

WAC 246-10-122 Interpreters for hearing or speech impaired persons and persons with limited-English proficiency. (1) A "hearing or speech impaired person" means a person who, because of a hearing or speech impairment, cannot readily understand or communicate in spoken language. A "hearing impaired person" includes a person who is deaf, deaf and blind, or hard of hearing.

(2) If a hearing or speech impaired person or person with limited-English proficiency is involved in an adjudicative proceeding and notifies the adjudicative clerk's office of the need for an interpreter, the presiding officer shall appoint an interpreter who is acceptable to the parties or, if the parties are unable to agree on an interpreter, the presiding officer shall select and appoint an interpreter.

(3) Before beginning to interpret, an interpreter shall take an oath or make affirmation that:

(a) A true interpretation will be made to the person using the interpreter of all the proceedings in a language or in a manner the person understands; and

(b) The interpreter will repeat the statements of the person using the interpreter to the presiding officer, in the English language, to the best of the interpreter's skill and judgment.

(4) When an interpreter is used in a proceeding:

(a) The interpreter shall interpret all statements made by other participants in the proceeding;

(b) The presiding officer shall ensure sufficient extra time is provided to permit interpretation; and

(c) The presiding officer shall ensure that the interpreter interprets the entire proceeding to the person using the interpreter so that the person has the same opportunity to understand the statements made as a person not requiring an interpreter.

(5) An interpreter appointed under this section is entitled to a reasonable fee for services, including waiting time and reimbursement for actual necessary travel expenses. The program shall pay the interpreter fee and expenses incurred for interpreters for license holders, applicants, or recipients of benefits. The party on whose behalf a witness requiring an interpreter appears shall pay for interpreter services for that witness.

(6) All proceedings must be conducted consistent with chapters 2.42 and 2.43 RCW.

[Statutory Authority: RCW 43.70.040, 34.05.220, 34.05.410, 18.130.050, and 34.05.413 through 34.05.476. WSR 18-18-049, § 246-10-122, filed 8/29/18, effective 9/29/18. Statutory Authority: RCW 18.155.040. WSR 97-12-089, § 246-10-122, filed 6/4/97, effective 7/5/97. Statutory Authority: RCW 43.70.040. WSR 93-13-005 (Order 369), § 246-10-122, filed 6/3/93, effective 7/4/93.]