

**IN THE SUPREME COURT OF THE STATE OF ALASKA**  
**ORDER NO. 1796**

Rescinding the current  
Administrative Rule 6 and  
adopting new Administrative  
Rules 6 and 6.1 concerning  
interpreter services in court  
proceedings

**IT IS ORDERED:**

The current Administrative Rule 6 is rescinded and new Administrative Rules 6 and 6.1 adopted to read as follows:

**Rule 6. Interpreter Services in Court Proceedings for  
Persons with Limited English Proficiency.**

**(a) Construction.** This rule shall be liberally construed and applied to promote meaningful participation in court proceedings, consistent with due process, by persons with limited English proficiency. A limited English proficient (LEP) person is someone who speaks a language other than English as his or her primary language and has a limited ability to read, speak, or understand English.

**(b) Court System Responsibility to Pay for Interpreter Services.** The court system will provide and pay for the necessary services of an interpreter during proceedings in court for persons with limited English proficiency as follows:

(1) in all cases,

(A) for a party who is appearing pro se,

(B) for a party who is represented by a private attorney but cannot reasonably afford the costs of an interpreter, and

(C) for a party who is represented by an attorney furnished by the Alaska Legal Services Corporation, the Alaska Pro Bono Program, the Alaska Network on Domestic Violence and Sexual Assault Pro Bono Program, or the Alaska Native Justice Center;

(2) in criminal cases, for all defendants at arraignment or felony first appearance;

(3) in protective order proceedings, for the petitioner or respondent;

(4) in delinquency proceedings,

(A) for a juvenile at the initial court appearance prior to the appointment or appearance of counsel, and

(B) for the parents or guardian of the juvenile; and

(5) in child-in-need-of-aid proceedings,

(A) for a parent at the initial court appearance prior to the appointment or appearance of counsel, and

(B) for the tribal representatives, foster parents, out-of-home care providers, or grandparents.

**(c) Agency Responsibility to Pay for Interpreter Services.** If a party is represented by a public agency, or someone under contract to a public agency, the agency is responsible for providing and paying for necessary interpreter services required by the party and the party's witnesses. For purposes of this rule, "public agency" means an agency of the state or a political subdivision of the state.

**(d) Party Responsibility to Pay for Interpreter Services.** If interpreter services are not the responsibility of the court system or a public agency, as set forth in subsections (b) and (c), the party is responsible for providing and paying for necessary interpreter services required by the party and the party's witnesses.

**(e) Court Discretion to Proceed.** If a party or public agency is responsible for providing and paying for interpreter services and the party appears without a qualified interpreter, the judicial officer may provide an interpreter at court system expense rather than delay the proceeding. In such instances, the judicial officer may order the party or public agency responsible for providing the interpreter to pay the fees of the court-provided interpreter.

**(f) Witnesses.** Responsibility for providing and paying for necessary interpreter services for a party during court proceedings includes necessary interpreter services for that party's witnesses.

**(g) Amount the Court System Pays.** When the court system provides and pays for interpreter services, the rate or fee paid is set by Administrative Bulletin 82.

**Note:** This rule does not limit a judicial officer's authority under Civil Rule 95 to order a party to pay the costs of interpreter services as a sanction for violation of Civil Rule 11.

**Rule 6.1. Interpreter Services in Court Proceedings for Persons with a Physical Disability.**

**(a) Court Proceedings.** The court system will provide and pay for interpreter services during proceedings in court in civil and criminal cases where a party or witness is deaf, mute, or otherwise unable to effectively communicate because of a physical disability.

**(b) Amount the Court System Pays.** The rate or fee the court system pays for interpreter services is set by Administrative Bulletin 82.

**Note:** This rule does not limit a judicial officer's authority under Civil Rule 95 to order a party to pay the costs of interpreter services as a sanction for violation of Civil Rule 11.

DATED: February 8, 2013

EFFECTIVE DATE: July 1, 2013

/s/  
Chief Justice Fabe

/s/  
Justice Winfree

/s/  
Justice Stowers

/s/  
Justice Maassen

/s/  
Justice Bolger