

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

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

October 8, 2018	Initial publication for public comment
August 6, 2019	Final adoption by conference
January 1, 2021	Effective date of amendments

Key to Adopted Amendments:

1. Unaltered language appears in regular type. Example: text
2. Language that has been deleted appears in strikethrough. Example: ~~text~~
3. New language that has been added appears in underline. Example: text

**RULES OF SUPERINTENDENCE FOR THE COURTS OF OHIO**

**RULE 80. Definitions.**

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

**(I) Registered foreign language ~~interpreters~~ interpreter**

“Registered foreign language interpreter” means a foreign language interpreter who has registered with the Supreme Court Language Services Program pursuant to Sup.R. ~~87~~ 81.01.

**(J) Registered sign language interpreter**

“Registered sign language interpreter” means a sign language interpreter who has registered with the Supreme Court Language Services Program pursuant to Sup.R. 82.01.

**(K) 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)~~(L) 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)~~(M) 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)~~(N) 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)~~**(O)** **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)~~**(P)** **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)~~**(Q)** **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 81. ~~Certification for Supreme Court Certified Foreign Language Interpreters and Provisionally Qualified Foreign Language Interpreters.~~**

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

~~(J)~~ **Oath or affirmation**

~~Each Supreme Court certified foreign language interpreter and provisionally qualified 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 II to this rule.~~

**RULE 81.01. Registered Foreign Language Interpreters.**

**(A) Registration**

A foreign language interpreter may register with the Supreme Court Language Services Program and be styled a “registered foreign language interpreter” pursuant to the requirements of this rule.

**(B) Requirements for registration**

An applicant for registration as a registered foreign language interpreter shall satisfy each of the following requirements:

- (1) Be at least eighteen years old;

- (2) Be a citizen or legal resident of the United States or have the legal right to remain and work in the United States;
- (3) Have not been convicted of any crime involving moral turpitude;
- (4) 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;
- (5) Receive an overall score of eighty percent or better in the English language and grammar, court-related terms and usage, and professional conduct sections of the written examination of the National Center for State Courts. The examination shall be administered by the program in accordance with the standards described in the test administration manuals for the National Center for State Courts.
- (6) Complete twenty-four hours of court interpreter training. The training shall consist of six hours of legal terminology, six hours of court interpreter ethics, and twelve hours of modes of interpretation.
- (7) Complete an oral proficiency assessment in that foreign language and receive a score at the top of the scale demonstrating superior native fluency.

**(C) Application for registration**

An applicant for registration as a registered foreign language interpreter shall file an application with the program. The application shall include each of the following:

- (1) Verification the applicant is at least eighteen years old;
- (2) Verification the applicant is a legal resident or citizen of the United States or has the legal right to remain and work in the United States;
- (3) A copy of a completed criminal background check showing no conviction of a crime involving moral turpitude;
- (4) A nonrefundable application fee in an amount as determined by the program.

**RULE 82. Certification for Sign Language Interpreters.**

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

**(D) Oath or affirmation**

Each Supreme Court certified sign 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.~~

**RULE 82.01. Registered Sign Language Interpreters.**

**(A) Registration**

A sign language interpreter may be registered by the Supreme Court Language Services Program and be styled a “registered sign language interpreter” pursuant to the requirements of this rule.

**(B) Requirements for registration**

An applicant for registration as a registered sign language interpreter shall satisfy each of the following requirements:

- (1) Be at least eighteen years old;
- (2) Be a citizen or legal resident of the United States or have the legal right to remain and work in the United States;
- (3) Have not been convicted of any crime involving moral turpitude;
- (4) Hold 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.
- (5) Be in good standing with the entity from which the interpreter received certification;

(6) Receive an overall score of eighty percent or better in the English language and grammar, court-related terms and usage, and professional conduct sections of the written examination of the National Center for State Courts. The examination shall be administered by the program in accordance with the standards described in the test administration manuals of the center. An interpreter who has taken the written examination in another state within the past twenty-four months may apply to the program for recognition of the score. The program shall recognize the score if it is substantially comparable to the score required under this division.

(7) Complete twenty-four hours of court interpreter training. The training shall consist of six hours of legal terminology, six hours of court interpreter ethics, and twelve hours of modes of interpretation or other specialized legal topics for court interpreters.

**(C) Application for registration**

An applicant for registration as a registered sign language interpreter shall file an application with the program. The application shall include each of the following:

- (1) Verification the applicant is at least eighteen years old;
- (2) Verification the applicant is a legal resident or citizen of the United States or has the legal right to remain and work in the United States;
- (3) A copy of a completed criminal background check showing no conviction of a crime involving moral turpitude;
- (4) A nonrefundable application fee in an amount as determined by the program.

**RULE 83. Revocation of Supreme Court Certification or Registration.**

The Supreme Court Language Services Program may revoke the certification of a Supreme Court certified foreign language interpreter or a Supreme Court certified sign language interpreter ~~or~~ the provisional certification of a provisionally qualified foreign language interpreter, or the registration of a registered foreign language interpreter or registered sign language interpreter for any of the following reasons:

- (A) A material omission or misrepresentation in the application for certification from the interpreter;
- (B) A substantial breach of the “Code of Professional Conduct for Court Interpreters and Translators,” as set forth in Appendix H to this rule;
- (C) Noncompliance with the applicable continuing education requirements of Sup.R. 85;

(D) Revocation of credentials by initial certification body, another state court system, or other entity listed in Sup.R. 81(I).

**RULE 84. Code of Professional Conduct for Court Interpreters and Translators.**

Supreme Court certified foreign language interpreters, provisionally qualified foreign language interpreters, registered foreign language interpreters, Supreme Court certified sign language interpreters, provisionally qualified foreign registered sign language interpreters, and translators shall be subject to and take an oath or affirmation under which the interpreter or translator affirms to know, understand, and act in accordance with the “Code of Professional Conduct for Court Interpreters and Translators,” as set forth in Appendix H to this rule.

**RULE 85. Continuing Education.**

**(A) Requirements**

(1) Each Supreme Court certified foreign language interpreter ~~and, registered foreign language interpreter,~~ Supreme Court certified sign language interpreter, ~~and registered sign language interpreter~~ shall complete and report, on a form provided by the Supreme Court Language Services Program, at least twenty-four credit hours of continuing education offered or accredited by the program for each two-year reporting period. Six of the credit hours shall consist of ethics instruction and the remaining eighteen general credit hours shall be relevant to the work of the interpreter in the legal setting. No more than twelve credit hours may be from online courses. The interpreter may carry forward a maximum of twelve general credit hours into the following biennial reporting period.

(2) Each provisionally qualified foreign language interpreter shall complete and report, on a form provided by the program, at least twenty-four credit hours of continuing education offered or accredited by the program within twenty-four months after the date of the last oral examination of the National Center for State Courts administered by the program.

**(B) Compliance with requirements**

The program shall keep a record of the continuing education hours of each Supreme Court certified foreign language interpreter, provisionally qualified foreign language interpreter, registered foreign language interpreter, Supreme Court certified sign language interpreter, and ~~provisionally qualified foreign registered sign language interpreter,~~ provided it shall be the responsibility of the interpreter to inform the program of meeting the continuing education requirements.

**(C) Accreditation**

The program shall accredit continuing education programs, activities, and sponsors and establish procedures for accreditation, provided any continuing education programs or activities offered by the National Center for State Courts, the National Association of Judiciary Interpreters and Translators, ~~and~~ the Registry of Interpreters for the Deaf, ~~and the American Translators Association~~ shall not require accreditation. The program may assess a reasonable nonrefundable application fee in an amount as determined by the program for a sponsor submitting a program or activity for accreditation.

**RULE 86. Certification Roster.**

The Supreme Court Language Services Program shall maintain a roster of each Supreme Court certified foreign language interpreter, Supreme Court certified sign language interpreter, ~~and~~ provisionally qualified foreign language interpreter, registered foreign language interpreter, and registered sign language interpreter who is in compliance with the applicable continuing education requirements of Sup.R. 85(A). The program shall post the roster on the website of the Supreme Court.

**RULE 87: ~~Registered Foreign Language Interpreters.~~ is reserved for future use**

**~~(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 88. Appointment of a Foreign Language Interpreter or Sign Language Interpreter.**

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

**(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 or registered 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 or registered 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 or registered 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, registered 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, registered 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, registered 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)~~ (5) 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)~~ through (5) 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 registered sign language interpreter.

(3) Except as provided in divisions (E)(4) and (5) of this rule, if a Supreme Court certified sign language interpreter or registered 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 or registered 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;

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

~~(3)~~(4) 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)~~(5) 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)~~(6) A court shall summarize on the record its efforts to obtain and reasons for not using a Supreme Court certified sign language interpreter or registered sign language interpreter. The sign language interpreter’s name, experience, knowledge, and training should be stated on the record.

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

**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~~ other electronic means available:

- (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 a~~ Supreme Court certified sign language interpreter, a registered sign language interpreter, or an interpreter eligible pursuant to Sup.R. 88(E)(3) may provide the communication services in person, telephonically, or via ~~video;~~ other electronic means available

- (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]**

**[(Insert division letter)]** The amendments to Sup.R. 80 through 89, adopted by the Supreme Court of Ohio on August 6, 2019, shall take effect on January 1, 2021.