

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED

JUN 29 2012

Clerk of the Courts

**IN RE: AMENDMENT OF RULE 42,
RULES OF THE TENNESSEE SUPREME COURT**

No. M2012-01045-RL2-RL - Filed: June 29, 2012

ORDER

On June 27, 2012, the Court filed an order amending Rule 42, Rules of the Supreme Court, governing the appointment and compensation of court interpreters and translators in this state, and making related amendments to Rule 13, Section 4(d). It has come to the Court's attention that amended Section 7 of Rule 42 should be modified: (1) to clarify the meaning of Section 7(a); and (2) to correct in Section 7(h)(1) an incomplete cross-reference to Tenn. Sup. Ct. R. 13(d). Accordingly, the Court hereby adopts the following two amendments to Rule 42, Section 7, as that section was set out in the Court's June 27, 2012 order:

Amend Rule 42, Section 7(a) to read as follows:

(a) Rates of Compensation. Compensation rates for services provided by spoken Spanish foreign language interpreters shall not exceed the following: Certified Interpreter – \$50 per hour; Registered Interpreter – \$40 per hour; Non-Credentialed Interpreter – \$25 per hour. Compensation rates for services provided by spoken foreign language interpreters for languages other than Spanish shall not exceed \$75 per hour. Compensation for interpreters or translators shall not exceed the following: Certified Interpreter – \$500 per day; Registered Interpreter – \$400 per day; Non-Credentialed Interpreter – \$250 per day. If the court finds that these maximum rates are inadequate to secure the services of a qualified interpreter in a language other than Spanish, the court shall make written findings regarding such inadequacy and determine a reasonable maximum rate for a qualified interpreter. Interpreters shall be compensated for in-court interpretation time and travel time at the compensation rate approved by the court. If the in-court

interpretation time and travel time total less than two (2) hours, a minimum of two (2) hours will be compensated for the day.

(2) Amend Rule 42, Section 7(h)(1) to read as follows:

(1) In cases in which an indigent party has a statutory or constitutional right to appointed counsel as outlined in Supreme Court Rule 13, Section 1(d)(1) and (2), interpreter costs will be paid for the following proceedings:

(i) All court hearings;

(ii) Pre-trial conferences between defendants and district attorneys in order to relay a plea offer immediately prior to a court appearance or to discuss a continuance;

(iii) Communication between client and state funded counsel appointed pursuant to Supreme Court Rule 13; and communication between client, state funded counsel and others for the purpose of gathering background information, investigation, trial preparations, and witness interviews.

These modifications are entered nunc pro tunc to June 27, 2012. As provided in the Court's June 27, 2012 order, revised Rule 42, as amended herein, and amended Rule 13, Section 4(d) shall take effect on July 1, 2012.

The Clerk shall provide a copy of this order to LexisNexis and to Thomson Reuters. In addition, this order shall be posted on the Tennessee Supreme Court's website.

IT IS SO ORDERED.

PER CURIAM