

FILED
GARY L. HARRISON
CLERK, SUPERIOR COURT

21 AUG 26 PM 3: 04

ARIZONA SUPERIOR COURT
IN AND FOR THE COUNTY OF PIMA

IN THE MATTER OF:
COURT INTERPRETATION AND
TRANSLATION SERVICES (CITS)
OF SUPERIOR COURT IN PIMA
COUNTY

ADMINISTRATIVE ORDER

No. 2021-43

S. MAY, DEPUTY CLERK

(Supersedes Administrative Orders

No. 2015-27 and No. 2017-02)

The increasing involvement of non-English speaking litigants and witnesses in Pima County Superior Court cases presents significant challenges to the court in managing language access resources. The court addresses these issues and its responsibilities formally in its Plan for Addressing the Needs of Court Participants with Limited-English Proficiency and Language Disabilities (LAP Plan) for criminal, civil, family law and probate cases, which was first adopted in July 2010. Though the LAP Plan was first adopted in 2010, language access services were the subject of prior administrative orders.

To ensure that court language access resources are appropriately directed toward public services for which the court is responsible, the following policy is hereby adopted:

The court provides interpreters in all court proceedings where a party, guardian, witness, victim, family member(s)—or any other person whose presence or participation is necessary or appropriate as determined by the judicial officer—requires such services. The LAP plan, referenced above, details the court's services in areas other than in-court services. Given interpreter scarcity, the court requires that a request for interpreter services in a non-criminal case be made of the CITS office as soon as the need is known by the parties, and barring extraordinary circumstances, no less than ten (10) business days prior to the scheduled hearing.

Court interpreters must be certified by the Arizona Court Interpreter Credentialing Program (ACICP) established by established by Arizona Supreme Court Administrative Order No. 2016-02. CITS will assign independent contract interpreters as needed for court matters in all languages giving appointment preference to experienced credentialed interpreters – starting with those who hold a Tier 4 and 3 first and followed by the lower tiers 2 and 1.

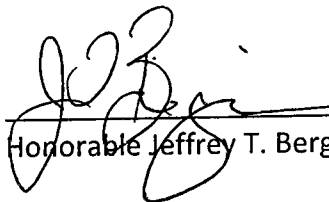
A party may waive the right to a qualified interpreter at any time. However, the waiver of the right to a qualified interpreter must be made on the record using a credentialed interpreter, and such waiver may be revoked at any time by the person in need of interpreter services (see Right to Waiver Form).

Court staff interpreters will not provide translations, verification of translations, or out-of-court attorney-client or witness interview services to users other than the judges and staff of Superior Court, unless extraordinary circumstances exist and by court order. This limitation extends to out-of-court (non-court originated) translations or verifications of video or audio recordings, transcripts and lawyer-client conversations, witness interviews and letters needing translation by any legal office.

CITS can be reached for contact information regarding court experienced interpreters and translators in any language on the ACICP roster.

It is the responsibility of the party presenting documents, recordings, transcriptions, or translations are prepared by an individual who can be qualified as an expert under Arizona Rules of Evidence 604 and 703, and who will be available to testify as to the translation's accuracy or to its foundation for admission into evidence. All proposed transcribed and translated trial exhibits must be verified prior to trial in the discovery phase so trials or evidentiary proceedings are not delayed.

DATED this 26th day of August 2021.



Honorable Jeffrey T. Bergin, Presiding Judge

cc: Ronald G. Overholt, Court Administrator
Cassandra Urias, Deputy Court Administrator
Tina Mattison, Deputy Juvenile Court Administrator
Hon. Peter Hochuli, Presiding Pima County Juvenile Court
Pima County Superior Court Judges
Ramiro Alviar, CITS Director