

# Office of Language Access Services (OLAS)

## Quick Reference for North Carolina Magistrates

OLAS@nccourts.org | 919 890-1407

### Telephone Interpreting Service – UTT, Inc.

1. The telephone interpreting service may be used by magistrates for
    - **All criminal court proceedings** where the defendant, victim, or witnesses for either the defendant or the State are limited English proficient (LEP) – this includes first appearances before the magistrate; the magistrate should *not* use law enforcement officers, or friends or family of the LEP individual to interpret during court proceedings
    - Assisting magistrates in **responding to public inquiries** and assisting the public with general informational questions of a short duration
    - **Brief matters in Small Claims Court**, such as notifying parties that a case is continued or that they should hire an OLAS qualified court interpreter; a telephone interpreter should not be used for trials or any hearing in small claims court.
  2. To access the service, you need the following:
    - Guide to Using the Telephone Interpreting Service
    - Confidential access code specific to your county’s office
    - **I Speak** card
    - Language List
  3. To use the service
    - Follow the instructions in the Guide to Using the Telephone Interpreting Service
    - Enter the four-digit Master Account Code and then at the prompt, enter the county magistrate’s office confidential six-digit access code
    - Option 1 (LET Spanish Interpreter): General questions / public access
    - Option 2 (certified Spanish; LOTS): First appearances / court proceedings
  4. Problems with the service
    - For technical difficulties with the service such as delays getting an interpreter on the line – call a UTT, Inc. supervisor for technical support at 800 428-6149
    - For difficulties with your telephone equipment – call the NCAOC Help Desk at 919 890-2407
  5. If you use any interpreting services and issue a process (criminal summons, warrant for arrest, release order, appearance bond), indicate in NCAWARE that an interpreter is needed on the court information screen.
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## Small Claims Court

### 1. Evaluate the need for a court interpreter

To help determine whether to appoint a court interpreter, the court should ask open-ended questions that can't be answered with a simple yes or no. For example:

“Please tell us your birthday, how old you are, and where you were born.”

“What kind of work do you do?”

“Tell us about your family.”

### 2. Appoint a court interpreter

Until NCAOC's expansion plan is extended by the director to small claims matters, parties in small claims cases must bear the cost of spoken foreign language court interpreters for court proceedings at their own expense. If the court determines that the party has limited English proficiency (LEP), the court should:

- Appoint an interpreter and require the parties to bear the cost of that interpreter in whatever proportion the court deems appropriate, OR
- Require that the LEP party hire a qualified court interpreter
  - Refer parties to NCAOC's Registry of Spoken Foreign Language Court Interpreters (on the North Carolina Court System website: [www.nccourts.org](http://www.nccourts.org)) as a source of available Spanish interpreters and to the Office of Language Access Services for LOTS interpreters
  - Parties must make private arrangements with the interpreter for payment of services

The court should only allow an interpreter to provide services in North Carolina courts if OLAS has evaluated and confirmed the interpreter's qualifications. The court should *never* allow family or friends to interpret in court.

### 3. Administer interpreter oath from the bench

Do you solemnly swear or affirm that you will interpret accurately, completely, and impartially, using your best skill and judgment in accordance with the standards prescribed by law and the Code of Professional Responsibility for Court Interpreters, follow all official guidelines established by the North Carolina Administrative Office of the Courts for legal interpreting and translating, and discharge all of the solemn duties and obligations of legal interpretation and translation?

### 4. Clarify interpreter's role to the witness

I want you to understand the role of the interpreter. The interpreter is here only to interpret the proceedings. The interpreter will say only what is said in your language and will not add, omit, or summarize anything. The interpreter will say in English everything that you say in your language, so do not say anything you do not want everyone to hear. If you do not understand a question asked of you, request clarification from the person who asked it. Do not ask the interpreter.

You are giving testimony to this court; therefore, please speak directly to the attorney or to me (the court). Do not ask the interpreter for advice. Speak in a loud, clear voice. If you do not understand the interpreter, please tell me. If you need the interpreter to repeat, please make your request to me, not to the interpreter. Please wait until the entire statement has been interpreted before you answer. Do you have any questions?