

Kentucky AOC Certification Standards for Spoken Language Interpreters

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In furtherance of AP Part IX, Sec. 10(3), the Administrative Office of the Courts (AOC) has established these statewide Certification Standards for Spoken Language Interpreters for the Court of Justice (COJ). The AOC Office of Language Access (OLA) offers a certification program for spoken language interpreters. An interpreter must be deemed qualified in accordance with these Standards before the OLA may hire the interpreter as a staff interpreter or contract with the interpreter to provide language access services. Qualified interpreters designated as "Certified" or "Registered" pursuant to these Standards will be placed on a directory published by OLA as a resource for executive branch agencies or others seeking language access services. Any deviations from these standards must be approved by the Manager of the OLA.

Qualifications for Certified Interpreters:

To be designated as a certified interpreter by OLA, an interpreter must:

1. Take the requisite examinations administered by the AOC and score as follows:
 - 80% or above on the English Proficiency Exam;
 - pass an Oral Proficiency Interview, either in person or via telephone depending upon language availability, to the satisfaction of the AOC; and
 - 70% or above on each part of the Certification Exam in one sitting;
2. Attend the AOC orientation workshop;
3. Obtain the hours of court observation or work as required by the AOC; and
4. Certify that he or she has not defaulted on a student loan administered by the KHEAA.

Qualifications for Registered Interpreters:

To be designated as a registered interpreter by OLA, an interpreter must:

1. Take the requisite examinations administered by the AOC and score as follows:
 - 80% or above on the English Proficiency Exam;
 - pass an Oral Proficiency Interview, either in person or via telephone depending upon language availability to the satisfaction of the AOC; and
 - 65% or above on each part of the Certification Exam in one sitting;
2. Attend the AOC orientation workshop; and
3. Obtain the hours of court observation or work as required by the AOC.

Qualifications for Provisional Interpreters:

To be designated as a provisional interpreter by OLA, an interpreter must:

1. Take the requisite examinations administered by the AOC and score as follows:
 - 80% or above on the English Proficiency Exam;
 - pass an Oral Proficiency Interview, either in person or via telephone depending upon language availability, to the satisfaction of the AOC; and
 - 55% or above on each part of the Certification Exam in one sitting; and
2. Attend the AOC orientation workshop.

OLA may designate an interpreter who does not speak English as a provisional interpreter if such interpreter will interpret only between a dialect of lesser diffusion and a language of broader diffusion; if the interpretation between the language of broader diffusion and English is conducted by a certified or registered interpreter; and if the interpreter has demonstrated to the satisfaction of the Manager of OLA that the interpreter is proficient in the language of broader diffusion.

Orientation Workshop:

Interpreter candidates are required to take the orientation workshop before taking the English Proficiency Written Exam (EPWE) or the Oral Proficiency Interview unless otherwise authorized by the Manager of the OLA. If a candidate receives approval to take an Oral Proficiency Interview prior to attending an orientation workshop, the candidate must complete the orientation workshop within one year after successful completion of an Oral Proficiency Interview.

Upon completion of the orientation workshop, the candidate is eligible to take the EPWE.

If the certification process is not completed within a year of completing the orientation workshop, the AOC may require the candidate to attend the orientation workshop more than once.

English Proficiency Written Exam:

The EPWE consists of two parts: Part 1 - General English Language Vocabulary, and Part 2 - Court Related Terms and Usage. The AOC may include additional testing materials and translation sections when it is determined to benefit the certification process. A minimum score of 80% is required to pass. Under no circumstances may a candidate be permitted to segregate the EPWE process. A candidate who fails the EPWE shall wait six (6) months before re-taking the exam. Only interpreter candidates who successfully pass the EPWE may be permitted to register for the Oral Proficiency Interview or, upon completion of the Orientation Workshop, may be permitted to register for the Oral Certification Exam.

Oral Proficiency Interview:

All candidates who seek to interpret in a language for which there is no official certification exam from the National Center for State Courts (or another credentialing entity, as the AOC may determine from time to time), are required to pass an Oral Proficiency Interview, either in person or via telephone depending upon language availability, to the satisfaction of the AOC in order to be eligible to proceed with the certification process. A candidate who does not satisfactorily pass the interview shall wait ninety (90) days before retaking it. If an interpreter candidate fails the Oral Proficiency Interview a second time, written approval must be obtained from the AOC prior to any subsequent retesting. For languages or dialects in which an Oral Proficiency Interview does not exist, the AOC shall have the discretion of assessing an interpreter's ability on a case-by-case basis. This Interview shall be conducted in the candidate's second language.

Oral Certification Exam:

Within one (1) year of completing the orientation workshop, the candidate shall take the Oral Certification Exam. The exam is designed to determine whether the interpreter has the minimum language knowledge and interpreting skills in both English and the tested language to interpret in judicial proceedings in the state of Kentucky. It consists of three (3) parts that specifically examine the three (3) modes of interpreting: sight translation, consecutive interpreting, and simultaneous interpreting.

The candidate is required to score at least a 70% on each of the three (3) parts in one sitting to pass the exam. In the event the candidate fails to obtain a score of 70% on each part of the exam, the candidate shall be required to retake all sections of the exam. A candidate must pass the Certification Exam within one (1) year of completing the orientation workshop to be certified by the AOC. Upon passing the exam, the candidate shall be classified as a certified interpreter. Candidates with a score of 65% or above on each part of the Certification Exam in one sitting shall be classified as registered interpreters. Candidates shall be required to retake the exam within one (1) year and achieve a score of 70% on each part of the exam in one sitting to gain certified designation, or achieve a score of 65% or above on each part of the Certification Exam in one sitting in order to maintain the registered designation. Registered interpreters who elect to not retake the Certification Exam as outlined in this policy shall be reclassified as provisional interpreters and removed from the AOC Directory.

Candidates with a score of 55% or above on each part of the Certification Exam in one sitting shall be classified as provisional interpreters. Provisional interpreters may retake the Certification Exam in an effort to attain registered or certified interpreter designation. Provisional interpreters shall not be listed in the AOC Directory. The AOC, however, may contract with provisional interpreters as needed.

If an interpreter candidate is unable to take the Certification Exam because one does not exist in a particular language, the candidate may still be classified as a registered interpreter as long as the candidate has passed both the EPWE and an Oral Proficiency Interview, has completed the orientation workshop, and has obtained the requisite court observation hours.

Candidates who score less than 55% on any part of the Certification Exam in a single sitting shall not be allowed to interpret for the Court of Justice.

The Oral Certification Exam may only be taken a total of two (2) times by each interpreter candidate, regardless of the number of test versions available in any given language. Requests for an exception to this rule will be considered on a case-by-case basis and require the approval of the AOC.

Waiver of Examination Requirement:

1. **Federal Certification.** Upon presentation of proof satisfactory to the Manager of the OLA, the oral performance examination requirement may be waived for anyone holding a federal courts certificate issued by the Administrative Office of the United States Courts and whose name appears on the registry of federally certified interpreters. No other component of certification or registration is waived by this rule.
2. **Equivalent Examination.** Upon presentation of proof satisfactory to the Manager of the OLA, the examination requirement may be waived for anyone who has passed an equivalent examination in another state and meets minimum qualifying requisites. No other component of certification or registration is waived by this rule. An interpreter requesting waiver of the examination requirement under this Section shall complete AOC form AOC-INT-12, Request for Reciprocity, and pay the \$50 fee, which is non-refundable.

Continuing Education:

Continuing education is required by the COJ and the AOC to ensure that the interpreters who serve in state courts maintain and improve their interpreting skills, and that the interpreters are in compliance with the Code of Professional Responsibility.

The AOC shall require both certified and registered interpreters to complete a minimum of nine (9) hours of Continuing Education Units (CEUs) each year. Interpreters must have at least two (2) hours of education in ethics each year. Each clock hour of activity shall be counted as one (1) CEU. CEUs must be approved, in advance and in writing, by the AOC. A maximum of four (4) credits in excess of the nine (9) credits will be eligible to be carried over from one compliance period to the subsequent period. No more than two (2) of the CEU credits carried over may be ethics credits.

Relevant educational activities approved by the Kentucky Bar Association or the Bar of another state for Continuing Legal Education credit (CLE) may be approved for CEU upon application by the provider or participant.

CEUs may be earned by attending courses, workshops, lectures, or other activities which have topics relevant to court procedures and court interpreting where attendance is monitored and verifiable. An interpreter may also receive CEUs for instructing, training, or presenting at a pre-

approved activity. No continuing education credit shall be granted for attending the Orientation seminar or exam preparation courses. The AOC shall require verification of attendance or participation through the completion of the AOC Continuing Education Form, AOC-INT-02.

There are no exemptions to the continuing education requirements for certified or registered interpreters that are out-of-state residents.

Court Observation or Work Hours:

The AOC shall require both certified and registered interpreters to complete twenty-four (24) hours of court observation or court interpreting annually. The observation hours shall be completed in cases where an interpreter is used. In the event that this creates a hardship the Manager of the OLA may grant approval of hours observed in cases in which no interpreter was used. Verification of court observation hours shall be made by completing the AOC Court Observation form AOC-INT-8.

Practicing interpreters are exempt from this requirement if they have annually performed more than twenty-four (24) hours of language access services for the AOC or verifiable independent assignments of a legal nature for non-KCOJ entities.

Renewal of Spoken Language Certification:

It shall be the responsibility of the certified staff interpreter or the freelance interpreter to renew his/her qualification status annually. Renewal forms may be obtained from the AOC and shall be submitted at least thirty (30) days prior to expiration of same in order to avoid a lapse in certification status.

Each freelance interpreter contracted to provide language access services to the Kentucky Court of Justice shall ensure having sufficient continuing education units (at least 9 hours) and court observation or work hours by October 15 of each year to qualify to renew their contract. Documentation of compliance with the CEU requirements and court observation or work hours shall be maintained by the freelance interpreter and submitted to the OLA upon request at the time of renewal.

OLA reserves the right to audit CEU certificates on a random basis.