

RCW 2.43.030 Appointment of interpreter—Source of interpreters—Qualifications. (1) (a) Credentialed interpreters shall be appointed in legal proceedings involving participation of persons with limited English proficiency, unless good cause is found on the record for appointing a noncredentialed interpreter.

(b) For purposes of this chapter, "good cause" includes, but is not limited to, a determination that:

(i) Given the totality of the circumstances, including the nature of the proceeding and the potential penalty or consequences involved, the services of a credentialed interpreter are not reasonably available; or

(ii) The current list of interpreters maintained by the administrative office of the courts does not include an interpreter credentialed in the language spoken by the person with limited English proficiency.

(2) If good cause is found for using an interpreter who is not credentialed, the judicial or presiding officer shall make a preliminary determination on the record that the proposed interpreter is able to interpret accurately all communications to and from the person with limited English proficiency in that particular proceeding. The judicial or presiding officer shall consider testimony and the needs of the person with limited English proficiency in making this determination.

(3) After an appropriate colloquy or other process permitted by statute or regulation, the judicial or presiding officer shall satisfy itself and state on the record that:

(a) The proposed interpreter is capable of communicating effectively in English and in the non-English language. If the interpreter is assigned to interpret between two non-English languages (relay interpreter), the interpreter shall not be required to communicate in English;

(b) The proposed interpreter has read, understands, and will abide by the code of professional responsibility for judiciary interpreters established by court rule. If the interpreter does not meet this requirement, the interpreter may be given time to review the code of professional responsibility for judiciary interpreters; and

(c) The person with limited English proficiency can understand the interpreter.

(4) The court shall inquire whether the interpreter can accurately interpret:

(a) In the consecutive mode, if that mode of interpretation is expected to be used; and

(b) In the simultaneous mode, if that mode of interpretation is expected to be used.

(5) If the proposed interpreter does not meet the criteria in subsection (3) of this section, another interpreter must be used.

[2025 c 55 s 3; 2005 c 282 s 3; 1990 c 183 s 1; 1989 c 358 s 3. Formerly RCW 2.42.220.]

Severability—1989 c 358: See note following RCW 2.43.010.