

## **NOTICE TO THE BAR**

### **Assessment of Interpreter Fees by the Court - Vicinage 3 - Burlington County Superior Court**

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Vicinage 3 will be enforcing the assessment of interpreter fees to an attorney or self-represented litigant when unnecessary interpreting costs are incurred by the Court as set forth in Administrative Directive #3-04 issued by the Administrative Director of the Courts, promulgating the Interpreting Standards as approved by the Judicial Council. Specifically, Standard 1.4 issued on March 22, 2004, details the following:

#### **“Standard 1.4. Reimbursement of expenses for interpreting services.**

The judiciary may seek reimbursement when it incurs actual expense for interpreting services:

- that could have been avoided but for the failure of a party or an attorney to give reasonable attention to the matter; or
- that an attorney or a pro se litigant requests but fails to use during a court event.

#### **Comment:**

This standard has already become a de facto standard in many vicinages and points out the need for attorneys and litigants to be responsible in their use of public funds expended for interpreting services. In its use of the criterion, “failure . . . to give reasonable attention,” the standard parallels the language of New Jersey Court Rule 1:2-4, which delineates sanctions for attorneys who fail to appear for a court proceeding.

Examples of the types of events that might trigger a shifting of incurred interpreting costs to a party:

- requesting an interpreter, then not giving the judiciary sufficient advance notice that the interpreter is no longer needed, despite having such advance notice, or
- requesting an interpreter, then failing to appear with no legitimate excuse for such failure to appear.”

Date: March 10, 2005

Hon. John A. Sweeney

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