DELAWARE MUNICIPAL COURT
LANGUAGE ACCESS PLAN
March 31, 2026

I. LEGAL BASIS AND PURPOSE

This document is the Language Access Plan ("LAP") for the Delaware Municipal Comi and details the services provided 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 plan provides a framework for the provision of timely and reasonable language assistance to LEP persons who encounter the Delaware Municipal Court.

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.

II. LANGUAGE ASSISTANCE RESOURCES

A. Language Access Coordinator

The Delaware Municipal Court's Language Access Coordinator is Maenette Combs. She can be reached at the Delaware Municipal Court, 70 North Union St., Delaware, Ohio 43015, (740) 203-1502. Complaints submitted under Section VIII of this Language Access Plan will be addressed by the Language Access Coordinator within seven business days. In addition to the responsibilities already outlined in this plan, the Language Access Coordinator also has the following responsibilities:

Post specific information about how LEP individuals and the public in general can obtain language services;

Display information on the complaint resolution process;

Identify qualified interpreters and translators to be included in an interpreter database or list as maintained by the court;

Outline measures to ensure quality control of interpreters and translators; and

- Assign qualified interpreters and translators for upcoming court proceedings.

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 C: Sup.R. 89).

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 (see Attachment B), requires that the Delaware Municipal Court 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. In the Delaware Municipal Court, 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 Delaware Municipal Court 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 will provide an interpreter to ensure full access to the court. See Sup.R. 88(A)(2), (B)(l)(b).

In legal proceedings, judges and magistrates must determine, on the record, as to the need for an interpreter. In court functions and ancillary services, designated staff may determine 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 (Attachment B) 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. Appointment of a Court Interpreter

The Delaware Municipal Court will appoint in-person and telephonic court interpreters in accordance with all criteria set forth in Sup.R. 88 (Attachment B) and will ensure that certified court interpreters are used whenever reasonably available.

Pursuant to Sup.R. 88(C), the Delaware Municipal Court 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.

C. Language Services outside the Courtroom

In accordance with Sup.R. 89 (Attachment C), the Delaware Municipal Court 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 encounter court personnel via the phone, counter, or other means. The Delaware Municipal Court 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 a customer is speaking, they use an "I Speak" card which is available in 63 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

The Delaware Municipal Court currently has the following forms translated into commonly used languages:

Waiver of Rights/Plea form - Spanish
Conditions of Community Control - Spanish
Financial Disclosure Form - Spanish

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 27 vital forms into 5 languages: Arabic, Chinese, Russian, Somali and Spanish. These are posted on the Supreme Court of Ohio website and are available to all courts.

The Delaware Municipal Court follows the process to translate material described in Appendix J 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.

Delaware Municipal Court will assess demographics and analyze the most used forms and may translate addition forms as resources allow.

VII. COMPLAINT PROCESS

The Delaware Municipal Court 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.

Delaware Municipal Court employees will 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 Delaware Municipal Court has developed a local complaint resolution process as well. (see ATTACHMENT E: LAP Incident Repo1i). 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 Section of such complaint.

The Delaware Municipal Court will display a sign translated into Ohio's 12 most frequently used languages which states:

You may have the right to a court-appointed interpreter. If one is not provided, send an email to lsp.resolution@sc.ohio.gov

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

VIII. PUBLIC NOTIFICATION AND EVALUATION OF LAP

A. LAP Approval

The Delaware Municipal Court 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 Delaware Municipal Court LAP will be distributed to all court staff by the Language Access Coordinator upon adoption and when changes are made to the plan.

B. Notification

The Language Access Coordinator will ensure that any new staff receives a copy of the plan. Copies of the Delaware Municipal Court LAP will be provided to the public upon request. In addition, the Delaware Municipal Court 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/deafhard ofhearing 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 Delaware Municipal Court public website.

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

Language Access Coordinator
Name: Maenette Combs
Title: Assignment/Jury Commissioner
Address: 70 N. Union St., Delaware, Ohio 43015
Phone: 740-203-1502
Email: mcombs@delawarecityohmunicipalcourt.org

Back-up Language Access

Coordinators:
Name: Tina Spiers
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Address: 70 N. Union Street, Delaware, Ohio 43015
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Name: Darren Smith
Title: Court Administrator
Address: 70 N. Union Street, Delaware, Ohio 43015
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X. LAP ADMINISTRATIVE JUDGE APPROVAL

This LAP was reviewed and approved by:

KYLE ROHRER, ADMINISTRATIVE JUDGE — DATE 3/6/26

XI. EFFECTIVE DATE

March 31, 2026

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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)(l) of this rule;

(5) An attempt or conspiracy to commit or complicity in committing any offense described in division (C)(l) 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)(l) 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. 8l(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 1s 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 come 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)(l) 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 Comi 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

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 D

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 E

THE SUPREME COURT *of* OHIO

LANGUAGE SERVICES SECTION
DENIAL OF ACCESS TO INTERPRETER
COMPLAINT FORM

Complete this form and submit it to The Supreme Court of Ohio Language Services Section
65 South Front Street, Columbus, Ohio 43215-3431. Fax: 614.387.9409.
E-mail: lsp.resolution@sc.ohio.gov.

Date Submitted: _____

Name _____ (First / Middle / Last)

Language You Speak _____

Address _____ (Street / City / State / Zip Code)

Home Phone _____ Cell Phone _____ E-Mail _____

Court Name _____ Judge Name _____

Address _____ (Street / City / State / Zip Code)

Phone _____ Your Case Number _____

Date of Court Hearing or Appearance _____

- ☐ The court did not provide an interpreter
- ☐ The interpreter did not speak my language
- ☐ The interpreter did not interpret correctly
- ☐ Other (Explain): _____

You may also submit supporting documentation as a supplement to this form.
Retaliation of any kind against a person who has made a complaint, and/or assisted in any way with the investigation of the complaint is prohibited under Title VI of Civil Rights Act of 1964, 42 USC Sec. 2000d.

SCO-CSD-LAN 5423 (Rev. 1/2025) Previous Editions Obsolete

Print Form

ATTACHMENT F
APPOINTMENT AND OATH OF INTERPRETER

IN THE DELAWARE MUNICIPAL COURT

State of Ohio / _____
Plaintiff

vs.

_____
Defendant

Case No. _____

Appointment and Oath of Interpreter
Pursuant to Sup. R. 88

Entry of Appointment	**Oath of Interpreter**
This matter came on _____. The participant shown does not speak English. The interpreter named below is appointed to provide translation services subject to the conditions set forth in the oath.	The undersigned, having been duly sworn says: I will make a true interpretation of the herein proceedings and I will truly, fully, and accurately translate and repeat the statements made during the proceedings to the best of my ability.
Non-English-speaking person / **Language Spoken** ☐ Defendant _____ ☐ Plaintiff _____ ☐ Witness _____ _____ ☐ Others _____ _____	I am fluent in the following languages: **Language** / **Native** / **Years Spoken if not native** English YES _____ _____ YES _____ I have the following special language training: _____
**********	**COURT CERTIFIED**
Interpreter: _____ Name _____ Address _____ City, State, Zip _____ Phone	I have conversed with the non-English speaking person identified herein. I certify said person speaks the language shown above with which I am fluent. I am able to accurately provide translation to and from English. I will not divulge to any person any information regarding attorney-client communications. _____ Interpreter Sworn to and subscribed in my presence on _____, 20____ _____ Bailiff, Judge, Magistrate, Deputy Clerk
_____ Judge/Magistrate	