the Supreme Court of Ohio maintains a statewide roster of interpreters who are qualified to interpret in the courts. Foreign language interpreters on the roster have passed a written examination, attended at least 24 hours of court interpreter training, and have scored within a designated range that measures their language and interpreting skill. Sign language interpreters have also met similar requirements as necessary for national certification through the Registry of Interpreters for the Deaf. The definition of each category of interpreter is set forth in Sup.R. 80-88.

C. Appointment of a Court Interpreter

The Summit County Court of Common Pleas will appoint in-person and telephonic court interpreters in accordance with all criteria set forth in Sup.R. 88 and will ensure that certified court interpreters are used whenever reasonably available.

Pursuant to Sup.R. 88(C), the Summit County Court of Common Pleas will make all reasonable efforts to avoid appointing foreign language interpreters or sign language interpreters if they are compensated by a business owned or controlled by a party or a witness; friend or a family or household member of a party or witness; a potential witness; court personnel employed for a purpose other than interpreting; law enforcement officer or probation department personnel; or would not serve to protect a party's rights or ensure the integrity of the proceedings or have a conflict of interest, real or perceived.

D. Reimbursement of Interpreter Services

In order to receive reimbursement for interpretation or translation services, service providers must complete a Verification of Interpretation Services form. (Attachment C). This form may be found in the Court Executive Office at the Summit County Courthouse. The form **MUST** be signed by a court employee, verifying the information on the form and that services were provided. Reimbursement will not be processed if a court employee did not sign the form approving reimbursement for services.

In addition to the Verification of Interpretation Services form, service providers must provide the following items to the court:

- A copy of the Court's Order indicating interpreter/translation services are needed. This may be obtained on the Clerk of Court's website or from the Court when the interpreter provides services.
- An itemized invoice. Invoices must include the interpreter's name, address, and a breakdown of services provided, including hourly rates, actual time provided, mileage, and parking (if applicable). Typed invoices are provided. If the interpreter has a vendor number, this must be included on the invoice.
- Mileage log (if applicable). Unless otherwise specified, mileage is reimbursed at the federal reimbursement rate. Mileage should be shown by Google map or other similar program, with specific starting and ending addresses.
- Parking receipts (if applicable).
- Substitute Form W-9. (Attachment D) This form may be obtained from the Court Executive Office in the Summit County Courthouse or online: <https://fiscalportal.summitoh.net/index.php/forms/finish/3-accounting/31-substitute-w-9>. Once completed, the form may be kept on file. Even if the form is on file, it is important for services providers to check the box on the Verification of Interpretation Services form indicating it has been provided.
- Independent Contractor/Worker Acknowledgment. (Attachment E). This form may be obtained from the Court Executive Office in the Summit County Courthouse or online:

<https://fiscalportal.summitoh.net/index.php/forms/finish/3-accounting/76-opers-independent-contractor-acknowledgement-pedackn>. Once completed, the form may be kept on file. Even if the form is on file, it is important for services providers to check the box on the Verification of Interpretation Services form indicating it has been provided.

The Verification of Interpretation Services form, along with all required documentation, must be returned to the Court Executive Office no later than **fourteen (14) days** after services are provided to guarantee payment. The Court Executive Office is located at:

Summit County Court of Common Pleas
Court Executive Office
Attn: Lisa Kayes
209 S. High St.
Akron, OH 44308

Once the documentation is received, the Court will review it for completeness and accuracy. To expedite this process, it is recommended that the invoice be typed for legibility. It is also recommended you keep a copy of all items submitted for your records. If the documents are found to be in order, the Court will process the documents for reimbursement. If there are items missing, you will be contacted to provide the missing items. **Please know that any missing items or failure to comply with deadlines may result in a reduction in amount or timeliness of the reimbursement.**

D. Language Services Outside the Courtroom

In accordance with Sup.R. 89, the Summit County Court of Common Pleas shall ensure that LEP individuals and individuals who are deaf or hard of hearing have meaningful access to ancillary services outside the courtroom. LEP individuals and individuals who are deaf or hard of hearing may come in contact with court personnel via the phone, counter, or other means. The Summit County Court of Common Pleas has the following resources to assist LEP individuals and individuals who are deaf or hard of hearing:

- When a court staff member does not know what language the person is speaking, refer to an “I Speak” Language Identification Guide which is available in more than fifty (50) languages. The Language Access Coordinator is responsible for distributing cards to all staff and to any new staff.
- In order to meet the needs of those who speak less-common languages, court staff may rely on telephonic interpretation or relay services to bridge communication.

V. TRANSLATED FORMS AND DOCUMENTS

Ohio courts understand the importance of translating forms and documents so that LEP individuals have greater access to the courts’ services.

When interpreters are hired for hearings, interpreters are expected to provide sight translations for corresponding documentation to LEP individuals. Additionally, the Supreme Court of Ohio has translated a number of court form into various languages: Arabic, Chinese, Russian, Somali and Spanish. These are posted on the Supreme Court of Ohio website and are available to all courts. They can be found here:

<http://www.supremecourt.ohio.gov/JCS/interpreterSvcs/translatedForms/default.asp>.

The Summit County Court of Common Pleas follows the process to translate material described in Appendix J (found here: http://www.supremecourt.ohio.gov/Publications/interpreter_services/IShandbook.pdf of the *Interpreters in the Judicial System: A Handbook for Ohio Judges*). Appendix J identifies the steps to translate material from project management to editing, proofreading, and publishing. The section also describes the process for the selection of qualified translators. The court will also rely on the Language Services Program at the Supreme Court of Ohio for consultation and technical assistance.

Summit County Court of Common Pleas will assess demographics and analyze the most commonly used forms and embark in the translation of additional forms as resources allow.

VI. LOCAL RULE

The Summit County Court of Common Pleas – General Division has adopted a local rule regarding appointment of interpreters. The Summit County Court of Common Pleas – General Division has developed forms for implementation of the language access plan that are available on the court’s website or in person at the court.

VII. TRAINING

Ohio courts are committed to providing language access training opportunities for all staff members who come in contact with or may come in contact with LEP individuals and individuals who are deaf or hard of hearing. The Ohio Judicial College and the Language Services Program provide on-going training for court staff regarding issues related to LEP populations, individuals who are deaf or hard of hearing, the use of interpreters, and other language access matters.

Summit County Court of Common Pleas staff with direct contact with LEP individuals or individuals who are deaf or hard of hearing will receive training on language access, to be coordinated by the Language Access Coordinator. The Language Access Coordinator will ensure that all staff receives updated training regularly and new staff are trained at the time of hire.

VIII. COMPLAINT PROCESS

The Summit County Court of Common Pleas will ensure that all LEP individuals and individuals who are deaf or hard of hearing receive language assistance services in their primary language. To promptly address any concerns that an LEP person or an individual who is deaf or hard of hearing did not receive language assistance, the Supreme Court of Ohio has developed a process for handling such complaints, which may be found on their website at <http://www.supremecourt.ohio.gov/JCS/interpreterSvcs/default.asp>. Parties may also call 1(888)-317-3177, Monday-Friday, 8 AM to 5 PM, or send correspondence via email to: InterpreterServices@sc.ohio.gov or via US Postal Service to:

Language Services Program
Complaint Resolution
65 South Front Street

Columbus, Ohio 43215

Summit County Court of Common Pleas employees will also provide information on this complaint process to LEP individuals or individuals who are deaf or hard of hearing upon request or if an LEP/deaf or hard of hearing individual voices concern about the lack of language access services or the quality of services that were provided.

In addition to the Supreme Court's complaint process, the Summit County Court of Common Pleas has developed a local complaint resolution process as well. If the Language Access Coordinator receives a language access complaint, s/he will document receipt of the complaint and provide information about it to the individual who supervises the affected employee(s). Once the supervisor or monitor receives notice of a language access complaint, s/he will take prompt action to review, investigate and respond to its allegations. The Language Access Coordinator will also notify the Supreme Court of Ohio manager of the Language Services Program of such complaint.

The Summit County Court of Common Pleas will display a sign translated into the most frequently used languages which states:

If you are limited English proficient, you have the right to a court-appointed interpreter. To request one please contact the person or number below:

Robert P. Gainer: 330-643-2190

If you are not provided an interpreter, call the Supreme Court of Ohio complaint line at 1.888.317.3177

The Summit County Court of Common Pleas will display this sign at common areas visible to all court users. In the Summit County Court of Common Pleas, the Language Access Coordinator is responsible to make sure signs are visible, interpreters are provided, and our LAP plan is monitored.

IX. PUBLIC NOTIFICATION AND EVALUATION OF LAP

A. LAP Approval

The Summit County Court of Common Pleas LAP has been approved by the Administrative Judge of the court. Any future revisions to the plan will be submitted to the Administrative Judge for approval. Copies of the Summit County Court of Common Pleas LAP will be distributed to all court staff by the Language Access Coordinator.

B. Notification

The Language Access Coordinator will ensure that any new staff receives a copy of the plan. Copies of the Summit County Court of Common Pleas LAP will be provided to the public upon request. In addition, the Summit County Court of Common Pleas will post this plan on its website.

C. Evaluation of the LAP

The Language Access Coordinator will review this plan on an annual basis and make changes based on the review. The evaluation will include review of any complaints received, identification of any problem areas, development of required corrective action strategies, and input from court staff. Elements of the evaluation may include:

- Assessing the number of LEP/deaf hard of hearing persons requesting court interpreters in Ohio courts;
- Assessing current language needs to determine if additional services or translated materials should be provided;
- Assessing whether staff members adequately understand LEP policies and procedures and how to carry them out;
- Reviewing complaints received since the last review; and
- Gathering feedback from LEP/deaf hard of hearing communities around the state; using that feedback as collaboration on any revisions to the LAP.

Any revisions made to the plan will be approved by the Administrative Judge and will be communicated by posting on the Summit County Court of Common Pleas public website.

X. OFFICIAL DESIGNATION OF LANGUAGE ACCESS COORDINATOR AND BACK-UP LANGUAGE ACCESS COORDINATOR.

Language Access Coordinator
Robert Gainer
Court Executive Officer
209 South High Street
Akron, Ohio 44308
Phone: 330.643.2190
Email: rgainer@cpcourt.summitoh.net

In the event that the Language Access Coordinator is unavailable, the back-up Language Access Coordinator will serve as the substitute.

Back-up Language Access Coordinator
Susan Sweeney
Assistant Court Executive Officer
209 South High Street
Akron, Ohio 44308
Phone: 330.643.7840
Email: ssweeney@cpcourt.summitoh.net

XI. HELPFUL RESOURCES

- Federal interagency website about language access- LEP.GOV
- [American Bar Association Standards for Language Access in Courts](#), February 2012,
- [Department of Justice Language Access Planning](#)
- Supreme Court of Ohio's [Language Services Program](#).

XII. LAP ADMINISTRATIVE JUDGE APPROVAL

This LAP was reviewed and approved by:

JUDGE AMY CORRIGALL JONES

DATE

XIII. EFFECTIVE DATE

This LAP is effective on July 8, 2021.

TABLE OF ATTACHMENTS

ATTACHMENT A: Rule 80. Definitions

ATTACHMENT B: Rule 88. Appointment of a Foreign Language Interpreter or Sign Language Interpreter

ATTACHMENT C: Verification of Interpretation Services

ATTACHMENT D: Substitute Form W-9

ATTACHMENT E: Independent Contractor/Worker Acknowledgment

ATTACHMENT F: Use of Communication Services in Ancillary Services

ATTACHMENT G: Standards for the Use of Telephonic Interpretation

ATTACHMENT H: Model Form: Notice for Appointment of a Foreign Language Interpreter, Certificate of Service, and Proposed Order

ATTACHMENT I: Model Form: Notice for Appointment of a Sign Language Interpreter, Certificate of Service, and Proposed Order

ATTACHMENT J: Model Form: Order Appointing a Sign Language Interpreter

ATTACHMENT K: Model Form: Order Appointing a Foreign Language Interpreter

ATTACHMENT A

RULE 80. Definitions.

As used in Sup.R. 80 through 88:

(A) Case or court function

“Case or court function” means any hearing, trial, pre-trial conference, settlement conference, or other appearance before a court in an action, appeal, proceeding, or other matter conducted by a judge, magistrate, or other court official.

(B) Consecutive interpretation

“Consecutive interpretation” means interpretation in which a foreign language interpreter or sign language interpreter waits until the speaker finishes an entire message rendered in a source language before rendering the message in a target language.

(C) Crime of moral turpitude

“Crime of moral turpitude” means any of the following:

- (1) Aggravated murder as described in R.C. 2903.01 or murder as described in 2903.02;
- (2) A sexually oriented offense as defined in R.C. 2950.01;
- (3) An offense of violence as defined in section R.C. 2901.01, if the offense is a felony of the first or second degree;
- (4) Complicity in committing an offense described in division (C)(1) of this rule;
- (5) An attempt or conspiracy to commit or complicity in committing any offense described in division (C)(1) through (4) of this rule if the attempt, conspiracy, or complicity is a felony of the first or second degree;
- (6) A violation of any former Ohio law, any existing or former law of any other state, any existing or former law applicable in a military court or in an Indian tribal court, or any existing or former law of any nation other than the United States that is or was substantially equivalent to any offense listed in division (C)(1) through (5) of this rule.

(D) Deaf blind

“Deaf blind” is a combination of hearing and vision loss of any varying degree that causes an individual extreme difficulty in attaining independence in daily life activities, achieving psychosocial adjustment, or obtaining vocational objectives.

(E) Foreign language interpreter

“Foreign language interpreter” means an individual who, as part of any case or court function, facilitates communication between or among legal professionals and a limited English proficient or non-English speaking party or witness through consecutive interpretation, simultaneous interpretation, or sight translation.

(F) Limited English proficient

“Limited English proficient” means an individual who does not speak English as a primary language or who has a limited ability to read, speak, write, or understand English and requires the assistance of a foreign language interpreter or sign language interpreter to effectively communicate.

(G) Provisionally qualified foreign language interpreter

“Provisionally qualified foreign language interpreter” means a foreign language interpreter who has received provisional certification from the Supreme Court Language Services Program pursuant to Sup.R. 81(G)(3).

(H) Sight translation

“Sight translation” means interpretation in which a foreign language interpreter or sign language interpreter renders in a target language a written document composed in a source language.

(I) Sign language interpreter

“Sign language interpreter” means an individual who, as part of any case or court function, facilitates communication between or among legal professionals and a deaf, hard-of-hearing, or deaf-blind party, witness, or juror through the use of sign language or other manual or oral representation of a spoken language.

(J) Simultaneous interpretation

“Simultaneous interpretation” means interpretation in which, after a brief pause to listen for or view key grammatical information, a foreign language interpreter or sign language interpreter renders in a target language the message of a person rendered in a source language as the person continues to communicate.

(K) Supreme Court certified foreign language interpreter

“Supreme Court certified foreign language interpreter” means a foreign language interpreter who has received certification from the Supreme Court Language Services Program pursuant to Sup.R. 81.

(L) Supreme Court certified sign language interpreter

“Supreme Court certified sign language interpreter” means a sign language interpreter who has received certification from the Supreme Court Language Services Program pursuant to Sup.R. 82.

(M) Telephonic interpretation

“Telephonic interpretation” means the use via telephone of a foreign language interpreter who is in a location that is physically separate from that of the party or witness who is limited English proficient and requires the services of the interpreter for meaningful participation.

(N) Translator

“Translator” means an individual who, as part of any case or court function, takes written text composed in a source language and renders it into an equivalent written text of a target language.

ATTACHMENT B

RULE 88. Appointment of a Foreign Language Interpreter or Sign Language Interpreter.

(A) When appointment of a foreign language interpreter is required

A court shall appoint a foreign language interpreter in a case or court function in either of the following situations:

- (1) A party or witness who is limited English proficient or non-English speaking requests a foreign language interpreter and the court determines the services of the interpreter are necessary for the meaningful participation of the party or witness;
- (2) Absent a request from a party or witness for a foreign language interpreter, the court concludes the party or witness is limited English proficient or non-English speaking and determines the services of the interpreter are necessary for the meaningful participation of the party or witness.

(B) When appointment of a sign language interpreter is required

(1) A court shall appoint a sign language interpreter in a case or court function in either of the following situations:

- (a) A party, witness, or juror who is deaf, hard of hearing, or deaf blind requests a sign language interpreter;
- (b) Absent a request from a party, witness, or juror for a sign language interpreter, the court concludes the party, witness, or juror is deaf, hard of hearing, or deaf blind and determines the services of the interpreter are necessary for the meaningful participation of the party, witness, or juror.

(2) When appointing a sign language interpreter pursuant to division (B)(1) of this rule, the court shall give primary consideration to the method of interpretation chosen by the party, witness, or juror, in accordance with 28 C.F.R. 35.160(b)(2), as amended.

(C) Appointments to avoid

A court shall use all reasonable efforts to avoid appointing an individual as a foreign language interpreter pursuant to division (A) of this rule or sign language interpreter pursuant to division (B) of this rule if any of the following apply:

- (1) The interpreter is compensated by a business owned or controlled by a party or a witness;

- (2) The interpreter is a friend or a family or household member of a party or witness;
- (3) The interpreter is a potential witness;
- (4) The interpreter is court personnel employed for a purpose other than interpreting;
- (5) The interpreter is a law enforcement officer or probation department personnel;
- (6) The interpreter has a pecuniary or other interest in the outcome of the case;
- (7) The appointment of the interpreter would not serve to protect a party's rights or ensure the integrity of the proceedings;
- (8) The interpreter does or may have a real or perceived conflict of interest or appearance of impropriety.

(D) Appointment of and certification requirement for foreign language interpreters

(1) Except as provided in divisions (D)(2) through (4) of this rule, when appointing a foreign language interpreter pursuant to division (A) of this rule, a court shall appoint a Supreme Court certified foreign language interpreter to participate in-person at the case or court function.

(2) Except as provided in divisions (D)(3) and (4) of this rule, if a Supreme Court certified foreign language interpreter does not exist or is not reasonably available to participate in-person at the case or court function and after considering the gravity of the proceedings and whether the matter could be rescheduled to obtain a Supreme Court certified foreign language interpreter to participate in-person at the case or court function, a court may appoint a provisionally qualified foreign language interpreter to participate in-person at the case or court function. The court shall summarize on the record its efforts to obtain a Supreme Court certified foreign language interpreter to participate in-person at the case or court function and the reasons for using a provisionally qualified foreign language interpreter.

(3) Except as provided in division (D)(4) of this rule, if a Supreme Court certified foreign language interpreter or provisionally qualified foreign language interpreter does not exist or is not reasonably available to participate in-person at the case or court function and after considering the gravity of the proceedings and whether the matter could be rescheduled to obtain a Supreme Court certified foreign language interpreter or provisionally qualified foreign language interpreter to participate in-person at the case or court function, a court may appoint a foreign language interpreter who demonstrates to the court proficiency in the target language and sufficient preparation to properly interpret the proceedings to participate in-person at the case or court function. Such interpreter shall be styled a "language-skilled foreign language interpreter." The court shall summarize on the

record its efforts to obtain a Supreme Court certified foreign language interpreter or provisionally qualified foreign language interpreter to participate in-person at the case or court function and the reasons for using a language-skilled foreign language interpreter. The language-skilled foreign language interpreter's experience, knowledge, and training should be stated on the record. Each language-skilled foreign language interpreter shall take an oath or affirmation under which the interpreter affirms to know, understand, and act according to the “Code of Professional Conduct for Court Interpreters and Translators,” as set forth in Appendix H to this rule.

(4) If a Supreme Court certified foreign language interpreter, provisionally qualified foreign language interpreter, or language-skilled foreign language interpreter does not exist or is not reasonably available to participate in-person at the case or court function and after considering the gravity of the proceedings and whether the matter could be rescheduled to obtain a Supreme Court certified foreign language interpreter, provisionally qualified foreign language interpreter, or language-skilled foreign language interpreter to participate in-person at the case or court function, a court may appoint an interpreter to participate in the case or court function through telephonic interpretation. The court shall summarize on the record its efforts to obtain a Supreme Court certified foreign language interpreter, provisionally qualified foreign language interpreter, or language-skilled foreign language interpreter to participate in-person at the case or court function and the reasons for using an interpreter who will participate in the case or court function through telephonic interpretation. In appointing the interpreter, the court shall follow the order of certification preference in divisions (D)(1) through (3) of this rule and comply with the “Standards for the Use of Telephonic Interpretation,” as set forth in Appendix J to this rule.

(E) Appointment of and certification requirement for sign language interpreters

(1) Except as provided in divisions (E)(2) through (4) of this rule, when appointing a sign language interpreter pursuant to division (B) of this rule, the court shall appoint a Supreme Court certified sign language interpreter.

(2) Except as provided in divisions (E)(3) and (4) of this rule, if a Supreme Court certified sign language interpreter does not exist or is not reasonably available and after considering the gravity of the proceedings and whether the matter could be rescheduled to obtain a Supreme Court certified sign language interpreter, a court may appoint a sign language interpreter who holds one of the following certifications:

- (a) A “National Interpreter Certification” from the National Association of the Deaf and the Registry of Interpreters for the Deaf;
- (b) A “Certification of Interpretation” and “Certification of Transliteration” from the Registry of Interpreters for the Deaf;
- (c) A “Comprehensive Skills Certificate” from the Registry of Interpreters for the Deaf;

(d) A “Master Comprehensive Skills Certificate” from the Registry of Interpreters for the Deaf;

(e) A “Level V Certification” from the National Association of the Deaf;

(f) A “Level IV Certification” from the National Association of the Deaf.

(3) If the communication mode of the deaf, hard-of-hearing, or deaf-blind party, witness, or juror is unique and cannot be adequately accessed by a sign language interpreter who is hearing, a court shall appoint a sign language interpreter certified as a “Certified Deaf Interpreter” by the Registry of Interpreters for the Deaf.

(4) If the communication mode of the deaf, hard-of-hearing, or deaf-blind party, witness, or juror requires silent oral techniques, a court may appoint a sign language interpreter who possesses an “Oral Transliteration Certificate” from the Registry of Interpreters for the Deaf.

(5) A court shall summarize on the record its efforts to obtain and reasons for not using a Supreme Court certified sign language interpreter.

(F) Appointment of multiple foreign language interpreters or sign language interpreters

(1) To ensure the accuracy and quality of interpretation, when appointing a foreign language interpreter pursuant to division (A) of this rule or sign language interpreter pursuant to division (B) of this rule, a court shall appoint two or more foreign language interpreters or sign language interpreters in either of the following situations:

(a) The case or court function will last two or more hours and requires continuous, simultaneous, or consecutive interpretation;

(b) The case or court function will last less than two hours, but the complexity of the circumstances warrants the appointment of two or more interpreters.

(2) To ensure the accuracy and quality of interpretation, a court shall appoint two or more foreign language interpreters or sign language interpreters for a case or court function involving multiple parties, witnesses, or jurors requiring the services of an interpreter.

(G) Examination on record

(1) In determining whether the services of a foreign language interpreter are necessary for the meaningful participation of a party or witness pursuant to division (A) of this rule, the court shall conduct an examination of the party or witness on the record. During the examination, the court shall utilize the services of a foreign language interpreter, who may participate remotely. However, in doing so the court is not required to comply with the requirements of division (D) of this rule.

(2) In determining whether the services of a sign language interpreter are necessary for the meaningful participation of a party, witness, or juror, pursuant to division (B) of this rule, the court shall conduct an examination of the party, witness, or juror on the record. During the examination, the court shall utilize the services of a sign language interpreter, who may participate remotely. However, in doing so the court is not required to comply with the requirements of division (E) of this rule.

(H) Waiver

A party may waive the right to a foreign language interpreter under division (A) of this rule or sign language interpreter under division (B) of this rule, unless the court has determined the interpreter is required for the protection of the party's rights and the integrity of the case or court function. When accepting the party's waiver, the court shall utilize the services of a foreign language interpreter or sign language interpreter, who may participate remotely. However, in doing so the court is not required to comply with the requirements of division (D) or (E) of this rule.

(I) Administration of oath or affirmation

A court shall administer an oath or affirmation to a foreign language interpreter appointed pursuant to division (A) of this rule or sign language interpreter appointed pursuant to division (B) of this rule in accordance with Evid.R. 604.

ATTACHMENT C

VERIFICATION OF INTERPRETER SERVICES

Name of Interpreter: _____

Date of Service: _____ Time In: _____ Time Out: _____

Description of Service Provided: _____

Language: _____ Fee: _____

I am a Certified Interpreter with the Ohio Supreme Court: Yes No (circle one)

Court Employee Signature: _____

Court Employee Printed Name: _____

Comments: _____

Case Information

Case No.: _____ Judge: _____

Plaintiff: _____ Defendant: _____

The Following Items Must Be Attached

- Copy of Order indicating need for Interpreter/Sign Language Services
- Itemized invoice
- Mileage log (if applicable)
- Parking receipt (if applicable)
- Substitute Form W-9 (check box if already on file)
- Independent Contractor/Worker Acknowledgment (check box if already on file)

****Return this signed Verification Form along with the applicable forms listed above to Lisa Kayes, Fiscal Specialist in the Court Executive Office, located in Summit County Courthouse, 209 S. High St., Akron, Ohio 44308. All items are due within fourteen (14) days of the date of service.**

ATTACHMENT D

Kristen M. Scalise CPA, CFE, Summit County Fiscal Officer
 175 S. Main St., Accounting Room 406, Akron, OH 44308 (330) 643-2616

SUBSTITUTE FORM W-9: Request for Taxpayer Identification Number and Certification

No payments will be issued until a legible, fully completed and signed Substitute W-9 and OPERS PEDACKN if applicable, has been received via mail to the above address or faxed to (330) 643-8284 or emailed through our secure email site at <https://summitoh.secureemailportal.com>. If you have questions, please call.

Please **PRINT** or **TYPE** all information legibly. See specific instructions on page 2.

PART I: Vendor Information		
A	Full Legal Name: (As shown on IRS EIN records, IRS Notification CP575 or Social Security Admin records.) <i>No nicknames or acronyms.</i>	
B	Business Name, Trade Name or DBA (Doing Business As), if different from above,	
C	Federal Tax Classification/Entity Type: Place an X in the appropriate box. (Mark one only): [^] must complete IRS Exempt code in section G <input type="checkbox"/> Corporation/S-Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Individual/Sole Proprietor/Single Member LLC <input type="checkbox"/> C Corporation Limited Liability Company <input type="checkbox"/> S Corporation Limited Liability Company* <input type="checkbox"/> Partnership Limited Liability Company <input type="checkbox"/> Trusts/Estates <input type="checkbox"/> Government Entity <input type="checkbox"/> Church/Nonprofit Organization	
D	Address: For Correspondence/1099	Check Remittance Address, if different than address at left.
E	Payment Description Category: Place X in appropriate box for payment type below. <input type="checkbox"/> Supplies, Goods, Products, Materials <input type="checkbox"/> Rental/Lease (Equipment, Buildings, Land-Temporary Easement) <input checked="" type="checkbox"/> Attorney/Law Firm-Legal Services <input type="checkbox"/> Permanent Easement (Sale of land to County) <input checked="" type="checkbox"/> Attorney/Law Firm-Gross Proceeds/Lawsuit <input type="checkbox"/> Refund (Describe) _____ <input checked="" type="checkbox"/> Health Care Services (Doctor, Dentist, Nurse) <input type="checkbox"/> Reimbursement (Describe) _____ <input checked="" type="checkbox"/> Other Services (Describe) _____ <input type="checkbox"/> Other (Describe) _____	
F	<input checked="" type="checkbox"/> PEDACKN Requirement: If you have marked Individual and one of the starred ★ Payment Categories, you must fill out the OPERS Independent Contractor Acknowledgement Form. Corporations nor Partnerships are required to complete a PEDACKN. Are you retired from Summit County Government: (circle one) Yes / No If Yes, Birthdate _____ Are you retired from a different Government Entity: (circle one) Yes / No If Yes, Where _____	
G	Misc: IRS Exempt Payee Code (if any) <input type="text"/>	Business, NAICS # <input type="text"/> FATCA Reporting Code <input type="text"/>
PART II: Taxpayer Identification Number (TIN) - List one only.		
Enter your Federal TIN here. The TIN <u>must match</u> the "Legal Name" listed on the Full Legal Name line above.		<input type="text"/> Social Security Number OR <input type="text"/> Federal Taxpayer Identification No. (TIN)
PART III: Certification - Under penalties of Perjury, I certify that:		
<ol style="list-style-type: none"> 1 The number shown on this form is my/the entity's correct taxpayer identification number, and 2 I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and 3 I am a U.S. citizen or other U.S. person (defined in General Instructions), and 4 The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct. <p>Certification Instructions: You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN.</p>		
Handwritten Signature of the owner of the Social Security Number or the Authorized Corporate / Partnership Representative for the listed TIN	Date signed	Phone
Print Name	Title, if Company Representative	Fax
Email Address		
PART IV: Summit County Department doing business with vendor:		
Contact Name/ Department/ Phone		Ensure this is the latest version of the form at https://fiscalportal.summitoh.net/index.php/forms/viewcategory/3-accounting

Form Sub W-9 - Revised: 7/2020

ATTACHMENT E

Reset Form

Print Form



**INDEPENDENT CONTRACTOR/WORKER
ACKNOWLEDGMENT**

Ohio Public Employees Retirement System
277 East Town Street, Columbus, Ohio 43215-4642

Employer Services: 1-888-400-0866
www.opers.org

This form is to be completed if you are an individual who begins providing personal services to a public employer on or after Jan. 7, 2013 but are not considered by the public employer to be a public employee (e.g., you are an independent contractor) and will not have contributions made to OPERS. This form must be completed not later than 30 days after you begin providing personal services to the public employer.

STEP 1: Personal Information

Social Security Number

□□□□-□□□□

Date of Birth

Month Day Year

□□/□□/□□□□

First Name

MI

Last Name

□□□□□□□□□□□ □ □□□□□□□□□□

Name of Current Employer

□□□□□□□□□□□□□□□□□□□□□□

I am an OPERS or other retirement system benefit recipient

STEP 2: Public Employer Information

Name of Public Employer for Which You Are Providing Personal Services

S U M M I T C O U N T Y

Employer Contact

First Name

MI

Last Name

D I A N E □ D E K O V I C H

Employer Code

Employer Contact Phone Number

2 2 7 5 - 0 8

3 3 0 - 6 4 3 - 2 6 7 2

Service Provided to Public Employer

□□□□□□□□□□□□□□□□□□□□□□

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Start Date of Service

End Date of Service

Month Day Year

Month Day Year

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PEDACHN (Revised 6/2017)

Page 1

(continued on back)

RULE 89. Use of Communication Services in Ancillary Services.

(A) Limited English proficient individuals

A court shall provide foreign language communication services to limited English proficient individuals in conjunction with ancillary court services. Dependent upon the significance and complexity of the ancillary court service, the following individuals may provide the communication services in person, telephonically, or via video:

- (1) An employee of the court, other than a Supreme Court certified foreign language interpreter or provisionally qualified foreign language interpreter, who has demonstrated proficiency in English and the target language in accordance with standards set by Supreme Court Language Services Program and who the program has determined is qualified to conduct communication services directly with a limited English proficient individual in the target language;
- (2) A Supreme Court certified foreign language interpreter;
- (3) A provisionally qualified foreign language interpreter;
- (4) A registered foreign language interpreter.

(B) Deaf, hard-of-hearing, and deaf-blind individuals

A court shall provide sign language communication services to deaf, hard-of-hearing, and deaf-blind individuals in conjunction with ancillary court services. Dependent upon the significance and complexity of the ancillary court service, the following individuals may provide the communication services in person, telephonically, or via video:

- (1) A Supreme Court certified sign language interpreter;
- (2) A sign language interpreters listed in Sup.R. 88(E)(2) through (4);
- (3) A sign language interpreter employed by a community center for the deaf.

ATTACHMENT G

STANDARDS FOR THE USE OF TELEPHONIC INTERPRETATION

Preamble.

These standards apply to courts appointing a foreign language interpreter who, pursuant to Sup.R. 88(D)(4), is participating in the case or court function through telephonic interpretation.

Due process requires courts to ensure limited English proficient individuals are able to fully participate in the proceedings of and are afforded meaningful access in case and court functions. The fundamental role of a foreign language interpreter is to provide complete and accurate interpretation services in the case or court function in order to meet these due process requirements. The best way to accomplish this, especially in complex or prolonged proceedings, is to have the foreign interpreter present on-site where the case or court function is taking place.

However, in some instances, this may prove difficult due to factors such as the interpreter's lack of proximity. In these instances telephonic interpretation may be an appropriate alternative. However, telephonic interpretation should not be used when a Supreme Court certified foreign language interpreter, provisionally qualified foreign language interpreter, or language-skilled foreign language interpreter is reasonably available to facilitate communication in person.

Furthermore, the quality and success of telephonic interpretation depend on a variety of factors. Examples include the interpreter's quality of training, the quality of the equipment used, the length of the case or court proceeding, the number of speakers, and whether reference will be made to evidence or documents to which the interpreter does not have access. These and other factors can all have a bearing on the effectiveness of the telephonic interpretation.

Ultimately, telephonic interpretation services should aim to provide the same quality of services as in-person interpretation. To this end, these standards represent recommended practices and minimum requirements to ensure the efficient and effective administration of justice and are intended to complement court rules and federal and state laws, regulations, and standards pertaining to use of court interpretation services.

Definitions.

As used in these standards, "case or court function," "consecutive interpretation," "foreign language interpreter," "limited English proficient," "provisionally qualified foreign language interpreter," "sight translation," "simultaneous interpretation," "Supreme Court certified foreign language interpreter," and "telephonic interpretation" have the same meanings as in Sup.R. 80 and "language-skilled foreign language interpreter" means a foreign language interpreter appointed by a court pursuant to Sup.R. 88(D)(3).

Standard 1. When Telephonic Interpretation May be Used.

A court may use telephonic interpretation in a case or court function if all of the following apply:

- (A) A Supreme Court certified foreign language interpreter, provisionally qualified foreign language interpreter, or language-skilled foreign language interpreter is not reasonably available to serve on-site;
- (B) The matter cannot be postponed or delayed;
- (C) The quality of interpretation will not be compromised.

Commentary

While it is impossible to list all situations where telephonic interpretation might be appropriate, the court may consider the following: initial appearances, arraignments, simple traffic hearings, uncontested name changes, uncontested guardianships, ex parte civil protection orders, and marriages. The court may identify any other instances where telephonic interpretation may be suitable.

Standard 2. When Telephonic Interpretation Should Not be Used.

A court should not use telephonic interpretation in a case or court function if any of the following apply:

- (A) A Supreme Court certified foreign language interpreter, provisionally qualified foreign language interpreter, or language-skilled foreign language interpreter is reasonably available to serve on-site;
- (B) The interpretation is necessary for a proceeding that is expected to last longer than forty-five minutes, provided the interpretation may exceed forty-five minutes if the communication is clear, the proceeding is simple and routine, and the rights of the party are not compromised;
- (C) The interpretation is necessary for a proceeding that involves witness testimony or introduces complex evidence;
- (D) The limited English proficient party or witness is a child, is elderly, is an unsophisticated user of interpreter services, has profound speech or language problems, or is or is alleged to be mentally disabled or mentally ill;
- (E) It is determined that using telephonic interpretation would negatively impact access for any reason.

Standard 3. Compliance with Applicable Laws, Rules, and Standards.

A court using telephonic interpretation shall comply with all court rules and federal and state laws, regulations, and standards pertaining to use of court interpretation services.

Standard 4. Accommodating Modes of Interpretation.

(A) General

Subject to division (B) of this standard, court using telephonic interpretation should accommodate sight translation, consecutive interpretation, or simultaneous interpretation, as is necessary for proper and effective communication between the court, the parties, and the limited English proficient speaker.

(B) Sight translation

A court should not use sight translation with telephonic interpretation unless the foreign language interpreter has access to the documents beforehand and ample time to render the document from one language into the other. If sight translation is used with telephonic interpretation, the document should be short and routine.

Standard 5. Oath.

A foreign language interpreter participating through telephonic interpretation shall take an oath or affirmation that the interpreter knows, understands, and will act according to the “Code of Professional Conduct for Court Interpreters and Translators,” as set forth in Appendix H to these rules and that the interpreter will make a true translation or interpretation as required by Evid.R. 604.

Standard 6. Telephonic Interpretation Equipment.

(A) Adequacy of equipment

A court using telephonic interpretation should have adequate equipment in the courtroom and other locations where case and court functions involving the presence and participation of limited English proficient individuals take place.

(B) Quality of transmission

A court using telephonic interpretation should **ensure the telephonic interpretation equipment has the capacity to deliver clear and audible transmission of voice and**

minimizes background noise and disruptions that might affect the quality of the interpretation.

(C) Integration into existing audio speaker system

A court using telephonic interpretation may integrate the telephonic interpretation into a courtroom's existing audio speaker system using a digital audio platform device or a simple stand-alone device with amplification.

Standard 7. Coordination of Telephonic Interpretation Services.

A court using telephonic interpretation should designate one individual to arrange and monitor the provision of the service in order to ensure continuous and efficient operation.

Commentary

Having a coordinator to arrange and monitor telephonic interpretation helps to ensure an efficient operation and eliminate minor issues that can arise with the use of telephonic interpretation. Additionally, the accumulated experience of one individual produces efficiency.

Standard 8. Training on the Use of Telephonic Interpretation Services.

A court using telephonic interpretation should provide training to users of the technology, relevant support staff, and other involved individuals in order to ensure an efficient operation and the integrity in the use of the service.

Standard 9. Monitoring Telephonic Interpretation Services.

A court using telephonic interpretation should collect and analyze information regarding the performance of the service on a regular basis in order to evaluate the quality of the service, its benefits and limitations, and its cost-effectiveness.

ATTACHMENT H

**IN THE COURT OF COMMON PLEAS
SUMMIT COUNTY, OHIO**

_____	:	
Plaintiff	:	Case No. _____
v.	:	
	:	Judge _____
_____	:	
Defendant	:	Magistrate _____
	:	
	:	Motion for Appointment of Foreign Language Interpreter

Pursuant to Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et. seq.) and Sup.R. 88(A) and (D), _____ (party) requests a foreign language interpreter in _____ (language) at all hearings scheduled in this case. _____ (party) is a non-English speaking person (or has limited English proficiency) and cannot meaningfully participate without the services of an interpreter. The interpreter fee is to be assumed by the Court.

A proposed Order is attached.

Respectfully submitted,

 INSERT SIGNATURE BLOCK
 Attorney for _____ (party)

Certificate of Service

On _____, a copy of the Motion for Appointment of Foreign Language Interpreter was served via ordinary mail on: _____ (opposing parties).

 INSERT SIGNATURE BLOCK
 Attorney for _____ (party)

IN THE COURT OF COMMON PLEAS
SUMMIT COUNTY, OHIO

_____	:	
Plaintiff	:	Case No. _____
v.	:	
	:	Judge _____
	:	
_____	:	Magistrate _____
Defendant	:	
	:	ORDER

The Court hereby orders that a foreign language interpreter in _____ pursuant to the criteria in Sup.R. 88(A) and (D) shall appear to interpret at all hearings scheduled in this case. Furthermore, it is ordered that the Court shall assume the interpreter's fees and not tax said fees as court costs.

IT IS SO ORDERED.

Date

Judge/Magistrate

ATTACHMENT I

IN THE COURT OF COMMON PLEAS
SUMMIT COUNTY, OHIO

_____ ,	:	
Plaintiff	:	Case No. _____
v.	:	
	:	Judge _____
_____ ,	:	
Defendant	:	Magistrate _____
	:	
	:	Motion for Appointment of Sign Language
	:	Interpreter

Pursuant to the Americans with Disabilities Act and Sup.R. 88(B) and (E),
_____ (party) requests a sign language interpreter at all hearings scheduled
in this case. _____ (party) is a deaf or hard of hearing person and cannot
meaningfully participate without the services of an interpreter. _____
(party) prefers the following method of interpretation _____.
The interpreter fee is to be assumed by the Court.

A proposed Order is attached.

Respectfully submitted,

INSERT SIGNATURE BLOCK
Attorney for _____ (party)

Certificate of Service

On _____, a copy of the Motion for Appointment of Sign Language
Interpreter was served via ordinary mail on: _____
(opposing parties).

INSERT SIGNATURE BLOCK
Attorney for _____ (party)

IN THE COURT OF COMMON PLEAS

SUMMIT COUNTY, OHIO

_____	:	
Plaintiff	:	Case No. _____
v.	:	
	:	Judge _____
_____	:	
Defendant	:	Magistrate _____
	:	
	:	ORDER

The Court hereby orders that a sign language interpreter pursuant to the criteria in Sup.R. 88(B) and (E) shall appear to interpret at all hearings scheduled in this case. Furthermore, it is ordered that the Court shall assume the interpreter's fees and not tax said fees as court costs.

IT IS SO ORDERED.

Date

Judge/Magistrate

ATTACHMENT J

IN THE COURT OF COMMON PLEAS
SUMMIT COUNTY, OHIO

_____ , Plaintiff	:	
v.	:	Case No. _____
_____ , Defendant	:	

ORDER

Sign Language Interpreter

A party, witness, or juror is either deaf, hard of hearing, or deaf-blind. At the request of a party or witness, or after examination by the Court, the Court finds that the services of a sign language interpreter are necessary for the meaningful participation of the party, witness, or juror in the proceedings.

- A Supreme Court Certified Sign Language Interpreter is appointed and will be *voir dire*d on the record to comply with Evid.R. 604 and 702. Sup.R. 88(E)(1).
- A Supreme Court Certified Sign Language Interpreter does not exist or is not reasonably available. The Court has considered the gravity of the proceedings and the ability to reschedule in order to obtain a Supreme Court Certified Sign Language Interpreter. For good cause shown, a sign language interpreter who holds one of the certifications listed in Sup.R. 88(E)(2) is appointed. Type of certification of appointed interpreter _____.
- The communication mode of the deaf, hard of hearing, or deaf-blind party, witness, or juror is unique and cannot be adequately accessed by a sign language interpreter who is hearing. A sign language interpreter certified as “Certified Deaf Interpreter” by the Registry of Interpreters for the Deaf is appointed.
- The communication mode of the deaf or hard of hearing party, witness, or juror requires silent oral techniques. A sign language interpreter who possesses an “Oral Transliteration Certificate” is appointed.

OATH OR AFFIRMATION

(for interpreters who are not certified by the Supreme Court of Ohio)

On the record, the interpreter has sworn or affirmed that s/he will interpret accurately, completely, and impartially using the best of his or her skill and judgment.

- The sign language interpreter has sworn or affirmed that s/he knows, understands, and will act according to the Code of Professional Conduct for Court Interpreters and Translators. (Sup.R. 88, App. H)

Date

Judge/Magistrate

Interpreter's Name:	<input type="checkbox"/> Certification #
Signature:	Date of Service:
Agency:	

ATTACHMENT K

IN THE COURT OF COMMON PLEAS
SUMMIT COUNTY, OHIO

_____,
Plaintiff

v.

_____,
Defendant

Case No. _____

ORDER

Foreign Language Interpreter

A party or witness is either limited English proficient or non-English speaking. At the request of a party or witness, or after examination by the Court, the Court finds that the services of a foreign language interpreter are necessary for the meaningful participation of the party or witness in the proceedings.

- A Supreme Court Certified Foreign Language Interpreter is appointed and will be *voir dire*d on the record to comply with Evid.R. 604 and 702. Sup.R. 88(D)(1).
- A Supreme Court Certified Foreign Language Interpreter does not exist or is not reasonably available. The Court has considered the gravity of the proceedings and the ability to reschedule in order to obtain a Supreme Court Certified Foreign Language Interpreter. For good cause shown, a Provisionally Qualified Foreign Language Interpreter is appointed.
- Neither a Supreme Court Certified Foreign Language Interpreter nor a Provisionally Qualified Foreign Language Interpreter exist or is reasonably available. The Court has considered the gravity of the proceedings and the ability to reschedule in order to obtain a Supreme Court Certified Foreign Language Interpreter or Provisionally Qualified Foreign Language Interpreter. For good cause shown, a Language-Skilled Foreign Language Interpreter is appointed.

OATH OR AFFIRMATION

(for interpreters who are not certified by the Supreme Court of Ohio)

On the record, the interpreter has sworn or affirmed that s/he will interpret accurately, completely, and impartially using the best of his or her skill and judgment.

- The language-skilled foreign language interpreter has sworn or affirmed that s/he knows, understands, and will act according to the Code of Professional Conduct for Court Interpreters and Translators. (Sup.R. 88, App. H)

Date

Judge/Magistrate

Interpreter's Name:	<input type="checkbox"/> SCCFLI #
Signature:	<input type="checkbox"/> PQFLI
Language:	<input type="checkbox"/> LSFLI
Agency:	Date of Service:

Supreme Court Certified Foreign Language Interpreter	SCCFLI
Provisionally Qualified Foreign Language Interpreter	PQFLI
Language-Skilled Foreign Language Interpreter	LSFLI