



Houston Division

MEMORANDUM

TO: CJA Panel Attorneys

FROM: U. S. District Judge Kenneth M. Hoyt, Chair
CJA Committee

DATE: September 27, 2007

RE: **USE OF INTERPRETERS**

Given the number of non-English speaking defendants in this district, it is important that CJA panel attorneys be able to communicate effectively with clients who do not speak or understand English. Fluency in the defendant's native language is not a necessary prerequisite for appointment, because CJA funds are available to hire translators for attorney client communication. Nevertheless, foreign language capacity by CJA panel attorneys is certainly desirable, because it facilitates direct client communication and lessens the strain upon limited CJA funds.

For that reason the CJA panel questionnaire asks about the foreign language capacity of attorney applicants and their office staffs. Many CJA panel attorneys do not personally possess such skills, but rely upon legal assistants or associates who do. This is certainly acceptable, but can create difficulties when such office staff either finds other employment or is otherwise unavailable. In that event, a CJA panel attorney may come to court effectively unable to communicate with her client. When that happens, it is not appropriate for the attorney to use the services of the court interpreter in order to communicate with the client.

To alleviate such problems, we request each CJA panel attorney to take the following steps:

1. Notify the CJA Committee through the Clerk's Office of any change in foreign language capacity in your office.
2. Avoid using the courtroom interpreter for attorney/client communications.
3. Arrange for translation services through court-approved interpreters. A list of approved interpreters is available through the clerk's office (contact Ramon Villareal at 713-250-5667).
4. Where practicable, seek court approval in advance for CJA-reimbursed translation expenses.

Thank you for your cooperation and continued service on our CJA panel.