

**PROPOSED AMENDMENTS TO THE RULES OF SUPERINTENDENCE  
FOR THE COURTS OF OHIO**

Comments Requested: The Supreme Court of Ohio will accept public comments until October 1, 2015, on the following proposed amendments to the Rules of Superintendence for the Courts of Ohio.

Comments on the proposed amendments should be submitted in writing to: Bruno Romero, Manager, Interpreter Services Program, Supreme Court of Ohio, 65 South Front Street, 6th Floor, Columbus, Ohio 43215-3431, or Bruno.Romero@sc.ohio.gov not later than October 1, 2015. Please include your full name and mailing address in any comments submitted by e-mail.

Key to Proposed Amendment:

1. Existing language appears in regular type. Example: text
2. Existing language to be deleted appears in strikethrough. Example: ~~text~~
3. New language to be added appears in underline. Example: text

1                   **THE RULES OF SUPERINTENDENCE FOR THE COURTS OF OHIO**

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3 **RULE 80. Definitions.**

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5 As used in Sup.R. 80 through ~~88~~ 89:

6  
7 **(A) Ancillary court services**

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9       “Ancillary court services” means any activity performed by a court that includes the  
10 exchange of legal or general information with the public, but that is not a case or court  
11 function.

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13 **(B) Bilingual Services**

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15       “Bilingual services” means communication services provided in person, telephonically,  
16 or via video by a person who possesses proficiency in two languages and can assist in the  
17 communication between the source language and the target language.

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19 **(C) Case or court function**

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21       “Case or court function” means any hearing, trial, pre-trial conference, settlement  
22 conference, or other appearance before a court in an action, appeal, proceeding, or other  
23 matter conducted by a judge, magistrate, or other court official.

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25 **~~(B)~~(D) Consecutive interpretation**

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27       “Consecutive interpretation” means interpretation in which a foreign language interpreter  
28 or sign language interpreter waits until the speaker finishes an entire message rendered in  
29 a source language before rendering the message in a target language.

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31 **~~(C)~~(E) Crime of moral turpitude**

32       “Crime of moral turpitude” means any of the following:

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35           (1) Aggravated murder as described in R.C. 2903.01 or murder as described in  
36           2903.02;  
37  
38           (2) A sexually oriented offense as defined in R.C. 2950.01;  
39  
40           (3) An offense of violence as defined in section R.C. 2901.01, if the offense is  
41           a felony of the first or second degree;  
42  
43           (4) Complicity in committing an offense described in division (C)(1) of this  
44           rule;

45 (5) An attempt or conspiracy to commit or complicity in committing any  
46 offense described in division (C)(1) through (4) of this rule if the attempt,  
47 conspiracy, or complicity is a felony of the first or second degree;  
48

49 (6) A violation of any former Ohio law, any existing or former law of any  
50 other state, any existing or former law applicable in a military court or in an  
51 Indian tribal court, or any existing or former law of any nation other than the  
52 United States that is or was substantially equivalent to any offense listed in  
53 division (C)(1) through (5) of this rule.  
54

55 ~~(D)~~**(F) Deaf blind**

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57 “Deaf blind” is a combination of hearing and vision loss of any varying degree that  
58 causes an individual extreme difficulty in attaining independence in daily life activities,  
59 achieving psychosocial adjustment, or obtaining vocational objectives.  
60

61 ~~(E)~~**(G) Foreign language interpreter**

62  
63 “Foreign language interpreter” means an individual who, as part of any case or court  
64 function, facilitates communication between or among legal professionals and a limited  
65 English proficient or non-English speaking party or witness through consecutive  
66 interpretation, simultaneous interpretation, or sight translation.  
67

68 ~~(F)~~**(H) Limited English proficient**

69  
70 “Limited English proficient” means an individual who does not speak English as a  
71 primary language or who has a limited ability to read, speak, write, or understand English  
72 and requires the assistance of a foreign language interpreter or sign language interpreter  
73 to effectively communicate.  
74

75 ~~(G)~~**(I) Provisionally qualified foreign language interpreter**

76  
77 “Provisionally qualified foreign language interpreter” means a foreign language  
78 interpreter who has received provisional certification from the Supreme Court Language  
79 Services Program pursuant to Sup.R. 81(G)(3).  
80

81 ~~(H)~~**(J) Sight translation**

82  
83 “Sight translation” means interpretation in which a foreign language interpreter or sign  
84 language interpreter renders in a target language a written document composed in a  
85 source language.  
86

87 ~~(I)~~**(K) Sign language interpreter**

88  
89 “Sign language interpreter” means an individual who, as part of any case or court  
90 function, facilitates communication between or among legal professionals and a deaf,

91 hard-of-hearing, or deaf-blind party, witness, or juror through the use of sign language or  
92 other manual or oral representation of a spoken language.

93  
94 ~~(D)~~**(L)** **Simultaneous interpretation**

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96 “Simultaneous interpretation” means interpretation in which, after a brief pause to listen  
97 for or view key grammatical information, a foreign language interpreter or sign language  
98 interpreter renders in a target language the message of a person rendered in a source  
99 language as the person continues to communicate.

100  
101 ~~(K)~~**(M)** **Supreme Court certified foreign language interpreter**

102  
103 “Supreme Court certified foreign language interpreter” means a foreign language  
104 interpreter who has received certification from the Supreme Court Language Services  
105 Program pursuant to Sup.R. 81.

106  
107 ~~(H)~~**(N)** **Supreme Court certified sign language interpreter**

108  
109 “Supreme Court certified sign language interpreter” means a sign language interpreter  
110 who has received certification from the Supreme Court Language Services Program  
111 pursuant to Sup.R. 82.

112  
113 ~~(M)~~**(O)** **Telephonic interpretation**

114  
115 “Telephonic interpretation” means the use via telephone of a foreign language interpreter  
116 who is in a location that is physically separate from that of the party or witness who is  
117 limited English proficient and requires the services of the interpreter for meaningful  
118 participation.

119  
120 ~~(N)~~**(P)** **Translator**

121  
122 “Translator” means an individual who, as part of any case or court function, takes written  
123 text composed in a source language and renders it into an equivalent written text of a  
124 target language.

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126  
127 **RULE 87. ~~Non-Certification Roster~~ Registered Foreign Language Interpreters.**

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129 **(A)** The Supreme Court Language Services Program may register and maintain and distribute  
130 a roster of foreign language interpreters to whom both of the following apply:

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132 ~~(A)~~**(1)** The interpreter is ineligible for certification as a Supreme Court certified foreign  
133 language interpreter due to the lack of an oral examination of the National Center for  
134 State Courts for that language;

135

136           ~~(B)(2)~~ The interpreter demonstrates to the program’s satisfaction proficiency in the  
137           interpreter’s target language and sufficient preparation to properly interpret case or court  
138           functions.

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140           (B) A foreign language interpreter registered with the Supreme Court Language Services  
141           Program pursuant to division (A) of this rule shall be styled a “registered foreign language  
142           interpreter.”

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145           **RULE 89. Use of Bilingual Services in Ancillary Services.**

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147           A court shall provide bilingual services to limited English proficient individuals in conjunction  
148           with ancillary court services.