

Americans with Disabilities Act

The Americans with Disabilities Act (ADA) is a comprehensive civil rights law for people with disabilities. The United States Department of Justice enforces the requirements of Title II addressing programs, services and activities of state and local governments. In accordance with the ADA, the Missouri judiciary will not discriminate against qualified individuals with disabilities in its services, programs or activities. (Notice under the ADA)

Local Court ADA Coordinators

To request an accommodation for court programs, activities, or services, please contact the person indicated on the ADA Coordinators list.

Access to Justice Program

The state courts administrator's office's (OSCA's) access to justice program assists courts in providing full community access to programs in existing facilities and provides guidance in planning new construction and renovations. The program also provides guidance to the courts in providing auxiliary aids and services for persons requesting an accommodation for their disability. For questions or assistance regarding requirements of the ADA with regard to court proceedings, please call (573) 751-4377 or send an e-mail to access2justice@courts.mo.gov. Additional information may be available through the National Center for State Courts (NCSC).

Sign-Language Court Interpreters

By statute, courts shall provide, based on expressed needs, auxiliary aids or services to interpret any proceeding for a person who is deaf or hard of hearing (see section 476.753, RSMo). This includes a person who is a party, juror, witness, spectator, or a juvenile whose parent, guardian or foster parent is deaf or hard of hearing if the juvenile is brought to any court proceeding. Sign-language interpreters are licensed and certified in accordance with 5 CSR 100-200.170. Fees for such services are paid by OSCA (see section 476.760, RSMo). To request an accommodation for court programs, activities, or services, please contact the person indicated on the ADA Coordinators (October 2021) list.

Foreign-Language Court Interpreters

Courts shall appoint qualified foreign-language interpreters and translators (collectively, interpreters) in all legal proceedings in which a non-English speaking person is a party or a witness (see section 476.803.1, RSMo, and Supreme Court Operating Rule 19.04). Advise the court directly when services are needed so the court has adequate time to schedule a qualified interpreter. To assist the courts in providing qualified

interpreters, a certification program based on the NCSC's council of language access coordinators. The NCSC website includes important information about court interpreting and the council.

When an interpreter is required by law, courts should appoint certified or registered interpreters first; if none is reasonably available, then courts may appoint qualified interpreters. Before appointing an interpreter who is not certified or registered, courts shall ensure a prospective appointee is qualified by inquiring to determine qualifications and absence of bias. It is recommended courts not use friends, children, relatives, parties to the case, social workers, victim advocates, law enforcement officers or attorneys as interpreters during court proceedings.

A "qualified" interpreter is an impartial and unbiased person who is readily able to render a complete and accurate interpretation of spoken and written English for non-English speaking persons and of non-English oral or written statements into spoken English. A "certified" interpreter has passed a written examination as well as an oral certification examination in English and a foreign language. A "registered" interpreter has passed an English written examination and an oral proficiency interview in English and a foreign language as no oral certification examination exists for the interpreter's foreign language.

Certification is offered in 20 languages, but only individuals who speak Arabic, Bosnian/Croatian/Serbian, Chinese (Mandarin), Farsi, French, Russian and Spanish have become certified or registered in Missouri.

Missouri's foreign-language court interpreter program has events scheduled from January 1 through December 31, 2022. For more information about court interpreting or to be added to the mailing list for notification of interpreter certification events scheduled for Missouri, please contact OSCA's access to justice program at (573) 751-4377 or e-mail your contact information with your postal mailing address to access2justice@courts.mo.gov.

To prepare for certification tests, candidates may wish to use or review the following:

- Missouri Office of State Courts Administrator Foreign Language Court Interpreter Certification Application
- Missouri State Highway Patrol Applicant Fingerprint Form
- Noncriminal Justice Applicants Privacy Rights
- Missouri Foreign-Language Court Interpreter Handbook
- Written Examination Overview
- Oral Examination Candidate Information Booklet
- Interpreter Code of Professional Responsibility
- Interpreter Payment Policy

More information about court interpreting and this process is available at the following websites:

- National Center for State Courts
- American Translators Association

- Mid-America Chapter of the American Translators Association
- National Association of Judicial Interpreters & Translators

Complaints About Court Interpreters

Both sign- and foreign-language interpreters have a code of professional responsibility to adhere to and deliver services in a manner faithful to the code of professional responsibility and court rules and policies. An interpreter may be removed from the certification list or a court may revoke the appointment of an interpreter for several reasons, including:

- Conviction of a felony;
- Fraud, dishonesty or corruption related to the functions and duties of an interpreter;
- Knowingly and willfully disclosing confidential or privileged information obtained while serving in an official capacity;
- Gross incompetence or unprofessional or unethical conduct;
- Failing to appear as scheduled without good cause; or
- Violation of the code of professional responsibility or court rules and policies.

Complaints about an interpreter can be filed with OSCA's access to justice program using the court interpreter complaint form:

- [Court Interpreter Complaint Form \(Word\) \(PDF\)](#)

For more information, contact OSCA's access to justice program by telephone at (573) 751-4377; by e-mail at access2justice@courts.mo.gov; or by postal mail at Post Office Box 104480, Jefferson City, Missouri 65110. Please be aware neither the program nor OSCA has the authority to change any decision made by a judicial officer, and the program's review of a complaint does not, in any way, affect or extend any applicable deadlines, choice of interpreters or procedural requirements.

If it is determined a violation has occurred, the interpreter will be informed and may be removed from the certification list. Courts may be notified of a determination that a violation has occurred, and a court may revoke the appointment of an interpreter.

The attached bench card provides a concise step-by-step guide for judicial officers to reference when appointing interpreters. It provides information about evaluating the need for an interpreter, determining if an interpreter is qualified, and who is entitled to an interpreter. In addition, the bench card provides the oath all judicial officers must administer on the record to the interpreter.

Most computers will open PDF documents automatically, but you may need to download Adobe Reader.