
ENGROSSED SUBSTITUTE HOUSE BILL 1727

State of Washington

52nd Legislature

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By House Committee on Judiciary (originally sponsored by Representatives Appelwick, Jacobsen, Paris, Morton, Mielke, Brekke, Anderson, Forner, Day, Vance, R. Johnson and Wineberry).

Read first time March 6, 1991.

1 AN ACT Relating to interpreters; and amending RCW 2.42.110,
2 2.42.130, 2.42.160, and 2.42.170.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 2.42.110 and 1985 c 389 s 11 are each amended to read
5 as follows:

6 As used in this chapter, the following terms have the meanings
7 indicated unless the context clearly requires otherwise.

8 (1) "Hearing impaired person" means a person who, because of a
9 hearing impairment, cannot readily understand or communicate in spoken
10 language; and includes persons who are deaf, deaf and blind, or hard of
11 hearing.

12 (2) "Qualified interpreter" means ~~((an interpreter who is certified~~
13 ~~by the registry of interpreters for the deaf with the certificate level~~
14 ~~specified below and who meets the requirements of RCW 2.42.130.~~

1 ~~(a) For judicial proceedings involving a class A felony, use of the~~
2 ~~services of a qualified interpreter holding the specialist certificate~~
3 ~~legal is required.~~

4 ~~(b) For other judicial, quasi-judicial, or administrative~~
5 ~~proceedings, use of the services of a qualified interpreter holding the~~
6 ~~specialist certificate legal, master's comprehensive skills~~
7 ~~certificate, or comprehensive skills certificate is required.~~

8 ~~(c) For programs and activities other than judicial or~~
9 ~~administrative proceedings, the services of a qualified interpreter~~
10 ~~holding a partial certification shall be required. Efforts to obtain~~
11 ~~the services of a qualified interpreter holding the master's~~
12 ~~comprehensive certificate or comprehensive skills certificate shall be~~
13 ~~made before obtaining the services of a qualified interpreter holding~~
14 ~~the interpreting certificate and/or the transliterating certificate))~~
15 a visual language interpreter who is certified by the state or is
16 certified by the registry of interpreters for the deaf to hold the
17 comprehensive skills certificate or both certificates of interpretation
18 and transliteration.

19 ~~((4))~~ (3) "Intermediary interpreter" means a hearing impaired
20 interpreter who holds a reverse skills certificate by the state or is
21 certified by the registry of interpreters for the deaf with a reverse
22 skills certificate, who meets the requirements of RCW 2.42.130, and who
23 is able to assist in providing an accurate interpretation between
24 spoken and sign language or between variants of sign language by acting
25 as an intermediary between a hearing impaired person and a qualified
26 hearing interpreter.

27 ~~((5))~~ (4) "Appointing authority" means the presiding officer or
28 similar official of any court, department, board, commission, agency,
29 licensing authority, or legislative body of the state or of any
30 political subdivision.

1 **Sec. 2.** RCW 2.42.130 and 1985 c 389 s 13 are each amended to read
2 as follows:

3 (1) If a qualified interpreter for a hearing impaired person is
4 required, the appointing authority shall request a qualified
5 interpreter and/or an intermediary interpreter through the department
6 of social and health services, office of deaf services, or through any
7 community center for hearing impaired persons which operates an
8 interpreter referral service. The office of deaf services and these
9 community centers shall maintain an up-to-date list or lists of
10 interpreters that are certified by the state and/or by the registry of
11 interpreters for the deaf.

12 (2) The appointing authority shall make a preliminary
13 determination, on the basis of testimony or stated needs of the hearing
14 impaired person, that the interpreter is able in that particular
15 proceeding, program, or activity to interpret accurately all
16 communication to and from the hearing impaired person. If at any time
17 during the proceeding, program, or activity, in the opinion of the
18 hearing impaired person or a qualified observer, the interpreter does
19 not provide accurate, impartial, and effective communication with the
20 hearing impaired person the appointing authority shall appoint another
21 qualified interpreter. No otherwise qualified interpreter who is a
22 relative of any participant in the proceeding may be appointed.

23 **Sec. 3.** RCW 2.42.160 and 1985 c 389 s 16 are each amended to read
24 as follows:

25 (1) A qualified and/or intermediary interpreter shall not, without
26 the written consent of the parties to the communication, be examined as
27 to any communication the interpreter interprets under circumstances
28 where the communication is privileged by law.

1 (2) A qualified and/or intermediary interpreter shall not, without
2 the written consent of the parties to the communication, be examined as
3 to any information the interpreter obtains while interpreting
4 pertaining to any proceeding then pending.

5 **Sec. 4.** RCW 2.42.170 and 1985 c 389 s 17 are each amended to read
6 as follows:

7 A qualified and/or intermediary interpreter appointed under this
8 chapter is entitled to a reasonable fee for services, including waiting
9 time and reimbursement for actual necessary travel expenses. The fee
10 for services for interpreters for hearing impaired persons shall be in
11 accordance with standards established by the department of social and
12 health services, office of deaf services.