



FREQUENTLY ASKED QUESTIONS: INTERPRETER NEEDED AND USED INDICATORS

When do I use the interpreter language needed indicator?

If an interpreter will be needed for any court proceedings for any limited-English proficient individual, select the appropriate language from the interpreter needed section.

For example, if the state's witness to a criminal case speaks Korean, indicate that a Korean interpreter will be needed by selecting Korean from the languages available under the interpreter language needed section.

When do I use the interpreter used indicator?

If an interpreter was used at any point during a court proceeding for any limited-English proficient individual, select Yes / Y from the interpreter used section.

For example, if a magistrate used the telephone interpreting service to conduct an initial appearance, the magistrate would indicate that an interpreter was used during that proceeding. But, if a clerk used the telephone interpreting service to answer a general question about a court date, the clerk would not indicate that an interpreter was used because it was not during a court proceeding.

What is a court proceeding?

A court proceeding is any hearing, trial, or other appearance before any North Carolina court in an action, appeal, or other proceeding, including any matter conducted by a judicial official.

Who is a party in interest?

A party in interest is a party to a case; a victim; a witness; the parent, legal guardian, or custodian of a minor party, or the legal guardian or custodian of an adult party.

Who is a judicial official?

A judicial official is a clerk, judge, magistrate, or justice of the General Court of Justice.

How do I use the indicators?

The interpreter language needed and interpreter used indicators should be used for managing cases that need or use an interpreter, and should not be used solely for scheduling interpreters. Judicial officials, attorneys, and court personnel always should check the case file to determine who needs the interpreter and if an interpreter actually will be needed for the proceeding.

For example, the victim in a criminal case who needed an interpreter during a trial may not be present during the defendant's subsequent probation violation hearing, so the court would not schedule an interpreter for the subsequent proceeding. Courts should use interpreter resources efficiently by sharing





interpreters between criminal and civil courtroom calendars, scheduling an interpreter only for the time the interpreter is needed and not requesting interpreters “just in case,” as their services are often needed in another courtroom or county.

May I change the indicators?

No. Once the case has been indicated as interpreter needed or interpreter used, do not change the indicators *unless it was entered into the system incorrectly*.

For example, if a law enforcement officer incorrectly indicates in eCITATION that a Spanish interpreter is needed, but the court determines that the defendant speaks Portuguese, not Spanish, the language needed indicator may be changed to Portuguese.

If there are multiple LEP parties in interest to a case, for whom do I indicate that an interpreter is needed / was used?

Because our current technology only allows for indicators at the case level (not by each event or party), indicate that an interpreter is needed based on the first request or indication that you received that an interpreter will be needed for the court proceeding for any party in interest. Indicate that an interpreter was used at the first court proceeding in which an interpreter was used for any party in interest.

Who should set the interpreter indicators?

Any person with update capability to the data systems that currently have the interpreter indicators (eCITATION, NCAWARE, ACIS, CCIS-CC, CCIS-DA, VCAP, JWisE) should set the interpreter language needed indicator at the time of the first request or indication received that an interpreter will be needed for the court proceeding for any party in interest.

Any person with update capability to the data systems that currently have the interpreter indicators (eCITATION, NCAWARE, ACIS, CCIS-CC, CCIS-DA, VCAP, JWisE) should set the interpreter used indicator at the first court proceeding in which an interpreter was used for any party in interest.

Do the indicators also apply to services for the deaf and hard of hearing?

Yes. If interpreting services will be needed for someone who is deaf or hard of hearing, indicate that by selecting American Sign Language (ASE) or by selecting Other and indicate the language accommodation that will be needed. If interpreting services or accommodations were provided to someone who is deaf or hard of hearing during a court proceeding, indicate that an interpreter was used.