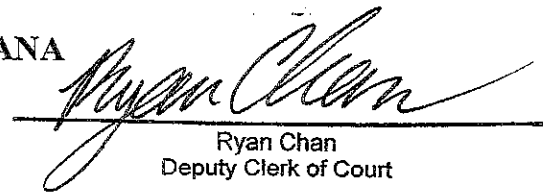


SUPREME COURT OF LOUISIANA


Ryan Chan
Deputy Clerk of Court

ORDER

Acting in accordance with Article V, Sections 1 and 5 of the Louisiana Constitution of 1974, and the inherent power of this Court, and considering the need to adopt a Code of Professional Responsibility for Language Interpreters,

IT IS HEREBY ORDERED THAT:

Part G, Section 14 of the General Administrative Rules for all Louisiana Courts be and is hereby reenacted, to read as follows:

Part G. General Administrative Rules for all Louisiana Courts

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Section 14. Language Access

- A. Definitions. For the purposes of this Section, the following terms shall be defined as follows:
1. Court proceeding means any proceeding, trial, or hearing before a judge, whether a civil, criminal, juvenile, or family matter in any level of court.
 2. Court operations means any offices, programs, or services managed, controlled, contracted or funded by the court including any program managed by the Supreme Court, other than court proceedings, with which the public, parties, or witnesses may have contact in connection with a potential or actual legal issue, claim, matter, or proceeding.
 3. Judge means a justice or a judge of a court of this state whether appointed or elected, including a commissioner, a magistrate, or judicially appointed hearing officers.

4. Limited English proficient individual means individuals who do not speak English as their primary language and who have a limited ability to read, write, speak, or understand English.
5. Deaf individual means individuals who may be deaf, deafblind, hard of hearing or any person with some or complete absence of auditory sensitivity regardless of when the hearing loss occurred.
6. Party in interest means a party, witness, victim, parent, legal guardian or custodian.
7. Qualified court interpreter means a neutral interpreter who is a certified or registered court interpreter by the Louisiana Supreme Court Office of Language Access or who has been determined to be qualified by a judge after an examination in accordance with applicable law.

B. Language Access in Court Proceedings and Operations

1. Upon the determination that a party in interest is a limited English proficient or deaf individual, a judge shall appoint a qualified court interpreter, whether in-person or virtual, to interpret court proceedings.
2. The chief judge, judicial administrator, and language access coordinator shall take reasonable steps to ensure that all court operations are accessible to limited English proficient or deaf individuals.
3. The cost to provide a qualified court interpreter in a court proceeding or any language assistance service in court proceedings or court operations shall be the responsibility of the court and shall not be taxed as costs to any party.

C. Office of Language Access

1. There shall be an Office of Language Access in the Office of the Judicial Administrator. The Office of Language Access shall implement the provisions of the language access plan for courts as adopted by the Supreme Court.
2. The Office of Language Access shall maintain a centralized complaint process to investigate language access complaints in courts.

3. The Judicial Administrator may appoint a Language Access Stakeholder Committee to advise and make recommendations to the Office of Language Access, Judicial Administrator, and Supreme Court relative to language access for limited English proficient and deaf individuals.

D. Court Interpreters

1. There shall be a court interpreter program administered by the Office of Language Access. The purpose of the court interpreter program is to ensure that professional and qualified interpreters are available to all courts.
2. The Office of Language Access shall qualify court interpreters in accordance with written policies and procedures as approved by the Judicial Administrator.
3. All qualified court interpreters shall be bound by the Code of Professional Responsibility for Court Interpreters.
4. The Interpreter's Oath shall be administered to all qualified court interpreters prior to interpreting in any court proceeding.

E. Code of Professional Responsibility for Court Interpreters

Canon 1: Accuracy and Completeness

Interpreters shall render a complete and accurate interpretation, translation, or sight translation, without altering, omitting, or adding anything to what is stated or written, and without explanation.

Canon 2: Representation of Qualifications

Interpreters shall accurately and completely represent their certifications, training, and pertinent experience.

Canon 3: Impartiality and Avoidance of Conflict of Interest

Interpreters shall be impartial and unbiased and shall refrain from conduct that may give an appearance of bias or impropriety. Interpreters shall disclose to the presiding judge any real, perceived or potential conflict of interest.

Canon 4: Professional Demeanor

Interpreters shall conduct themselves in a manner consistent with the dignity of the court and shall be as unobtrusive as possible.

Canon 5: Confidentiality

Interpreters shall protect the confidentiality of all privileged and other confidential information.

Canon 6: Restriction on Public Comment

Interpreters shall not publicly discuss, report, or offer an opinion concerning a matter in which they are or have been engaged, even when that information is not privileged or required by law to be confidential, except upon court approval.

Canon 7: Scope of Practice

Interpreters shall limit themselves to interpreting or translating and shall not give legal advice, express personal opinions to the court, counsel, or individuals for whom they are interpreting, or engage in any other activities which may be construed to constitute a service other than interpreting or translating while serving as an interpreter.

Canon 8: Assessing and Reporting Impediments to Performance

Interpreters shall assess at all times their ability to deliver their services. When interpreters have any reservation about their ability to satisfy an assignment competently, they shall immediately convey that reservation to the presiding judge.

Canon 9: Duty to Report Ethical Violations

Interpreters shall report to the presiding or administrative judge any effort to influence or impede the performance of their duty or their compliance with any legal requirement, provision of this code, or other official policy governing court interpreting and legal translating.

Canon 10: Professional Development

Interpreters shall continually improve their skills and knowledge and advance the profession through activities such as professional training and education, and interaction with colleagues and specialists in related fields.

F. Interpreter's Oath

Do you solemnly swear or affirm that you will completely and impartially make a true interpretation to the person needing interpretation services of all the proceedings of this case in the language understood by said person, and that you will repeat said person's answers and statements to the court, counsel or jury, to the best of your skill and judgment?

This rule change shall become effective upon signing, and shall remain in full force and effect thereafter, until amended or changed through future orders of this Court.

New Orleans, Louisiana, this 4th day of January, 2023

FOR THE COURT:


John L. Weimer, Chief Justice