

SERVICES TO PERSONS WITH COMMUNICATIONS DISABILITIES

Pursuant to the policy of the Judicial Conference, adopted in September 1995, the United States District Court for the District of Kansas has adopted the following procedures to be followed when providing services to persons with communications disabilities. These procedures are intended to comply with Volume I, Administrative Manual, Chapter III, General Management and Administration of the Guide to Judiciary Policies and Procedures, Part H. Guidelines for Providing Services to the Hearing-Impaired and Other Persons with Communications Disabilities.

“Each federal court is required to provide, at judiciary expense, sign language interpreters or other appropriate auxiliary aids and services to participants in federal court proceedings who are deaf, hearing-impaired, or have other communications disabilities.”

Participants in court proceedings include parties, attorneys, and witnesses. Court proceedings include trials, hearings, ceremonies and other public programs or activities conducted by a court.

The court will also provide a sign language interpreter or other appropriate auxiliary aid or service to a qualified juror with a communication disability.

Access Coordinators

The following individuals have been designated as access coordinators for their respective divisional offices:

Kansas City, Kansas:	Kim Leininger, Division Manager
Topeka, Kansas:	Brenda Wessel, Courtroom Deputy Clerk
Wichita, Kansas:	Jamie Haig, Division Manager

The name of each access coordinator, his/her office location, and phone number will be posted in the intake area of each respective divisional office. Access coordinators will have working knowledge of the types of auxiliary aids and services available to serve the needs of disabled persons and of the local sources from which auxiliary aids and services (including real time reporting) may be procured.

Auxiliary Aids and Services

The U.S. District Court for the District of Kansas currently has infrared systems at each location for use by persons with communications disabilities as follows:

Kansas City, Kansas	2 Portable infrared systems with 11 headsets
Topeka, Kansas	1 Portable infrared system with 6 headsets
Wichita, Kansas	1 Portable infrared system with 5 headsets for use in Judge Bostwick's Courtroom.

Infrared systems are installed in Senior Judge Brown's courtroom (4 headsets), Senior Judge Belot's courtroom (5 headsets), Judge Marten's courtroom (4 headsets) and Magistrate Judge Humphreys' courtroom (5 headsets).

Requests for the use of auxiliary aids and/or services for persons with communications disabilities must be made directly to the access coordinator as far in advance as possible of the court proceeding involved. At least a 24-hour notice is preferred. When such auxiliary aids or services are requested, access coordinators should relay the request directly to the courtroom deputy clerk assigned to the court proceeding involved. The courtroom deputy clerk will then proceed to make all logistical arrangements to procure the auxiliary aids or services requested.

Sign Language Interpreters

Guidelines for requesting sign language interpreters for court proceedings are attached and should be followed by the access coordinators when procuring these services.

Note: The Kansas Commission for the Deaf and Hard of Hearing (KCDHH) prefers a two week notice for scheduling an interpreter.

Real Time Reporting

If real time reporting is requested, the following reporting agencies are available to provide services to the Court:

Kansas City, Kansas: John Bowen & Associates, 816-421-2876
 Becky Ryder, 913-551-5645
 Teri Hallberg, 913-551-5647

Topeka, Kansas: Nora Lyon and Associates, 785-232-2545

Wichita, Kansas: Cindy Schwemmer, 316- 269-6363

Reporting Requirements

Whenever the Court makes an accommodation to an individual with a communications disability, regardless of whether any cost is entailed, the access coordinator shall complete the attached "Report of Services Provided to Persons with Communications Disabilities" and fax it to the Administrative Office, as indicated on the form.

GUIDELINES FOR PROCURING A SIGN LANGUAGE INTERPRETER

The Kansas Commission for the Deaf and Hard of Hearing (KCDHH) is an interpreter referral service available at no cost. They can arrange for interpreter services anywhere in Kansas. When a request for an interpreter is made, KCDHH staff will identify and select a qualified interpreter, and make the initial contact with the interpreter to schedule the appointment.

KCDHH recommends use of qualified, certified interpreters and will match interpreters with the appropriate skill level for the situation or appointment.

The process of transforming the spoken language into sign language and sign language into spoken language requires skill and stamina. The peak performance output for a sign language interpreter is 30 minutes, after which the efficiency level drops. For assignments lasting more than two hours, more than one interpreter should be used.

Fees are billed directly by the interpreter to the party responsible for payment for services. Fees usually range from \$30.00 to \$40.00 an hour and are based on the interpreter's experience and level of certification. Interpreters will normally bill for a two-hour minimum time period. Additional fees may be charged for mileage and parking, when appropriate.

To Schedule an Interpreter:

1. Call the KCDHH interpreter referral service at 785-368-8034 or 1-800-432-0698.
2. Schedule an interpreter as far in advance as possible. A two week notice is preferred.
3. The referral service will ask you to provide the following information:
 - a. service date, time and location,
 - b. estimated length of the appointment,
 - c. the name of the individual who is deaf or hard-of-hearing, and his/her preference for a particular sign language system or interpreter, if known,
 - d. the topic of the appointment, or the type of setting,
 - e. the contact person's name and phone number, and
 - f. billing information, including the party responsible for payment and purchase order numbers or special billing instructions, if needed
4. The interpreter referral service will notify the contact person when arrangements have been confirmed.
5. Prepare a Purchase Order for the services to be rendered by the interpreter. At the conclusion of the appointment, the interpreter should submit an invoice for payment.
6. Contact KCDHH to cancel or change an appointment. A 48-hour advance notice is required to avoid billing.

SIGN LANGUAGE INTERPRETERS

Certification Levels:

There are five levels of certification for interpreters as listed below. Only a **Level 5** certification is acceptable for use in civil or criminal trials.

LEVEL 1: NOVICE

Level one is used for one on one situations on a nontechnical basis where communication can be interrupted as needed for clarification and feedback. It is acceptable for limited voicing, limited ASL interpreting, stronger PSE or English transliterating. Novice is not recommended for legal, mental health, educational platform, medical or critical situations.

LEVEL 2: APPRENTICE

Level two is used for one-on-one situations where communication can be interrupted easily for clarification. It is acceptable for limited voicing, limited platform and limited group sessions. It is also acceptable for job applications, orientation sessions, basic tutoring, and non-technical medical exams. Level two is not recommended for legal, mental health, educational, serious medical or critical situations of any nature.

LEVEL 3: INTERMEDIATE - CERTIFIED

Level three is used for educational settings K-12 and higher education. It is not recommended for legal, mental health counseling, serious medical or critical situations.

LEVEL 4: ADVANCED - CERTIFIED

Level four is used for most situations. Discretion should be used based on situational factors, and preference or consumer's sign language system.

LEVEL 5: MASTERED - CERTIFIED

Level five is used for the majority of situations. It is recommended for legal, mental health counseling, and serious medical situations.

Types of Interpreting:

People who are deaf or hard-of-hearing use a variety of communication techniques depending on their individual situations and preferences. There are three types of interpreting as follows:

ASL - American Sign Language: a visual, gestural language in and of itself. It has its own grammar, syntax and idioms. It is as different from English as are Spanish, German and Chinese. ASL is recognized as a separate language.

SEE - Signed Exact English: this is not a language; it is a signing system based on the English language. In essence, SEE is a visual form of English. It is most commonly used by children with hearing loss, their parents and educators.

ORAL - Most commonly used by people with a significant hearing loss, but not generally deaf. This form of interpreting is simply mouthing or repeating the information clearly.

OATH FOR INTERPRETING FOR JURORS

Do you swear that you will accurately translate from the English language into the sign language understood by the juror, who is deaf, and from that language as used by the juror into the English language, and that during the deliberation of the jury, while present in the jury room, your communications with that juror and the other jurors will be limited to translating for the deaf juror what the other jurors say and for the others what the deaf juror says, so that you will not otherwise participate yourself in the jury's deliberations, and that you will keep secret all that you hear in the jury room unless ordered differently by the court or unless authorized by the deaf juror after the trial is finished to disclose anything he or she said during the deliberations.

**REPORT OF SERVICES PROVIDED TO
PERSONS WITH COMMUNICATIONS DISABILITIES**

Court (Division): _____

Type of court proceeding or activity: _____

Date(s) services provided: _____

Participant provided services (e.g. plaintiff): _____

Description of services provided: _____

Cost (if any): _____

Special problems encountered: _____

Other comments: _____

Official submitting report: _____

Phone number: _____

**Fax completed form (no cover sheet is necessary) to:
Kathleen Keeley Herndon
Court Administration Policy Staff
Administrative Office of the United States Courts
FAX #202-502-1022 VOICE #202-502-1206**