
ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1174

State of Washington

69th Legislature

2025 Regular Session

By House Appropriations (originally sponsored by Representatives Peterson, Thai, Ryu, Taylor, Ortiz-Self, Simmons, Goodman, Davis, Ormsby, Lekanoff, Salahuddin, and Hill; by request of Administrative Office of the Courts)

READ FIRST TIME 02/28/25.

1 AN ACT Relating to court interpreters; amending RCW 2.43.010,
2 2.43.030, 2.43.050, 2.43.060, 2.43.080, 2.43.070, 2.43.040, 2.43.090,
3 2.56.030, 7.105.245, 13.04.043, and 2.42.120; reenacting and amending
4 RCW 2.43.020; adding new sections to chapter 2.43 RCW; and
5 recodifying RCW 2.43.040 and 2.43.080.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 **Sec. 1.** RCW 2.43.010 and 1989 c 358 s 1 are each amended to read
8 as follows:

9 It is hereby declared to be the policy of this state to secure
10 the rights, constitutional or otherwise, of persons who, because of a
11 non-English-speaking cultural background, are unable to readily
12 understand or communicate in the English language, and who
13 consequently cannot be fully protected in legal proceedings unless
14 ((qualified)) interpreters are available to assist them.

15 It is the intent of the legislature in the passage of this
16 chapter to provide for the use and procedure for the appointment of
17 such interpreters. ((Nothing in chapter 358, Laws of 1989 abridges
18 the parties' rights or obligations under other statutes or court
19 rules or other law.))

1 **Sec. 2.** RCW 2.43.020 and 2010 c 190 s 2 are each reenacted and
2 amended to read as follows:

3 As used in this chapter:

4 (1) (~~"Appointing authority" means the presiding officer or~~
5 ~~similar official of any court, department, board, commission, agency,~~
6 ~~licensing authority, or legislative body of the state or of any~~
7 ~~political subdivision thereof.~~

8 ~~(2) "Certified interpreter" means an interpreter who is certified~~
9 ~~by the administrative office of the courts.~~

10 ~~(3))~~ "Credentialed interpreter" means an interpreter who is
11 credentialed by the administrative office of the courts in a spoken
12 language.

13 (2) "Judicial officer" means a judge, commissioner, or magistrate
14 of any court.

15 (3) "Language access plan" means a plan that is publicly
16 available which contains the elements required by RCW 2.43.090.

17 (4) "Legal proceeding" means ((a)) any proceeding in any court
18 ((in this state, grand jury hearing, or hearing)), and in any type of
19 hearing before ((an inquiry judge,)) a judicial officer, an
20 administrative law judge, or before an administrative board,
21 commission, agency, or licensing body of the state or any political
22 subdivision ((thereof)).

23 ~~((4) "Non-English-speaking person"))~~ (5) "Person with limited
24 English proficiency" means ((any)) a person involved in a legal
25 proceeding who cannot readily speak or understand the English
26 language, but does not include ((hearing-impaired persons)) deaf,
27 deaf-blind, and hard of hearing individuals who are covered under
28 chapter 2.42 RCW.

29 ~~((5) "Qualified interpreter" means a person who is able readily~~
30 ~~to interpret or translate spoken and written English for non-English-~~
31 ~~speaking persons and to interpret or translate oral or written~~
32 ~~statements of non-English-speaking persons into spoken English.))~~

33 ~~(6) ("Registered interpreter" means an interpreter who is~~
34 ~~registered by the administrative office of the courts.))~~ "Presiding
35 officer" means the judicial officer or similar official of any court,
36 department, board, commission, agency, or licensing authority of the
37 state or of any political subdivision thereof.

38 **Sec. 3.** RCW 2.43.030 and 2005 c 282 s 3 are each amended to read
39 as follows:

1 (1) (~~Whenever an interpreter is appointed to assist a non-~~
2 ~~English-speaking person in a legal proceeding, the appointing~~
3 ~~authority shall, in the absence of a written waiver by the person,~~
4 ~~appoint a certified or a qualified interpreter to assist the person~~
5 ~~throughout the proceedings.~~

6 ~~(a) Except as otherwise provided for in (b) of this subsection,~~
7 ~~the interpreter appointed shall be a qualified interpreter.~~

8 ~~(b) Beginning on July 1, 1990, when a non-English-speaking person~~
9 ~~is a party to a legal proceeding, or is subpoenaed or summoned by an~~
10 ~~appointing authority or is otherwise compelled by an appointing~~
11 ~~authority to appear at a legal proceeding, the appointing authority~~
12 ~~shall use the services of only those language interpreters who have~~
13 ~~been certified by the administrative office of the courts, unless~~
14 ~~good cause is found and noted on the record by the appointing~~
15 ~~authority. For purposes of chapter 358, Laws of 1989, "good cause"~~
16 ~~includes but is not limited to a determination that:~~

17 ~~(i) Given the totality of the circumstances, including the nature~~
18 ~~of the proceeding and the potential penalty or consequences involved,~~
19 ~~the services of a certified interpreter are not reasonably available~~
20 ~~to the appointing authority; or~~

21 ~~(ii) The current list of certified interpreters maintained by the~~
22 ~~administrative office of the courts does not include an interpreter~~
23 ~~certified in the language spoken by the non-English-speaking person.~~

24 ~~(c) Except as otherwise provided in this section, when a non-~~
25 ~~English-speaking person is involved in a legal proceeding, the~~
26 ~~appointing authority shall appoint a qualified interpreter.)~~ (a)
27 Credentialed interpreters shall be appointed in legal proceedings
28 involving participation of persons with limited English proficiency,
29 unless good cause is found on the record for appointing a
30 noncredentialed interpreter.

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

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

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

1 (2) If good cause is found for using an interpreter who is not
2 (~~certified or if a qualified interpreter is appointed, the~~
3 ~~appointing authority shall make a preliminary determination, on the~~
4 ~~basis of testimony or stated needs of the non-English-speaking~~
5 ~~person, that the proposed interpreter is able to interpret accurately~~
6 ~~all communications to and from such person in that particular~~
7 ~~proceeding. The appointing authority shall satisfy itself on the~~
8 ~~record that the proposed interpreter:~~

9 ~~(a) Is capable of communicating effectively with the court or~~
10 ~~agency and the person for whom the interpreter would interpret; and~~

11 ~~(b) Has read, understands, and will abide by the code of ethics~~
12 ~~for language interpreters established by court rules)) credentialed,~~
13 ~~the judicial or presiding officer shall make a preliminary~~
14 ~~determination on the record that the proposed interpreter is able to~~
15 ~~interpret accurately all communications to and from the person with~~
16 ~~limited English proficiency in that particular proceeding. The~~
17 ~~judicial or presiding officer shall consider testimony and the needs~~
18 ~~of the person with limited English proficiency in making this~~
19 ~~determination.~~

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

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

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

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

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

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

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

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

5 **Sec. 4.** RCW 2.43.050 and 2017 c 83 s 2 are each amended to read
6 as follows:

7 (1) ~~(a) Upon ((certification or registration with the~~
8 ~~administrative office of the courts, certified or registered))~~
9 obtaining an interpreter credential with the administrative office of
10 the courts, credentialed interpreters shall take ~~((an))~~ a permanent
11 oath, affirming that the interpreter will make a true interpretation
12 ~~((to the person being examined))~~ of all the proceedings ~~((in a~~
13 ~~language which the person understands,))~~ and that the interpreter
14 will repeat the statements of the person ~~((being examined))~~ with
15 limited English proficiency to the court or agency conducting the
16 proceedings, in the English language, to the best of the
17 interpreter's skill and judgment.

18 (b) The administrative office of the courts shall maintain the
19 list of credentialed interpreters and a record of the oath in the
20 same manner ~~((that the list of certified and registered interpreters~~
21 ~~is maintained))~~.

22 (2) ~~((Before))~~ Subject to other processes permitted by statute or
23 regulation, before any person serving as an interpreter for the court
24 or agency begins to interpret, the ~~((appointing authority))~~ judicial
25 or presiding officer shall require the interpreter to state the
26 interpreter's name on the record and whether the interpreter is a
27 ~~((certified or registered))~~ credentialed interpreter. If the
28 interpreter is not a ~~((certified or registered))~~ credentialed
29 interpreter, the interpreter must ~~((submit the interpreter's~~
30 ~~qualifications))~~ be qualified on the record.

31 (3) Before beginning to interpret, every interpreter appointed
32 under this chapter shall take an oath unless the interpreter is a
33 ~~((certified or registered))~~ credentialed interpreter who has taken
34 the oath as required in subsection (1) of this section. The oath must
35 affirm that the interpreter will make a true interpretation to the
36 person being examined of all the proceedings in a language which the
37 person understands, and that the interpreter will repeat the
38 statements of the person being examined to the court or agency

1 conducting the proceedings, in the English language, to the best of
2 the interpreter's skill and judgment.

3 **Sec. 5.** RCW 2.43.060 and 1989 c 358 s 6 are each amended to read
4 as follows:

5 (1) The right to (~~a qualified~~) an interpreter may not be waived
6 except when:

7 (a) A (~~non-English-speaking~~) person with limited English
8 proficiency requests a waiver on the record; and

9 (b) The (~~appointing authority~~) judicial or presiding officer
10 determines on the record that the waiver has been made knowingly,
11 voluntarily, and intelligently.

12 (2) (~~Waiver of a qualified interpreter~~) The waiver of the right
13 to an interpreter may be set aside and an interpreter appointed (~~in~~)
14 at the discretion of the (~~appointing authority~~) judicial or
15 presiding officer at any time during the proceedings.

16 (3) The waiver of the right to an interpreter does not preclude a
17 person with limited English proficiency from exercising the right to
18 an interpreter at a later time.

19 **Sec. 6.** RCW 2.43.080 and 1989 c 358 s 8 are each amended to read
20 as follows:

21 All language interpreters serving in a legal proceeding, whether
22 or not (~~certified or qualified~~) credentialed, shall abide by a code
23 of (~~ethics~~) professional responsibility for judiciary interpreters
24 established by supreme court rule.

25 NEW SECTION. **Sec. 7.** A new section is added to chapter 2.43 RCW
26 to read as follows:

27 The court shall appoint a team of interpreters as required by
28 supreme court rule.

29 **Sec. 8.** RCW 2.43.070 and 2005 c 282 s 4 are each amended to read
30 as follows:

31 (1) Subject to the availability of funds, the administrative
32 office of the courts shall establish and maintain a credentialing
33 program for spoken language interpreters and administer (~~a~~)
34 comprehensive testing (~~and certification program for language~~
35 interpreters)).

1 (2) The administrative office of the courts shall work
2 cooperatively with ~~((community colleges and other))~~ public or private
3 ~~((or public))~~ educational institutions, and with other public or
4 private organizations to establish ~~((a certification preparation~~
5 ~~curriculum and))~~ suitable training programs and engage in recruitment
6 efforts to ensure the availability of ~~((certified))~~ credentialed
7 interpreters. Training programs shall be made readily available in
8 both eastern and western Washington locations.

9 (3) The administrative office of the courts shall establish and
10 adopt standards of proficiency, written and oral, in English and the
11 language to be interpreted.

12 (4) The administrative office of the courts shall conduct
13 periodic examinations to ensure the availability of ~~((certified))~~
14 credentialed interpreters. Periodic examinations shall be made
15 readily available in both eastern and western Washington locations.

16 (5) The administrative office of the courts shall compile,
17 maintain, and disseminate a current list of interpreters
18 ~~((certified))~~ credentialed by the office.

19 (6) The administrative office of the courts may charge reasonable
20 fees for testing, training, and ~~((certification))~~ credentialing.

21 (7) The administrative office of the courts may create different
22 credentials and provide guidance for the selection and use of
23 credentialed and noncredentialed interpreters to ensure the highest
24 standards of accuracy are maintained in all judicial proceedings.

25 **Sec. 9.** RCW 2.43.040 and 2023 c 102 s 1 are each amended to read
26 as follows:

27 (1) Interpreters appointed according to this chapter are entitled
28 to a reasonable fee for their services and shall be reimbursed for
29 actual expenses which are reasonable as provided in this section.

30 (2) (a) ~~In all legal proceedings ((in which the non-English-~~
31 ~~speaking person is a party, or is subpoenaed or summoned by the~~
32 ~~appointing authority or is otherwise compelled by the appointing~~
33 ~~authority to appear, including criminal proceedings, grand jury~~
34 ~~proceedings, coroner's inquests, mental health commitment~~
35 ~~proceedings, and other legal proceedings initiated by agencies of~~
36 ~~government, the cost of providing the interpreter shall be borne by~~
37 ~~the governmental body initiating the legal proceedings.~~

38 ~~(3) In other legal proceedings, the cost of providing the~~
39 ~~interpreter shall be borne by the non-English-speaking person unless~~

1 ~~such person is indigent according to adopted standards of the body.~~
2 ~~In such a case the cost shall be an administrative cost of the~~
3 ~~governmental body under the authority of which the legal proceeding~~
4 ~~is conducted.~~

5 (4)) , a person with limited English proficiency is not
6 responsible for the cost of the interpreter if that person is:

7 (i) A party;

8 (ii) Subpoenaed or summoned;

9 (iii) A parent, guardian, or custodian of a juvenile; or

10 (iv) Compelled to appear.

11 (b) In legal proceedings initiated by agencies of government, the
12 cost of providing the interpreter shall be borne by the governmental
13 body initiating the legal proceedings.

14 (3) Subject to the availability of funds specifically
15 appropriated ((therefor)) for this purpose, the administrative office
16 of the courts shall reimburse the ((appointing authority for up to
17 one-half of the payment to the interpreter where an interpreter is
18 appointed by a judicial officer in a proceeding before a court at
19 public expense and:

20 ~~(a) The interpreter appointed is an interpreter certified by the~~
21 ~~administrative office of the courts or is a qualified interpreter~~
22 ~~registered by the administrative office of the courts in a~~
23 ~~noncertified language, or where the necessary language is not~~
24 ~~certified or registered, the interpreter has been qualified by the~~
25 ~~judicial officer pursuant to this chapter;~~

26 ~~(b) The court conducting the legal proceeding has an approved~~
27 ~~language assistance plan that complies with RCW 2.43.090; and~~

28 ~~(c) The fee paid to the interpreter for services is in accordance~~
29 ~~with standards established by the administrative office of the~~
30 ~~courts)) participating state court for language access services costs~~
31 ~~and one-half of the payment of interpreter costs for legal~~
32 ~~proceedings unless a higher reimbursement rate is established in the~~
33 ~~omnibus budget.~~

34 **Sec. 10.** RCW 2.43.090 and 2008 c 291 s 1 are each amended to
35 read as follows:

36 (1) ~~((Each trial court))~~ Trial courts organized under this title
37 and Titles 3 and 35 RCW must develop and maintain a written language
38 ~~((assistance))~~ access plan to provide a framework for the provision
39 of ~~((interpreter))~~ language access services for ~~((non-English-~~

1 ~~speaking))~~ persons with limited English proficiency accessing the
2 court system and its programs in both civil and criminal legal
3 matters. Courts may use a template developed by the administrative
4 office of the courts in developing their language access plan.

5 (2) The language ~~((assistanee))~~ access plan must at a minimum
6 ~~include((, at a minimum, provisions addressing))~~ provisions designed
7 to provide procedures for court staff and the public, as may be
8 necessary, that address the following:

9 (a) Procedures to identify and ~~((assess))~~ provide the language
10 needs of ~~((non-English-speaking))~~ persons with limited English
11 proficiency using the court system;

12 (b) Procedures for ~~((the appointment of))~~ requesting and
13 appointing interpreters as required under RCW 2.43.030 ~~((. Such~~
14 ~~procedures shall not require the non-English-speaking person to make~~
15 ~~the arrangements for the interpreter to appear in court))~~);

16 (c) Procedures for notifying court users of the right to an
17 interpreter and the availability of interpreter services. Such
18 information shall be prominently displayed in the courthouse in the
19 five ~~((foreign))~~ or more languages other than English that ~~((eensus))~~
20 reputable data indicates are predominate in the jurisdiction;

21 (d) A process for providing timely communication ~~((with non-~~
22 ~~English speakers by))~~ between individuals with limited English
23 proficiency and all court employees who have regular contact with the
24 public and ~~((meaningful))~~ effective access to court ~~((services,~~
25 ~~including access to))~~ services provided by the clerk's office and
26 other court-managed programs;

27 (e) Procedures for evaluating the need for translation of written
28 materials, and prioritizing and providing those ~~((translation needs,~~
29 ~~and translating the highest priority materials. These procedures))~~
30 translated materials. Courts should take into account the frequency
31 of use of forms by the language group, and the cost of ~~((orally~~
32 ~~interpreting))~~ providing the forms by other means;

33 (f) A process for ~~((requiring and providing))~~ training ~~((to))~~
34 judges, court clerks, and ~~((other))~~ court staff on ~~((the requirements~~
35 ~~of the language assistance plan))~~ best practices in serving
36 individuals with limited English proficiency in legal proceedings and
37 how to effectively ~~((access))~~ assign and work with interpreters and
38 provide interpretation; and

1 (g) A process for an ongoing evaluation of the language
2 ~~((assistance))~~ access plan and a process for monitoring ~~((of))~~ the
3 implementation of the language ~~((assistance))~~ access plan.

4 ~~((2))~~ (3) Each court, when developing its language
5 ~~((assistance))~~ access plan, must consult with judges, court
6 administrators ~~((and))~~, court staff, court clerks, interpreters, and
7 members of the community, such as domestic violence organizations,
8 pro bono programs, courthouse facilitators, legal services programs,
9 and/or other community groups whose members speak a language other
10 than English.

11 ~~((3) Each court must provide a copy of its language assistance
12 plan to the interpreter commission established by supreme court rule
13 for approval prior to receiving state reimbursement for interpreter
14 costs under this chapter.~~

15 ~~(4) Each court receiving reimbursement for interpreter costs
16 under RCW 2.42.120 or 2.43.040 must provide to the administrative
17 office of the courts by November 15, 2009, a report detailing an
18 assessment of the need for interpreter services for non-English
19 speakers in court-mandated classes or programs, the extent to which
20 interpreter services are currently available for court-mandated
21 classes or programs, and the resources that would be required to
22 ensure that interpreters are provided to non-English speakers in
23 court-mandated classes or programs. The report shall also include the
24 amounts spent annually on interpreter services for fiscal years 2005,
25 2006, 2007, 2008, and 2009. The administrative office of the courts
26 shall compile these reports and provide them along with the specific
27 reimbursements provided, by court and fiscal year, to the appropriate
28 committees of the legislature by December 15, 2009.)~~

29 (4) Beginning January 1, 2026, and every two years thereafter,
30 all courts must submit their most recent language access plan to the
31 administrative office of the courts.

32 (5) The administrative office of the courts shall provide
33 technical assistance to trial courts in developing their language
34 access plans.

35 (6) Each court must provide a copy of its language access plan to
36 the administrative office of the courts in accordance with criteria
37 for approval recommended by the interpreter and language access
38 commission for approval prior to receiving state reimbursement for
39 interpreter costs under this chapter.

1 (7) Each court shall make available on its website translated
2 information that informs the public of procedures necessary to access
3 a court's language access services and programs. The information
4 shall be provided in five or more languages other than English that
5 reputable data indicates are predominant in the jurisdiction.

6 **Sec. 11.** RCW 2.56.030 and 2019 c 271 s 5 are each amended to
7 read as follows:

8 The administrator for the courts shall, under the supervision and
9 direction of the chief justice:

10 (1) Examine the administrative methods and systems employed in
11 the offices of the judges, clerks, stenographers, and employees of
12 the courts and make recommendations, through the chief justice, for
13 the improvement of the same;

14 (2) Examine the state of the dockets of the courts and determine
15 the need for assistance by any court;

16 (3) Make recommendations to the chief justice relating to the
17 assignment of judges where courts are in need of assistance and carry
18 out the direction of the chief justice as to the assignments of
19 judges to counties and districts where the courts are in need of
20 assistance;

21 (4) Collect and compile statistical and other data and make
22 reports of the business transacted by the courts and transmit the
23 same to the chief justice to the end that proper action may be taken
24 in respect thereto;

25 (5) Prepare and submit budget estimates of state appropriations
26 necessary for the maintenance and operation of the judicial system
27 and make recommendations in respect thereto;

28 (6) Collect statistical and other data and make reports relating
29 to the expenditure of public moneys, state and local, for the
30 maintenance and operation of the judicial system and the offices
31 connected therewith;

32 (7) Obtain reports from clerks of courts in accordance with law
33 or rules adopted by the supreme court of this state on cases and
34 other judicial business in which action has been delayed beyond
35 periods of time specified by law or rules of court and make report
36 thereof to supreme court of this state;

37 (8) Act as secretary of the judicial conference referred to in
38 RCW 2.56.060;

1 (9) Submit annually, as of February 1st, to the chief justice, a
2 report of the activities of the administrator's office for the
3 preceding calendar year including activities related to courthouse
4 security;

5 (10) Administer programs and standards for the training and
6 education of judicial personnel;

7 (11) Examine the need for new superior court and district court
8 judge positions under an objective workload analysis. The results of
9 the objective workload analysis shall be reviewed by the board for
10 judicial administration which shall make recommendations to the
11 legislature. It is the intent of the legislature that an objective
12 workload analysis become the basis for creating additional district
13 and superior court positions, and recommendations should address that
14 objective;

15 (12) Provide staff to the judicial retirement account plan under
16 chapter 2.14 RCW;

17 (13) Attend to such other matters as may be assigned by the
18 supreme court of this state;

19 (14) Within available funds, develop a curriculum for a general
20 understanding of child development, placement, and treatment
21 resources, as well as specific legal skills and knowledge of relevant
22 statutes including chapters 13.32A, 13.34, and 13.40 RCW, cases,
23 court rules, interviewing skills, and special needs of the abused or
24 neglected child. This curriculum shall be completed and made
25 available to all juvenile court judges, court personnel, and service
26 providers and be updated yearly to reflect changes in statutes, court
27 rules, or case law;

28 (15) Develop, in consultation with the entities set forth in RCW
29 2.56.150(3), a comprehensive statewide curriculum for persons who act
30 as guardians ad litem under Title 13 or 26 RCW. The curriculum shall
31 be made available July 1, 2008, and include specialty sections on
32 child development, child sexual abuse, child physical abuse, child
33 neglect, domestic violence, clinical and forensic investigative and
34 interviewing techniques, family reconciliation and mediation
35 services, and relevant statutory and legal requirements. The
36 curriculum shall be made available to all superior court judges,
37 court personnel, and all persons who act as guardians ad litem;

38 (16) Develop a curriculum for a general understanding of hate
39 crime offenses, as well as specific legal skills and knowledge of RCW
40 9A.36.080, relevant cases, court rules, and the special needs of hate

1 crime offense victims. This curriculum shall be made available to all
2 superior court and court of appeals judges and to all justices of the
3 supreme court;

4 (17) Develop, in consultation with the criminal justice training
5 commission and the commissions established under chapters 43.113,
6 43.115, and 43.117 RCW, a curriculum for a general understanding of
7 ethnic and cultural diversity and its implications for working with
8 youth of color and their families. The curriculum shall be available
9 to all superior court judges and court commissioners assigned to
10 juvenile court, and other court personnel. Ethnic and cultural
11 diversity training shall be provided annually so as to incorporate
12 cultural sensitivity and awareness into the daily operation of
13 juvenile courts statewide;

14 (18) Authorize the use of closed circuit television and other
15 electronic equipment in judicial proceedings. The administrator shall
16 promulgate necessary standards and procedures and shall provide
17 technical assistance to courts as required;

18 (19) Develop a Washington family law handbook in accordance with
19 RCW 2.56.180;

20 (20) Administer state funds for improving the operation of the
21 courts and provide support for court coordinating councils, under the
22 direction of the board for judicial administration;

23 (21) Administer the family and juvenile court improvement grant
24 program;

25 (22)(a) Administer and distribute amounts appropriated under RCW
26 43.08.250(2) for district court judges' and qualifying elected
27 municipal court judges' salary contributions. The administrator for
28 the courts shall develop a distribution formula for these amounts
29 that does not differentiate between district and elected municipal
30 court judges.

31 (b) A city qualifies for state contribution of elected municipal
32 court judges' salaries under (a) of this subsection if:

33 (i) The judge is serving in an elected position;

34 (ii) The city has established by ordinance that a full-time judge
35 is compensated at a rate equivalent to at least ninety-five percent,
36 but not more than one hundred percent, of a district court judge
37 salary or for a part-time judge on a pro rata basis the same
38 equivalent; and

1 (iii) The city has certified to the office of the administrator
2 for the courts that the conditions in (b)(i) and (ii) of this
3 subsection have been met;

4 (23) Subject to the availability of funds specifically
5 appropriated therefor, assist courts in the development and
6 implementation of language ((assistance)) access plans required under
7 RCW 2.43.090.

8 **Sec. 12.** RCW 7.105.245 and 2021 c 215 s 33 are each amended to
9 read as follows:

10 (1) Pursuant to chapter 2.42 RCW, in order to ensure that parties
11 have meaningful access to the court, an interpreter shall be
12 appointed for any party who is deaf, hard of hearing, deaf-blind, or
13 has a speech impairment and cannot readily understand or communicate
14 in spoken language. Notwithstanding the provisions of chapter 2.42
15 RCW, the court shall not:

16 (a) Appoint an interpreter who is not credentialed or duly
17 qualified by the court to provide interpretation services; or

18 (b) Appoint a person to provide interpretation services if that
19 person is serving as an advocate for the party.

20 (2) Pursuant to chapter 2.43 RCW, in order to ensure that parties
21 have meaningful access to the court, an interpreter shall be
22 appointed for any party who (~~cannot readily speak or understand the~~
23 ~~English language~~) has limited English proficiency. Notwithstanding
24 the provisions of chapter 2.43 RCW, the court shall not:

25 (a) Appoint an interpreter who is not credentialed or duly
26 qualified by the court to provide interpretation services; or

27 (b) Appoint a person to provide interpretation services if that
28 person is serving as an advocate for the party.

29 (3) Once an interpreter has been appointed for a party, the party
30 shall no longer be required to make further requests for the
31 appointment of an interpreter for subsequent hearings or proceedings.
32 The clerk shall identify the party as a person who needs interpreter
33 services and the clerk or the court administrator shall be
34 responsible for ensuring that an interpreter is available for every
35 subsequent hearing.

36 (4) The interpreter shall interpret for the party meeting with
37 either counsel or court staff, or both, for the purpose of preparing
38 forms and participating in the hearing and court-ordered assessments,
39 and the interpreter shall sight translate any orders.

1 (5) The same interpreter shall not serve parties on both sides of
2 the proceeding when not on the record, nor shall the interpreter
3 appointed by the court for the proceeding be the same interpreter
4 appointed for any court-ordered assessments, unless the court finds
5 good cause on the record to do so because it is not possible to
6 obtain more than one interpreter for the proceeding, or the safety of
7 the litigants is not compromised, or any other reasons identified by
8 the court.

9 (6) Courts shall make a private space available for parties,
10 counsel, and/or court staff and interpreters to sight translate any
11 written documents or to meet and confer.

12 (7) When a hearing is conducted through telephone, video, or
13 other electronic means, the court must make appropriate arrangements
14 to permit interpreters to serve the parties and the court as needed.

15 **Sec. 13.** RCW 13.04.043 and 1993 c 415 s 6 are each amended to
16 read as follows:

17 The administrator of juvenile court shall obtain interpreters as
18 needed consistent with the intent and practice of chapter 2.43 RCW,
19 to enable ((non-English-speaking)) youth with limited English
20 proficiency and their families to participate in detention,
21 probation, or court proceedings and programs.

22 NEW SECTION. **Sec. 14.** RCW 2.43.040 and 2.43.080 are each
23 recodified as sections in chapter 2.43 RCW.

24 **Sec. 15.** RCW 2.42.120 and 2008 c 291 s 2 are each amended to
25 read as follows:

26 (1) If a hearing impaired person is a party or witness at any
27 stage of a judicial or quasi-judicial proceeding in the state or in a
28 political subdivision, including but not limited to civil and
29 criminal court proceedings, grand jury proceedings, proceedings
30 before a magistrate, juvenile proceedings, adoption proceedings,
31 mental health commitment proceedings, and any proceeding in which a
32 hearing impaired person may be subject to confinement or criminal
33 sanction, the appointing authority shall appoint and pay for a
34 qualified interpreter to interpret the proceedings.

35 (2) If the parent, guardian, or custodian of a juvenile brought
36 before a court is hearing impaired, the appointing authority shall

1 appoint and pay for a qualified interpreter to interpret the
2 proceedings.

3 ~~(3) ((If a hearing impaired person participates in a program or
4 activity ordered by a court as part of the sentence or order of
5 disposition, required as part of a diversion agreement or deferred
6 prosecution program, or required as a condition of probation or
7 parole, the appointing authority shall appoint and pay for a
8 qualified interpreter to interpret exchange of information during the
9 program or activity.~~

10 ~~(4) If a law enforcement agency conducts a criminal investigation
11 involving the interviewing of a hearing impaired person, whether as a
12 victim, witness, or suspect, the appointing authority shall appoint
13 and pay for a qualified interpreter throughout the investigation.
14 Whenever a law enforcement agency conducts a criminal investigation
15 involving the interviewing of a minor child whose parent, guardian,
16 or custodian is hearing impaired, whether as a victim, witness, or
17 suspect, the appointing authority shall appoint and pay for a
18 qualified interpreter throughout the investigation. No employee of
19 the law enforcement agency who has responsibilities other than
20 interpreting may be appointed as the qualified interpreter.~~

21 ~~(5) If a hearing impaired person is arrested for an alleged
22 violation of a criminal law the arresting officer or the officer's
23 supervisor shall, at the earliest possible time, procure and arrange
24 payment for a qualified interpreter for any notification of rights,
25 warning, interrogation, or taking of a statement. No employee of the
26 law enforcement agency who has responsibilities other than
27 interpreting may be appointed as the qualified interpreter.~~

28 ~~(6))~~ Where it is the policy and practice of a court of this
29 state or of a political subdivision to appoint and pay counsel for
30 persons who are indigent, the appointing authority shall appoint and
31 pay for a qualified interpreter for hearing impaired persons to
32 facilitate communication with counsel in all phases of the
33 preparation and presentation of the case.

34 ~~((7))~~ (4) Subject to the availability of funds specifically
35 appropriated therefor, the administrative office of the courts shall
36 reimburse the appointing authority for up to one-half of the payment
37 to the interpreter where a qualified interpreter is appointed for a
38 hearing impaired person by a judicial officer in a proceeding before

1 a court under subsection (1) ~~((7))~~ or (2) ~~((7 or (3))~~) of this section
2 in compliance with the provisions of RCW 2.42.130 and 2.42.170.

--- **END** ---