



Michigan Supreme Court

State Court Administrative Office
Michigan Hall of Justice
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Jennifer Warner
Director

MEMORANDUM

DATE: July 21, 2016

TO: Judges
Court Administrators
Probate Registers
County Clerks

FROM: Robin Eagleson, Management Analyst

RE: Americans with Disabilities Act: ASL Interpreter Policies

On [March 3, 2016](#), courts were notified of the new policies and procedures for American Sign Language (ASL) Interpreters, and on July 20, 2016, the Michigan Supreme Court and the Michigan Department of Civil Rights (MDCR) announced the new rules for ASL interpreters that affect all courts, hospitals, law, and medical offices in Michigan¹.

Effective July 7, 2016, qualified interpreters who work in legal settings must have a valid legal endorsement from the MDCR-Division of Deaf, Deaf-Blind, and Hard of Hearing. A valid deaf-blind endorsement is also required in circumstances where the individual is deaf-blind.

The [MDCR's policies and procedures](#) document outlines the requirements of a qualified interpreter as mandated by the Deaf Persons' Interpreters Act. To be considered qualified, the interpreter must:

1. Possess a valid state-issued certification granted by the division or a valid national certification granted by the Registry of Interpreters for the Deaf (RID).
 - o Certification requirements for court ASL interpreters may be found on page seven of the [policies and procedures for certified interpreters](#) document.

¹ The Michigan Supreme Court's press release may be found at http://courts.mi.gov/News-Events/press_releases/Documents/ASL%20Rules%20Media%20Release.pdf. The Michigan Department of Civil Rights' announcement may be found at <http://www.michigan.gov/mdcr/0,4613,7-138-4952-389155--,00.html>.

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2. Be listed on the [Michigan Online Interpreter System](#) and possess a valid Michigan certification card.
3. Comply with standard level requirements, educational, and/or endorsement requirements when accepting interpreting assignments.
 - Courts and attorneys are listed as a standard level 3. Certification and endorsement requirements for level 3 may be found on page seven of the [policies and procedures for certified interpreters](#) document.
4. Ensure effective communication is achieved.

A court that provides a properly credentialed interpreter is presumed to have met their legal obligations unless the interpreter is shown to be ineffective. A court shall not provide an interpreter who does not have the appropriate credentials UNLESS it can establish that it was the most effective communication accommodation available in the particular circumstance.

We recommend that all ADA coordinators review the ASL interpreter policies for further information. The policies and procedures document as well as other relevant information may be found at <http://courts.mi.gov/Administration/admin/op/access/Pages/americans-with-disabilities-act.aspx>.

If you have any questions regarding the above information, please contact Robin Eagleson at 517-373-5542 or Jim Inloes at 517-373-0122, or e-mail TrialCourtServices@courts.mi.gov.