

WAC 110-03-0120 Interpreter qualifications. (1) OAH must provide a qualified interpreter pursuant to chapters 2.42 and 2.43 RCW to assist any LEP party or witness in a hearing.

(2) OAH may hire or contract with persons to interpret at hearings.

(3) Neither relatives of any party nor DCYF employees may be used as interpreters.

(4) The ALJ must make a determination at the beginning of the hearing, on the record, if an interpreter can accurately interpret all communication to and from the person requesting the service. This determination will be based on:

(a) The stated needs of the person with LEP;

(b) The interpreter's education, certifications, and experience in interpreting for contested cases or adjudicative proceedings;

(c) The interpreter's understanding of the basic vocabulary and procedures involved in the proceeding; and

(d) The interpreter's impartiality.

(5) The parties and their representatives may question the interpreter's qualifications and ability to be impartial.

(6) If, at any time before or during the hearing, the ALJ finds that the interpreter does not provide accurate and effective communication, OAH must provide another interpreter.

[Statutory Authority: RCW 34.05.220, 43.216.020, and 43.216.065. WSR 20-02-031, § 110-03-0120, filed 12/19/19, effective 1/19/20.]