

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 SENATE BILL 626

By: Sharp

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5
6 AS INTRODUCED

7 An Act relating to courtroom interpreters; amending
8 20 O.S. 2011, Sections 1701, 1702, 1703, 1704, 1705,
9 1706, 1707, 1708 and 1710, which relate to State
10 Board of Examiners of Certified Courtroom
11 Interpreter, Board duties and powers, certification,
12 continuing education, fees, C.C.I. abbreviation and
13 service of non-certified persons; modifying
14 requirements for service on Board; modifying powers
15 and duties of Board; modifying requirements for
16 certain examination; requiring promulgation of
17 certain rules; requiring certain training;
18 establishing qualifications for certain candidates;
19 authorizing adjustment of certain examinations and
20 scores; adding procedures for certain certification
21 or registration; authorizing certain record checks;
22 requiring fee for certain background checks;
23 authorizing maintenance of certain registry;
24 modifying requirements for certain continuing
education; authorizing application by persons with
equivalent certification; requiring payment of
certain fees; modifying use of State Judicial
Revolving Fund for specified expenses; clarifying
eligibility for use of certain abbreviations;
directing appropriate use of services of lesser
credentialed persons; modifying definition; amending
28 O.S. 2011, Section 152, as last amended by Section
3, Chapter 362, O.S.L. 2016 (28 O.S. Supp. 2016,
Section 152), which relates to flat fee schedule;
modifying permissible expenditures from certain Fund;
and providing an effective date.

1 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

2 SECTION 1. AMENDATORY 20 O.S. 2011, Section 1701, is
3 amended to read as follows:

4 Section 1701. A. There is hereby created the State Board of
5 Examiners of Certified Courtroom Interpreters which shall consist of
6 five (5) members, four of whom shall be certified courtroom
7 interpreters and at least one of whom shall be a qualified
8 interpreter as defined in Section 2408 of Title 63 of the Oklahoma
9 Statutes, at least one of whom shall be certified in Spanish, and at
10 least one of whom shall be certified in Vietnamese. The Board shall
11 also consist of one member who shall be a licensed attorney or judge
12 and who shall not be required to be a certified courtroom
13 interpreter ~~or translator~~. The members shall be persons who have
14 been, for at least two (2) years prior to their appointment to the
15 Board, residents of this state and, except for the attorney or judge
16 member, certified courtroom interpreters. All members shall be
17 appointed by the Chief Justice of the Supreme Court and shall serve
18 in staggered terms, each for a period of five (5) years except for
19 the initial appointees who shall serve terms pursuant to subsection
20 B of this section. ~~No member may serve more than two terms in~~
21 ~~succession~~. The Board shall elect from its membership a chair and a
22 secretary. Three members shall constitute a quorum. The Board may
23 adopt a seal for its official use. All actions of the Board shall
24 be supervised by the Supreme Court and be subjected to approval by

1 the Court. All members shall be required to maintain their
2 certification during their time on the Board. The Chief Justice may
3 authorize other individuals to serve as Board members upon
4 recommendation of the Board that it is in the best interest of the
5 court interpreter credentialing program to do so.

6 B. The initial members of the Board shall serve as follows:

7 1. The members constituting the initial Board under ~~this act~~
8 Sections 1701 through 1710 of this title shall be certified as a
9 courtroom interpreter ~~or translator~~ in another state or under the
10 federal system ~~until obtaining, during their first year of service,~~
11 ~~certification in this state~~ or shall be other individuals appointed
12 by the Chief Justice; and

13 2. The initial appointees shall serve for staggered terms: one
14 member shall serve for one (1) year, one member shall serve for two
15 (2) years, one member shall serve for three (3) years, one member
16 shall serve for four (4) years, and one member shall serve for five
17 (5) years. Thereafter, all terms shall be for five (5) years.

18 SECTION 2. AMENDATORY 20 O.S. 2011, Section 1702, is
19 amended to read as follows:

20 Section 1702. A. The State Board of Examiners of Certified
21 Courtroom Interpreters shall:

22 1. Determine and establish levels of recognized courtroom
23 ~~interpreter or translator certifications and specialization~~
24 ~~certificates~~ credential in this state, including but not limited to

1 certified and registered courtroom interpreters, to meet the needs
2 of a variety of court proceedings, as the Board deems necessary and
3 appropriate;

4 2. Conduct preliminary investigations to determine the
5 qualifications of applicants seeking to attain ~~the status of~~
6 ~~certified~~ an Oklahoma courtroom interpreter ~~or translator~~
7 credential;

8 3. Conduct at least once a year, at a place and time to be
9 published by reasonable notice as directed by the Supreme Court, ~~an~~
10 ~~examination~~ the training program and examinations required of those
11 persons who seek to attain ~~the status of certified~~ an Oklahoma
12 courtroom interpreter ~~or translator~~ credential, or contract for such
13 ~~examination~~ training program and examinations. The Board shall also
14 include an examination of interpreter ~~or translator~~ ethics as a
15 condition of attaining ~~the status of certified~~ an Oklahoma courtroom
16 interpreter ~~or translator~~ credential;

17 4. Recommend to the Supreme Court for official enrollment as
18 certified or registered courtroom interpreter or ~~translator~~ other
19 recognized levels of interpreter credential those persons who, on
20 their ~~examination~~ examinations, have established the requisite
21 proficiency as set forth in the Board's rules and Section 3 1703 of
22 this ~~act~~ title;

23 5. Conduct proceedings, on reasonable notice, the object of
24 which are to recommend to the Supreme Court the suspension,

1 cancellation, revocation, or reinstatement of the enrollment of a
2 certified courtroom interpreter ~~or translator or of the status of~~
3 ~~any acting courtroom interpreter or translator, regular or~~
4 ~~provisional~~, on the following grounds:

- 5 a. a final conviction of a criminal offense involving
6 moral turpitude,
- 7 b. misrepresentation in obtaining ~~license~~ an Oklahoma
8 courtroom interpreter credential,
- 9 c. any violation of or noncompliance with any rule or
10 directive of the Supreme Court, including but not
11 limited to the Code of Professional Responsibility for
12 Interpreters in the Oklahoma Courts,
- 13 d. fraud, gross incompetence, or gross or habitual
14 neglect of duty,
- 15 e. misrepresentation of credential level or status while
16 engaging in the practice of courtroom interpreting in
17 a court of this state ~~or translating using a method~~
18 ~~for which the interpreter or translator is not~~
19 ~~certified~~ accepting payment from the court at an
20 hourly rate greater than the rate authorized for the
21 level of credential held by the interpreter,
- 22 f. engaging in the practice of courtroom interpreting or
23 translating in a court of this state while
24 certification is suspended,

1 g. ~~nonpayment of renewal dues~~ failure to renew credential
2 pursuant to rules of the Board, or

3 h. failure to annually complete at least eight (8) hours
4 of continuing education approved by the State Board of
5 Examiners of Courtroom Interpreters;

6 6. Adopt, with the approval of the Supreme Court, examination
7 standards and rules governing enrollment, discipline, suspension,
8 cancellation, and revocation proceedings and any other matter within
9 the Board's cognizance; and

10 7. Keep a current roll of registered and certified courtroom
11 interpreters and a file on all disciplined registered and certified
12 courtroom interpreters, ~~official or unofficial, regular or~~
13 ~~provisional.~~

14 B. In all hearings or investigations on revocation,
15 cancellation, or suspension of enrollment, each Board member shall
16 be empowered to administer oaths or affirmations, subpoena
17 witnesses, and take evidence anywhere in the state, after giving
18 reasonable notice to the party whose status is sought to be
19 affected.

20 C. If the Board establishes additional levels of Oklahoma
21 courtroom interpreter credential, the Board shall exercise all
22 related powers and duties as set forth in this section.

23 SECTION 3. AMENDATORY 20 O.S. 2011, Section 1703, is
24 amended to read as follows:

1 Section 1703. A. Every applicant who seeks to be examined for
2 enrollment as a certified or registered spoken language courtroom
3 interpreter ~~or translator~~ shall prove to the satisfaction of the
4 State Board of Examiners of Courtroom Interpreters that he or she:

5 1. Is of legal age;

6 2. Meets the requisite standards of ethical fitness as
7 established by the Board pursuant to the recommendation of the State
8 Ethics Commission; and

9 3. Has at least a high school education or its equivalent.

10 B. ~~The examination for certification for the level for which~~
11 ~~applied in one or more authorized methods or languages of courtroom~~
12 ~~interpreting or translating shall consist of three parts, designated~~
13 ~~as Part 1, Part 2, and Part 3 as follows:~~

14 ~~1. Part 1 consists of proof of having passed the Oklahoma~~
15 ~~Courtroom Interpreter Examination for the level for which the~~
16 ~~individual has applied or an equivalent test as authorized by the~~
17 ~~Supreme Court consisting of the following requirements:~~
18 ~~demonstrated proficiency in interpreting or translating from the~~
19 ~~source language to the target language at a level of at least eighty~~
20 ~~percent (80%) proficiency, and demonstrated proficiency in~~
21 ~~interpreting or translating from the target language to the source~~
22 ~~language at a level of at least eighty percent (80%) proficiency.~~
23 ~~This test shall include legal terminology and shall involve~~
24 ~~scenarios related to courtroom interpreting or translating such as~~

1 ~~opening statements, closing arguments, witness examinations, and~~
2 ~~evidence translation;~~

3 ~~2. Part 2 consists of a written exam of not less than twenty-~~
4 ~~five multiple choice questions relating to the ethical~~
5 ~~responsibilities of courtroom interpreters; and~~

6 ~~3. Part 3 is the Oklahoma Written Knowledge Test for Courtroom~~
7 ~~Interpreters which consists of not less than twenty-five multiple~~
8 ~~choice questions relating to Oklahoma law and court rules, duties of~~
9 ~~courtroom interpreters, and general court procedure. The~~
10 ~~examination shall be approved by the Supreme Court. A person who~~
11 ~~has tested with the Board and successfully completed the written~~
12 ~~knowledge portion of the examination shall be allowed to retain the~~
13 ~~credit for that portion for one (1) year from the date passed, and~~
14 ~~shall not be required to retake that portion during the one-year~~
15 ~~period~~ The Board shall promulgate rules establishing interpreter
16 credentialing standards and requiring the use of oral and written
17 interpreter examinations consistent with nationally recognized state
18 court interpreter certification standards, including but not limited
19 to those developed through the National Center for State Courts
20 language access programs. Candidates shall be required to attend a
21 training program approved by the Board, and shall be required to
22 establish their proficiency in English and in the foreign language
23 through the written and oral examinations required by the Board.
24

1 1. A candidate seeking to become a registered courtroom
2 interpreter shall:

3 a. complete a courtroom interpreter orientation program
4 conducted or sponsored by the Board which shall
5 educate the candidate about interpreting in the
6 Oklahoma courts, interpreter skills development,
7 courtroom procedure and decorum, legal terminology,
8 methods and modes of interpretation and interpreter
9 ethics and professionalism,

10 b. successfully pass the court interpreter Written
11 English Examination approved by the Board with a score
12 of eighty percent (80%) or better in order to
13 demonstrate the candidate's knowledge of three areas
14 central to the work of a court interpreter (1) the
15 English language, including language comprehension,
16 vocabulary, synonyms, antonyms and idioms; (2) court-
17 related terms and usage, including legal terminology
18 and court procedures; and (3) interpreter ethics and
19 professional conduct,

20 c. establish basic proficiency in the foreign language by
21 successfully passing either an oral proficiency
22 interview or a written translation examination for the
23 foreign language being tested, as specified by the
24 Board, and

1 d. agree in writing to be bound by the Code of
2 Professional Responsibility for Courtroom Interpreters
3 in Oklahoma;

4 2. A candidate seeking to become a certified courtroom
5 interpreter shall:

6 a. be currently enrolled as a registered courtroom
7 interpreter in this state in accordance with the
8 Board's rules and examination standards, and

9 b. successfully pass the court interpreter oral
10 examination authorized by the Board for the language
11 being certified with an overall score of seventy
12 percent (70%) or better in each of the sections of the
13 exam in order to demonstrate the candidate possesses
14 the requisite degree of skill and ability in all three
15 modes of interpreting: simultaneous interpreting,
16 consecutive interpreting and sight translation;

17 3. The Board may adjust the examinations and the scores
18 required to pass each of the interpreter examinations in this state
19 in order to maintain equivalency with the nationally recognized
20 interpreter credentialing standards and maximize the reciprocity
21 between Oklahoma's interpreter credentialing program and other state
22 and national credentialing programs. For languages in which a
23 recognized three-part oral exam is unavailable, the Board may
24 authorize an abbreviated oral examination from the National Center

1 for State Courts, or other approved entity, if one is available. If
2 no abbreviated oral examination is available, the Board may, at its
3 discretion, recognize other oral proficiency examinations or
4 interviews on a per-language basis.

5 C. An applicant who is academically dishonest when taking any
6 authorized examination is disqualified and may not take the
7 examination again until five (5) years have elapsed from the date of
8 the examination at which the applicant is disqualified.

9 ~~D. A certification issued under this section must be for one or~~
10 ~~more of the following methods of courtroom interpreting or~~
11 ~~translating:~~

12 ~~1. Translation of written text;~~

13 ~~2. Interpretation of spoken words; or~~

14 ~~3. Any other method of interpreting or translating authorized~~

15 by the Supreme Court All applicants who satisfy the credentialing
16 requirements set forth in this section and in the Board's rules and
17 have otherwise been found and approved by the Board to be fit and
18 proper persons shall be recommended by the Board to the Supreme
19 Court for official enrollment as certified or registered courtroom
20 interpreters. Any individual enrolled as a certified or registered
21 courtroom interpreter is qualified to engage in the translation of
22 written text and the interpretation of spoken words in the courts of
23 this state.

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1 E. ~~Effective January 1, 2006, no person may engage in courtroom~~
2 ~~interpreting or translating unless the person is a certified~~
3 ~~courtroom interpreter or translator; provided, however, nothing~~
4 ~~shall preclude the Board from issuing provisional certificates~~
5 ~~pursuant to its rules~~ In district court proceedings, the court shall
6 endeavor to obtain the services of a courtroom interpreter with the
7 highest available level of credential prior to accepting services of
8 an interpreter with lesser credential and skill, pursuant to the
9 requirements set forth in the Rules of the Supreme Court and Section
10 1710 of this title.

11 F. In determining whether an applicant meets the requisite
12 standards of ethical fitness as set forth in this section, the Board
13 is authorized to conduct a criminal history record check, including
14 but not limited to a criminal history record check through the
15 Oklahoma State Bureau of Investigation (OSBI), or a national
16 criminal history record check through the Federal Bureau of
17 Investigation (FBI) pursuant to Section 150.9 of Title 74 of the
18 Oklahoma Statutes or other applicable statute. This paragraph is
19 specifically intended to provide the statutory authority required by
20 the OSBI and FBI to provide criminal history background check
21 services and information to the Board for this purpose. Applicants
22 shall furnish all releases, authorizations, fingerprints or other
23 items necessary to enable the Board to conduct the background check.

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1 The Board shall charge the applicant a fee in an amount approved by
2 the Supreme Court for the background check.

3 G. The Board may maintain a registry of certified interpreters
4 for the deaf and hard-of-hearing to serve as qualified legal
5 interpreters pursuant to the provisions of Section 2408 of Title 63
6 of the Oklahoma Statutes. Applicants shall establish to the
7 satisfaction of the Board that they hold at least one of the sign
8 language interpreting credentials which the Board deems appropriate
9 for interpreting in the courts of this state, and shall satisfy the
10 registration requirements as set forth in the rules of the Board.

11 SECTION 4. AMENDATORY 20 O.S. 2011, Section 1704, is
12 amended to read as follows:

13 Section 1704. A. Every registered or certified courtroom
14 ~~interpreter or translator and every courtroom interpreter or~~
15 ~~translator temporarily employed by a court of competent jurisdiction~~
16 shall annually complete at least eight (8) hours of continuing
17 education approved by the State Board of Examiners of Courtroom
18 Interpreters, which shall include at least two (2) hours which
19 relate to Oklahoma court rules and procedures or interpreter ethics.

20 B. A certified courtroom interpreter ~~or translator~~ is exempt
21 from the requirement of subsection A of this section if the
22 interpreter ~~or translator~~ verifies under oath to the State Board of
23 Examiners of Certified Courtroom Interpreters that such person:
24

1 1. Is a member of the armed forces on full-time active duty
2 which has prevented the court interpreter from completing continuing
3 education during the ~~entire~~ calendar year for which the interpreter
4 or translator seeks an exemption; or

5 2. Has provided written verification by a licensed physician
6 that a medical condition has prevented the court interpreter ~~or~~
7 ~~translator~~ from working in such capacity and completing continuing
8 education for the calendar year for which the interpreter ~~or~~
9 ~~translator~~ seeks an exemption.

10 SECTION 5. AMENDATORY 20 O.S. 2011, Section 1705, is
11 amended to read as follows:

12 Section 1705. A person holding a ~~license from another state or~~
13 federal certification which is deemed by the State Board of
14 Examiners of Certified Courtroom Interpreters to be equivalent to
15 that of an Oklahoma certified courtroom interpreter ~~or translator~~
16 may apply to be enrolled without examination as an Oklahoma
17 certified courtroom interpreter ~~or translator~~ upon payment of fees
18 established by the Board, and satisfying the Board that such
19 person's credentials are in proper order ~~and that he or she is a~~
20 ~~resident of Oklahoma. The court may utilize a person certified in~~
21 ~~another state to serve as an interpreter or translator for a~~
22 ~~particular case provided such person has registered in accordance~~
23 ~~with the rules of the Board.~~

1 SECTION 6. AMENDATORY 20 O.S. 2011, Section 1706, is
2 amended to read as follows:

3 Section 1706. A person holding a ~~license~~ certification from a
4 national entity which is deemed by the State Board of Examiners of
5 Certified Courtroom Interpreters to be equivalent to that of an
6 Oklahoma certified courtroom interpreter ~~or translator~~ may apply to
7 be enrolled without examination as an Oklahoma certified courtroom
8 interpreter ~~or translator~~ upon payment of fees established by the
9 Board with the approval of the Supreme Court and satisfying the
10 Board that such person's credentials are in proper order ~~and that he~~
11 ~~or she is a resident of Oklahoma.~~

12 SECTION 7. AMENDATORY 20 O.S. 2011, Section 1707, is
13 amended to read as follows:

14 Section 1707. A. The State Board of Examiners of Certified
15 Courtroom Interpreters shall annually set and publish a fee schedule
16 with approval of the Supreme Court.

17 B. All fees authorized to be charged shall be paid to the Clerk
18 of the Supreme Court who shall deposit such fees in the State
19 Judicial Revolving Fund. The Chief Justice shall be authorized to
20 draw against the ~~Supreme Court~~ State Judicial Revolving Fund such
21 amounts as are lawfully claimed by the Board for its necessary
22 supplies and expenses and for expenses lawfully incurred in the
23 operation of the Oklahoma courtroom interpreter credentialing
24 program. When performing essential duties, each Board member shall

1 be entitled to such member's expenses pursuant to the State Travel
2 Reimbursement Act and shall receive, in addition thereto, the sum of
3 One Hundred Dollars (\$100.00) for each full day of service or a
4 fraction thereof for less than a day's service or any other amount
5 that is established by the Legislature.

6 SECTION 8. AMENDATORY 20 O.S. 2011, Section 1708, is
7 amended to read as follows:

8 Section 1708. The Board may adopt rules establishing different
9 levels of courtroom interpreter certifications recognized in the
10 courts of this state, including certified courtroom interpreters and
11 registered courtroom interpreters. Every person enrolled as a
12 certified courtroom interpreter ~~or translator~~ shall be entitled to
13 use the abbreviation C.C.I. after his or her name. Every person
14 enrolled as a registered courtroom interpreter shall be entitled to
15 use the abbreviation R.C.I. after his or her name. Courtroom
16 interpreters holding a provisional ~~certification~~ status do not hold
17 an official certification, and shall not be allowed the use of the
18 abbreviation. Certified and registered courtroom interpreters shall
19 be authorized to interpret ~~or~~ spoken words and translate written
20 text in all proceedings related to the case to which he or she has
21 been assigned.

22 SECTION 9. AMENDATORY 20 O.S. 2011, Section 1710, is
23 amended to read as follows:

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1 Section 1710. In district court proceedings, the court shall
2 endeavor to obtain the services of a courtroom interpreter with the
3 highest available level of credential prior to accepting services of
4 an interpreter with lesser credential and skill. Certified
5 courtroom interpreters have the highest recognized level of
6 credential in this state, and registered courtroom interpreters have
7 the next highest level. When good cause is shown and the court has
8 determined that it would not be practical, within a reasonable time
9 frame, to secure the services of an individual certified under ~~this~~
10 ~~act~~ Sections 1701 through 1710 of this title, the court may utilize
11 the services of a ~~non-certified person~~ registered courtroom
12 interpreter. When good cause is shown and the court has determined
13 that it would not be practical, within a reasonable time frame, to
14 secure the services of a registered courtroom interpreter, the court
15 may utilize the services of a provisional interpreter or other
16 person who does not hold a certified or registered credential. If
17 the Board establishes additional levels of qualified interpreters,
18 the court shall follow the recognized hierarchy of credential when
19 endeavoring to obtain interpreter services. For purposes of this
20 section, "good cause" means that due to the nature of the hearing,
21 and time being of the essence, the securing of a certified or
22 registered interpreter ~~or translator~~ would not be possible due to
23 the time, distance, or availability of a certified or registered
24 interpreter ~~or translator~~. The court shall make a specific finding

1 as to the good cause for the emergency circumstances. In addition,
2 the ~~non-certified~~ non-credentialed person shall have reasonably
3 demonstrated to the court and the parties such person's proficiency
4 for the purposes of that hearing. It is also mandatory that the
5 proceedings are audio taped, and in the event of deaf or hard of
6 hearing individuals, audio and video taped. The recording shall be
7 labeled and remain an official part of the record.

8 SECTION 10. AMENDATORY 28 O.S. 2011, Section 152, as
9 last amended by Section 3, Chapter 362, O.S.L. 2016 (28 O.S. Supp.
10 2016, Section 152), is amended to read as follows:

11 Section 152. A. In any civil case filed in a district court,
12 the court clerk shall collect, at the time of filing, the following
13 flat fees, none of which shall ever be refundable, and which shall
14 be the only charge for court costs, except as is otherwise
15 specifically provided for by law:

- 16 1. Actions for divorce, alimony without
17 divorce, separate maintenance, custody or
18 support.....\$183.00
- 19 2. Any ancillary proceeding to modify or
20 vacate a divorce decree providing for
21 custody or support.....\$43.00
- 22 3. Probate and guardianship.....\$135.00
- 23 4. Annual guardianship report.....\$33.00

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- 1 5. Any proceeding for sale or lease of real or
- 2 personal property or mineral interest in
- 3 probate or guardianship.....\$43.00
- 4 6. Any proceeding to revoke the probate of a
- 5 will.....\$43.00
- 6 7. Judicial determination of death.....\$58.00
- 7 8. Adoption.....\$105.00
- 8 9. Civil actions for an amount of Ten Thousand
- 9 Dollars (\$10,000.00) or less and
- 10 condemnation.....\$150.00
- 11 10. Civil actions for an amount of Ten
- 12 Thousand One Dollars (\$10,001.00) or more\$163.00
- 13 11. Garnishment.....\$23.00
- 14 12. Continuing wage garnishment.....\$63.00
- 15 13. Any other proceeding after judgment.....\$33.00
- 16 14. All others, including but not limited to
- 17 actions for forcible entry and detainer,
- 18 judgments from all other courts, including
- 19 the Workers' Compensation Court.....\$85.00
- 20 15. Notice of renewal of judgment.....\$23.00

21 B. In addition to the amounts collected pursuant to paragraphs
 22 1, 3, 7, 8, 9, 10 and 14 of subsection A of this section, the sum of
 23 Six Dollars (\$6.00) shall be assessed and credited to the Law
 24 Library Fund.

1 C. In addition to the amounts collected pursuant to subsections
2 A and B of this section, the sum of Twenty-five Dollars (\$25.00)
3 shall be assessed and credited to the Oklahoma Court Information
4 System Revolving Fund created pursuant to Section 1315 of Title 20
5 of the Oklahoma Statutes.

6 D. In addition to the amounts collected pursuant to subsection
7 A of this section, the sum of Five Dollars (\$5.00) shall be assessed
8 and credited to the Oklahoma court-appointed special advocates
9 (OCASA).

10 E. In addition to the amounts collected pursuant to subsection
11 A of this section, the sum of Two Dollars (\$2.00) shall be assessed
12 and credited as follows:

13 1. One Dollar and fifty-five cents (\$1.55) of such amount shall
14 be credited to the Council on Judicial Complaints Revolving Fund;
15 and

16 2. Forty-five cents (\$0.45) of such amount shall be credited to
17 the State Judicial Revolving Fund ~~to be used to reimburse district~~
18 ~~courts for expenses related to services of interpreters and~~
19 ~~translators. Vouchers for such expenses shall be submitted by the~~
20 ~~district court~~ and may be budgeted and expended by the Supreme Court
21 for expenses lawfully incurred for providing qualified courtroom
22 interpreter services in the district courts and for the
23 credentialing and training program for Oklahoma courtroom
24 interpreters. Payments of expenses may be made after the claim or

1 expense is approved by the Chief Justice of the Supreme Court or
2 another justice designated by the Chief Justice.

3 F. In addition to the amounts collected pursuant to paragraphs
4 1, 3, 8, 9, 10 and 14 of subsection A of this section, each county
5 may assess, upon approval by the board of county commissioners, a
6 sum not to exceed Ten Dollars (\$10.00) per case to be credited to
7 the Sheriff's Service Fee Account in the county in which the action
8 arose for the purpose of enhancing existing or providing additional
9 courthouse security.

10 G. In any case in which a litigant claims to have a just cause
11 of action and that, by reason of poverty, the litigant is unable to
12 pay the fees and costs provided for in this section and is
13 financially unable to employ counsel, upon the filing of an
14 affidavit in forma pauperis executed before any officer authorized
15 by law to administer oaths to that effect and upon satisfactory
16 showing to the court that the litigant has no means and is,
17 therefore, unable to pay the applicable fees and costs and to employ
18 counsel, no fees or costs shall be required. The opposing party or
19 parties may file with the court clerk of the court having
20 jurisdiction of the cause an affidavit similarly executed
21 contradicting the allegation of poverty. In all such cases, the
22 court shall promptly set for hearing the determination of
23 eligibility to litigate without payment of fees or costs. Until a
24 final order is entered determining that the affiant is ineligible,

1 the clerk shall permit the affiant to litigate without payment of
2 fees or costs. Any litigant executing a false affidavit or counter
3 affidavit pursuant to the provisions of this section shall be guilty
4 of perjury.

5 H. Payments to the court clerk for fees and costs assessed
6 pursuant to this section may be made by a nationally recognized
7 credit or debit card or other electronic payment method as provided
8 in paragraph 1 of subsection B of Section 151 of this title.

9 SECTION 11. This act shall become effective November 1, 2017.

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11 56-1-932 TEK 1/19/2017 8:10:47 PM

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