



United States Bankruptcy Court
Middle District of Florida

Memorandum from
Lee Ann Bennett
Clerk of Court



July 10, 2007

LANGUAGE INTERPRETERS
AND
SERVICES TO THE HEARING-IMPAIRED
AND OTHER PERSONS WITH
COMMUNICATIONS DISABILITIES

Policy

It is the policy of the Middle District of Florida Bankruptcy Court that reasonable accommodations are provided to persons who speak only or primarily a language other than English or who suffer from a hearing impairment.

Services

The Bankruptcy Court will provide a language interpreter for a participant in Bankruptcy Court proceedings only if the Government initiates the proceeding. In other cases, the parties are responsible for procuring a language interpreter and payment of the interpreter's compensation.

The Bankruptcy Court will provide, at Court expense, sign language interpreters and other appropriate auxiliary aid and services to participants in Bankruptcy Court proceedings who are deaf, hearing impaired, or have other communications disabilities. The Bankruptcy Court will give consideration to participant's choice of auxiliary aid or services.

- "Auxiliary aids and services" include qualified sign language interpreters, assisted listening devices or systems, or other effective methods of making aurally delivered materials available to individuals with hearing impairments.
- "Participants" in court proceedings include parties, attorneys, and witnesses. The services are not required to be provided for spectators although the Court may elect to do so in situations where it is determined to be appropriate such as providing an interpreter for a deaf spouse of a debtor so that the spouse may follow the course of the hearing.
- "Court proceedings" include trials, hearings, ceremonies, and other public programs or activities conducted by the Court. Section 341 meetings are convened by the United States Trustee and are not considered court proceedings. The United States Trustee's office should be contacted if services are required at a Section 341 meeting.
- "Primary Consideration" means that the Court will honor a participant's choice of auxiliary aid or service, unless the Court can show that another equally effective means of communication is available, or that the use of the means chosen would result in a fundamental alteration in the nature of the court proceeding or in undue financial or administrative burden.

Jurors

Prospective jurors who speak only or primarily a language other than English are disqualified for service as a juror. The determination of whether a prospective juror with communications disability is legally qualified to serve as a juror is covered under the Jury Selection and Service Act. If an individual with a communications disability is found so qualified, a sign language interpreter or other appropriate auxiliary aid or service will be provided.

Requests for Services

The Clerk of Court has the overall responsibility to ensure interpreter services are available when requested and properly authorized. The Deputy-in-Charge will serve as the access coordinator for the respective Division of the Court. All requests for interpreter services must be made in writing to the applicable division Deputy-in-Charge and received at least ten (10) calendar days prior to the scheduled court proceeding, specifying the nature of the request, e.g. request is for auxiliary aid, the request is for the services of a sign language interpreter. No other person or party is authorized to accept such requests or to contract for such interpreter services. Address and facsimile information may be found on the Court's website (<http://www.flmb.uscourts.gov>) or by contacting the appropriate Deputy-in-Charge at the number listed below.

Jacksonville
(904) 301-6500

Orlando
(407) 648-6365 ext 6855

Tampa
(813) 301-5037

Cancellation of Services

Should events occur which require the cancellation of requested services, the requesting party shall be responsible for providing such notification to the Deputy-in-Charge at least two working days in advance. Failure to properly notify the Deputy-in-Charge of a cancellation of a request may result in the requesting party bearing the cost of cancellation.

Lee Ann Bennett
Clerk of Court

cc: Chief Judge Paul M. Glenn
Chief Deputy
Deputies-in-Charge
Budget Manager
Bankruptcy Bar Associations