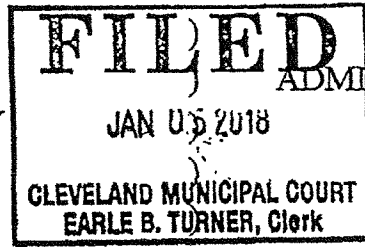


IN THE CLEVELAND MUNICIPAL COURT

STATE OF OHIO  
CUYAHOGA COUNTY



ADMINISTRATIVE ORDER  
NO. 2017-009

IN RE: AMENDMENT OF LOCAL RULES TO MAKE PROVISION COURT  
LANGUAGE ACCESS SERVICES

At its December 21, 2017 monthly meeting, the court, by unanimous vote, adopted amendments to the Local Rules of Practice and Procedure that delineate for the court certain language access services for individuals with limited English language proficiency. Those amendments are attached hereto and marked as Exhibit A. The amendments were adopted to comply with the dictates of RC §2311.44, Ohio Supreme Court's Rule of Superintendence 88 and the Ohio Rules of Evidence.

This Administrative Order becomes effective immediately upon its filing with, and journalization by, the Clerk of the Cleveland Municipal Court, and shall remain in effect until further order of the court.

IT IS SO ORDERED.

Date: 12/29/2017

Ronald B. Adrine  
Administrative & Presiding Judge

## EXHIBIT A

**(A) Use of Court Interpreter(s).** The Cleveland Municipal Court (hereinafter "Court") shall provide interpreting and translation services through the Interpreting & Translation Services Unit. Whether a foreign language or sign language interpreter is required in any case, court function, or ancillary service shall be determined by the Court.

(1) **Skill-Level.** Certified, provisionally qualified or language skilled interpreters shall be provided in all cases, court functions, or ancillary services for a party or witness that does not speak, read or understand English or is Limited English Proficient (LEP), Deaf or hearing-impaired. Interpreters shall be utilized in accordance with Rules of Superintendence 80 thru 89 and in accordance with the Court Policy on Use of Interpretation and Translation Services.

(2) **Oath.** Prior to serving as an interpreter for the Court, each individual shall be required to read and sign the Ohio approved "Interpreter's Oath." The Court's staff interpreters are required to sign this Oath as a requirement of their employment. For outside interpreters, where applicable, a record of compliance with this requirement shall be acknowledged in the court's record for every case.

**(B) Requests for Interpreters.** Any LEP, a person serving as counsel or representative for any LEP party, a court employee, or any person who becomes aware that there is a need for interpretation or translation services, shall immediately notify the Court, and/or its administrative offices including the Interpreting & Translation Services Unit for assistance.

(1) **Written Request.** For purposes of complying with Rules of Superintendence 80 thru 89, if a foreign language or American Sign Language (ASL) interpreter is needed, the Court shall properly document the need for Interpreter or Translation Services and this request shall be communicated to the administrative offices of the Court and to the Judge or hearing officer presiding over a case involving the need for interpreter services. Upon receiving the notification, the Court shall schedule interpreters and translation services in compliance with the Rules of Superintendence.

(2) **Complex Hearings and Cases.** For any hearing lasting more than 2 continuous hours and/or in cases where the complexity of the procedure is such that it warrants the assistance of 2 interpreters, and/or in the case of multiple parties in need of interpreting services, the Court shall follow the guidelines provided in the Rules of Superintendence.

(3) **Walk-ins/Language Line.** In lieu of an in-person interpreter, when effective, the Court may use telephonic interpretation. In those cases, the Court shall follow the guidelines for telephonic interpretation in accordance with the Rules of Superintendence, and the Telephonic Interpretation Bench Card published by the Supreme Court of Ohio.

**(C) Auxiliary Aids for the Hearing Impaired.** Interpreter services, including services rendered by a properly qualified sign language interpreter, for a person who is hearing-impaired or who otherwise has a communication disability shall be obtained in the same manner as language interpreter services. Additionally, when a party or witness in a proceeding is hearing-impaired, the Court in lieu of an in-

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person sign language interpreter, where effective, may use auxiliary aids including but not limited to:  
written materials, electronic recording equipment, and real time transcription.

Effective 12/28/17:

**CROSS-REFERENCES**

See Ohio Rules of Superintendence 80-89 (Provision of Interpreter services)

See O.R.C 2311.14 (Interpreter provide for person with hearing, speech or other impediment)

See Ohio Rule of Evidence 604 (Interpreters as Expert Witnesses)

See Ohio Rule of Evidence 702 (Expert Witness Qualifications)

See Language Services Bench Notes