

WAC 388-02-0135 What requirements apply to interpreters? (1)

OAH must provide a qualified interpreter to assist any person who:

- (a) Has limited-English proficiency; and
- (b) Is a party or witness in a hearing.

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

(3) Relatives of any party and DSHS employees may not be used as interpreters.

(4) The ALJ must determine, at the beginning of the hearing, if an interpreter can accurately interpret all communication for the person requesting the service. To do so, the ALJ considers the interpreter's:

- (a) Ability to meet the needs of the hearing impaired person or limited English speaking person;
- (b) Education, certification and experience;
- (c) Understanding of the basic vocabulary and procedures involved in the hearing; and
- (d) Ability to be impartial.

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

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

[Statutory Authority: RCW 34.05.020. WSR 00-18-059, § 388-02-0135, filed 9/1/00, effective 10/2/00.]