

**AMENDMENTS TO THE SUPREME COURT
RULES OF SUPERINTENDENCE FOR THE COURTS OF OHIO**

The following amendments to the Rules of Superintendence for the Courts of Ohio (amended Sup.R. 80 and 87 and new Sup.R. 89) were adopted by the Supreme Court of Ohio. The history of these amendments is as follows:

August 31, 2015	Published for public comment
April 19, 2016	Final adoption by conference
July 1, 2016	Effective date of amendments

THE RULES OF SUPERINTENDENCE FOR THE COURTS OF OHIO

RULE 80. Definitions.

As used in Sup.R. 80 through 89:

(A) Ancillary court services

“Ancillary court services” means any activity, other than a case or court function, that includes the exchange of legal or general court-related information with the public or parties in interest and is paid for or provided by the court. “Ancillary court services” includes, but is not limited to, the following:

- (1) Alternative dispute resolution programs;
- (2) Evaluations;
- (3) Information counters;
- (4) Probation or criminal diversion program functions;
- (5) Pro se clinics;
- (6) Specialized dockets and dedicated-subject-matter dockets.

(B) 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.

(C) 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.

(D) Crime of moral turpitude

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

- (1) A crime punishable by death or imprisonment in excess of one year pursuant to the law under which the person was convicted;
- (2) A crime involving dishonesty or false statement, regardless of the punishment and whether based upon state or federal statute or local ordinance.

(E) Deaf blind

“Deaf blind” means 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.

(F) 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.

(G) 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.

(H) 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).

(I) Registered foreign language interpreters

“Registered foreign language interpreter” means a foreign language interpreter who has registered with the Supreme Court Language Services Program pursuant to Sup.R. 87.

(J) 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.

(K) 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.

(L) 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.

(M) 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.

(N) 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.

(O) 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.

(P) 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.

RULE 87. Registered Foreign Language Interpreters.

(A) Registration

The Supreme Court Language Services Program may register foreign language interpreters to whom both of the following apply:

(1) The interpreter is ineligible for certification as a Supreme Court certified foreign language interpreter due to the lack of an oral examination of the National Center for State Courts for that language;

(2) The interpreter demonstrates to the program's satisfaction proficiency in the interpreter's target language and sufficient preparation to properly interpret case or court functions.

(B) Title

A foreign language interpreter registered with the Supreme Court Language Services Program pursuant to division (A) of this rule shall be styled a "registered foreign language interpreter."

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

RULE 99. Effective Date.

[Existing language unaffected by the amendments is omitted to conserve space]

(VVV) The amendments to Sup.R. 80 and 87 and new Sup.R. 89, adopted by the Supreme Court of Ohio on April 19, 2016, shall take effect on July 1, 2016.