



## SUPREME COURT OF GEORGIA

Atlanta February 7, 2007

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed:

It is hereby ordered that this Court's order of January 13, 2003, promulgating rules to establish a statewide plan for the use of interpreters by the Courts of Georgia, be amended by striking Rules IV and VI and inserting in lieu thereof the following:

### **IV. DISCIPLINE**

#### **(A) Suspension or Revocation of Certification**

Certified or Registered status issued by the Georgia Commission on Interpreters may be suspended or revoked for any of the following reasons:

1. Conviction of a felony or a misdemeanor involving moral turpitude, dishonesty, or false statements;
2. Fraud, dishonesty, or corruption which is related to the functions and duties of a court interpreter;
3. Continued false or deceptive advertising after receipt of notification to discontinue;
4. Knowingly and willfully disclosing confidential or privileged information obtained while serving in an official capacity;
5. Gross incompetence or unprofessional or unethical conduct;
6. Failing to appear as scheduled without good cause;
7. Noncompliance with any existing continuing education requirements;
8. Nonpayment of any required renewal fees; or
9. Violation of the Code of Professional Responsibility for Court Interpreters.

*Commentary: The appropriateness of disciplinary action and the degree of discipline to be imposed should depend upon factors such as the seriousness of the violation, the intent of the interpreter, whether there is a pattern of*

*improper activity, and the effect of the improper activity on others or on the judicial system.*

**(B) Disciplinary Process**

1. The Commission on Interpreters shall have the authority to set forth separate disciplinary procedures not inconsistent with this Rule.
2. There shall be a standard form on which all complaints shall be filed.
3. There shall be two panels comprised of five Commission members each called the “Probable Cause Panel” and the “Disciplinary Hearing Panel.” The Probable Cause Panel shall make a preliminary review of all complaints to determine facial sufficiency and probable cause before any investigation or presentation to the Disciplinary Hearing Panel.
4. Once probable cause has been found upon a complaint, it shall go to the Disciplinary Hearing Panel for appropriate disposition. The interpreter is permitted to be represented by counsel at his or her own expense.
5. The interpreter has the right to appeal any final disciplinary decision, but any appeal is limited to a review of procedure only.
6. The Commission and their agents shall keep all proceedings herein confidential until such time as the decision becomes final. At such time, the decision shall become public but the investigation, dismissal for lack of probable cause, and the evidence and record of proceedings before the Commission shall remain forever confidential. Dismissal for facial insufficiency shall be disclosed at the request of the interpreter.
7. The Supreme Court of Georgia recognizes the actions of the Commission, the Administrative Office of the Courts, the Special Masters, the above-described Panels, and the staff to the Commission to be within its judicial and regulatory functions, and being regulatory and judicial in nature they are entitled to judicial immunity.

**VI. OATH, CONFIDENTIALITY, AND PUBLIC COMMENT**

- (A) Minimum standards required to become a licensed court interpreter:

1) 18 years of age; 2) Good moral character; and 3) Legal U.S. resident

(B) Prior to becoming certified or registered and prior to providing any service to a non-English speaking person, the interpreter shall subscribe to an oath that he or she shall interpret all communications in an accurate manner to the best of his or her skill and knowledge. By signing the oath form, interpreters acknowledge that they meet the minimum standard outlined above and agree to abide by the Oath and Code of Professional Responsibility.

(C) The oath shall conform substantially to the following form:

#### **INTERPRETER'S OATH**

Do you solemnly swear or affirm that you will faithfully interpret from (state the language) into English and from English into (state the language) the proceedings before this Court in an accurate manner to the best of your skill and knowledge?

(D) Interpreters shall not voluntarily disclose any admission or communication that is declared to be confidential or privileged under state law. Out of court disclosures made by a non-English speaker communicating through an interpreter shall be treated by the interpreter as confidential and/or privileged unless the court orders the interpreter to disclose such communications or the non-English speaker waives such confidentiality or privilege.

(E) Interpreters shall not publicly discuss, report, or offer an opinion concerning a matter in which they are engaged, even when that information is not privileged or required by law to be confidential.

(F) Prior to service, every interpreter serving in the courts of the State of Georgia shall agree in writing to comply with the Code of Professional Responsibility for Court Interpreters.

(G) The presence of an interpreter shall not affect the privileged nature of any discussion.

All other portions of this Court's Order of January 13, 2003 shall remain in force and effect, unless otherwise amended by this Court or by law.

**SUPREME COURT OF THE STATE OF GEORGIA**

Clerk's Office, Atlanta

I hereby certify that the above is a true extract from  
the minutes of the Supreme Court of Georgia

Witness my signature and the seal of said court hereto  
affixed the day and year last above written.

, Clerk