

# Expenditures for Court Interpretation Services

## Frequently Asked Questions

SB 380/HB 3474 (88th Legislature)

- **How should the reports be submitted?**

Since county auditors and treasurers typically report information to the Texas Indigent Defense Commission (TIDC), OCA is working with TIDC to add the court-ordered interpretation services report to the **TIDC reporting portal** for convenience. More information will be sent out prior to November 1, 2024, on the new court-ordered interpretation services section of the TIDC reporting portal.

- **When is the report due?**

The first report covering October 2023 to September 2024 is due by **November 1, 2024**.

- **Do we include Justice of the Peace courts?**

No. Report the information for matters held at the **district** and **county court** levels.

- **Are family cases included in the civil reporting counts?**

Yes. Civil includes family, probate, guardianship, and civil mental health commitments.

- **On page 1 of the instructions, item (4) under “The information must include:” only mentions civil proceedings applicable to the appointment of an interpreter. However, on the 2<sup>nd</sup> page of the instructions, item 4 includes part b: “In criminal or juvenile proceedings, number of parties that filed an affidavit of indigency.” Why is there a difference?**

The items listed under “The information must include:” are a direct cite of the statute mandating the reporting. Since the other 3 required elements require reporting for criminal cases, criminal cases were added to the 4<sup>th</sup>.

- **How is “number of interpreters” defined?**

Total number of interpreters appointed or used during the year.

- **Should interpreters be reported based on when they are appointed or not until they are paid for their services?**

When appointed.

- **If there are multiple payments for one appointment, do we report an appointment for each payment?**

No. Only report the appointment once.

- **Instead of Affidavits of Indigency each defendant fills out a Financial Information Questionnaire, so would we count any criminal/juvenile proceeding where there is a court appointed attorney and an interpreter appointed/used?**

Yes.

- **Should we net costs of interpreters with court fees collected for those services, if any?**

No.

- **Should interpreters in the following situations be included?**

**Yes:**

- Interpreters on staff. Report salary and fringe.
- Interpreters that are paid by the day that are assigned a court
- Interpreters that come to the jail and are not at court or assigned by case if they are on staff or contracted by the county
- Interpreter services provided free of charge, irrespective of ability to pay in criminal or juvenile cases
- Interpreters who provide services in criminal, civil, or juvenile cases prior to a court appearance in front of judge
- Interpretation services were provided but the case never makes it to a trial. Include any activity whether or not the case goes to appearance or trial.

**No:**

- Employees who translate phone calls (from jurors, defendants, etc.)
  - Indigent contract attorneys who translate for their clients
- **Should only the Statements of Inability to Afford Payments where a court interpreter was paid by the county be reported, or should all Statements of Inability to Afford Payments filed be reported?**
    - All Statements of Inability to Afford Payments filed should be reported.
  - **For the statement of inability to pay, should we report the number of parties or affidavits filed?**
    - Report the number of affidavits filed.