
LANGUAGE ACCESS PLAN



2019

A Strategic Agenda for Language Access in Nebraska State Courts and Probation

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“...another ongoing challenge facing Nebraska courts is providing justice to the increasing number of individuals who speak little or no English. These individuals come before our courts as victims, witnesses, defendants, and parents of juveniles. Not only is it important that these individuals be heard, but it is equally important that judges, attorneys, and jury members understand the testimony and arguments of non-English speakers so that justice can be served.”

~ *Chief Justice Michael G. Heavican,
State of the Judiciary 2013*



Table of Contents

Introduction	Page 3
1 Laws, Rules, Policies, and Resources	Pages 4 - 9
State Statutory Authority	
Nebraska Supreme Court Rules	
Language Access Committee	
Code of Professional Responsibility for Interpreters	
Nebraska Interpreter Protocol 2018	
Court Interpreter Fee Schedule and Payment Policy	
Court Interpreter Directory	
Continuing Education for Court Interpreters	
2 Identifying Limited English Proficient Communities Who May Require Language Access Assistance	Pages 10 - 11
3 Meeting the Needs of Limited English Proficient Individuals	Pages 12 - 18
Effective Methods for Communication	
Language Access Education and Informational Services	
Bilingual Court and Probation Staff	
Spoken Language Interpreters	
Statewide Language Access Coordinator	
Nebraska State Court Interpreter Coordinators	
Sign Language Interpreters	
Remote Interpreting	
Non-Resident Court Interpreters	
Translations	
Communication with LEP Communities	
Spanish Language Rights Advisement Video	
Tracking Contacts with LEP Court and Probation Users	
4 Assessing Language Access in Nebraska Courts and Probation	Page 19
Needs Assessment Monitoring	
Language Access Complaint Process	
5 Ongoing Plan for Language Access	Pages 20-23
Interpreter Recruitment, Training & Testing, Continuing Education	
Compile Statistics	
Nimble Response to Language Access Needs	
Update Language Access Plan	

Introduction

Since 1973 the Nebraska Supreme Court has recognized language access as necessary to providing justice, ensuring people who cannot speak English or are deaf or hearing-disabled have equal access to participate in cases in Nebraska State Courts. Language access to court proceedings, probation services may have a lasting and life-altering impact upon a Limited English Proficient (LEP) court user and his or her family. As the U.S. Department of Justice observed in September 2016, “simply put, interpretation and translation are essential to providing meaningful access to the courts and to maintaining the integrity of our justice system. Court cases are often highly structured, stressful experiences requiring specialized terminology. Without careful attention to providing effective language services, many people will face a judicial process that places unfair and unconstitutional burdens on their ability to fully participate in proceedings. At the same time, relying on un-interpreted or poorly interpreted testimony from witnesses who are not proficient in English, or from improperly translated documents, will hinder the court’s ability to determine the facts and dispense justice.” *Language Access in State Courts, U.S. Department of Justice Civil Rights Division, Federal Coordination and Compliance Section.*

As Nebraska Judicial Branch programs and services have expanded into new and different areas, including Office of Public Guardian, Juvenile Justice Reform, and Problem Solving Courts, so too, the demand for interpreters and diversity of languages spoken has grown, while Nebraska’s court qualified interpreter cadre remains small for such a large geographical area. The Nebraska Supreme Court continues to strive to provide access to all Nebraska Judicial Branch services regardless of the language spoken.

In order to facilitate that goal and provide high quality, efficient and cost effective language access across the state of Nebraska, the Nebraska Supreme Court adopted rules relating to interpreters in court in September 2000. Those rules are now codified as Neb. Ct. R. § 6-701 et seq. In addition, the Nebraska Supreme Court authorized the Administrative Office of the Courts and Probation (AOCP) and Language Access Committee (LAC) to produce a Language Access Plan. The Plan provides information upon which the Court can:

1. Identify the rules, policies, and protocols upon which language access is provided in the Nebraska Judicial Branch.
2. Identify Limited English Proficient (LEP) populations who may require language access.
3. Develop strategies and cultivate human and financial resources to provide language access to LEP court and probation users and provide information and support to judges, court staff, and probation staff.
4. Track and assess language access in the Nebraska Judicial System.
5. Provide an ongoing plan for language access.

1 | Laws, Rules, Policies, and Resources

State statutory authority, Supreme Court Rules, and court resources are the foundation for language access in the Nebraska Judicial Branch, including Courts and Probation.

State Statutory Authority – Nebraska Revised Statutes § 25-2401 to § 25-2407 and § 20-150 to § 20-159

In any proceeding, the presiding judge shall appoint an interpreter to assist any person unable to communicate the English language for preparation and trial of his or her case. Neb. Rev. Stat. § 25-2403.

For any proceeding before an appointing authority including any court at which a deaf or hard of hearing person is subpoenaed or requested in writing to attend, the appointing authority shall obtain a licensed interpreter to interpret the proceedings to the deaf or hard of hearing person and to interpret his or her testimony or statements. Neb. Rev. Stat. § 20-153. See Appendix 1.

Nebraska Supreme Court Rules Relating to Interpreters in Court

In order to facilitate compliance with Nebraska statutory law and ensure consistency and uniformity in providing language access throughout the state's judicial system, the Supreme Court adopted what is now codified as Neb. Ct. R. § 6-701, et seq., Rules on Interpreters in Courts. The Nebraska Supreme Court amended its interpreter rules in December 2018. See Appendix 2.

Language Access Committee

The Nebraska Supreme Court in 2005 created the Language Access Committee (LAC), formerly known as the Interpreter Advisory Committee. The LAC was designated a standing committee of the Access to Justice Commission created by the Nebraska Supreme Court in 2017. The LAC's mission is "to secure and protect the rights of persons who are unable to readily understand or communicate in the English language and cannot be protected in legal proceedings unless qualified interpreters are provided." The purpose of the LAC is "to create, evaluate and recommend statewide policies, rules and regulations of court and probation interpreting throughout the state." See Appendix 3.

Code of Professional Responsibility for Interpreters

A Code of Professional Responsibility for Interpreters was adopted by the Nebraska Supreme Court in 2000. These rules became effective on September 20, 2000, and will, as amended, govern the use of interpreters in all courts of the State of Nebraska. See *Rules Relating to Court Interpreters adopted September 20, 2000; amended September 17, 2003. Renumbered and codified as Neb. Ct. R. §§ 6-701 – 6-706, effective July 18, 2008.*

Interpreters are highly skilled professionals who fulfill an essential role in the administration of justice. See Appendix 4.

In addition, the Language Access Committee in 2015 adopted a Nebraska State Court Interpreter's Ethics Manual, available on the Supreme Court website here:

<https://supremecourt.nebraska.gov/sites/default/files/Programs/ethics-manual.pdf>

The purpose of the manual is to inform Nebraska interpreters of their professional ethical responsibilities and to provide a context for discussion among interpreters regarding interpretive challenges in accordance with Nebraska's interpreter ethical canons.

Nebraska Interpreter Protocol

The Nebraska Interpreter Protocol, updated in 2018, provides guidelines for the use and payment of interpreters in Nebraska State Courts as currently authorized under Nebraska statutes. See Appendix 5.

Court Interpreter Fee Schedule and Payment Policy

The fees and expenses of an interpreter shall be fixed in accordance with a fee schedule established by the Nebraska Supreme Court and ordered paid by the judge before whom such proceeding takes place. Interpreters are paid out of the General Fund with funds appropriated to the Nebraska Supreme Court for that purpose (Neb. Rev. Stat. § 25-2406). See Appendix 6.

Court Interpreter Directory

Whenever an interpreter is required to be appointed by a court or probation office, the court or probation office shall first attempt to appoint a certified court interpreter who is listed on the statewide Directory of interpreters. Nebraska resident certified court interpreters are currently available in French, Mandarin, Russian, Spanish, and American Sign Language. See Appendix 7.

If the court or probation office has made diligent efforts to obtain a certified court interpreter as required and found none to be available, the court or probation office may appoint a registered non-certified court interpreter who is otherwise competent to interpret in the courts. Interpreters of additional languages may be reached on demand via Language Line for telephone interpretation. Note that most Language Line interpreters are not court certified according to National Center for State Courts standards. Additional information regarding Language Line is available elsewhere in this Plan and in Appendix 13.

In languages other than Spanish or Sign, if the court or probation office has made diligent efforts to obtain a certified court interpreter or a registered court interpreter and found none to be available, the court or probation office may appoint a court interpreter who is otherwise competent to interpret in the courts.

The Court or Probation Officer may determine that an interpreter is “otherwise competent” by one or more of the following:

1. An INTERVIEW allows the court to establish the language, educational, and professional background of the candidate and at the same time affords the interviewer the opportunity to assess the English proficiency of the candidate. Questions should be organized so that the content and complexity progresses from simple, casual chatting to a discussion of more linguistically and intellectually complex issues. Questions that may be utilized during the interview process include the following:
 - Level 1 questions: Inquire about name, address, current, and former occupation, former interpreting or translating experience, if any; language background and proficiency; and educational background in the United States and in a foreign country, if applicable.
 - Level 2 questions: Inquire about travels outside the United States to encourage the discussion of economics or cultural differences.
 - Level 3 questions: Place candidate in a hypothetical courtroom situation in which a problem is posed that requires the candidate to state what they would do to remedy the situation.
 - Level 4 questions: Inquire about the candidate’s understanding of the Nebraska Judicial System, and specific case types in which the interpreter may be expected to interpret.
2. A BIOGRAPHICAL SKETCH – a first person narrative on the candidate’s personal background provides the court with insight into the candidate’s sophistication in English and gives information about the candidate’s personal background.
3. Assistance in determining the competence of a non-certified interpreter can be obtained from the Interpreter Coordinators.

If an interpreter, either on-site or remote, cannot be located after diligent efforts, the Court or Probation Office may continue the matter to allow additional time to locate an interpreter to provide service.

Each Court and Probation Office should designate an employee who is responsible for coordinating language assistance services. The local Court or Probation staff should take the following steps to provide language assistance.

1. Use a bilingual employee for direct, non-evidentiary communication with the limited English proficient Court user or Probation client. If a bilingual employee is not available in the language needed, the Language Line should be used for all other languages.

2. Identify the language need of the individual.
3. Determine whether an on-site interpreter or remote interpreter is most appropriate for the assignment. Video conferencing and telephonic interpreting are recommended for simple hearings of brief duration, Probation interviews, etc. On-site interpreting is recommended for evidentiary hearings, Presentence Investigations, and Predisposition Investigations if an interpreter is available.
4. Arrange for an interpreter, using the following:
 - a. Go to the Certified Interpreter Directory to locate a certified or provisionally certified interpreter in the needed language. Spanish and American Sign Language interpreters who are not certified must not be used for interpreting in Nebraska Courts and Probation Offices.
<http://www.supremecourt.ne.gov/interpreters/Directory>
 - b. If a Certified or provisionally certified interpreter in languages *other than* Spanish or American Sign Language is not available, a registered interpreter may be identified from the Interpreter Directory.
 - c. If neither a certified, provisionally certified, or registered interpreter is available for the language needed, an “other” interpreter may be contacted from the Interpreter Directory.
 - d. If no interpreters for the language needed are available on the online Interpreter Directory, a local interpreter can be contacted if they are determined to be otherwise competent, or the Interpreter Coordinators may be contacted to assist in locating an interpreter to meet the need of the Court.

In those courts in Judicial Districts with an employee Interpreter Coordinator or contract Interpreter Coordinator, that Interpreter Coordinator will schedule qualified interpreters to fulfill the language needs of the assigned region. Interpreter Coordinators may be contacted directly by email or telephone, or email.

Douglas County and Statewide: Adrian Hinojosa

402-444-3669, Adrian.hinojosa@nebraska.gov

Lancaster County and Statewide: Vladimir Bazan

402-441-5967, Vladimir.bazan@nebraska.gov

Sarpy, Cass and Otoe Counties: Olivia Brockman

402-23704387, Olivia.brockman@nebraska.gov

9th and 10th Judicial Districts and Statewide: Vacant

308-833-0594,

Statewide Requests: NSC.Interpreters@nebraska.gov

In order to effectively serve Nebraska's LEP population, each Judicial Branch interpreter request must include:

Request Date

Probation Office or Court and Location

Point of Contact (name, telephone number, email address)

Appointment or Hearing date

Appointment or Hearing time

Expected duration

Type of proceeding (arraignment, motion hearing, trial)

Case caption and number

Language needed

Name of individual requiring interpreter

Certified Court Interpreters (*for languages for which oral exams for certification are available*) have:

- Completed Court Interpreter Orientation;
- Passed the English Language Proficiency Written Exam, achieving 80% or better;
- Passed the Oral Exam for Certification, achieving 70% or better on each of the three sections.

Complete Interpreter Oral exams for certification are currently available in:

Cantonese	Ilocano	Polish
French	Khmer	Portuguese
Haitian	Korean	Spanish
Creole	Laotian	Tagalog
Hmong	Mandarin	Vietnamese

Abbreviated Interpreter Oral exams are currently available in:

Arabic	Croatian	Turkish
Bosnian	Serbian	

Provisionally Certified Court Interpreters (*for languages for which oral exams for certification are not available*) have:

- Completed Court Interpreter Orientation;
- Passed the English Language Proficiency Written Exam, achieving 80% or better;
- and

- Demonstrated language proficiency and interpreter skills based upon education and experience as established by the Nebraska Supreme Court.

Registered Court Interpreters have:

- Completed Court Interpreter Orientation;
- Passed the English Language Proficiency Written Exam, achieving 80% or better; and
- Taken the Oral Exam and achieved 50% or better on each of the 3 sections.

Court Interpreters classified as “Other” have:

- Completed Court Interpreter Orientation;
- Passed the English Language Proficiency Written Exam, achieving 80% or better;
- Either has not taken the Oral Exam or did not achieve 50% or better on each of the 3 sections.

Continuing Education for Court Interpreters

Continuing education is required by the Nebraska Supreme Court to ensure certified, provisionally certified, and registered interpreters who serve in the Nebraska state courts:

- Maintain and improve their interpreting skills;
- Expand their vocabulary;
- Understand the ethical requirements of interpreting in a legal setting; and
- Remain in compliance with Nebraska Supreme Court Rules in Chapter 6 (Trial Courts), Article 7 (Interpreters in Court), and the Nebraska Code of Professional Responsibility for Court Interpreters. See Appendix 2 (§ 6-709).

Since 2016, Nebraska’s State Court Interpreter Coordinators and Statewide Language Access Coordinator have actively contributed to interpreter continuing education by providing accredited continuing education sessions at the Nebraska Association of Translators and Interpreters annual conference. In addition, Interpreter Coordinators provide coaching and in-house training to interpreters in their respective geographic regions, and the Statewide Language Access Coordinator regularly provides interpreter informational and outreach sessions across the state.

2| Identifying Limited English Proficient Communities Who Require Language Access Assistance

There is a clear connection between national origin, primary language, and limited ability to read, write, speak, or understand English. The presence of LEP parties and witnesses in courthouses is nothing new, and Nebraska's LEP population has increased significantly in the past five years. "While many of these people use English at work and in their daily lives, understanding what happens in a courtroom can be more difficult. Many others have less facility with English and are lost in telling their story – whether inside the courtroom or speaking with court clerks – without the support of a trained and qualified interpreter and without translation of official court documents." *The Justice Index 2016, National Center for Access to Justice, Fordham Law School.*

The Nebraska Supreme Court reaffirms its commitment to ensuring that LEP individuals can participate meaningfully in Judicial Branch programs and services using qualified interpreters at no personal cost. Nebraska has the largest LEP in the Midwest, 26.5% in 2016. With this sizable LEP population, Nebraska is second only to Minnesota in the Midwest in providing Language Access in its Judicial Branch, although Minnesota has far greater financial and interpreter resources available. See Appendix 8.

Providing access to Nebraska's Court and Probation users who speak limited or no English is dependent upon AOC's ability to recognize and identify the language needs of our communities. The AOC continues to gather and review statistics, as available, from the U.S. Census Bureau, American Community Survey, Nebraska Department of Education, and the Nebraska Department of Labor, and other organizations to help identify potential language access needs in the Nebraska Judicial Branch.

An emerging resource for identifying Nebraska's LEP communities is Language Line vendor billing statements, which reflect languages interpreted on demand. Although Spanish is the most frequently requested language, courts and probation offices across Nebraska have also requested interpretation in Burmese, Dinka, Farsi, Hebrew, Japanese, Nepali, Romanian, Tagalog, and Ukrainian, among others. These requests for on-demand telephone interpretation are indicators of Nebraska LEP communities speaking languages of lesser diffusion. See Appendix 13 for a complete listing of languages interpreted for the Nebraska Judicial Branch via Language Line.

The American Community Survey (ACS), published by the U.S. Census Bureau in 1-year increments for areas with regional population greater than 65,000, provides estimates of population characteristics, which includes population count and demographic characteristics by geographic area and time period. The ACS helps local officials, community leaders, and businesses understand the changes taking place in their communities. For geographic areas with populations smaller than 65,000, the ACS samples too few housing units to provide reliable single-year estimates. For these areas, several years of data are pooled together to create more precise multiyear estimates. Since 2010, the ACS has published 5-year data (beginning with 2005-2009 estimates) for all geographic areas down to the census tract and block group levels. Visit the ACS Handbook online at:

https://www.census.gov/content/dam/Census/library/publications/2018/acs/acs_general_handbook_2018_ch03.pdf.

The Nebraska Department of Education (NDE) annually publishes a Nebraska Education Profile, a one-stop location for Nebraska education data, available here <https://nep.education.ne.gov/>. In the 2018-19 academic year, 7.16% of Nebraska’s K-12 students were classified as English Learners. The NDE gathers English Language Learner statistical information during the fall reporting process of public school students. On its website, the NDE published its two column definition of a limited English student:

Column 1	Column 2
All students meet one or more of the following: Is age 3 through 21; Is enrolled or preparing to enroll in an elementary school or secondary school; Was NOT born in the United States or whose native language is a language other than English’ is Native American or Alaskan Native, or a native resident of the outlying areas; and comes from an environment where a language other than English has a significant impact on the individual’s level of English language proficiently; OR is migratory, and whose native language is a language other than English and who comes from an environment where a language other English is dominate.	As a result of the circumstances listed in Column 1: Whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual: • The ability to meet the challenging State academic standards described in Section 1111(b)(1) of ESSA; • The ability to successfully achieve in classrooms where the language of instruction is English;/OR • The opportunity to participate fully in society. Nebraska Department of Education, EL Definition and Allowable Activities, https://www.education.ne.gov/natlorigin/english-learner-definition/

See Appendix 8 and Appendix 9.

3 | Meeting the Needs of Limited English Proficient Individuals

The Nebraska Supreme Court provides many resources to ensure language access for all users of the Nebraska's Court and Probation system.

Effective Methods for Communication

Information on interpreters and language access is included in employee orientation for new Nebraska judges, court staff, and probation staff.

Education is provided at least annually to Nebraska judges, court staff, and Probation Services on issues of Language Access, including:

- Successfully communicating with LEP individuals
- Using "I speak..." language identification guides and other methods to identify needed languages (See Appendix 10)
- Locating, identifying, and using interpreters efficiently and cost effectively
- Using remote interpreters via video conferencing, telephone, or Language Line

Language Access Education and Informational Services

➤ Education for Judges

The Nebraska Supreme Court's New Judge Orientation includes written materials and a 30-minute introduction to Language Access provided by the Statewide Language Access Coordinator. Each new Nebraska judge is educated on the statutory mandate and Nebraska Supreme Court's commitment to provide language access to court users. The education includes an introduction to Language Access resources, the Nebraska State Court Interpreter Coordinators, in-person and remote interpreting, and the steps necessary to obtain an interpreter for a court proceeding.

➤ Education for Court Staff

New Employee Orientation for Court personnel includes written materials and a 1-hour introduction to Language Access provided by the Statewide Language Access Coordinator. Each new employee is educated on the statutory mandate and Nebraska Supreme Court's commitment to provide language access to court users. The education includes an introduction to Language Access resources, the Nebraska State Court Interpreter Coordinators, in-person and remote interpreting, and the steps necessary to obtain an interpreter for a court proceeding.

Nebraska's Statewide Language Access Coordinator and State Court Interpreter Coordinators are readily available to court and probation staff for questions and support, in person, by telephone, or by emailing the Language Access program leaders at NSC.Interpreters@nebraska.gov. In addition, the Statewide Language Access Coordinator provides annual Language Updates at regularly scheduled meetings of the Clerk Magistrates and Clerks of District Court.

➤ **Education for Probation Staff**

New Probation Officer Training for Probation hires includes an introduction to Language Access provided by the Judicial Branch Education Division approved trainers. Each probation officer is educated on the Nebraska Supreme Court's commitment to provide language access to Probation constituents. The education includes an introduction to Language Access resources.

➤ **Language Identification Guide**

Nebraska Courts and Probation Offices have the "I Speak" language identification guide as a tool to identify the language of LEP individuals whom they encounter in the performance of their job duties. The "I Speak" guide published by the Department of Homeland Security Office for Civil Rights and Civil Liberties (CRCL). It is publicly available on the Department of Homeland Security website here: <https://www.dhs.gov/xlibrary/assets/crcl/crcl-i-speak-booklet.pdf>. It has a companion poster containing fewer languages. The "I Speak" booklet is also available on the Nebraska Judicial Branch website's Interpreter page here: <https://supremecourt.nebraska.gov/programs-services/interpreters>
See Appendix 10.

Bilingual Court and Probation Staff

The Nebraska Judicial Branch offers increased compensation in the amount of 2.0% - 5.0% for bilingual court and probation employees who will use bilingual skills, on average, at least five hours per week in fulfillment of a specific operational need, and who have demonstrated bilingual skills of at least an "adequate" level through the Judicial Branch testing process. The need for a bilingual employee and the language skill level demonstrated by testing will be factors in determining the amount of the increase.

As of 2016, the Statewide Language Access Coordinator manages the bilingual program in accordance with the Supreme Court Personnel Policies and Procedures, under the supervision of the Deputy Administrator of the Operations Division.

The Nebraska Judicial Branch has approved 99 bilingual employee test requests for 91 different employees since the program's implementation in 2007. Sixty-four of those employees have demonstrated skills of at least an adequate level and been approved for designation and compensation as "bilingual employees." Of the 64 employees who scored at least adequate on the bilingual test, 18 have subsequently left the Judicial Branch. There are currently 46 designated bilingual employees in the Nebraska Judicial Branch. Contact information for bilingual staff persons is shared within the offices they are authorized to support.

Bilingual employees may be used for direct communication with LEP individuals, such as providing general information at a customer service counter or on the telephone. Bilingual employees shall not be used as a court interpreter or to interpret for

preparation of presentence investigations, pre-disposition investigations, or any tests for which results will be submitted to the court unless approved by the AOC. See Appendix 11.

Spoken Language Interpreters

In FY2019, the Language Access Program provided interpreters in 65 of Nebraska's 93 counties, across all 12 Judicial Districts. Collectively those interpreters communicated in 49 different languages across those 65 Nebraska counties, in which 96.9% of the State's population resides. Since 2015, the AOC has been increasingly successful in meeting the needs of LEP court and probation users through block scheduling of certified Spanish court interpreters in specific courts on designated dates. This enables the AOC to provide language access in a cost effective and efficient manner. See Appendix 9 and Appendix 12.

Statewide Language Access Coordinator

In 2015, the Nebraska Supreme Court created a full-time Statewide Language Access Coordinator position to provide day-to-day oversight of the Language Access Program, promote efficient and cost effective language access across the Judicial Branch, and conduct and implement long range planning. The Statewide Language Access Coordinator supervises employee and contractor Interpreter Coordinators, manages the Program budget and long-term planning, identifies and contracts with interpreters of languages of lesser diffusion for Nebraska's courts, and performs outreach and language access education statewide. In addition, the Statewide Language Access Coordinator identifies and plans for expanding language access needs, including Office of Public Guardian trainings, Juvenile Justice Reform, and Problem Solving Courts; recruits, mentors and develops education and training resources for interpreters in all languages for which certified or provisionally certified interpreters are not currently available; and supports and mentors Interpreter Coordinators.

Nebraska State Court Interpreter Coordinators

The Nebraska Supreme Court's first two Interpreter Coordinators were contracted positions based in the State's two largest metropolitan areas, Omaha and Lincoln. In December 2012, those two contract Interpreter Coordinators became full-time state employees who provide language access in their assigned counties and assist with administrative functions locally and statewide. In 2018 the Nebraska Supreme Court created a third full-time state employee Interpreter Coordinator position to provide language access in the central part of Nebraska and assist with administrative functions. The three full-time employee Interpreter Coordinators perform both local Spanish language interpreting duties and statewide coordination responsibilities.

A part-time contract Interpreter Coordinator serving the southeast corner of the state was added to the program in September 2012. The contract Interpreter Coordinator has local Spanish language interpreting duties and regional coordination responsibilities for a 3-county geographic region.

Sign Language Interpreters

Nebraska has a limited number of American Sign Language certified interpreters and just one ASL interpreter who carries the Specialist Certificate – Legal (SC:L) credential. That SC:L credentialed interpreter is presently employed as a Judicial Law Clerk and is unavailable to interpret for Nebraska’s Judicial Branch.

The Language Access Program continues to schedule certified American Sign Language interpreters and CART providers for Judicial Branch services. CART is an acronym for *Communication Access Real-time Translation*, which delivers near real-time transcription of spoken English into English text captions using a stenotype machine, notebook computer and real-time software. The text produced by the CART provider is displayable on an individual computer monitor, may be projected onto a screen, combined with a video presentation to appear as captions, or otherwise made available using other transmission and display systems. CART service can be delivered on location or remotely. The Nebraska Commission for the Deaf and Hard of Hearing has eliminated its ASL interpreter referral services. Instead its website contains an ASL interpreter directory and a list of interpreter referral agencies, none of which are located in the State of Nebraska.

American Sign Language Interpreters were historically certified by the Registry of Interpreters for the Deaf, Inc. (RID). On June 23, 2016, RID established the Center for the Assessment of Sign Language Interpretation, LLC (CASLI) to take over the administration and ongoing development and maintenance of exams. Eligibility requirements and the credentialing of any and all individuals will remain the responsibility of RID. With this shift in responsibilities candidates will need to contact both RID and CASLI during different times in the certification process. For more information, visit: <https://www.casli.org/2016/07/01/casli-faqs/>.

The RID Specialist Certificate: Legal (SC:L) designation went into moratorium effective January 1, 2016. While this credential is fully recognized by RID, the designation is no longer awarded by RID. The SC:L, and specialist testing in general, are topics of investigation as part of the 2016-2018 Certification Committee Scope of Work.

Holders of this specialist certification demonstrated specialized knowledge of legal settings and greater familiarity with language used in the legal system. These individuals are recommended for a broad range of assignments in the legal setting. This credential was offered from 1998 to 2016. See Appendix 7.

Remote Interpreting

➤ Scheduled Interpretation by Video or Telephone

Nebraska court interpreters and approved out-of-state interpreters can be scheduled to provide remote telephone or video interpreting. Remote interpreting is recommended for short proceedings, probation interviews, or exigent circumstances when an interpreter is not available to appear in person,

or an in-person appearance would require substantial travel for a brief proceeding.

Implementation of remote video interpreting has been challenging in some courts, given a shortage of hands-on technical support for rural courts and variability in availability and quality of bandwidth, equipment, and resources in County-owned facilities.

➤ **On Demand Telephone Interpretation**

Language Line interpreters are available on demand around the clock for telephonic interpreting for short, non-evidentiary proceedings when a local interpreter is unavailable. Instructions for Language Line are available on the Nebraska Judicial Branch intranet site. This on-demand service is used most frequently by Probation Services for language access outside normal business hours, and by Nebraska's courts for languages of lesser diffusion in Nebraska, including Hebrew, Japanese, Pashto, Swahili, and Thai.

Language Line provides on-demand interpretation for an average of 11 languages per month. Spanish is the most frequently requested language. See Appendix 13 for a complete list of languages interpreted on demand via Language Line in FY2019.

In FY2019, there were 1,469 calls to Language Line, with an average of 30.7 hours of on-demand telephone interpretation per month, at an average monthly cost of \$2,763.37. See Appendix 13.

Non-Resident Court Interpreters

In those cases where due to the seriousness of the crimes charged or the issues at bar, if the court has determined that a qualified and experienced interpreter of a language not commonly spoken in Nebraska is necessary to ensure the LEP litigant access to justice, then it may be necessary to seek services from interpreters residing outside Nebraska. The Statewide Language Access Coordinator, with the approval of the State Court Administrator, and in collaboration with the Contracts and Grants Coordinator shall contract with the most qualified court interpreter available in the language required. Under that contract, the Interpreter shall abide by the Nebraska Supreme Court Rules pertaining to Court Interpreters and shall fully comply with all security requirements of the Court and those agencies in control of the courthouse security in performance of the Contract. In addition, the Interpreter affirms that he/she is qualified and able to provide consecutive interpretation, simultaneous interpretation, and sight translation for Nebraska courts. During FY2019, the Nebraska Judicial Branch entered contracts for service from out of state interpreters speaking

Czech	Marshallese	Somali
Greek	Mexican Sign	Tagalog
Hmong	Romanian	Telugu
K'iche'	Russian	

Translations

“Translators work with the written word, converting text from a source language into a target language. This is far more than replacing one word with another. The translator must also convey the style, tone, and intent of the text, while taking into account differences of culture and dialect. The finished document should read as if it had originally been written in the target language for the target audience.” *Translators do the writing*, American Translators Association.

Those whom prepare translations must be familiar with the dialects, registers, and terminology needed for the assigned translation project. For a full description of these responsibilities, see [ASTM F2075-14 Standard Guide for Quality Assurance in Translation](#).

Translation “is a complex skill requiring several abilities. Consequently, extreme care must be exercised in hiring translators or assigning translation tasks to them. To do otherwise entails the risk that imprecise or even wrong information will be conveyed. Competence in two languages is necessary but not sufficient for any translation task. Though the translator must be able to (1) read and comprehend the source language and (2) write comprehensibly in the target language, the translator must also be able to (3) choose the equivalent expression in the target language that both fully conveys and best matches the meaning intended in the source language.” *ILR Skill Level Descriptions for Translation Performance, Interagency Language Roundtable*.

Sight translation is the oral interpretation of a written document from a source language into a target language. Court interpreters are generally able provide sight translations of short, simple documents unavailable in a LEP court or probation user’s primary language. Long, complex, or highly technical documents are not appropriate for sight translation, and should instead be referred to a certified translator.

Written translation of selected court forms and documents into Spanish, Vietnamese, and Arabic were completed by Nebraska court interpreters before 2013 through grant funding. Additional court and probation forms and documents are prioritized by the AOCF for translation by Interpreter Coordinators and qualified translators. Funding and translator resources for translation of additional documents and forms and maintenance of previous translations have not been identified at this time.

Communication with LEP Communities

Public service presentations about the Nebraska Judicial Branch and language access issues are regularly provided to schools, LEP groups, bar associations, community organizations and others by the Statewide Language Access Coordinator, Nebraska State Court Interpreter Coordinators, and AOCF staff. During calendar year 2019, information regarding the Nebraska Judicial Branch Language Access Program was published in local Nebraska newspapers, including *Grand Island Independent*, *Lincoln Journal Star*, and *Norfolk Daily News*. In addition, *News Channel Nebraska*, *Nebraska Public Radio*, and *National Public Radio* provided coverage of Nebraska state court

interpreter recruitment, education, and testing. The local public radio segment regarding Nebraska's first of its kind in the nation collaboration for recruiting and training court interpreters is available here:

<http://netnebraska.org/article/news/1193069/court-interpreter-training-program-addresses-growing-need>, and the National Public Radio segment regarding this collaboration is available here:

<https://www.npr.org/2019/11/07/777352813/nebraska-program-trains-court-interpreters-to-help-non-english-speakers-testify>

Spanish Language Rights Advisement Video

A Spanish language narrated rights advisement video has been produced for use in Nebraska County Courts. DVDs have been distributed to each court under the authority of the Nebraska Supreme Court Language Access Committee. The video is also available on the Judicial Branch Website here: <https://vimeo.com/58721046>.

Tracking of Contacts with LEP Court and Probation Users

Court contacts with LEP parties and court constituents should be recorded on journal entries and orders, and entered on the JUSTICE case management system.

Probation contacts with LEP clients, victims and others should be recorded on the Probationer Information Worksheet (PIW) and entered in NPACS (Nebraska Probation Application for Community Safety).

Statistics of instances of court interpreter services to LEP parties within the Nebraska Judicial Branch are compiled by the AOCP from interpreter statements submitted for payment following services and Interpreter Coordinator monthly reports.

4 | Assessing Language Access in Nebraska Courts and Probation

Needs Assessment Monitoring

With the assistance of the Committee on Equity and Fairness, formerly known as the Minority Justice Committee, in 2012-13 the Nebraska Judicial Branch conducted a needs assessment to obtain stakeholder feedback on the quality and availability of language access services. Surveys of judges, court and probation staff, attorneys, and service providers were completed in the fall of 2012, and results were published as available.

The Statewide Language Access Coordinator continues to monitor the quality and availability of language access services across the state. The AOCP remains receptive to feedback from judges, court and probation staff, attorneys, and court users regarding matters of language access.

Language Access Complaint Process

In order to empower individuals to share concerns about interpreters or a failure to appoint an interpreter in the Nebraska Judicial System and allow the courts and interpreters to respond and grow from this input, a complaint form is available in English and Spanish on the Nebraska Judicial Branch website.

A process for investigation of complaints against interpreters and imposition of sanctions is provided under Nebraska Supreme Court Rule § 6-708. See Appendix 2.

If LEP individuals have a concern about a judge, instructions on how to file a judicial grievance and a suggested complaint form are available in Spanish. See Appendix 15.

5 | Ongoing Plan for Language Access

The Nebraska Judicial Branch continues to monitor and to improve its progress in language access for the courts and probation by building upon the foundation and looking to the vision set out in this Language Access Plan.

Whether spoken or written, words lost or miscommunicated due to inadequate interpretation or translation may interfere with the court's ability to determine the facts and administer justice. For LEP individuals, accurate interpretation is the only way that they will be able to communicate their side of the story, preserve their evidence for the record, and challenge the testimony of adverse witnesses. Interpretation requires a native-like fluency in the full range of two languages. In addition, skill in conveying— sometimes simultaneously—what is being said is imperative. Interpreters who have not been properly trained or assessed may have trouble understanding or accurately conveying important information, including difficult legal terminology. *Language Access in State Courts, U.S. Department of Justice Civil Rights Division, Federal Coordination and Compliance Section.*

Court Interpreter Recruitment, Training & Testing, Continuing Education

➤ Interpreter Recruitment

The AOCP has a long-standing practice of identifying potential interpreters in needed languages and providing orientation, support, and testing toward certification or provisional certification. Since the 2015 hiring of a Statewide Language Access Coordinator, interpreter recruitment has become increasingly intentional, targeting leaders in Nebraska's diverse communities, university and community college educators, and promptly following up with inquiries from prospective court interpreters from across the state. Continuous outreach efforts and enhanced engagement with LEP community leaders by the Statewide Language Access Coordinator and Nebraska State Court Interpreter Coordinators has increased both the quantity and the quality of the pool of prospective court interpreters.

➤ Interpreter Training & Testing

❖ Court Interpreter Orientation

An intensive 2-day workshop offered twice annually introduces Nebraska's ethical canons and court rules governing interpreters and details the knowledge, skills, and abilities essential for successful court interpretation. This interactive workshop marks the pathway to certification as a Nebraska Court Interpreter. Historically, the AOCP contracted with two federally certified court interpreters to teach Court Interpreter Orientation, incurring significant expense for this introductory workshop. In September 2019, Nebraska's Statewide Language Access Coordinator and State Court Interpreter Coordinators began teaching Court Interpreter Orientation, providing content and interactive learning experiences with direct relevance to Nebraska state courts.

Since Fall 2016, participants in Court Interpreter Orientation receive a jump drive loaded with voluminous court interpreter resources and training materials curated by the Statewide Language Access Coordinator in collaboration with certified court interpreters and Language Access Program leaders across the country. This is the foundation for a professional interpreter library and a valuable test preparation resource.

In 2019, the State Court Administrator approved a Language Access Program collaboration with Northeast Community College in Norfolk to cultivate qualified court interpreters for the Nebraska Judicial Branch. This partnership allows the Nebraska Judicial Branch to provide Court Interpreter Orientation at the community college without incurring any facility fees. In the weeks following the orientation workshop, the Adult Education Division at Northeast Community College offers tuition-free classes to assist aspiring interpreters in their preparation for the English Language Written Exam. For those individuals who score 80% or better on the Written Exam in November 2019, the College offers additional tuition-free classes in preparation for the Oral Interpreter Exam.

❖ Court Interpreter Written Exam

Historically, the Language Access Program administered the Court Interpreter Written Exam in the final two hours, fifteen minutes of the Court Interpreter Orientation workshop. With this format, passage rates did not exceed 10% on the test of English language vocabulary.

In October 2016, the Court Interpreter Written Exam was administered at locations in Omaha and Lincoln, Nebraska, approximately 30 days after the conclusion of Court Interpreter Orientation. Beginning in Spring 2018, Interpreter Written Exams are offered in Omaha, Lincoln, and Grand Island, Nebraska, resulting in increased participation by prospective interpreters outside Nebraska's largest metropolitan areas. A Norfolk, Nebraska, test site was added in Fall 2019. Over time, passage rates on the Interpreter Written Exam have more than doubled to 25%.

In the weeks following the September 2019 Court Interpreter Orientation, the Adult Education Division at Northeast Community College provided tuition-free classes to assist aspiring interpreters in their preparation for the English Language Written Exam administered in November 2019.

❖ Court Interpreter Oral Exam

Historically, the Language Access Program administered the Court Interpreter Oral Exam twice a year in the State Capitol building on a weekend, which posed scheduling and building security challenges. Despite administration of a significant number of Oral Exams, passage rates remained below 10%.

Beginning in Fall 2016, the Language Access Program shifted Oral Exam administration to an on-demand process, based upon interpreter candidate preparation. Now Oral Exams are administered in Omaha, Lincoln, and Grand Island, Nebraska, depending upon the candidate's hometown. A Norfolk, Nebraska, test site has been added beginning in Spring 2020.

For those individuals who score 80% or better on the Written Exam in November 2019, the Adult Education Division at Northeast Community College provided additional tuition-free classes in preparation for the Oral Interpreter Exam to be administered in February 2020.

Oral Interpreter Exam passage rates remain below 10%, but statistically fewer Oral Exams are administered.

➤ Interpreter Continuing Education

Since 2016, the State Court Interpreter Coordinators and Statewide Language Access Coordinator have actively contributed to interpreter continuing education by providing accredited continuing education sessions at the Nebraska Association of Translators and Interpreter annual conference. In addition, Interpreter Coordinators provide coaching and in-house training to interpreters in their respective geographic regions, and the Statewide Language Access Coordinator regularly provides interpreter informational and outreach sessions across the state.

Compile Statistics

The AOCP compiles statistics of interpreter services provided within the Nebraska Judicial Branch, including Courts, Probation, Office of Public Guardian, and Problem Solving Courts, by language, certification status, county, court type, and probation office.

Nimble Response to Language Access Needs

The Nebraska Supreme Court works continuously to improve language access to the Nebraska Judicial Branch, responding to input, requests and concerns received from judges, staff, attorneys, service providers and court users.

The Nebraska Supreme Court's ongoing efforts to provide meaningful language access in pursuit of equal justice and equal opportunity for all continue to depend upon parameters set by Nebraska statutes and adequate funding provided to the Judicial Branch by the Nebraska Legislature. The Nebraska Supreme Court exercises responsible stewardship of limited resources, maximizing language access across the Judicial Branch. Adequate support for language access needs is sought from the Legislature during budget hearings and at other appropriate opportunities.

Update Language Access Plan

The language access plan will be updated every five years in conjunction with the decennial U.S. Census. As resources allow, that update will include a formal survey of judges, court staff,

interpreters, LEP court users and LEP representative groups to determine language access needs and the Nebraska Judicial System's progress in meeting those needs.

6 | Acknowledgements

- Nebraska Legislature for its attention to the importance of language access in the courts and the funding to support it
- Nebraska Supreme Court Access to Justice Commission for its guidance, resources, and support
- Nebraska Supreme Court Language Access Committee and its active Subcommittees for their guidance, resources, and support
- National Center for State Courts for its resources
- Nebraska Department of Education for statistics
- Nebraska's State Court Interpreter Coordinators for dedication and hard work in meeting standards and providing needed services
- Nebraska's Administrative Office of Courts and Probation for their commitment to provide language access to LEP court users and Probation constituents across the state

7 | Appendices

Appendix 1:	Nebraska State Statutory Authority	Pages 26 – 29
Appendix 2:	Nebraska Supreme Court Rules Relating to Interpreters in Court	Pages 30 – 43
Appendix 3:	Language Access Committee	Page 44
Appendix 4:	Code of Professional Responsibility for Interpreters	Pages 45 – 46
Appendix 5:	Nebraska Interpreter Protocol 2018	Pages 47 – 51
Appendix 6:	Court Interpreter Fee Schedule and Payment Policy	Pages 52 – 53
Appendix 7:	Nebraska Court Interpreter Directory	Page 54
Appendix 8:	Nebraska Demographic, Language Spoken, and Educational Characteristics	Pages 55 – 58
Appendix 9:	English Learners Nebraska School Districts 2018-19	Pages 59 – 62
Appendix 10:	“I Speak...” Language Identification Guide	Page 63
Appendix 11:	Policies and Procedures Relating to Bilingual Employees	Pages 64 – 66
Appendix 12:	Interpreter Usage for Fiscal Year 2019	Pages 67 – 73
Appendix 13:	Language Line Reference Guide	Pages 74 - 75
Appendix 14:	Translated Courts and Probation Information and Forms	Page 76
Appendix 15:	Nebraska State Courts, Probation, and Judicial Complaint Processes	Page 77

Appendix 1: State Statutory Authority -- Nebraska Revised Statutes

Statutes Specific to Interpreters in Court Proceedings

<https://nebraskalegislature.gov/laws/statutes.php?statute=25-2401>, et seq.

25-2401. Interpreters; public policy.

It is hereby declared to be the policy of this state that the constitutional rights of persons unable to communicate the English language cannot be fully protected unless interpreters are available to assist such persons in legal proceedings. It is the intent of sections 25-2401 to 25-2407 to provide a procedure for the appointment of such interpreters to avoid injustice and to assist such persons in their own defense.

Source: Laws 1973, LB 116, § 1; Laws 1987, LB 376, § 11; Laws 2002, LB 22, § 8.

25-2402. Terms, defined.

For the purposes of sections 25-2401 to 25-2407 unless the context otherwise requires:

- (1) Deaf or hard of hearing person means a person whose hearing impairment, with or without amplification, is so severe that he or she may have difficulty in auditorily processing spoken language without the use of an interpreter or a person with a fluctuating or permanent hearing loss which may adversely affect the ability to understand spoken language without the use of an interpreter or other auxiliary aid;
- (2) Person unable to communicate the English language means a person who cannot readily understand or communicate the English language; and
- (3) Proceeding means any legal proceeding or any hearing preliminary thereto involving persons unable to communicate the English language or deaf or hard of hearing persons unable to communicate by a spoken language.

Source: Laws 1973, LB 116, § 2; Laws 1987, LB 376, § 12; Laws 1997, LB 851, § 11; Laws 2002, LB 22, § 9.

25-2403. Interpreter; appointment.

In any proceeding the presiding judge shall appoint an interpreter to assist any person unable to communicate the English language for preparation and trial of his or her case.

Source: Laws 1973, LB 116, § 3; Laws 1987, LB 376, § 13

25-2404. Interpreters; qualifications.

No person shall be appointed as an interpreter pursuant to sections 25-2401 to 25-2407 unless such person is readily able to communicate with the person unable to communicate the English language, translate the proceedings for him or her, and accurately repeat and translate the statements of such person to the jury, judge, and officials before whom such proceeding takes place.

Source: Laws 1973, LB 116, § 4; Laws 1987, LB 376, § 14; Laws 2002, LB 22, § 10.

25-2405. Interpreters; oath.

Every interpreter, except those certified under the rules of the Supreme Court and who have taken the prescribed oath of office, appointed pursuant to sections 25-2401 to 25-2407,

before entering upon his or her duties as such, shall take an oath that he or she will, to the best of his or her skill and judgment, make a true interpretation to such person unable to communicate the English language of all the proceedings in a language which such person understands and that he or she will, in the English language, repeat the statements of such person to the court, jury, or officials before whom such proceeding takes place.

Source:Laws 1973, LB 116, § 5; Laws 1987, LB 376, § 15; Laws 2002, LB 22, § 11; Laws 2009, LB35, § 14.

25-2406. Interpreters; fees and expenses.

The fees and expenses of an interpreter shall be fixed and ordered paid by the judge before whom such proceeding takes place, in accordance with a fee schedule established by the Supreme Court, and be paid out of the General Fund with funds appropriated to the Supreme Court for that purpose or from other funds, including grant money, made available to the Supreme Court for such purpose.

Source:Laws 1973, LB 116, § 6; Laws 1999, LB 54, § 3; Laws 2011, LB669, § 18.

25-2407. Interpreters; qualifications.

Any person who serves as an interpreter for persons unable to communicate the English language in court proceedings or probation services as provided in subsection (6) of section 29-2259 shall meet the standards adopted by the Supreme Court. Such standards shall require that interpreters demonstrate the ability to interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary special vocabulary. A person appointed to interpret for deaf and hard of hearing persons shall be a licensed interpreter as defined in section 20-151 or, if a licensed interpreter is unavailable, an interpreter licensed under the laws of another state.

Source:Laws 1999, LB 54, § 1; Laws 2002, LB 22, § 12.

Statutes Relating to Deaf and Hard of Hearing Interpreters in the Courts and Nebraska Probation Offices

20-151. Terms, defined.

For purposes of sections [20-150](#) to [20-159](#), unless the context otherwise requires:

(1) Appointing authority means the state agency or law enforcement personnel required to provide a licensed interpreter pursuant to sections [20-150](#) to [20-159](#);

(7) State agency means any state entity which receives appropriations from the Legislature and includes the Legislature, legislative committees, executive agencies, courts, and probation officials but does not include political subdivisions; and

20-153. Proceedings; interpreter provided; when.

(1) For any proceeding before an appointing authority including any court at which a deaf or hard of hearing person is subpoenaed or requested in writing to attend, the appointing authority shall obtain a licensed interpreter to interpret the proceedings to the deaf or hard of hearing person and to interpret his or her testimony or statements.

(2) Whenever any state agency uses the services of a qualified interpreter, as defined in federal law, to comply with sections 42 U.S.C. 12102, 12131, and 12132, and any regulations

adopted thereunder, as such sections and regulations existed on July 20, 2002, the state agency shall obtain a licensed interpreter to act as a qualified interpreter for such purposes.

20-154. Appointment of additional interpreters.

If a licensed interpreter appointed under section [20-153](#) is not able to provide effective communication with a deaf or hard of hearing person, the appointing authority shall obtain another licensed interpreter. An oral interpreter shall be provided upon request of a deaf or hard of hearing person who chooses not to communicate in sign language. If an interpreter is unable to render a satisfactory interpretation, the appointing authority shall then obtain an intermediary interpreter to assist the appointed interpreter. The appointing authority shall ensure that any interpreter is properly situated so as to permit effective communication with the deaf or hard of hearing person and full participation of the deaf or hard of hearing person in the proceeding.

20-155.01. Interpreter; oath required.

In any proceeding in which a deaf or hard of hearing person is testifying under oath or affirmation, the interpreter shall take an oath or affirmation that he or she will make a true interpretation of the proceeding in an understandable manner to the best of his or her ability.

20-158. Interpreter; privilege applicable.

Whenever a deaf or hard of hearing person communicates through an interpreter under circumstances in which the communication would otherwise be privileged, the privilege shall apply to the interpreter as well.

20-159. Fees authorized.

A licensed interpreter appointed pursuant to sections [20-150](#) to [20-159](#) is entitled to a fee for professional services and other relevant expenses as approved by the governing body of the appointing authority. When the licensed interpreter is appointed by a court, the fee shall be paid out of the General Fund with funds appropriated to the Supreme Court for that purpose or from funds, including grant money, made available to the Supreme Court for such purpose. When the licensed interpreter is appointed by an appointing authority other than a court, the fee shall be paid out of funds available to the governing body of the appointing authority.

Statutes Specific to Interpreters in Probation

29-2259. Probation administrator; office; salaries; expenses; office space; prepare budget; interpreter services.

(6) The cost of interpreter services for deaf and hard of hearing persons and for persons unable to communicate the English language shall be paid by the state with money appropriated to the Supreme Court for that purpose or from other funds, including grant money, made available to the Supreme Court for such purpose. Interpreter services shall include auxiliary aids for deaf and hard of hearing persons as defined in section [20-151](#) and

interpreters to assist persons unable to communicate the English language as defined in section [25-2402](#). Interpreter services shall be provided under this section for the purposes of conducting a presentence investigation and for ongoing supervision by a probation officer of such persons placed on probation.

25-2407. Interpreters; qualifications.

Any person who serves as an interpreter for persons unable to communicate the English language in court proceedings or probation services as provided in subsection (6) of section [29-2259](#) shall meet the standards adopted by the Supreme Court. Such standards shall require that interpreters demonstrate the ability to interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary special vocabulary. A person appointed to interpret for deaf and hard of hearing persons shall be a licensed interpreter as defined in section [20-151](#) or, if a licensed interpreter is unavailable, an interpreter licensed under the laws of another state.

Appendix 2: Nebraska Supreme Court Rules Relating to Interpreters in Court

Article 7: Interpreters in Court.

§ 6-701. Scope and effective date.

These rules become effective on September 20, 2000, and will, as amended, govern the use of interpreters in all courts of the State of Nebraska.

Scope and Effective Date amended September 17, 2003. Renumbered and codified as § 6-701, effective July 18, 2008.

§ 6-702. Interpreter register.

The State Court Administrator will publish and maintain a statewide register of interpreters which will consist of the following:

(A) Certified Court Interpreters: Court interpreters who have satisfied all certification requirements pursuant to § 6-705.

(B) Provisionally Certified Court Interpreters. Interpreters for languages other than those for which an oral examination is available through the Consortium for Language Access in the Court. These interpreters are provisionally certified by satisfying the requirements outlined in § 6-706 until such time an oral examination is developed.

(C) Registered Court Interpreters. Non-certified court interpreters who have not satisfied the requirements of § 6-705, but have completed an interpreter orientation program sponsored by the State Court Administrator and achieved a passing score on a written examination administered by the State Court Administrator, as well as achieved a score of 50 percent or better on each section of the oral legal interpreting examination administered or approved by the State Court Administrator.

(D) Other Court Interpreters. Non-certified court interpreters who have not satisfied the requirements of § 6-705 or § 6-706.

(E) Sign Language Court Interpreters. Sign language interpreters must be licensed, as required by Neb. Rev. Stat. § 20-151 and must possess either a Legal Specialist Certification (SC:L) awarded by the Registry of Interpreters for the Deaf, a Conditional Legal Interpreting Permit-Relay, or a Level II or Level III classification awarded by the Nebraska Commission for the Deaf and Hard of Hearing, as set forth below:

Certified Sign Court Interpreters - Interpreters with current Legal Specialist Certification from the Registry of Interpreters for the Deaf (SC:L) or a CLIP-R (Conditional Legal Interpreting Permit-Relay) and a signed oath on file with the Administrative Office of the Courts.

Non-Certified Sign Court Interpreters -

Level II - Interpreters with current generalist certification from the Registry of Interpreters for the Deaf (CI/CT, CSC, NIC Master, NIC Advanced, NIC, and Deaf interpreters certified by the Registry of Interpreters for the Deaf-CDI).

Level III - Interpreters with either a CI or CT certification from the Registry of Interpreters for the Deaf, or Nebraska state certification of QAST 5/5 or 4/4 or a combination of both, or Nebraska licensed Intermediary Interpreters (Deaf Interpreters).

Sign interpreters with Legal Specialist Certification (SC:L) or Level II credentials shall be paid at the rate for certified language interpreters. Level III sign interpreters shall be paid at the registered rate.

Diligent efforts must be made to obtain an interpreter with the highest level of certification before allowing an interpreter with a lower level of certification to interpret.

[Originally numbered as] Rule 1(A) - (D) amended September 17, 2003; [originally numbered as] Rule 1(D) amended January 4, 2007, effective July 1, 2007; [originally numbered as] Rule 1(B) - (D) amended June 25, 2008, effective July 1, 2008. Renumbered and codified as § 6-702, effective July 18, 2008; § 6-702 amended October 21, 2009; § 6-702(D) amended May 12, 2010; § 6-702 amended March 16, 2011; § 6-702 amended August 5, 2014; § 6-702(E) amended December 12, 2018.

§ 6-703. Appointment of interpreters.

(A) Use of Certified or Provisionally Certified Court Interpreter. Whenever an interpreter is required to be appointed by a court or probation office, the court or probation office shall first attempt to appoint a certified or provisionally certified court interpreter who is listed on the statewide register of interpreters if one is reasonably available.

(B) Use of Registered Court Interpreter on Statewide Register. If the court or probation office has made diligent efforts to obtain a certified or provisionally certified court interpreter as required by § 6-703(A) and found none to be available, the court or probation office may appoint a registered court interpreter who is otherwise competent to interpret in the courts.

(C) Use of Other Court Interpreter. If the court or probation office has made diligent efforts to obtain a certified or provisionally certified court interpreter and a registered court interpreter, and found none to be available, the court or probation office may appoint a court interpreter who is otherwise competent to interpret in the courts. All arrangements for interpreters shall be made by authorized court or probation personnel. Hearings for parties who appear with their own interpreter may be continued pending the court's determination of language needs of the individual and the qualifications of the interpreter, if a certified, provisionally certified, or registered interpreter is not available. Provided, however, in proceedings in which a Spanish interpreter is utilized, only a certified or registered interpreter shall be allowed. In proceedings in which a sign interpreter is utilized,

only an interpreter awarded a Level I or Level II classification by the Nebraska Commission for the Deaf and Hard of Hearing shall be allowed.

(D) To determine whether a certified or registered interpreter is reasonably available, reasonable advance attempts must be made to arrange for the presence of a certified or provisionally certified interpreter prior to the use of a registered interpreter, and then, for the presence of a registered interpreter prior to the use of an interpreter who is not certified, provisionally certified, or registered.

(E) Number of Interpreters. For any single proceeding scheduled for 3 hours or more, two language interpreters shall be appointed. For any single proceeding scheduled for more than 1 hour, two sign interpreters shall be appointed. For any single proceeding lasting more than 2 hours, if two interpreters are not reasonably available, the interpreter must be given not less than a 10-minute break every 30 minutes.

(F) Rebuttable Presumption. There is a rebuttable presumption that an interpreter must be appointed if an interpreter is requested or it is shown that the party is having difficulty in communicating.

(G) All interpreters shall be at least 19 years old, shall have read the Code of Professional Responsibility for Interpreters, shall take the Interpreter Oath and shall verify in writing that he/she has read and understands the Code of Professional Responsibility for Interpreters prior to interpreting in the Nebraska Courts or the Nebraska State Probation System.

(H) Individuals serving as interpreters for the State of Nebraska, pursuant to these rules, shall not be considered employees of the State of Nebraska.

See Appendix 1 for Code and Interpreter Oath.

[Originally numbered as] Rule 2(B)–(D) amended September 17, 2003; [originally numbered as] Rule 2(D) moved to (G) on January 4, 2007, effective July 1, 2007; [originally numbered as] Rule 2(D)–(F) adopted January 4, 2007, effective July 1, 2007; [originally numbered as] Rule 2(B)–(D) and (G) amended June 25, 2008, effective July 1, 2008. Renumbered and codified as § 6-703, effective July 18, 2008; § 6-703(A)-(C) and (E)-(H) amended October 21, 2009; § 6-703(A)-(D) amended March 16, 2011; § 6-701(A)-(C) amended May 16, 2012, effective July 1, 2012; § 6-703(E) amended November 26, 2014.

§ 6-704. Examination for interpreter certification.

(A) Submission of Application. An individual who is desirous of being considered for certification as a certified, provisionally certified, or a registered interpreter as defined in these rules, in a particular language, must submit an application, on form(s) approved by the State Court Administrator, to the office of the State Court Administrator.

(B) Evaluation of Application. In order to protect the integrity of court proceedings and the safety of the public, a court interpreter should be one whose record of conduct justifies the trust of the courts, witnesses, jurors, attorneys, parties, and the public.

(1) Upon Application for Interpreter Orientation, the State Court Administrator will evaluate the application and determine if the applicant meets the initial qualification requirements of §§ 6-705, 6-706, or 6-707, including minimum age.

(2) Upon Application for the Interpreter Written Examination after successful completion of interpreter orientation, the applicant shall execute a criminal history record check release form, and the State Court Administrator will evaluate the application and conduct a criminal background check to verify the absence of criminal convictions and/or pending charges. A felony conviction of an applicant shall warrant denial of participation within the certification program, or removal from the roster of court interpreters. A misdemeanor conviction in the preceding 5 calendar years manifesting a significant deficiency in the honesty, trustworthiness, diligence, or reliability of an applicant may warrant denial of participation within the certification program, or removal from the roster of court interpreters.

(C) Revocation or suspension of certification as a court interpreter in any other jurisdiction will preclude certification as a Nebraska court interpreter.

(D) Orientation for interpreters will include an introduction to Nebraska Courts and court proceedings, the ethics of a court interpreter, vocabulary, and the skills needed to assume the responsibilities of a court interpreter and meet the requirements for certification or provisional certification as outlined in §§ 6-705 and 6-706. After completing orientation, applicants will be required to take a written examination.

(E) Written Examination. The written examination to qualify to take the oral examination of § 6-705(D) or be considered for provisional certification pursuant to § 6-706(F), shall require no fee and shall consist of three parts: general English language vocabulary, court-related terms and usage, and ethics and professional conduct. The written examination will be administered at such times and places as the State Court Administrator may designate. The State Court Administrator shall waive this requirement for any interpreter who has previously taken the oral interpreter competency examination of § 6-704(E). If the applicant achieves a passing score (80 percent or higher) on the written examination, the applicant shall then be required to take an oral examination, if available for the interpreter's language, or provide documentation to support consideration for provisional certification.

(F) Oral Examination. Oral examinations in specific languages will consist of three components: sight interpretation, consecutive interpretation, and simultaneous interpretation. Such examinations will be administered at such times and places as the State Court Administrator may designate. Results of the oral certification examinations will be e-mailed or mailed by regular U.S. Mail to the applicant, per applicant's request.

(G) Confidentiality. All information relating to the examination is treated as confidential by the State Court Administrator and test administrators except that statistical information relating to the examinations and applicants may be released at the discretion of the State Court Administrator.

§ 6-704 adopted October 21, 2009; § 6-704(A)-(D) amended March 16, 2011; § 6-704(B)-(G) amended December 12, 2018.

§ 6-705. Certified court interpreter requirements.

A certified court interpreter must be able to interpret simultaneously and consecutively and provide sight translation from English to the language of the non-English-speaking person and from the language of that person into English. An interpreter will be eligible for certification upon establishing to the satisfaction of the State Court Administrator that he or she has:

(A) Reached the age of 19;

(B) Had no past felony convictions or pending felony criminal charges. In addition, in the preceding 5 years had no misdemeanor convictions or pending charges manifesting a significant deficiency in honesty, trustworthiness, diligence, or reliability. Disposition of any felony charges less than 5 years in the past other than by acquittal or dismissal (e.g., pretrial diversion) shall be the basis for denial of certification. Disposition of misdemeanor charges manifesting a significant deficiency in honesty, trustworthiness, diligence, or reliability less than 5 years in the past other than by acquittal or dismissal (e.g., pretrial diversion) may be the basis for denial of certification;

(C) Completed the orientation approved by the State Court Administrator;

(D) Achieved a passing score (80 percent or higher) on a written examination administered by the State Court Administrator; and

(E) Achieved a passing score (70 percent or higher on each segment) on the oral certification examination (Consortium oral certification examination) administered or approved by the State Court Administrator as described in § 6-704(E). If an interpreter shall have received a passing score of 70 percent on any of the three segments of a previous Consortium oral certification examination that was administered within the last 3 calendar years, the passing grade shall be honored and the applicant shall not be required to repeat that segment of a current examination.

(F) In addition, any interpreter possessing a Federal Court Certified Court Interpreter Certificate, a Court Interpreter Certification Certificate from any state which is a member of the National Center for State Court's Consortium for Language Access in the Courts, formerly known as the Consortium for State Court Interpreter Certification, or a sign language Specialist Certificate Legal (SC:L) for interpreters that are fully certified (CI/CT, NIC Master or NIC Advanced, CSC, or CDI) or provisional legal certificate (CLIP) is recognized as a certified court interpreter.

(G) To maintain certified status, court interpreters must comply with continuing education requirements as outlined in § 6-709. Failure to complete recognized continuing education

shall be grounds for removal of the interpreter's name from the list of Nebraska Certified Court Interpreters.

[Originally numbered as] Rule 3(C)-(E) amended September 17, 2003. Renumbered and codified as § 6-704, effective July 18, 2008; § 6-704 renumbered to § 6-705 and amended October 21, 2009; § 6-705(G) adopted May 16, 2012, effective July 1, 2012; § 6-705(B) amended December 12, 2018.

§ 6-706. Provisionally certified court interpreter requirements.

In languages for which no oral certification examination is available, an applicant may be provisionally certified upon establishing to the satisfaction of the State Court Administrator that he or she has:

(A) Reached the age of 19;

(B) Filed with the State Court Administrator a resume, a completed questionnaire regarding his or her experience and work education and work history, and permission for the State Court Administrator to do a criminal records check on the applicant;

(C) Had no past felony convictions or pending felony criminal charges. In addition, in the preceding 5 years had no misdemeanor convictions or pending charges manifesting a significant deficiency in honesty, trustworthiness, diligence, or reliability. Disposition of any felony other than by acquittal or dismissal (e.g., pretrial diversion) shall be the basis for denial of provisional certification. Disposition of misdemeanor charges manifesting a significant deficiency in honesty, trustworthiness, diligence, or reliability less than 5 years in the past other than by acquittal or dismissal (e.g., pretrial diversion) may be the basis for denial of certification;

(D) Completed the orientation approved by the State Court Administrator;

(E) Achieved a passing score (80 percent or higher) on a written examination administered by the State Court Administrator;

(F) In addition, provisional certification requires that the applicant demonstrate both written and oral proficiency in both English and the foreign language by the following:

(1) Proof of the applicant's English written proficiency shall be demonstrated by one or more of the following:

(a) A degree from an accredited college or university in a country where English is the official language; or

(b) A minimum of 1 year of completed graduate coursework at an accredited university in a country where English is the official language; or

(c) A score of 400 in the Toefel paper-based language test; a score of 97 in the Toefel PC-based language test; or a score of 32 in the Toefel Internet-based language test; or

(d) Publication in English where the candidate is the sole or main author; or

(e) Accreditation from the ATA American Translators Association in translation into English.

(2) Proof of the applicant's English oral proficiency shall be demonstrated by one or more of the following:

(a) A minimum of 2 years of teaching experience at the college level (undergraduate or graduate) using English as the language of instruction; or

(b) A minimum of 2 years of other professional work experience in the United States or in a country where the official language is English.

(3) Proof of written proficiency in the foreign language(s) as demonstrated by the following:

(a) A minimum 4-year college degree from the United States or an equivalent higher education degree from another country where instruction is conducted in that language; or

(b) Publication in the foreign language in which the applicant is the sole or main author; or

(c) Accreditation from the ATA American Translators Association in translation into the foreign language.

(4) Proof of oral proficiency in the foreign language as demonstrated by the following:

(a) A minimum of 2 years of teaching at the college level (undergraduate or graduate) using the language as the language of instruction; or

(b) A minimum of 2 years of other professional experience in a country where the language is the official language; or

(c) A degree from an internationally recognized university or academic institution, ideally in, but not limited to, translation and interpretation with concentration in the foreign language.

(5) Three letters of reference to attest to the applicant's interpreting and professional experience within the past 2 years.

(6) The State Court Administrator shall have the responsibility of determining whether an applicant's degree, coursework, teaching experience, and/or professional work experience meet the requirements of this rule.

(7) Upon the applicant's meeting the above requirements, he or she will be assigned to a mentor program developed and approved by the State Court Administrator. Upon completion of the mentor program and a favorable report from the assigned mentor, the applicant shall be considered a provisionally certified interpreter.

(G) Continuing Education and Reassessment of Provisionally Certified Status. To maintain provisionally certified status, court interpreters must comply with continuing education requirements as outlined in § 6-709. Failure to complete recognized continuing education shall be grounds for removal of the interpreter's name from the list of Nebraska Provisionally Certified Court Interpreters.

(H) Provisional certification shall be recognized by the State of Nebraska until such time as an oral examination is available from the Consortium for Language Access in the Courts. The provisional certification will be withdrawn 6 months after an oral test is made available in the interpreter's target language. Provisionally certified interpreters who are not able to pass the consortium oral examination will be considered registered interpreters.

§ 6-706 adopted March 16, 2011; § 6-706(G) amended May 16, 2012, effective July 1, 2012; § 6-706(C) amended December 12, 2018.

§ 6-707. Registered court interpreter requirements.

(A) A registered court interpreter must be able to interpret simultaneously and consecutively and provide sight translation from English to the language of the non-English-speaking person and from the language of that person into English, only when a certified interpreter is not available. See § 6-703(B).

(B) An interpreter will be eligible for registration as a registered interpreter upon establishing to the satisfaction of the State Court Administrator that he or she has:

(1) Reached the age of 19;

(2) Had no past felony convictions or pending felony criminal charges. In addition, in the preceding 5 years had no misdemeanor convictions or pending charges manifesting a significant deficiency in honesty, trustworthiness, diligence, or reliability. Disposition of any felony charges or those misdemeanor charges less than 5 years in the past other than by acquittal or dismissal (e.g., pretrial diversion) shall be the basis for denial of registered court interpreter status;

(3) Completed the orientation approved by the State Court Administrator;

(4) Achieved a passing score (80 percent or higher) on a written examination administered by the State Court Administrator; and

(5) Achieved a score of 50 percent or better on the oral certification examination administered or approved by the State Court Administrator as described in § 6-704(E). Registered interpreters in languages for which the oral certification is not available will be

retained upon the list of registered interpreters only upon submission to the State Court Administrator some other measure of language competence (e.g., a passing score on an oral proficiency exam) acceptable by the State Court Administrator.

(C) To maintain registered status, court interpreters must comply with continuing education requirements as outlined in § 6-709. Failure to complete recognized continuing education shall be grounds for removal of the interpreter's name from the list of Nebraska Registered Court Interpreters.

[Originally numbered as] Rule 5(B) amended September 17, 2003. Renumbered and codified as § 6-706, effective July 18, 2008; § 6-706 amended October 21, 2009; § 6-706 renumbered to § 6-707 March 16, 2011; § 6-707(C) adopted May 16, 2012, effective July 1, 2012; § 6-707(B)(2) amended December 12, 2018.

§ 6-708. Investigation of complaints and imposition of sanctions.

The opportunity to provide interpreter services to the courts under the direction of the State Court Administrator is at the Administrator's complete and continuing discretion because of the critical reliance the courts must have on the skills, performance, and integrity of the interpreter in performing duties for the court. This discretion applies to any interpreter who is certified or registered with the Administrative Office of the Court. A court interpreter should be one whose record of conduct justifies the trust of the courts, witnesses, jurors, attorneys, parties, and the public. In order to protect the integrity of court proceedings and the safety of the public, the Supreme Court authorizes the State Court Administrator to investigate complaints and impose sanctions.

(A) Grounds for Imposition of Sanctions. Any of the following may be grounds for imposition of sanctions against a certified or registered interpreter:

(1) Unprofessional or unethical conduct that violates the Code of Professional Responsibility (see Appendix 1);

(2) Conviction of any felony criminal charge. Conviction, within the past 5 years, of a misdemeanor criminal charge manifesting a significant deficiency in honesty, trustworthiness, diligence, or reliability. Dispositions of either felony or misdemeanor criminal charges other than by acquittal or dismissal (e.g., pretrial diversion), or the filing of a probation violation or the revocation of probation may also constitute grounds for suspension or revocation; and

(3) Incompetence as an interpreter.

(4) Failure to report in writing to the Statewide Language Access Coordinator any misdemeanor or felony charge, or motion to revoke probation within 5 business days.

(5) Failure to report in writing to the Statewide Language Access Coordinator within 5 business days any revocation or suspension of certification as a court interpreter in any other jurisdiction.

(B) Investigation and Notification of Grounds for Imposition of Sanctions. Upon receipt by the State Court Administrator of a complaint in writing against a certified or registered interpreter, or upon the initiation by the office of the State Court Administrator itself of a complaint, such complaint shall be investigated by the State Court Administrator. Upon receipt and initial investigation of any such complaint, if the State Court Administrator determines formal action is necessary, the Administrator may take any of the following formal actions:

(1) dismiss the complaint;

(2) allow the interpreter to retain certification for the pendency of the process and schedule a hearing to consider the complaint; or

(3) immediately suspend the certification of the interpreter and schedule a hearing to consider the complaint.

In any case where the State Court Administrator deems a hearing necessary, written notice of the complaint shall be sent by certified mail to the interpreter, and that interpreter shall have 15 days to file a written response with the Office of the State Court Administrator.

In any case where the State Court Administrator dismisses the complaint, written notice of the complaint and notice of its dismissal shall be sent by certified mail to the interpreter and the complainant.

(C) Scheduling of Hearing. If the State Court Administrator at the Administrator's complete and continuing discretion elects to schedule a hearing, such hearing shall be held within 45 days of the receipt by the State Court Administrator of the interpreter's written response. A panel of three individuals appointed by the Chair of the Language Access Committee shall be responsible for the conduct of the hearing. On the hearing panel, one of the judge members of the Language Access Committee shall preside over the hearing, together with one certified interpreter member of the Language Access Committee, and one court staff member of the Language Access Committee. If requested, any individual whose attendance is sought at the hearing shall be permitted to appear telephonically. Notice of the time and place of the hearing shall be given by certified mail to the interpreter under complaint, at least 15 days prior thereto.

(D) Conduct of Hearing. The hearing panel shall receive such information and/or documentation as it sees fit, including, if deemed appropriate by the panel, the taking of testimony. The rules of evidence do not apply to these hearings, and the interpreter is not entitled to representation by counsel. At the conclusion of the hearing, the panel shall within 45 days of the date of the hearing recommend in writing to the State Court Administrator any § 6-708(E) sanctions it determines appropriate.

(E) Sanctions. If the State Court Administrator, based upon the information and documentation provided in the complaint, the interpreter's response, and the hearing panel recommendation, determines sufficient cause exists, the State Court Administrator may within 45 days of receipt of the Hearing Panel's recommendation impose one or more of the following sanctions in order to protect the integrity of court proceedings and the safety of the public:

(1) Issue a written reprimand;

(2) Specify corrective action with which the interpreter must fully comply in order to remain on the statewide register of interpreters, including the completion of educational courses and/or re-taking one or more parts of the legal interpreting competency examination;

(3) Suspend the interpreter from serving as an interpreter in the Nebraska courts or Probation Services for a specified period of time, or until corrective action is completed; and

(4) Revoke the standing of and permanently prohibit the interpreter from serving as an interpreter in Nebraska courts or Probation Services.

(F) No interpreter who has been suspended or revoked shall be utilized as an interpreter in any State judicial proceeding in the State of Nebraska, nor shall such interpreter be entitled to any compensation from the State Court Administrator's Office, during his or her suspension or revocation.

(G) Complaints made against a sign language interpreter shall be processed pursuant to the procedure set forth in Rules and Regulations Relating to Sign Language Interpreters adopted by the Nebraska Commission for the Deaf and Hard of Hearing.

§ 6-707 adopted October 21, 2009; § 6-707 renumbered to § 6-708 March 16, 2011; § 6-708 amended December 12, 2018.

§ 6-709. Continuing education requirements.

Continuing education is required by the Nebraska Supreme Court Administrative Office of the Courts (AOC) to ensure that certified, provisionally certified, and registered interpreters who serve in the Nebraska state courts maintain and improve their interpreting skills and expand their vocabulary. Additionally, continuing education is required to ensure that certified interpreters are in compliance with Local Rules in Chapter 6 (Trial Courts), Article 7 (Interpreters in Court), and the Nebraska Code of Professional Responsibility for Court Interpreters (Appendix 1).

As of July 1, 2012, these requirements apply to all interpreters who are certified, provisionally certified, or registered court interpreters in the State of Nebraska who wish to interpret in the Nebraska state courts. Meeting these requirements is a condition for continued certification, provisional certification, or registered status of court interpreters.

(A) CONTINUING EDUCATION REQUIREMENT refers to educational activities in which the interpreter engages after successfully passing the certification examination, being provisionally certified, or having registered status.

Every certified, provisionally certified, or registered interpreter shall complete and report ten (10) credit hours of approved continuing education offered or accredited by the AOC during each two-year reporting period. At least four (4) continuing education hours must be earned at an AOC-approved ethics and skills building workshop. The two-year reporting period commences as set forth below at § 6-709(C).

(B) APPROVED/ACCREDITED CONTINUING EDUCATION shall be earned in participatory activities, i.e., a course, conference, workshop, lecture, or other activity, at which attendance is monitored and verified. Participatory continuing education activities may include courses offered at accredited institutions of higher learning or conferences or workshops sponsored by accredited professional organizations.

Continuing Education credits may be obtained through programs, conferences, and workshops endorsed and credited for continuing education by the Nebraska or other State or Federal Administrative Offices of the Courts, the Nebraska Association for Translators & Interpreters (NATI), the National Association of Judiciary Interpreters and Translators (NAJIT), the American Translators Association, and the Registry of Interpreters for the Deaf (RID), along with educational programs offered by colleges and/or universities, or training programs offered by other Consortium member states.

Continuing education credit granted shall be for the actual number granted by accredited programs, conferences, workshops, or training programs. Auditing an academic college level language course for continuing education credit or taking same for academic credit is permitted with education credits under this rule allocated as follows: one academic quarter unit shall be deemed equivalent to 10 continuing education credits and one academic semester unit shall be deemed equivalent to 15 continuing education credits.

Interpreters for the deaf and hard of hearing must complete the RID required 8.0 continuing education credits (80 hours) in a cycle (4 years). These eight continuing education credits are divided into two Content Areas: Professional Studies and General Studies. Participants must work with a RID-Approved Sponsor to earn continuing education credits.

Continuing education credit will be awarded only after completion of the entire activity. Partial attendance does not qualify for continuing education credit. Reasonable absences are allowed for academic courses. The academic institution's attendance requirements for credit must be met to be eligible for continuing education credit. If an educational activity spans two compliance periods, credit will be earned in the period in which the activity is completed. No continuing education hours may be carried over from one compliance period to the next.

To receive continuing education credit for a particular educational activity, other than those listed above, the interpreter may request credit by submitting information regarding the activity (e.g., description of curriculum, agenda of conference, etc.) to the AOC, and must receive approval prior to attendance at the activity. This information shall be submitted in advance of the program to ensure approval. Retroactive approval may be sought for good cause.

Any interpreter who wishes to receive continuing education credit must be able to show proof of having taken the course or attended the conference or workshop (e.g., an official transcript from the university or college, or a receipt and/or certificate of completion from the conference or workshop).

(C) COMPLIANCE. Each certified, provisionally certified, or registered interpreter is required to submit a completed Continuing Education Compliance Form (Appendix 2) to the AOC every two years. The 24-month time period begins on January 1 following the date an interpreter becomes certified and is awarded the Nebraska State Certified Court Interpreter Certificate. The AOC will make available, by the interpreter's request or online, the approved compliance form to be submitted.

(D) NONCOMPLIANCE with the continuing education requirement shall result in the interpreter's name being removed from the list of Nebraska Certified Court Interpreters, Nebraska Provisionally Certified Court Interpreters, or the Nebraska Registered Court Interpreters. Interpreters whose names have been removed from the lists for noncompliance with the continuing education requirement shall not be given interpreting assignments with the courts. Interpreters will not be added back onto the list until the continuing education requirement is met.

§ 6-709 adopted May 16, 2012, effective July 1, 2012.

§ 6-710. Criminal history and revocation or suspension of certification reporting requirement.

The opportunity to provide interpreter services to the courts under the direction of the State Court Administrator is at the Administrator's complete and continuing discretion because of the critical reliance the courts must have on the skills, performance, and integrity of the interpreter in performing duties for the court. This discretion applies to any interpreter who is registered with the Administrative Office of the Court. A court interpreter should be one whose record of conduct justifies the trust of the courts, witnesses, jurors, attorneys, parties, and the public. All interpreters and those seeking certification shall comply with the following:

(A) Any applicant seeking certification or registration as a Nebraska court interpreter must report in writing to the Statewide Language Access Coordinator any misdemeanor or felony charge or conviction incurred during the course of the certification process.

(B) All certified, provisionally certified, registered, or other interpreters on the Nebraska court interpreter roster shall report in writing to the Statewide Language Access Coordinator

any misdemeanor or felony charge or conviction, or motion to revoke probation within 5 days and shall acknowledge this responsibility on their biannual Continuing Education Report form.

(C) Any certified, provisionally certified, registered, or other interpreter on the Nebraska court interpreter roster who fails to report in writing to the Statewide Language Access Coordinator any misdemeanor or felony charge or conviction, or motion to revoke probation within 5 days may be subject to imposition of sanctions pursuant to § 6-708.

(D) All certified, provisionally certified, registered, or other interpreters on the Nebraska court interpreter roster shall report in writing to the Statewide Language Access Coordinator any:

- (1) Revocation or suspension of certification as a court interpreter in any other jurisdiction;
- (2) Acts that indicate abuse of or disrespect for the judicial process.

(E) Any certified, provisionally certified, registered, or other interpreter on the Nebraska court interpreter roster who fails to report in writing to the Statewide Language Access Coordinator any revocation or suspension of certification in any other jurisdiction or acts that indicate abuse of or disrespect of the judicial process within 30 days may be subject to imposition of sanctions pursuant to § 6-708.

§ 6-710 adopted December 12, 2018.

Appendix 3: Language Access Committee

Mission Statement: In order to secure and protect the rights of persons who are unable to readily understand or communicate in the English language and cannot be protected in legal proceedings unless qualified interpreters are provided, the Nebraska Supreme Court creates the Language Access Committee. The purpose of the committee shall be to create, evaluate and recommend statewide policies, rules and regulations of court and probation interpreting throughout the state. To see a listing of Language Access Committee members visit <https://supremecourt.nebraska.gov/language-access-committee>.

Origin/Authorization: Nebraska Supreme Court consultation minutes created the committee, September 14, 2005. Nebraska Supreme Court consultation minutes made the committee a standing committee of the Access to Justice Commission, March 20, 2017.

Appendix 4: Code of Professional Responsibility for Interpreters

Preamble.

Many persons who come before the courts are partially or completely excluded from full participation in the proceedings due to limited English proficiency or a speech or hearing impairment. It is essential that the resulting communication barrier be removed, as far as possible, so that these persons are placed in the same position as similarly situated persons for whom there is no such barrier. As officers of the court, interpreters help ensure that such persons may enjoy equal access to justice and that court proceedings and court support services function efficiently and effectively. Interpreters are highly skilled professionals who fulfill an essential role in the administration of justice.

Applicability.

This Code shall guide and be binding upon all persons, agencies, and organizations who administer, supervise use of, or deliver interpreting services to the judiciary.

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.

Canon 2. Representation of qualifications.

Interpreters shall accurately and completely represent what their training and pertinent experience is and any certification they may have.

Canon 3. Impartiality and avoidance of conflict of interest.

Interpreters shall be impartial and unbiased and shall refrain from conduct that may give an appearance of bias. Interpreters shall disclose any real or perceived conflict of interest.

Canon 4. Professional demeanor.

Interpreters shall conduct themselves in a manner consistent with the formality and civility of the court and shall draw as little attention to themselves as possible.

Canon 5. Confidentiality.

Interpreters shall keep confidential all privileged and other confidential information.

Canon 6. Restriction of public comment.

Interpreters shall not publicly discuss, report, or offer an opinion concerning a matter in which they are or have been engaged, even when that information is not privileged or required by law to be confidential.

Canon 7. 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.

Canon 8. Assessing and reporting inabilities to perform.

Interpreters shall assess at all times their ability to deliver their services. When interpreters have any reservation about their ability to satisfy an assignment completely, they shall immediately convey that reservation to the appropriate judicial authority.

Canon 9. Duty to report ethical violations.

Interpreters shall report to the proper judicial authority any effort to encourage a lack of compliance with any law, any provision to this Code, or any other official policy governing court interpreting and legal translating.

Canon 10. Professional development.

Interpreters shall strive to continually improve their skills and knowledge and advance the profession through activities such as professional training and education, and interactions with colleagues and specialists in related fields.

INTERPRETER OATH

I, _____, swear or affirm that I will, to the best of my skill and judgment, after my appointment as interpreter, make a true _____ interpretation of
(Language)
all court proceedings, probation activities, or any other proceeding into a language which the party understands and that I will in the English language repeat the party's statements to the court or jury.

Rules Relating to Court Interpreters adopted September 20, 2000; amended September 17, 2003. Renumbered and codified as Neb. Ct. R. §§ 6-701 – 6-706, effective July 18, 2008.

Appendix 5: Nebraska Interpreter Protocol 2018

<https://supremecourt.nebraska.gov/programs-services/interpreters>

Who is allowed an interpreter paid by the AOC?		Any party before a court who the court determines does not speak sufficient English to fully understand the court proceeding; any witness who does not speak English who is providing testimony, while on the stand. Any party who does not speak English appearing before the court in any civil, criminal, juvenile, or administrative proceeding. A defendant or guardian of a minor who does not speak English who appears before a probation officer to complete a pre-sentence investigation; or to receive in-office supervision during the term of probation. The AOC will provide an interpreter for investigations, supervision, and programs conducted by probation officers. For programs conducted by external entities under contract with the Office of Probation Administration, the external entity is responsible for providing an interpreter; however, if the entity is unable to do so, the AOC will take reasonable steps to procure an interpreter as needed. A deaf or hearing-impaired juror. A juvenile and/or his/her parents or guardian who is limited English proficient during the intake process, all court proceedings, and probation services. Telephonic interpreters shall be used by a probation officer to assist in field supervision.
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Who is <u>not</u> allowed an interpreter paid by the AOC?	Any party, witness or party who is being interviewed by a prosecutor or defense attorney outside the incidental conversations of a courtroom setting. Jurors are not entitled to a foreign language interpreter in order to perform jury service.	If a prosecutor or public defender, court appointed attorney, civil attorney, or prosecutor interviews a defendant, witness or party, that expense is a local expense and shall be billed to the local governmental agency, not the AOC. A court appointed attorney who uses an interpreter to interview a defendant in custody shall bill the local governmental agency, not the AOC. Jurors are not entitled to an interpreter except to comply with the Federal American with Disabilities Act which would require a sign interpreter if that would accommodate the deaf or hard of hearing person. Courts should schedule an interpreter, if needed, to determine someone's English language ability to become a juror.
Who can serve as an interpreter for the courts?	1. Anyone certified or provisionally certified by the AOC (www.supremecourt.ne.gov) 2. In languages other than Spanish or American Sign, any non-certified registered interpreter: only if a certified interpreter is not available. 3. In languages other than Spanish or American Sign, any one the court determines qualified: only if a certified or non-certified registered interpreter is not available. 4. Except in very informal contexts to obtain basic information, courts and probation officers should not use family or friends of an LEP person to interpret, as using such individuals could result in a breach of confidentiality, a conflict of interest, or inadequate interpretation.	To examine a prospective interpreter's qualifications: 1. Assess the relevant personal background and English language proficiency. 2. Assess the cognitive and motor skills that are a prerequisite to interpreting (shadowing and short-term memory). 3. Assess the candidate's proficiency in the foreign language through "back translation" (by use of a tape recorder, the candidate interprets English into the foreign language and then after the passage of time, interprets his or her own foreign language interpretation back into English).
Does the court schedule court interpreters for both civil and criminal cases?	Yes.	The court is responsible for equal access to the courts for non-English speaking or deaf persons. The responsibility cannot be transferred to the parties or their attorneys. The court shall cooperate with the parties and attorneys in scheduling interpreters but the ultimate responsibility is the courts.

How many interpreters should the court schedule for the courtroom?	For a proceeding scheduled for two or less hours. For a proceeding that is scheduled for over two hours. For a proceeding where there are both a non-English speaking party and non-English speaking witnesses.	One interpreter. For a trial, the interpreter should sit at the counsel table to interpret the proceedings to the party. While at counsel table or in the few minutes before or after the proceeding, the interpreter can provide any incidental interpretation to facilitate attorney/client communication Two interpreters should be scheduled for the entire proceeding. The interpreters should trade places every 20 – 30 minutes to avoid interpreter fatigue and to avoid delays in the proceeding. The interpreter who is not actively interpreting may work to assist the active interpreter by researching vocabulary, terminology, etc. Two interpreters may be scheduled if necessary. They will trade roles every 20 – 30 minutes, again to avoid interpreter fatigue and to ensure no slowing of the proceeding. One interpreter may interpret for the non- English speaking witnesses and the other interpreter for the party. A single interpreter can interpret for both the witness and the party by use of wireless electronic transmitting equipment. Remember that the interpreter scheduled by the court is neutral – not part of the defense or part of the prosecution – and the interpreter can perform any interpreting in the courtroom. Any incidental communication between attorney and client remains confidential, as specified in the Code of Professional Responsibility for Interpreters. If there is a need for more than one interpreter, the AOC shall approve the use of multiple interpreters in advance.
Can the court schedule an interpreter to assist outside the courtroom (at the counter, etc.)?	In certain circumstances	Discussions at the counter or time-pay desk should be handled by bilingual employees, telephonically by the Spanish on-call interpreter or by the interpreter working in the courtroom, or by Language Line. The only exception to this shall be by AOC approval in advance. The State of Nebraska does not pay for interpretations done for or on behalf of the prosecution or defense. Those expenditures are a local expense and should be billed to the party requesting the

		interpretation and not be authorized by court or probation personnel.
Can the court pay for an interpreter the attorney brings?	Yes, however....	In order to be paid by the AOC, the interpreter must be certified or registered with the attorney providing proof that a certified interpreter was not available. The fees and expenses shall be fixed and ordered paid by the judge before whom such proceeding takes place. § 25-2406. In other words, it is not automatic. If an attorney brings an interpreter, the court should first determine whether an interpreter is necessary to benefit the court in the court proceedings and if so, determine the qualifications of the interpreter and then enter an order authorizing pay for the interpreter. If not, the court should continue the hearing until a qualified interpreter can be obtained, and deny authorization and the interpreter should be paid by the party bringing the interpreter.
Is remote interpreting allowed?	Yes, interpreting by telephone, or video service is encouraged when appropriate.	Spanish On-call interpreters are available daily and should be used whenever possible. For languages other than Spanish or hours when local interpreters may not be available, the State of Nebraska has an agreement with Language Line to provide interpreting for all state agencies. Instructions for use of the Language Line have been provided to all courts and probation offices.
Who should I turn to for specific problems about interpreter policy, rules, statutes, etc., that hinder access of linguistic minorities to the courts?	Administrative Office of the Courts, Nebraska Supreme Court, 402-471-2671	The State Court Administrator and the Nebraska Supreme Court are dedicated to improving the quality of interpreting and in helping courts in the administrative areas involving interpreters. The AOC and the Supreme Court are prepared to assist you with any questions you may have regarding scheduling, protocols, quality, payment Issues, or interpreter ethics. Do not hesitate to contact us for any reason. An AOC decision rendered upon a complaint regarding an interpreter will include notification that complainants may also file a complaint directly with the Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice, 810 Seventh

		Street NW, Washington, DC 20531.
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Appendix 6: Court Interpreter Fee Schedule and Payment Policy

The fees and expenses of an interpreter shall be fixed and ordered paid by the judge before whom such proceeding takes place, in accordance with a fee schedule established by the Supreme Court, and be paid out of the General Fund with funds appropriated to the Supreme Court for that purpose. ([Neb. Rev. Stat. § 25-2406](#))

The Nebraska Supreme Court establishes the following interpreter fee schedule:

A. For non-certified interpreters: \$35.00 per hour, 2-hour minimum. Interpreter services and travel time will be included in the 2-hour minimum.

B. For an interpreter who is a Nebraska Supreme Court Certified or Provisionally Certified Court Interpreter, \$50.00 per hour, 2-hour minimum. Interpreter services and travel time will be included in the 2-hour minimum.

C. (1) For purposes of payment, sign interpreters for the deaf and hard of hearing who possess a Level I or II classification pursuant to [Neb. Ct. R. § 6-702\(D\)](#), are considered certified and are paid \$50 per hour (i.e., interpreters who hold at least one of the following RID certificates: Specialist Certificate: Legal (SC:L), NIC Master, NIC Advanced, NIC (basic), CI/CT, CSC. Deaf interpreters certified by the Directory of Interpreters for the Deaf).

(2) For purposes of payment, sign interpreters who possess a Level III classification pursuant to [Neb. Ct. R. § 6-702\(D\)](#) are considered non-certified and are paid \$35 per hour (i.e., interpreters who hold RID CI, RID CT, NAD 4 or 5, QAST 4/4 or higher. Deaf interpreters who hold a Nebraska Specialist Intermediary License).

D. Unless otherwise agreed to, interpreters shall be paid by the hour in 15-minute increments. Time shall be determined by using the next highest 15-minute increment (i.e., 2 hours 4 minutes equals 2 hours 15 minutes).

E. In the event an interpreter has multiple assignments within 2 hours for the same or different offices, only one “2-hour minimum” shall be permitted. Only one “2-hour minimum” shall be permitted in the morning and only one “2-hour minimum” shall be permitted in the afternoon. Travel time will be considered in determining minimum hours for payment.

F. Round-trip mileage will be compensated at the rate set forth by the Nebraska Supreme Court if the number of miles traveled from the interpreter’s starting point to the interpreting site (e.g., courthouse or probation office) is more than 15 miles one way. In addition, interpreters whose assignments require them to travel 50 or more miles in a single day are eligible to receive compensation for time spent traveling to and from those assignments **provided that when combined, the time spent traveling and the time spent interpreting exceeds the 2-hour minimum**. In such instances, certified, provisionally certified, and non-certified interpreters shall be compensated for driving to and from assignments at the rate of 80 percent of the hourly rate for time in excess of the 2-hour minimum. For purposes of compensation, 50 miles is equal to 1 hour of travel time.

G. If an interpreter has an assignment which is canceled within 2 business days of the time the assignment is due to commence, the court shall, by written authorization, allow the interpreter payment for all the reserved time. The judge shall authorize and certify the amount of time that was reserved, subject to mitigation.

H. The State Court Administrator shall be permitted to enter into contracts with individual interpreters to perform interpretation services for a specified service area at a rate established by the contract.

I. Notwithstanding the above fee schedule, a chief probation officer, or a judge before whom a proceeding has taken place, an interpreter, and the State Court Administrator may agree to pay an amount for interpreter services which is other than the established rate.

J. An interpreter shall complete and submit a standard approved STATEMENT FOR PAYMENT OF INTERPRETER form for any unclaimed interpreter services between the 1st and the 7th day of the month only. The form shall include all authorizing signatures, names of courts, probation districts and counties, and types of activities being interpreted. Statements may include assignments from multiple courts and probation districts and shall include authorizing signatures from each judge, clerk, or probation officer for whom the service was provided. No payment will be made for services provided six months or more before the submission of the billing statement unless good cause is shown why the statement could not have been timely submitted.

Amended effective this 19th day of December, 2012.

/signed/Janice K. Walker, State Court Administrator

Appendix 7: Court Interpreter Directory

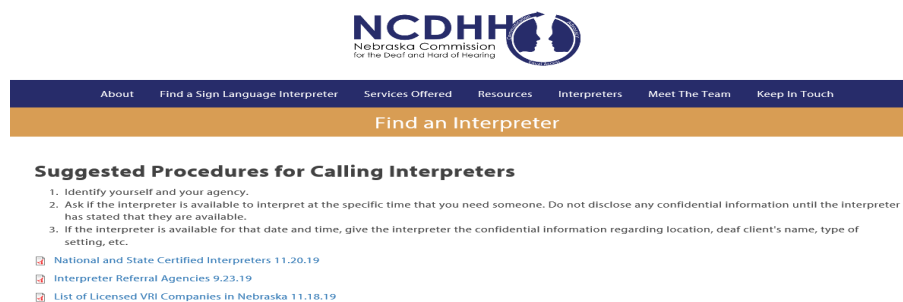
A sortable Court Interpreter Directory is available on the Nebraska Judicial Branch website here: <https://supremecourt.nebraska.gov/programs-services/interpreters/interpreter-directory>.

The Directory reflects each interpreter's certification status and location, and it provides telephone and email contact information for use by courts and probation offices. This publicly accessible Directory is also used by local attorneys and other states searching for court interpreters.

An American Sign Language Interpreter Directory is maintained by the Nebraska Commission for the Deaf and Hard of Hearing on the Commission website here:

<https://ncdhh.nebraska.gov/sites/ncdhh.nebraska.gov/files/doc/National.State%20Roster%2011.20.19%20.pdf>

The Commission ceased providing direct ASL interpreter referrals as of December 31, 2019, instead offering these *Suggested Procedures for Calling Interpreters* on its website:



The Interpreter Referral Agencies listed on the Commission's website are below.

Deaf Services Unlimited

6925 Hickman Road
Des Moines, Iowa 50322
(515) 243-4455; (800) 930-2580
www.deafservicesunlimited.com;
coordinators@deafservicesunlimited.com

Linguabee

Denver, Colorado
Voice/Video/Text/Fax: (855) 585-5859
support@linguabee.com

Interpretek

P.O. Box 954
Lee's Summit, Missouri 64063
(816) 246-8770
kc.office@interpretek.com

Purple

Rocklin, California
Phone: 866-669-7707, Ext. 9
interpreting@purple.us

Keystone Interpreting Solutions (KIS)

1799 Hillcrest Avenue
St. Paul, MN 55116
(651) 454-7275
(612) 470-5190 (VP)
www.kisasl.com; info@kisasl.com

Sorenson Community Interpreting Services

Salt Lake City, Utah
Telephone: 800-659-4783
VP: 844-720-1891
Communityinterpreting@sorenson.com

Appendix 8: Nebraska

Demographic, Language Spoken, and Educational Characteristics

Demographics & Social	2017		2000		1990	
Demographics	Foreign Born	U.S. Born	Foreign Born	U.S. Born	Foreign Born	U.S. Born
Number	143,331	1,776,745	74,638	1,636,625	28,198	1,550,187
% Foreign Born	7.5%		4.4%		1.8%	
Population Change over Time						
% change: 2000-2017	92.0%	8.6%				
% change: 1990-2000	164.7%	5.6%				
Race (%)						
One race	98.1%	97.3%				
White	53.9%	90.0%				
Black or African American	9.4%	4.2%				
American Indian and Alaska Native	0.2%	0.9%				
Asian	23.6%	0.7%				
Native Hawaiian and other Pacific Islander	0.0%	0.0%				
Other race	10.8%	1.3%				
Two or more races	1.9%	2.7%				
Latino Origin (of any race)						
Number	76,227	133,690				
% Latino	53.2%	7.5%				
Age Groups (%)						
Under 5	0.7%	7.4%				
5-17	8.7%	18.6%				
18-64	82.1%	58.1%				
65 and older	8.5%	15.9%				
Median Age	37.7	36.2				
Gender (% female)	48.0%	50.2%				

Language & Education	2017		2000		1990	
English Proficiency	Foreign Born	U.S. Born	Foreign Born	U.S. Born	Foreign Born	U.S. Born
English Proficiency (age 5 and older) (%)	142,287	1,646,110	72,948	1,521,752	26,274	1,430,963
Speak only English	10.8%	94.8%	15.3%	95.8%	32.2%	96.4%
Speak English "very well"	32.9%	4.1%	28.9%	3.1%	35.2%	2.7%
Speak English less than "very well" (LEP)	56.4%	1.1%	55.8%	1.1%	32.6%	0.9%
Limited English Proficient (LEP) Population: Change over Time						
% change: 2000-2017	97.0%	3.8%				
% change: 1990-2000	375.1%	30.8%				
English Proficiency of the Foreign Born by U.S. Citizenship Status (age 5 and older)						
Naturalized citizens	56,155					
Speak only English	16.6%					
Speak English "very well"	41%					
Speak English less than "very well" (LEP)	42.4%					
Noncitizens	86,132					
Speak only English	7%					
Speak English "very well"	27.6%					
Speak English less than "very well" (LEP)	65.4%					

	Population (age 5 and older)	
Language Spoken at Home (by age and English proficiency)	Number	%
Ages 5-17	342,918	100%
Speak only English	292,236	85.2%
Speak language other than English	50,682	14.8%
Speak English "very well"	34,946	10.2%
Speak English less than "very well" (LEP)	15,736	4.6%
Speak Spanish	37,155	10.8%
Speak English "very well"	27,407	8.0%
Speak English less than "very well" (LEP)	9,748	2.8%
Ages 18-64	1,150,574	100%
Speak only English	1,003,694	87.2%
Speak language other than English	146,880	12.8%
Speak English "very well"	73,436	6.4%
Speak English less than "very well" (LEP)	73,444	6.4%
Speak Spanish	95,217	8.3%
Speak English "very well"	44,176	3.8%
Speak English less than "very well" (LEP)	51,041	4.4%
65 and Older	294,905	100%
Speak only English	279,711	94.8%
Speak language other than English	15,194	5.2%
Speak English "very well"	6,477	2.2%
Speak English less than "very well" (LEP)	8,717	3.0%
Speak Spanish	7,368	2.5%
Speak English "very well"	2,595	0.9%
Speak English less than "very well" (LEP)	4,773	1.6%

	Population (age 5 and older)	
Language Spoken at Home (detailed, by English proficiency) ⁱ	Number	%
Total Household Population, Age 5 and Older	1,788,397	100%
Speak only English	1,575,641	88.1%
Speak language other than English	212,756	11.9%
Spanish	139,740	100%
Speak English "very well"	74,178	53.1%
Speak English less than "very well" (LEP)	65,562	46.9%
French (Including Cajun)	4,147	100%
Speak English "very well"	3,037	73.2%
Speak English less than "very well" (LEP)	1,110	26.8%
Haitian	312	100%
Speak English "very well"	312	100.0%
Speak English less than "very well" (LEP)	N	N
Italian	592	100%
Speak English "very well"	410	69.3%
Speak English less than "very well" (LEP)	182	30.7%
Portuguese	364	100%
Speak English "very well"	153	42.0%
Speak English less than "very well" (LEP)	211	58.0%
German	4,992	100%
Speak English "very well"	4,768	95.5%
Speak English less than "very well" (LEP)	224	4.5%
Yiddish, Pennsylvania Dutch or Other West Germanic Languages	351	100%
Speak English "very well"	351	100.0%
Speak English less than "very well" (LEP)	N	N
Russian	1,851	100%
Speak English "very well"	1,241	67.0%
Speak English less than "very well" (LEP)	610	33.0%

Polish	604	100%
Speak English "very well"	342	56.6%
Speak English less than "very well" (LEP)	262	43.4%
Other Slavic Languages	2,900	100%
Speak English "very well"	2,242	77.3%
Speak English less than "very well" (LEP)	658	22.7%
Armenian	159	100%
Speak English "very well"	159	100.0%
Speak English less than "very well" (LEP)	N	N
Persian (Including Farsi, Dari)	1,085	100%
Speak English "very well"	871	80.3%
Speak English less than "very well" (LEP)	214	19.7%
Gujarati	N	100%
Speak English "very well"	N	N
Speak English less than "very well" (LEP)	N	N
Hindi	1,824	100%
Speak English "very well"	1,713	93.9%
Speak English less than "very well" (LEP)	111	6.1%
Urdu	467	100%
Speak English "very well"	354	75.8%
Speak English less than "very well" (LEP)	113	24.2%
Punjabi	304	100%
Speak English "very well"	218	71.7%
Speak English less than "very well" (LEP)	86	28.3%
Bengali	726	100%
Speak English "very well"	628	86.5%
Speak English less than "very well" (LEP)	98	13.5%
Nepali, Marathi, or Other Indic Languages	5,191	100%
Speak English "very well"	1,744	33.6%
Speak English less than "very well" (LEP)	3,447	66.4%
Other Indo-European Languages	3,005	100%
Speak English "very well"	2,134	71.0%
Speak English less than "very well" (LEP)	871	29.0%

Telugu	1,349	100%
Speak English "very well"	773	57.3%
Speak English less than "very well" (LEP)	576	42.7%
Tamil	1,187	100%
Speak English "very well"	889	74.9%
Speak English less than "very well" (LEP)	298	25.1%
Malayalam, Kannada, or Other Dravidian Languages	979	100%
Speak English "very well"	649	66.3%
Speak English less than "very well" (LEP)	330	33.7%
Chinese (including Mandarin, Cantonese)	5,368	100%
Speak English "very well"	2,588	48.2%
Speak English less than "very well" (LEP)	2,780	51.8%
Japanese	1,441	100%
Speak English "very well"	571	39.6%
Speak English less than "very well" (LEP)	870	60.4%
Korean	1,600	100%
Speak English "very well"	795	49.7%
Speak English less than "very well" (LEP)	805	50.3%
Hmong	63	100%
Speak English "very well"	63	100.0%
Speak English less than "very well" (LEP)	N	N
Vietnamese	5,640	100%
Speak English "very well"	2,037	36.1%
Speak English less than "very well" (LEP)	3,603	63.9%
Khmer	12	100%
Speak English "very well"	12	100.0%
Speak English less than "very well" (LEP)	N	N
Thai, Lao, or Other Tai-Kadai Languages	3,008	100%
Speak English "very well"	1,866	62.0%
Speak English less than "very well" (LEP)	1,142	38.0%

Other Languages of Asia	6,057	100%
Speak English "very well"	1,322	21.8%
Speak English less than "very well" (LEP)	4,735	78.2%
Tagalog (including Filipino)	1,855	100%
Speak English "very well"	1,283	69.2%
Speak English less than "very well" (LEP)	572	30.8%
Ilocano, Samoan, Hawaiian, or Other Austronesian Languages	580	100%
Speak English "very well"	515	88.8%
Speak English less than "very well" (LEP)	65	11.2%
Arabic	4,262	100%
Speak English "very well"	3,109	72.9%
Speak English less than "very well" (LEP)	1,153	27.1%
Hebrew	348	100%
Speak English "very well"	261	75.0%
Speak English less than "very well" (LEP)	87	25.0%
Amharic, Somali, or Other Afro-Asiatic Languages	4,287	100%
Speak English "very well"	923	21.5%
Speak English less than "very well" (LEP)	3,364	78.5%
Yoruba, Twi, Igbo, or Other Languages of Western Africa	1,341	100%
Speak English "very well"	1,009	75.2%
Speak English less than "very well" (LEP)	332	24.8%
Swahili or Other Languages of Central, Eastern, and Southern Africa	3,845	100%
Speak English "very well"	600	15.6%
Speak English less than "very well" (LEP)	3,245	84.4%
Native Languages of North America	569	100%
Speak English "very well"	533	93.7%
Speak English less than "very well" (LEP)	36	6.3%
Other and Unspecified Languages	351	100%
Speak English "very well"	206	58.7%
Speak English less than "very well" (LEP)	145	41.3%



Migration Policy Institute data sources: Sources: Migration Policy Institute tabulations of the U.S. Census Bureau American Community Survey (ACS) and Decennial Census. Unless stated otherwise, 2017 data are from the one-year ACS file. For information about ACS definitions, methodology, sampling error, and

nonsampling error, click here. Estimates from 1990 and 2000 Decennial Census data as well as ACS microdata are from Steven Ruggles, Sarah Flood, Ronald Goeken, Josiah Grover, Erin Meyer, Jose Pacas, and Matthew Sobek. Integrated Public Use Microdata Series (IPUMS) USA: Version 8.0 [dataset]. Minneapolis, MN: IPUMS, 2018. <https://doi.org/10.18128/D010.V8.0>.

Foreign Born

7.5% +/- 0.3%

Foreign born in Nebraska

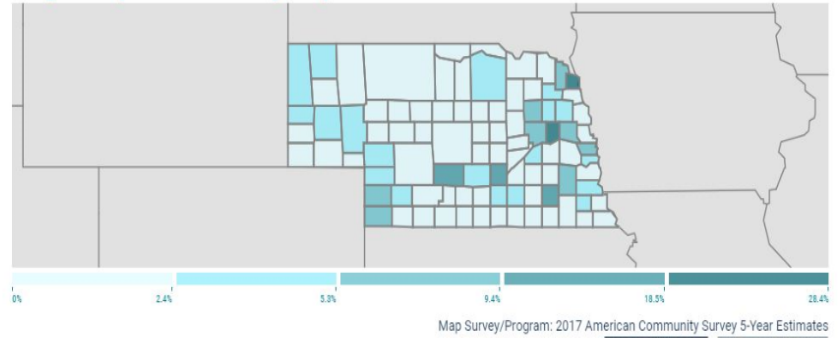
13.7% +/- 0.1%

Foreign born in the United States

Table: DP02

Table Survey/Program: 2017 American Community Survey
1-Year Estimates

Foreign Born Population in Nebraska by County



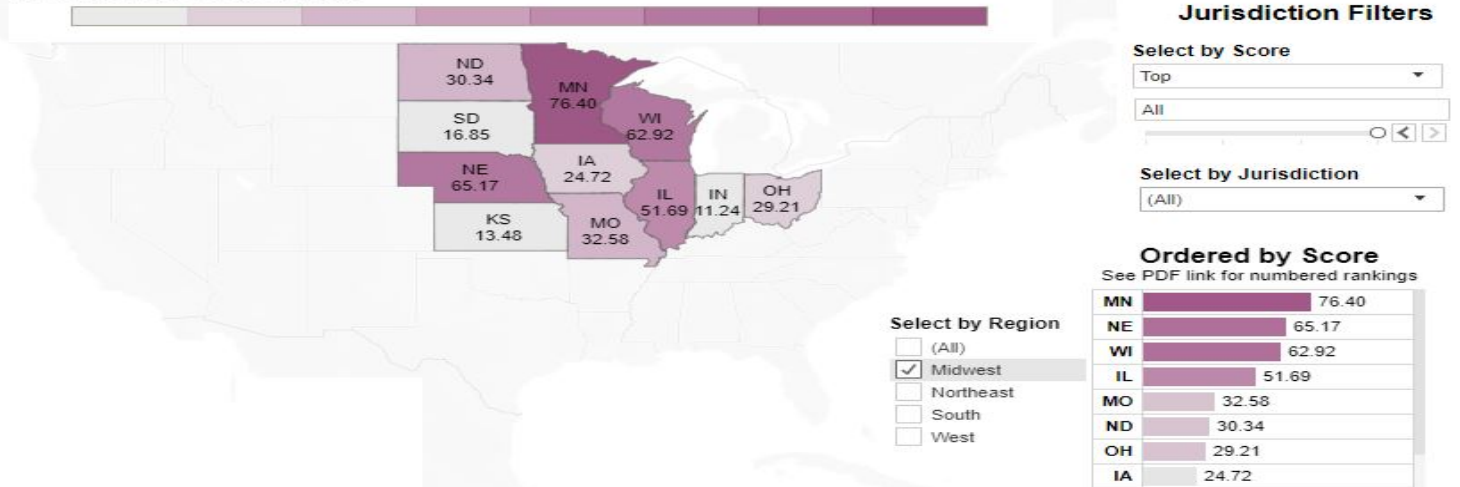
Comparison Chart: Index Score, LEP Population Percentage, Total Population & Region



Source: The Justice Index 2016, National Center for Access to Justice, Fordham Law School

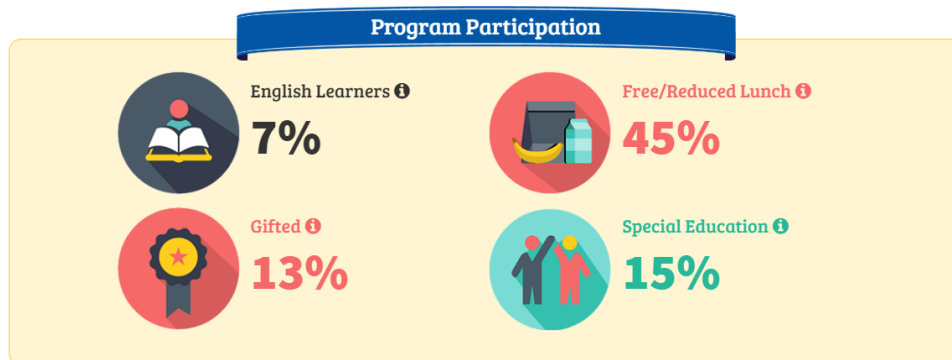
Performance Map: Access for People with Limited English Proficiency

Scores are on a 100-point scale

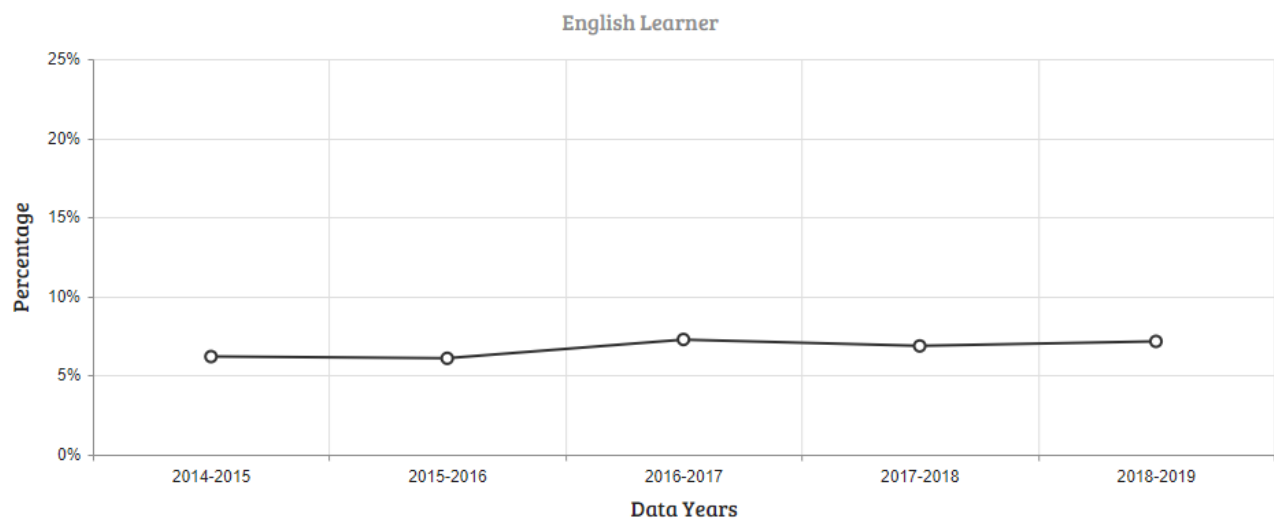


Source: The Justice Index 2016, National Center for Access to Justice, Fordham Law School

Appendix 9: English Language Learners – Nebraska Department of Education



<https://nep.education.ne.gov/statedata.html>

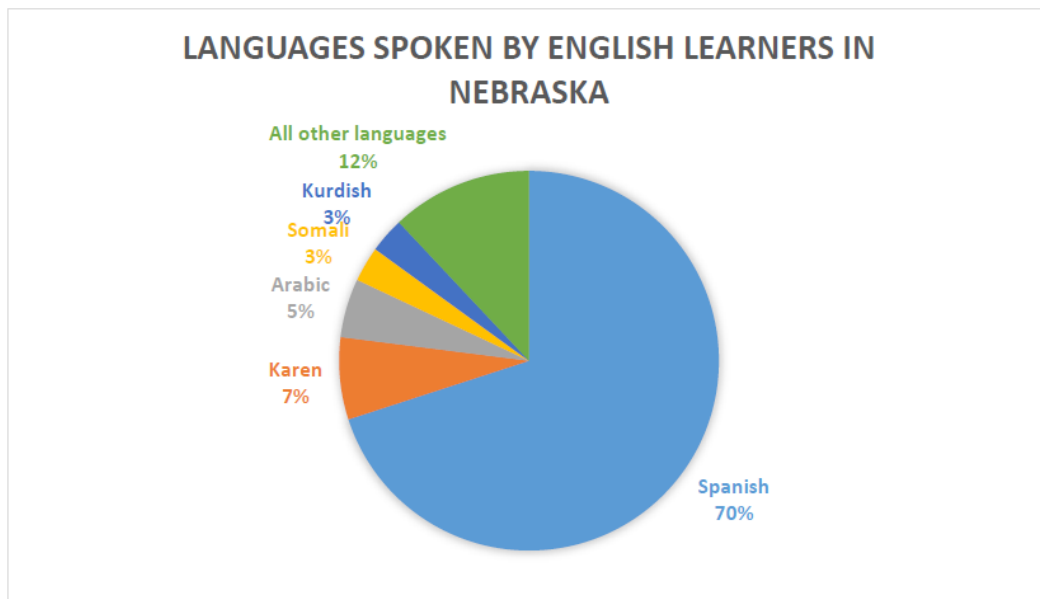
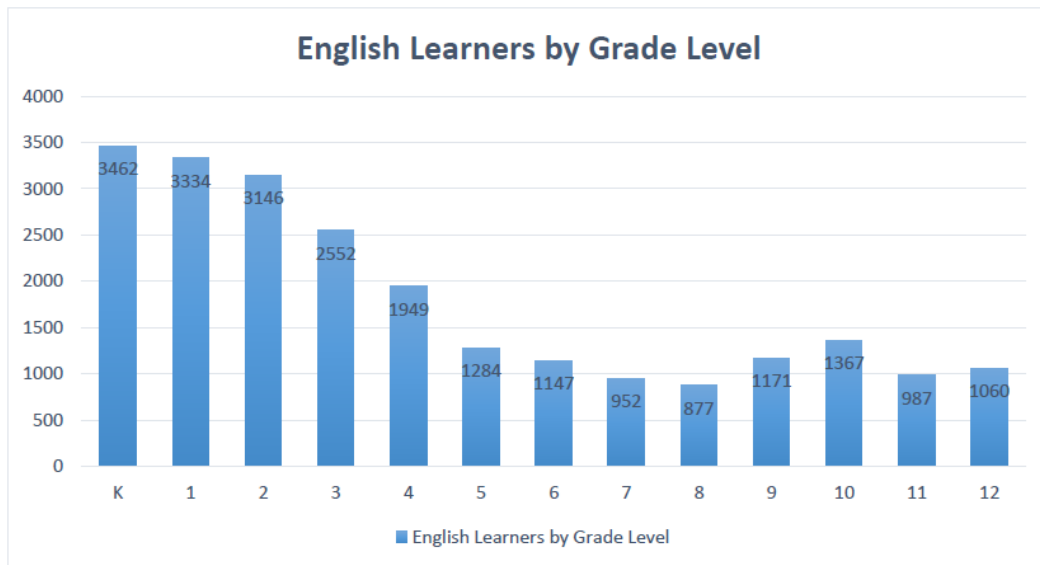


<https://nep.education.ne.gov/State/Index/00-0000-000?DataYears=20182019&type=state#program-participation>

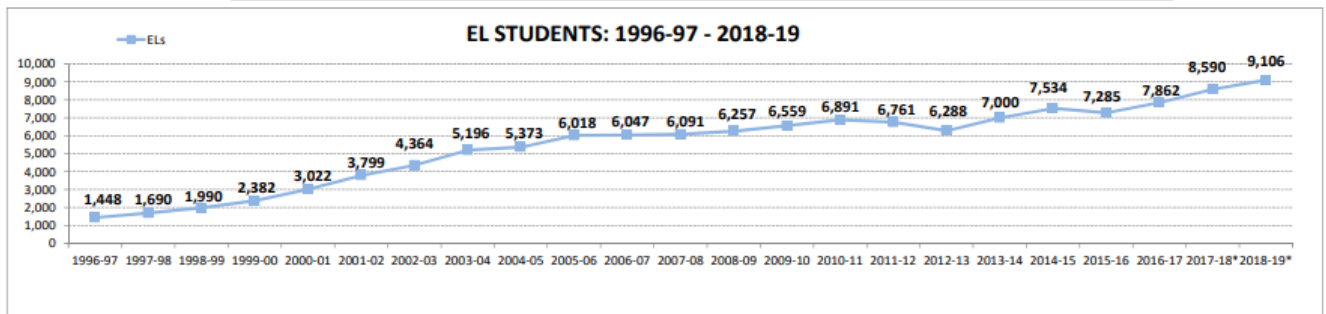


Nebraska Department of Education 2017-2018 English Learner Program Information

Nebraska reported 23,288 English Learners Kindergarten through Grade 12, speaking 110 languages.



English Learners Omaha Public Schools



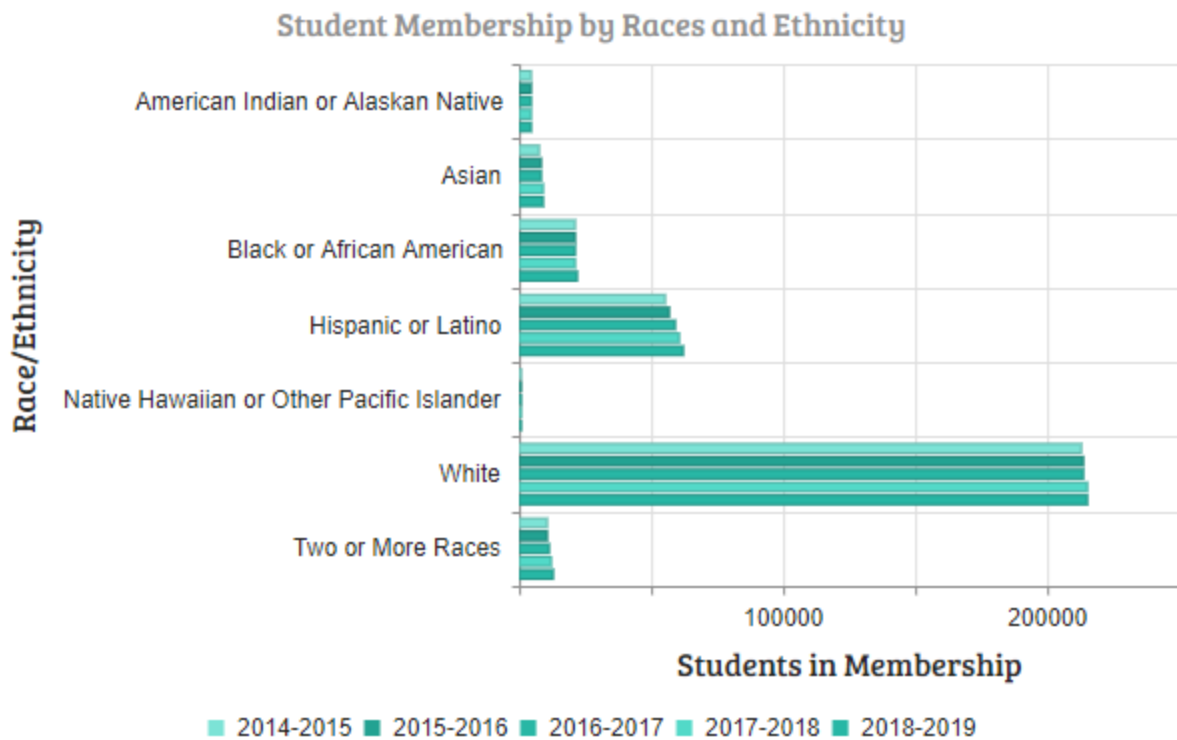
Student Characteristics: English Learner – Nebraska Department of Education

English learner (EL): The term ‘English learner,’ when used in this Chapter with respect to a student, means a student:

- 002.02A Who is enrolled or preparing to enroll in an elementary school or secondary school;
- 002.02B Who falls into at least one of the following categories:
 - a) 002.02B1 Who was not born in the United States or whose native language is a language other than English;
 - b) 002.02B2 Who is a Native American or Alaska Native, or a native resident of the outlying areas and who comes from an environment where a language other than English has had a significant impact on the individual’s level of English language proficiency; or
 - c) 002.02B3 Who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant; and
- 002.02C Whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual at least one of the following:
 - a) 002.02C1 The ability to meet the challenging State academic standards adopted pursuant to 20 U.S.C. §6311(b);
 - b) 002.02C2 The ability to successfully achieve in classrooms where the language of instruction is English; or
 - c) 002.02C3 The opportunity to participate fully in society.

ELPA21 is a test of English language proficiency.

The test is aligned to the Nebraska English Language Proficiency Standards and measures English learners’ ability to meet the language expectations required by grade level English language arts, mathematics, and science content as specified in the Nebraska Content Area Standards. There are three levels of proficiency determinations: Emerging, Progressing and Proficient. Levels of proficiency are determined based on test performance in the language domains of listening, speaking, reading and writing. More information regarding this test may be found on the Title III webpage <https://www.education.ne.gov/natlorigin/>



<https://nep.education.ne.gov//State?DataYears=20182019>

Student Membership by Race and Ethnicity

Data Years	American Indian or Alaska Native	Asian	Black or African American	Hispanic or Latino	Native Hawaiian or Other Pacific Islander	White	Two or More Races
2018-2019	4335	9230	21629	62364	479	215207	12740
2017-2018	4352	8919	21576	60795	448	215063	12238
2016-2017	4416	8478	21327	59343	474	213363	11452
2015-2016	4356	7996	21051	57056	429	213696	10958
2014-2015	4440	7579	20932	55403	402	212964	10561

<https://nep.education.ne.gov//State?DataYears=20182019>

Appendix 10: "I Speak..." Language Identification Guide

I Speak...

Language Identification Guide

A

Amharic
አኔ አማርኛ ነው ምናገረው.

Arabic
أنا أتحدث اللغة العربية

Armenian
Ես խոսում եմ հայերեն

B

Bengali
আমি বাংলা কথা বলতে পারি

Bosnian
Ja govorim bosanski

Bulgarian
Аз говорим български

Burmese
ကျွန်တော်/ကျွန်မ မြန်မာလို ချဉ်းတတ်ပါတယ်

C

Cambodian
ខ្ញុំនិយាយភាសាខ្មែរ

Canonese
我講廣東話 (Traditional)
我讲广东话 (Simplified)

Catalan
Parlo català

Croatian
Govorim hrvatski

Czech
Mluvím česky

D

Danish
Jeg taler dansk

Dari
من دری حرف می زنم

Dutch
Ik spreek het Nederlands

E

Estonian
Ma räägin eesti keelt

F

Finnish
Puhun suomea

French
Je parle français

G

German
Ich spreche Deutsch

Greek
Μιλώ το ελληνικά

Gentaroit
હુ ગુજરાતી બોલુ છુ

H

Haitian Creole
M pale kretyòl ayisyen

Hebrew
אני מדבר עברית

Hindi
मैं हिंदी बोलता हूँ।

Hmong
Kuv has lug Moob

Hungarian
Beszéllek magyarul

I

Icelandic
Ég tala íslensku

Ilocano
Agasamak ti Ilokano

Indonesian
saya bisa berbahasa Indonesia

Italian
Parlo italiano

J

Japanese
私は日本語を話す

K

Kachchiquel
Quim cha guio'ki' chib'al' nain' ni

Korean
한국어 합니다

Kurdish
man Kurdiî zanînim

Kurmanji
man Kurmanjîî zanînim

L

Lao
ຂ້ອຍປາກົດພາສາລາວ

Latvian
Es runāju latviski

Lithuanian
Aš kalbu lietuviškai

M

Mam
Bin chiyola tuj kiyei mam

Mandarin
我講國語 (Traditional)
我讲国语/普通话 (Simplified)

Mon
ဒီဟိုဒီဟို

N

Norwegian
Jeg snakker norsk

P

Persian
من فارسی صحبت می کنم.

Polish
Mówię po polsku

Portuguese
Eu falo português do Brasil (for Brazil)
Eu falo português de Portugal (for Portugal)

Punjabi
ਮੈਂ ਪੰਜਾਬੀ ਬੋਲਦਾ/ਬੋਲਦੀ ਹਾਂ।

Q

Qanjobal
Ayiin ti chi' wai q' anjob' al

Quiche
In k'inq'aw k'uiin chi'c quiche

R

Romanian
Vorbesc românește

Russian
Я говорю по-русски

S

Serbian
Ja govorim srpski

Siga Language


Slovak
Hovorím po slovensky

Slovenian
Govorim slovensko

Somali
Waxaan ku hadlaa af-Soomaalí

Spanish
Yo hablo español

Swahili
Ninaongea Kiswahili

Swedish
Jag talar svenska

T

Tagalog
Marunong akong mag-Tagalog

Tamil
நான் தமிழ் பேசுவேன்

Thai
พูดภาษาไทย

Turkish
Türkçe konuşurum

U

Ukrainian
Я розмовляю українською мовою

Urdu
میں اردو بولتا ہوں

V

Vietnamese
Tôi nói tiếng Việt

W

Welsh
Dwi'n siarad

X

Xhosa
Ndithetha isiXhosa

Y

Yiddish
איך רעד יידיש

Yoruba
Mo maa Yoruba

Z

Zulu
Ngizisikhuluma isiZulu

Executive Order 13166 requires DHS to take reasonable steps to provide meaningful access to its programs and activities for persons with limited English proficiency and - as also required by Title VI of the Civil Rights Act of 1964 - to ensure that recipients of federal financial assistance do the same.

I Speak is provided by the Department of Homeland Security Office for Civil Rights and Civil Liberties (CRCL). Other resources at www.lep.gov

Contact the DHS Office for Civil Rights and Civil Liberties' CRCL Institute at CRCLTraining@dhs.gov for digital copies of this poster or a "I Speak" booklet.

Download copies of the DHS LEP plan and guidance to recipients of financial assistance at www.dhs.gov/crcl



Homeland Security

Appendix 11: Nebraska Supreme Court Personnel Policies and Procedures Relating to Bilingual Employees

B. Bilingual Employees

The State Court Administrator or the State Probation Administrator, in consultation with the hiring supervisor, may approve an increased hiring rate for a bilingual employee. The need for a bilingual employee and the language skill level demonstrated by testing approved by the Administrative Office will be factors in the process to approve an increased hiring rate. A bilingual employee is expected to perform all duties of the job for which he or she is hired. The supervisor should, as needed, adjust the bilingual employee's workload based on the time the employee may be taken away from his or her duties to assist non-English speaking customers.

Court employees who were hired prior to this policy who are or become bilingual may request testing to determine their language skill level. Based on the results of the test, the supervisor may recommend a salary adjustment to the State Court Administrator or State Probation Administrator.

Bilingual employees shall not serve as courtroom interpreters unless approved by the Administrative Office of the Courts.

Approved 3-28-07

Administrative Office of the Courts and Probation
REQUEST FOR BILINGUAL EMPLOYEE TESTING

Supervisor's Request and Agreement to Proctor:

Employee Full Name: _____ Language Spoken: _____
Court Employee, County: _____ Probation Employee, District # _____
Duty area: criminal/traffic, Civil, Probate/Adoption Probation Officer, District # _____

Justification for testing request

Above-named employee will use bilingual skills on average at least 5 hours per week: YES NO

Employee's bilingual skills are necessary for a specific operational need: YES NO

Identify operational need: _____

Supervisor will be available to proctor bilingual test on date and time agreed upon with rater YES NO

Supervisor's Telephone Number: _____ FAX Number: _____

Print Supervisor's Name

Supervisor's Signature

Date

Administrative and Human Resources Office Use Only:

Bilingual Employee Test Request APPROVED and payment to tester authorized DENIED

Signature Deputy Administrator Courts / Probation Date

Approved testing demonstrated bilingual skills at _____ level. Based upon test results below and the need for a bilingual employee an increase in hiring rate / pay in the amount of _____ percent effective _____, 20____ is hereby approved.

Signature Deputy Administrator Courts / Probation Date

Hiring rate / pay increase implemented and employee record updated _____, 20____.

Signature Judicial Branch Human Resources Date

Bilingual Test Results: Testing date: _____, 20____, time: _____,
version: _____

Rating scale: Excellent 34 – 38 Adequate 26 – 33 Insufficient 23 – 25 Failed 0 – 22

Employee's test score: _____ (in numbers and letters)

Proctor's Name: _____ Rater's Name: _____

Results emailed to AOCP on _____, 20____

The following are steps for the test proctor, supervisor, and employee to follow to complete the testing process:

1. The test proctor phones the employee's supervisor to get approval of the time to conduct the test.
2. The test proctor phones the employee and supervisor at the approved time, then faxes the script to the supervisor.
3. The supervisor gives the script to the employee when indicated by the test proctor.
4. The employee interprets the script over the phone. Interpreting will be limited to a total of 6 minutes:
 - a. A maximum of 2 minutes will be allowed for employee to read and familiarize him/herself with the document.
 - b. The test proctor will announce:
 - i. One minute has lapsed.
 - ii. Two minutes have lapsed and ask the employee to start interpreting, if he/she has not begun already.
 - iii. Please stop interpreting (at the end of the 6 minutes).
5. The supervisor takes the script from the employee.
6. The supervisor destroys (shreds) the script.
7. The test proctor rates the employee based upon the scoring units identified by the AOCP, using the following scale:
 - a. Excellent, 34 – 38
 - b. Adequate, 26 – 33
 - c. Needs more ability to pass, 23 – 25
 - d. Failed, 0-22
8. The test proctor emails the results report to the Statewide Language Access Coordinator who submits results to the Deputy Administrator for Operations and Administration for consideration of a raise.
9. Upon receipt of the Deputy Administrator's determination of raise, the Statewide Language Access Coordinator provides the requesting supervisor with the test results and raise determination.

Administrative Office of the Courts and Probation
1445 K Street/P.O. Box 98910
Lincoln, NE 68509
(402) 471-3730



| = Instances of interpreter service (a mix of cases and people served)

- T=Actual interpreter time in hours (color graded by actual time)
- I=Number of instances of interpreter service (which is a mix of cases and people served).
- FY2019 was the first full year of Spanish court interpreter block scheduling in Adams, Buffalo, and Merrick Counties and the continuation of Spanish interpreter block scheduling in Clay, Dakota, Hamilton, Platte, and Saline Counties. Interpreters fulfilling block assignments, note the block on their interpreter statement, not separate instances of service within several hours of blocked time.

Languages Interpreted by Judicial District

District 1: Gage, Jefferson, Johnson, Nemaha, Pawnee, Richardson, Saline, and Thayer Counties
Arabic
ASL
Bosnian
Burmese
Karen
Laotian
Mandarin
Q'anjob'al
Spanish

District 2: Sarpy, Cass, and Otoe Counties
Arabic
ASL
Croatian
Dari
Dinka
French
Juba
Karen
Korean
Laotian
Mandarin
Nepali
Nuer
Polish
Russian
Somali
Spanish
Vietnamese

District 3: Lancaster County
Arabic
ASL
Bosnian
Burmese
Dinka
Farsi
French
Hindi
Hmong
Indonesian
Juba
Karen
Kiche'
Krio
Kurdish
Mandarin
Nuer
Russian
Somali
Spanish
Ukrainian
Vietnamese

District 4: Douglas County	
Acholi	Mandarin
Amharic	Marshallese
Arabic	Nepali
ASL	Nuer
Bahasa	Oromo
Burmese	Polish
Dari	Portuguese
Dinka	Q'anjob'al
Ewe	Russian
Farsi	Somali
French	Spanish
Hmong	Tajik
Indonesian	Telugu
Juba	Turkish
Kachin	Vietnamese
Kakchiquel	
Karen	
Karenni	
Kiche'	
Korean	
Krahn	
Kurdish	

District 5: Boone, Butler, Colfax, Hamilton, Merrick, Nance, Platte, Polk, Saunders, Seward, and York Counties	
Arabic	
ASL	
French	
Karen	
Mandarin	
Q'anjob'al	
Russian	
Somali	
Spanish	
Vietnamese	

District 6: Burt, Cedar, Dakota, Dixon, Dodge, Thurston, and Washington Counties	
French	
Greek	
Karen	
Kiche'	
Laotian	
Mandarin	
Oromo	
Q'anjob'al	
Russian	
Somali	
Spanish	
Tigrinya	
Vietnamese	

District 7: Antelope, Cuming, Knox, Madison, Pierce, Stanton, and Wayne Counties	
ASL	
Karen	
Kiche'	
Spanish	

District 8: Blaine, Boyd, Brown, Cherry, Custer, Garfield, Greeley, Holt, Howard, Loup, Keya Paha, Rock, Sherman, Valley, and Wheeler Counties	
ASL	
Korean	
Spanish	

District 9: Buffalo and Hall Counties
Arabic
ASL
Bosnian
Cantonese
Dinka
Japanese
Kiche'
Mandarin
Nuer
Romanian
Russian
Somali
Spanish

District 10: Adams, Clay, Fillmore, Franklin, Harlan, Kearney, Nuckolls, Phelps, and Webster Counties
ASL
Spanish
Vietnamese

District 11: Arthur, Chase, Dawson, Dundy, Frontier, Furnas, Gosper, Hayes, Hitchcock, Hooker, Keith, Lincoln, Logan, McPherson, Perkins, Red Willow, and Thomas Counties
Arabic
French
Karen
Nuer
Oromo
Punjabi
Q'anjob'al
Somali
Spanish

District 12: Banner, Box Butte, Cheyenne, Dawes, Deuel, Garden, Grant, Kimball, Morrill, Scotts Bluff, Sheridan, and Sioux Counties
ASL
Cantonese
Mandarin
Punjabi
Spanish

Nebraska Population by County
Showing Language Access Services Provided

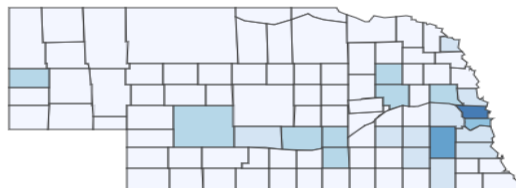
	A	B	C	D	E	F	G
	County Name	2019 Population	Growth Since 2010	Court Interpreter Services Provided FY2019-20	Nebraska County Court Judicial District	NE Dept. of Education English Language Learners 2017-18	2018-19 Percent English Language Learners
1							
2	Adams County	31,511	0.58%	x	10	100-499	Hastings 6%
3	Antelope County	6,336	-5.14%	x	7	1-49	
4	Arthur County	465	0.00%		11	0	
5	Banner County	730	5.64%	x	12	1-49	
6	Blaine County	476	-0.42%		8	0	
7	Boone County	5,239	-4.94%	x	5	1-49	
8	Box Butte County	10,772	-4.45%	x	12	1-49	
9	Boyd County	1,955	-7.13%		8	1-49	
10	Brown County	2,973	-5.74%	x	8	1-49	
11	Buffalo County	49,615	7.45%	x	9	100-499	Kearney 3%
12	Burt County	6,488	-5.15%	x	6	1-49	
13	Butler County	8,058	-3.77%	x	5	1-49	
14	Cass County	26,159	3.64%	x	2	1-49	
15	Cedar County	8,446	-4.22%	x	6	1-49	
16	Chase County	3,977	0.28%	x	11	50-99	Chase Co. Schools 11%
17	Cherry County	5,761	1.18%	x	8	0	
18	Cheyenne County	9,310	-6.60%	x	12	1-49	
19	Clay County	6,214	-4.93%	x	10	50-99	
20	Colfax County	10,881	3.24%	x	5	500-999	Colfax County Schools 10%
21	Cuming County	8,940	-2.40%	x	7	50-99	West Point 7%
22	Custer County	10,840	-0.64%	x	8	1-49	
23	Dakota County	20,083	-4.52%	x	6	500-999	South Sioux City 14%
24	Dawes County	8,716	-4.93%	x	12	1-49	
25	Dawson County	23,709	-2.49%	x	11	1000+	Lexington 31%
26	Deuel County	1,825	-5.19%	x	12	0	
27	Dixon County	5,709	-4.61%	x	6	1-49	
28	Dodge County	36,791	0.32%	x	6	500-999	Fremont 11%
29	Douglas County	566,880	9.32%	x	4	1000+	Omaha 15%
30	Dundy County	1,770	-11.85%		11	1-49	
31	Fillmore County	5,527	-5.86%	x	10	0	
32	Franklin County	3,023	-6.81%	x	10	0	
33	Frontier County	2,608	-5.51%		11	1-49	
34	Furnas County	4,715	-4.65%		11	1-49	
35	Gage County	21,493	-3.48%	x	1	1-49	
36	Garden County	1,897	-8.58%		12	1-49	

Nebraska Population by County
Showing Language Access Services Provided

	A	B	C	D	E	F	G
37	Garfield County	1,987	-2.36%		8	0	
38	Gosper County	1,996	-2.16%	x	11	0	
39	Grant County	660	7.67%		12	0	
40	Greeley County	2,356	-7.46%		8	0	
41	Hall County	61,607	4.77%	x	9	1000+	Grand Island 13%
42	Hamilton County	9,280	1.68%	x	5	1-49	
43	Harlan County	3,401	-0.61%		10	0	
44	Hayes County	916	-4.18%		11	1-49	
45	Hitchcock County	2,806	-3.27%		11	0	
46	Holt County	10,178	-2.45%	x	8	50-99	O'Neill 7%
47	Hooker County	682	-7.46%		11	0	
48	Howard County	6,468	3.01%	x	8	0	
49	Jefferson County	7,097	-5.64%	x	1	1-49	
50	Johnson County	5,134	-1.89%	x	1	1-49	
51	Kearney County	6,544	1.03%	x	10	1-49	
52	Keith County	8,021	-3.99%	x	11	1-49	
53	Keya Paha County	810	-1.70%		8	0	
54	Kimball County	3,618	-5.63%	x	12	1-49	
55	Knox County	8,419	-2.96%	x	7	0	
56	Lancaster County	317,272	10.87%	x	3	1000+	Lincoln 7%
57	Lincoln County	35,185	-2.94%	x	11	50-99	North Platte 2%
58	Logan County	749	-2.98%		11	0	
59	Loup County	618	-1.59%		8	0	
60	Madison County	35,392	1.23%	x	7	100-499	Madison 16% Norfolk 4%
61	McPherson County	492	-8.72%		11	0	
62	Merrick County	7,733	-1.47%	x	5	1-49	
63	Morrill County	4,686	-7.01%		12	1-49	
64	Nance County	3,532	-5.56%	x	5	1-49	
65	Nemaha County	6,958	-3.87%	x	1	0	
66	Nuckolls County	4,195	-7.07%		10	0	
67	Otoe County	15,985	1.50%	x	2	100-499	Nebraska City 6%
68	Pawnee County	2,632	-5.36%	x	1	1-49	
69	Perkins County	2,929	-1.74%		11	1-49	
70	Phelps County	8,996	-2.03%	x	10	1-49	
71	Pierce County	7,142	-1.63%	x	7	0	
72	Platte County	33,363	3.28%	x	5	500-999	Columbus 10%
73	Polk County	5,278	-2.22%	x	5	1-49	
74	Red Willow County	10,726	-3.00%	x	11	1-49	
75	Richardson County	7,937	-5.20%		1	0	
76	Rock County	1,360	-10.76%		8	0	

Nebraska Population by County
Showing Language Access Services Provided

	A	B	C	D	E	F	G
77	Saline County	14,350	0.90%	x	1	500-999	Wilber-Clatonia 6%
78	Sarpy County	184,459	15.49%	x	2	100-499	Papillion La Vista 1%
79	Saunders County	21,303	2.08%	x	5	1-49	
80	Scotts Bluff County	35,989	-2.88%	x	12	100-499	Scottsbluff 7%
81	Seward County	17,318	3.10%	x	5	1-49	
82	Sheridan County	5,190	-4.67%	x	12	1-49	
83	Sherman County	3,038	-3.98%		8	0	
84	Sioux County	1,187	-9.46%		12	0	
85	Stanton County	5,970	-2.80%	x	7	0	
86	Thayer County	5,039	-3.73%	x	1	1-49	
87	Thomas County	720	11.28%		11	0	
88	Thurston County	7,303	4.79%	x	6	1-49	
89	Valley County	4,190	-1.76%	x	8	0	
90	Washington County	20,667	3.73%	x	6	1-49	
91	Wayne County	9,403	-2.17%	x	7	100-499	Wayne 6%
92	Webster County	3,533	-7.25%		10	0	
93	Wheeler County	805	-2.42%		8	0	
94	York County	13,772	0.75%	x	5	1-49	York 3%
95							
96	TOTAL	1,929,268		1,869,515			
97	Population data © 2019 World Population Review, EL data Nebraska Department of Education						



Nebraska's 10 Most Populated Counties in FY2019: Douglas, Lancaster, Sarpy, Hall, Buffalo, Dodge, Scotts Bluff, Madison, Lincoln, and Platte each received in person and remote court interpreter services every year since 2013. The 10 Nebraska counties with the smallest population that received in person or remote court interpreter services in FY2019 are Banner, Deuel, Gosper, Pawnee, Brown, Franklin, Nance, Kimball, Chase, and Valley.

Appendix 13: Language Line Reference Guide

Nebraska Judicial Branch Language Line Instructions

This account is for only Nebraska Courts and Probation Services

The Nebraska Supreme Court is billed for every minute that LanguageLine is used. Please do not provide account information such as the toll-free number or Client ID Code to outside vendors, service providers, attorneys or other potential users.

Your responsibilities when using the Language Line

1. Be specific in the information you provide to Language Line Services.
2. Let the interpreter know as much as is pertinent about your call.
3. Take the lead — interpreters repeat what you say.
4. Do not assume that the interpreter or non-English speaker knows more than what you communicate to them. Do not expect the interpreter to be familiar with the details of your case. To ensure that you control the conversation, brief the interpreter so they are familiar with the nature of your case

To Make a Language Line Call and Request an Interpreter for Court or Probation Services

1. Dial 1-***-***-****
2. When the call is answered, explain what language is needed, including the region or dialect.
3. When asked for your CLIENT ID CODE, give them the 6-digit number provided by the AOCP:
4. When asked for your ORGANIZATION, respond with: Nebraska Supreme Court *and please be sure to provide:* your name, your office, and your county location
5. You will be placed on hold while Language Line connects you to an interpreter. You will hear a hold message repeated in several languages. You will be alerted when the interpreter for the requested language is on the line. *Call charges begin when the interpreter comes on the line.*

Working with an Interpreter

1. The interpreter will give you their identification number and let you know they are ready for your instructions.
2. Let the interpreter know where you are calling from. Brief the interpreter about the call in one or two sentences. If you are not sure what the non-English speaker needs, tell the interpreter you don't know what assistance is required and have the interpreter ask the preliminary questions you need to identify the purpose of the call. Instruct the interpreter to brief the non-English speaker. Continue until the call is completed.
3. To end the call, tell the interpreter that the call is ended. The interpreter will relay that to the non-English speaker and hang up. *Charges for the interpreter stop accruing.*

4. Once the call is completed, e-mail a **Language Line Usage Report** to Jennifer Verhein, Statewide Language Access Coordinator in the State Court Administrator's office.

**Languages Interpreted on Demand
via Language Line Telephone Interpretation
FY2019-20**

ARABIC	NUER
BEHDINI	OROMO
BURMESE	PASHTO
CANTONESE	PORTUGUESE
CHALDEAN	PUNJABI
CHIN	ROMANIAN
DINKA	RUSSIAN
FARSI	SOMALI
FRENCH	SORANI
HEBREW	SPANISH
JAPANESE	SUDANESE ARABIC
KAREN	SWAHILI
K'ICHE	TAGALOG
KOREAN	THAI
KURMANJI	TIGRINYA
MAAY	UKRAINIAN
MANDARIN	UZBEK
NEPALI	VIETNAMESE
NORWEGIAN	

Appendix 14: Translated Court and Probation Information and Forms

Language Rights Advisement Videos in Spanish and Somali have been distributed to Nebraska courts and are available on the Nebraska Judicial Branch website here:

<https://supremecourt.nebraska.gov/programs-services/interpreters>

Translation and maintenance of court and probation forms is an ongoing project, dependent upon financial resources and qualified translators. At this time, a Spanish translation of updated Domestic Abuse forms is in progress.

An index Court forms sortable by language is available on the Nebraska Judicial Branch website here:

https://supremecourt.nebraska.gov/forms?title=&field_form_number_value=&field_form_type_tid=All&field_language_tid=All

Probation Services forms in use statewide are translated into Spanish upon request from the ACOP as financial resources and qualified translators become available.

The screenshot shows the top portion of the Nebraska Judicial Branch website. On the left is the logo for the State of Nebraska Judicial Branch. To the right of the logo is a red navigation bar with links: DIRECTORIES, FORMS, E-SERVICES, SELF-HELP, and CONTACT. Below this is a dark grey navigation bar with links: Home, Administration, Rules, Courts, Programs & Services, and Probation. To the right of the navigation bar is a search bar with the text 'Keyword Search' and a magnifying glass icon, and a red 'LOGIN' button. Below the navigation bar, the text 'Home >> Master Forms List' is visible.

Master Forms List

This page provides access to the forms currently available to the public and attorneys through the Administrative Office of the Courts. These forms are from Supreme Court rules, the Administrative Office of the Courts, the Nebraska Supreme Court Committee on Pro Se Litigation and other organizations.

For tips on how to find forms on this list, click [here](#).

Adobe Acrobat Reader DC allows for saving filled-in data on a PDF form. Please download the newest version to take advantage of this feature.

PLEASE NOTE: IF YOU HAVE THE MOST RECENT VERSION OF ADOBE READER XI and you are still experiencing difficulty opening or using forms, please try to open them using an alternate browser (e.g. Internet Explorer or Firefox).

If you are having continued difficulty opening a form, or saving it to your device as a completed PDF fillable form, please send an e-mail to nsc.forms@nebraska.gov.

Title	Form Number	Type
		- Any -
Category	Language	Form Set
	Spanish	
Apply		

Appendix 15: Nebraska State Courts, Probation, and Judicial Complaint Processes

Complaints against Court Interpreters:

The process for complaints regarding Nebraska Court Interpreters is online on the Nebraska Judicial Branch website here: <https://supremecourt.nebraska.gov/sites/default/files/AD-2-08.pdf>. A Spanish language version of the interpreter complaint process is available online on the Nebraska Judicial Branch website here: <https://supremecourt.nebraska.gov/sites/default/files/AD-2-08-Spanish.pdf>

Nebraska Supreme Court Rule § 6-708 governs the handling of complaints and disciplinary actions involving Nebraska state court interpreters.

Complaints against Court or Probation staff:

Complaints regarding failure of court or probation staff to provide an interpreter will be investigated and referred to their supervisor for education or disciplinary action when appropriate under the Nebraska Supreme Court Personnel Policies and Procedures.

You will receive confirmation of receipt of your complaint. Please do not hesitate to contact Jennifer Verhein, Statewide Language Access Coordinator, at jennifer.verhein@nebraska.gov (preferred) or call 402-471-8854 with any questions or comments regarding the complaint process. We can communicate with you more quickly if a legible e-mail address is provided.

Complaints against Judges:

Any Nebraska citizen may bring a complaint to the Nebraska Commission on Judicial Qualifications concerning the conduct or qualifications of any Nebraska state judge. Upon the receipt of a complaint against any Nebraska state judge, the Commission may conduct a confidential inquiry or investigation as it determines is necessary. The Commission reviews each complaint to determine whether any further inquiry is required or whether it should be dismissed. The process for complaints regarding Nebraska Judges is online on the Nebraska Judicial Branch website here: <https://supremecourt.nebraska.gov/administration/professional-ethics/judicial-discipline-ethics/how-file-judicial-complaint>