



NORTH CAROLINA
ADMINISTRATIVE OFFICE
of the COURTS

Office of Language
Access Services

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MEMORANDUM

To: Superior Court Judges, District Court Judges, Clerks of Superior Court, Trial Court Coordinators, Trial Court Administrators, Family Court Administrators, Language Access Stakeholders Committee

From: Brooke A. Bogue 

Date: September 25, 2013

Re: Expansion of Language Access Services to All Child Custody and Child Support Proceedings

As indicated in Judge Smith's [August 8, 2012, memorandum](#),¹ the North Carolina unified court system is committed to the continued provision and expansion of language access services to limited English proficient (LEP) individuals. Judge Smith announced the next phase of expansion to specified child custody proceedings in his [March 26, 2013, memorandum](#). After several months of collecting data, we have received Judge Smith's approval to move forward with implementation of the next expansion phase. This memorandum announces the full expansion of language access services to all child custody and child support proceedings for all spoken foreign languages, effective Monday, October 14, 2013. As of that date, court interpreters shall be provided at state expense for all LEP parties in interest who require interpreting services during a child custody or child support proceeding.

Because of their great effect on children and families, child custody and child support proceedings have been identified as priorities for the expansion of interpreting services. While expansion will continue to strain our existing interpreting resources, I am confident that we will be able to successfully manage this expansion if we secure the full cooperation of judicial officials, court personnel, and attorneys involved in these matters.

Requesting court interpreters and scheduling cases requiring court interpreters may be a new process for many, so please try to abide by the following guidelines:

1. Judicial officials and court personnel should **document language access needs both in the case file and in VCAP**. See the attached memorandum that details the process for documenting language access needs in VCAP.

¹ Memoranda regarding language access services can be viewed at <http://www.nccourts.org/LanguageAccess/Interpreters/Policies.asp>

2. District attorneys, assigned / appointed counsel, privately retained attorneys and self-represented litigants should **request an interpreter at least 10 days in advance** of a scheduled court appearance. Failure to provide sufficient time to secure a qualified interpreter may result in a delay or postponement of the court proceeding if a qualified interpreter is not available.
3. If multiple cases require interpreting in the same non-English language, those cases should be **grouped and scheduled on the same day**, with a single interpreter assigned for all of them. The only time two interpreters are necessary is when a hearing is expected to be lengthy (longer than two hours) and team interpreting is employed to address interpreter fatigue and maintain accuracy.
4. Court personnel and judicial officials in criminal courts and civil courts must **coordinate calendars** to make the most judicious use of the interpreter's time throughout the courthouse. Court interpreters are expected to cover the needs of the entire courthouse for all approved case types, so please expect to share the interpreter and communicate scheduling needs with each other.
5. Make every effort to **minimize the interpreter's time in the court proceeding** by hearing the cases requiring an interpreter as soon as possible after the interpreter arrives in the courtroom.
6. **Notify the interpreter as soon as the case is delayed, continued or otherwise disposed.** The interpreter is entitled to payment if you fail to notify him of cancellation at least 24 hours prior to the scheduled court proceeding.

I am attaching a chart that provides guidance in scheduling court interpreters for child custody and child support proceedings. The chart distinguishes between districts with staff court interpreters assigned and districts without staff court interpreters and between Spanish language needs and languages other than Spanish (LOTS); please use the appropriate chart when scheduling court interpreters for your district.

The Office of Language Access Services (OLAS) continues to provide technical assistance to judicial officials and court personnel, and to develop and implement procedures for expansion and the efficient allocation of current staff and contract interpreting services. If you have any questions about this memorandum or future plans, please contact OLAS at (919) 890-1407.