

Standards for Appointing and Selecting Staff Who Interpret in Superior Court

Directive #7-87 (merged w/ #6-87)
Issued by:

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Administrative Director

The Supreme Court Task Force on Interpreter and Translation Services recommended that the Judiciary "prescribe the qualifications of persons who interpret or translate in or for the courts."

This Directive satisfies that recommendation with respect to staff who interpret in the Superior and Municipal Courts.

STANDARDS FOR SUPERIOR COURT (COUNTY EMPLOYEES)

1. When an Assignment Judge creates a new full-time or part-time court interpreting position, the new position shall be established only in the unclassified service under *R. 1:33-4(e)*.
2. When an existing court interpreter position classified by the Department of Personnel (formerly Department of Civil Service) becomes vacant at the county level and there is no outstanding Department of Personnel list from which a county must appoint a court interpreter, the classified position shall be abolished and replaced by a position created pursuant to *R. 1:33-4(e)*. The long-range goal of this provision is to replace all interpreters working in county classified positions with interpreters working under *R. 1:33-4(e)* appointments.
3. All applicants being considered for any vacant full-time or part-time *R. 1:33-4(e)* county funded court interpreter position shall be examined and approved by the Administrative Office of the Courts prior to submission of the *R. 1:33-4(3)* certification form. Only persons approved by this process may be appointed. The AOC will give the Assignment Judge the names and scores of all applicants tested and indicate which applicants have been approved. The Assignment Judge may then select and appoint any applicant who has been approved.

STANDARDS FOR MUNICIPAL COURT (MUNICIPAL EMPLOYEES)

4. Any person who is being considered for a full-time or part-time court interpreting position which is not a classified position shall be examined and approved by the Administrative Office of the Courts (AOC) before being assigned or authorized to perform any court interpreting duties. The AOC will give the appointing authority the names and scores of all applicants tested, indicating which candidates have been approved. The appointing authority may select and appoint any applicant who has been approved.

STANDARDS FOR SUPERIOR AND MUNICIPAL COURTS (COUNTY AND MUNICIPAL EMPLOYEES)

5. Persons who are hired for positions other than full-time or part-time court interpreter but who will be expected to interpret in court (e.g. Clerk Transcriber/Bilingual) must be examined and approved by the AOC before they may perform such interpreting duties. The test of Spanish proficiency administered by the Department of Personnel measures only one's ability to communicate in Spanish. It does not measure interpreting or translating skills, so it does not certify applicants as interpreters or translators for court proceedings or any other context.

ASSISTANCE IN RECRUITING

The AOC will provide assistance in recruiting applicants for full-time and part-time court interpreting positions upon request.

APPLICABILITY OF DIRECTIVE TO OTHER INTERPRETERS

This Directive is not retroactive and does not apply to existing staff who are interpreting at this time. However, appointing authorities are encouraged to have existing staff evaluated by the AOC. In addition, this Directive does not apply to:

- a. Court interpreters who are not full-time or part-time employees of the courts (e.g., free-lance interpreters, friends and relatives brought by litigants to interpret, etc.);
- b. Staff interpreters who are employees of a Sheriff pursuant to *N.J.S.A. 2A:11-28*;
- c. County staff interpreter positions which are classified and for which there is an outstanding Department of Personnel list; or
- d. Full-time court interpreting positions filled in the Municipal Court according to the procedures of the Department of Personnel (*i.e.*, classified positions).

EDITOR-S NOTE

Directives #6-87, #7-87 were merged into a single text. When originally issued, Section 1 of #5-87 was applicable only to municipal courts and Sections 1-3 of #7-87 were applicable only to the Superior Court. Portions of both directives which were applicable to both courts have not been changed. This includes the introductory statement, and the section titled "Assistance in Recruiting."

The "Applicability" section now includes subsections b. and c. from Directive 7-87 and subsection b. from Directive #6-87. Subsection a., common to both directives, has been retained. Appropriate language has been inserted to make clear which sections apply to Superior Court and which sections apply to municipal court.

This directive grew out of the 1985 report of the Supreme Court Task Force on Interpreter and Translation Services. One major finding in that report was the lack of any adequate procedure for screening persons seeking to fill staff court interpreting positions. In an effort to address that need, the Court Interpreting, Legal Translating and Bilingual Services of the Administrative Office of the Courts drafted a proposed policy. Review of that policy was undertaken by the Trial Court Personnel Unit, the Commissioner of the Department of Personnel, the Assignment Judges and by the Trial Court Administrators.

On April 15, 1991 guidelines for the implementation of that policy were issued. See "Guidelines for Judicial Managers to Follow in Implementing Directives 6-87 and 7-87 Regarding Appointing and Selecting Staff Who Interpret (and translate) in the Superior and Municipal Court," April 15, 1991.