

# LICENSED COURT INTERPRETERS

*Administrative Rules of the Texas Department of Licensing and Regulation  
16 Texas Administrative Code, Chapter 80*

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**80.1. Authority.** *(Effective October 18, 2001, 26 TexReg 8065)*

These rules are promulgated under the authority of Title 2, Texas Government Code, Chapter 57, and Title 2, Texas Occupations Code, Chapter 51.

**80.10. Definitions.** *(Effective October 18, 2001, 26 TexReg 8065; amended effective February 1, 2004, 29 TexReg 627)*

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise.

- (1) **Dishonorable**--Lacking in integrity, indicating an intent to deceive or take unfair advantage of another person, or bringing disrepute to the profession of court interpretation.
- (2) **Unethical**--Conduct that does not conform to generally accepted standards of conduct for professional court interpreters.

**80.20. Licensing Requirements--General.** *(Effective October 18, 2001, 26 TexReg 8065)*

- (a) Prior to performing court interpretation services, a person first must obtain a court interpreter license from the Department with a language endorsement for each language that the applicant will interpret.
- (b) A person seeking to be licensed as a court interpreter must file an application with the Department using Department forms for this purpose and must pay a non-refundable license application filing fee at the time the application is filed with the Department.

**80.22. License Requirements--Examination.** *(Effective October 18, 2001, 26 TexReg 8065; amended effective February 1, 2004, 29 TexReg 627)*

Each applicant must pass all parts of a Department approved language examination before the applicant will be licensed as a court interpreter for that language.

**80.23. Licensing Requirements--Renewal.** *(Effective December 8, 2005, 30 TexReg 8074)*

- (a) A complete application for license renewal and all required fees must be filed by the expiration date, or the application will be considered late and the license will expire.
- (b) Non-receipt of a license renewal notice from the Department does not exempt a person from any requirements of this chapter.
- (c) A person shall not perform work requiring a license under Chapter 57 of the Texas Government Code with an expired license.

**80.25. Continuing Education.** *(Effective December 8, 2005, 30 TexReg 8074; amended effective September 1, 2006, 31 TexReg 6719)*

- (a) Terms used in this section have the meanings assigned by Chapter 59 of this title, unless the context indicates otherwise.
- (b) To renew a license under Texas Government Code, Chapter 57, Subchapter C, a licensee must complete eight hours of continuing education in courses approved by the department, including two hours of instruction in ethics.
- (c) The continuing education hours must have been completed within the term of the current license, in the case of a timely renewal. For a late renewal, the continuing education hours must have been completed within the one year period immediately prior to the date of renewal.

- (d) A licensee may not receive continuing education credit for attending the same course more than once.
- (e) A licensee shall retain a copy of the certificate of completion for a course for one year after the date of completion. In conducting any inspection or investigation of the licensee, the department may examine the licensee's records to determine compliance with this subsection.
- (f) To be approved under Chapter 59 of this title, a provider's course must be dedicated to instruction in one or more of the following topics:
  - (1) law and rules affecting the practice of a licensed court interpreter;
  - (2) ethics;
  - (3) practice topics, such as etiquette, modes, vocabulary, technology, transcription, translation, grammar and spelling, and voice training; or
  - (4) business practices.
- (g) This section shall apply to providers and courses for licensed court interpreters upon the effective date of this section
- (h) This section shall apply to licenses issued under Texas Government Code, Chapter 57, Subchapter C, that expire on or after January 1, 2007.

**80.70. Responsibilities of Licensee--General.** *(Effective October 18, 2001, 26 TexReg 8065)*

- (a) A licensee must provide the following written notification to the court: "Regulated by The Texas Department of Licensing and Regulation, P.O. Box 12157, Austin, Texas 78711, 1-800-803-9202, 512-463-6599." The notification shall also be included on all contracts and invoices for court interpreter services.
- (b) A licensee shall present their court interpreter license upon the request of a court or an officer of the court.
- (c) A licensee shall notify the Department, in writing, within thirty (30) days of any change in the licensee's name, address, or telephone number.

**80.80. Fees.** *(Effective October 18, 2001, 26 TexReg 8065; amended effective August 14, 2002, 27 TexReg 7103; amended effective April 1, 2003, 28 TexReg 2742; amended effective September 1, 2003, 28 TexReg 7367; amended effective December 1, 2004, 29 TexReg 11030; amended effective July 3, 2005, 30 TexReg 3728)*

- (a) All fees are non-refundable.
- (b) The original license application filing fee shall be \$75.
- (c) The renewal application filing fee shall be \$50.
- (d) The fee for obtaining a duplicate license is \$25.
- (e) The fee for the written examination is \$100.
- (f) The fee for each oral examination is \$300.
- (g) Late renewal fees for licenses issued under this chapter are provided under §60.83 of this title relating to Late Renewal Fees).

**80.90. Sanctions--Administrative Sanctions/Penalties.** *(Effective October 18, 2001, 26 TexReg 8065; amended effective February 1, 2004, 29 TexReg 627)*

If a person violates any provision of Title 2, Texas Government Code, Chapter 57, any provision of 16 Texas Administrative Code, Chapter 80, or any provision of an order of the Executive Director or Commission, proceedings may be instituted to impose administrative penalties, administrative sanctions, or both administrative penalties and sanctions in accordance with the provisions of Title 2, Texas Occupations Code, Chapter 51, or 16 Texas Administrative Code, Chapter 60.

**80.100. Code of Ethics and Professional Responsibility.** *(Effective April 1, 2003, 28 TexReg 2742)*

- (a) Preamble. Many persons who come before the courts are non- or limited-English speakers. The function of court interpreters and translators is to remove the language barrier to the extent possible, so that such persons' access to justice is the same as that of similarly situated English speakers for whom no such barrier exists. The degree of trust that is placed in court interpreters and the magnitude of their responsibility necessitate high, uniform ethical standards that will both guide and protect court interpreters in the course of their duties as well as uphold the standards of the profession as a whole. Interpreters are highly skilled professionals who fulfill an essential role in the administration of justice.
- (b) Applicability. This code shall guide and be binding upon all persons, agencies and organizations who administer, supervise use, or deliver interpreting services to the judiciary. This code is therefore intended not only to set forth fundamental ethical precepts for court interpreters to follow, but also to encourage them to develop their own, well-informed ethical judgment.
- (c) CANON 1: ACCURACY AND COMPLETENESS. Interpreters shall render a complete and accurate interpretation or sight translation, without altering, omitting, or adding anything to what is stated or written, and without explanation. The register, style and tone of the source language should be conserved. While interpreting or translating, court interpreters are to use the same grammatical person as the speaker. Guessing should be avoided. Interpreter errors should be corrected for the record as soon as possible.
- (d) CANON 2: REPRESENTATION OF QUALIFICATIONS. Interpreters shall accurately and completely represent their certifications, accreditations, training, education, and pertinent experience. Court interpreters shall bring to the judge's attention any circumstances or conditions that impede full compliance with any canon of this code, including, but not limited to: interpreter fatigue, inability to hear, or inadequate knowledge of specialized terminology, and must decline assignments under conditions that make such compliance unattainable. Acceptance of a case by an interpreter conveys linguistic competency in legal settings.
- (e) CANON 3: IMPARTIALITY AND AVOIDANCE OF CONFLICTS OF INTEREST. Interpreters shall be impartial and unbiased and shall refrain from conduct that may give an appearance of bias. Interpreters shall immediately disclose to the Court and all parties any real, potential or perceived conflicts of interest. Interpreters shall abstain from comment on cases in which they serve. An interpreter who is also an attorney should not serve in both capacities in the same matter, unless agreed to by the judge and all parties.
- (f) CANON 4: PROFESSIONAL Demeanor. Interpreters shall conduct themselves in a manner consistent with the dignity of the court and shall be as unobtrusive as possible.
- (g) CANON 5: CONFIDENTIALITY. Interpreters shall not disclose privileged or confidential communications or information acquired in the course of interpreting or preparing for interpretation, unless authorized by the Court or by law.
- (h) CANON 6: SCOPE OF PRACTICE. Interpreters shall limit themselves to interpreting or translating, and shall not give legal advice, express personal opinions to individuals for whom they are interpreting, or engage in any other activities which may be construed to constitute a service other than interpreting or translating while serving as an interpreter. An interpreter may convey legal advice including the explanation of forms and/or services to a person only while an attorney is giving it.
- (i) CANON 7: ASSESSING AND REPORTING IMPEDIMENTS TO PERFORMANCE. Interpreters shall assess at all times their ability to deliver their services. When interpreters have any reservation about their ability to satisfy an assignment competently, they shall immediately convey that reservation to the judge.

- (j) **CANON 8: DUTY TO REPORT ETHICAL VIOLATIONS.** Interpreters shall report to the judge any effort to influence or impede the performance of their duty, or their compliance with any legal requirement, any provision of this code, or any other official policy governing court interpreting. An interpreter having knowledge that another interpreter has committed a violation of any provision of this code shall inform the judge and/or the appropriate licensing authority.
  
- (k) **CANON 9: PROFESSIONAL DEVELOPMENT.** Interpreters shall continually improve their skills and knowledge and advance the profession through activities such as professional training and education, and interaction with colleagues and specialists in related fields. Interpreters should keep informed of all statutes, rules of courts and policies of the judicial system that relate to the performance of their professional duties.