

Language Interpreters and Services to the Hearing-Impaired and Other Persons with Communications Disabilities

Docketing Event

N/A

Negative Notice: N/A

Accompanying Orders: N/A

Code and Rule References:

[28 U.S.C. § 1827\(d\)\(1\)](#)

Fee: N/A

Applicable Chapters: 7, 11, 12, 13

Implemented: 10/26/2017

Last Revision: 10/26/2017 11:16:53 AM

Description

It is the policy of the United States Bankruptcy Court for the Middle District of Florida 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

- **Language Line Services:** A telephonic interpreter language line service is available to all parties in the courtroom for non-evidentiary hearings like status conferences, pretrial conferences, and reaffirmation agreement hearings. The service offers translation in over 240 languages. It is unnecessary for parties to prearrange for this service. However, parties may wish to do so by calling the Courtroom Deputy assigned to the presiding judge before the hearing.
- **In-Person Interpreter Services:** For interpreters beyond the Language Line Services, the Court will provide an in-person language interpreter only if the Government initiates the proceeding. 28 U.S.C. § 1827(d)(1) (2012). In other cases, the parties will have to obtain a language interpreter and pay the interpreter's compensation.
- **Sign Language Services:** The Court will provide and pay for sign language interpreters, auxiliary aids, and other auxiliary services to participants in proceedings who are deaf, hearing impaired, or have other communications disabilities. The Court considers a participant's primary 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 for spectators. The Court may elect to provide these services where it is

determined to be appropriate like providing an interpreter for a deaf spouse of a debtor so the spouse may follow along during the hearing.

- “Court proceedings” include trials, hearings, ceremonies, and other public programs or activities conducted by the Court. The United States Trustee convenes Section 341 meetings. Section 341 meetings are not considered court proceedings. Contact the United States Trustee’s office if services are required at a Section 341 meeting.
 - The Court will honor a participant’s choice of auxiliary aid or service unless the Court can show (1) another equally effective means of communications is available, (2) using the means chosen would cause a fundamental alteration in the nature of the court proceeding, or (3) an undue financial or administrative burden.
- **Jurors:** Prospective jurors who speak only or primarily a language other than English are disqualified from service as a juror. The Jury Selection and Service Act covers the determination of whether a prospective juror with a communications disability is legally qualified to serve as a juror. If an individual with a communications disability is found so qualified, a sign language interpreter or other auxiliary aid or service will be provided.

Requests for Services

The Clerk of Court must 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.

- **Language Line Services:** It is unnecessary for parties to prearrange for this service; however, parties may wish to do so by calling the Courtroom Deputy assigned to the presiding judge prior to the day of the hearing.
- **In-Person Interpreter Services (including Sign Language)** - All requests for in-person interpreter services must be made in writing to the Deputy-in-Charge and received at least fourteen (14) calendar days before the scheduled court proceeding. The request must be specific (for example, spell out if the request is for an auxiliary aid, the services of a sign language interpreter, etc.). No other person or party may accept such requests or contract for such interpreter services. Address and facsimile information is available 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
 - Tampa, Orlando, and Fort Myers (407) 237-8055

Cancellation of Services

Should events occur that require the cancellation of requested in-person interpreter services, the requesting party must notify the appropriate Deputy-in-Charge at least two working days in advance. Failure to notify the Deputy-in-Charge of a cancellation of a request for services may cause the requesting party to bear the cost of cancellation.