

**WEBB COUNTY SIGN LANGUAGE POLICY AND PROCEDURES
FOR CIVIL AND CRIMINAL CASES**

This Policy applies to hearing impaired individuals appearing in civil and criminal proceedings in the following Webb County Courts:

<ol style="list-style-type: none">1. 49th Judicial District Court2. 406th Judicial District Court3. 111th Judicial District Court4. 341st Judicial District Court5. County Court at Law No. 16. County Court at Law No. 27. Justice of the Peace, Precinct 1, Place 18. Justice of the Peace, Precinct 1, Place 2	<ol style="list-style-type: none">9. Justice of the Peace, Precinct 2, Place 110. Justice of the Peace, Precinct 2, Place 211. Justice of the Peace, Precinct 312. Justice of the Peace, Precinct 413. Title IV-D Child Support Court14. 4th & 5th Judicial District Courts
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In accordance with Section 504 of the Rehabilitation Act and Title II of the Americans with Disabilities Act, it is the policy of Webb County to provide reasonable accommodations to persons who are hearing impaired. Article 38.31 of the Texas Code of Criminal Procedure governs the appointment of a sign language interpreter in criminal cases. Civil proceedings are governed by Chapter 21, Subchapter A of the Texas Civil Practice and Remedies Code, Rule 183 of the Texas Rules of Civil Procedure, Sec. 57.001 of the Gov't Code and Rule 604 of the Texas Rules of Evidence. Under Tex. R. Evid. 604, the Presiding Judge should ensure that each interpreter takes an oath to discharge properly the interpreter function, including accurately interpreting for the speakers in the proceeding and properly preparing for the assignment. Pursuant to CPRC §21.002, in civil cases, a deaf person who is a party or witness is entitled to have the proceedings interpreted by a court-appointed interpreter. Requesting sign language interpreter services needed to assist parties in civil and criminal proceedings is the responsibility of the parties or their attorneys. Therefore, the hearing impaired individual or their attorney are responsible for asking for such service by notifying the court for the need for such service as soon as possible and in

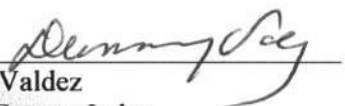
advance of any court proceedings. This request must be made by filing a formal written motion or on the record in open court. An acceptable form for a Motion and Order for Appointment of Sign Language Interpreter is attached to this Policy as Exhibit A and incorporated herein. After a proper request for a sign language interpreter is made, a judge must provide a sign language interpreter or other auxiliary aide services for a party or witness who is hearing-impaired in any judicial proceeding.

Civil and criminal judicial proceedings include trials, hearings, status conferences, ceremonies and other judicial activities conducted by a Court, such as court sponsored alternative dispute resolution. If a criminal defendant is to be placed on probation, the probation officer for the criminal defendant shall notify the court in writing, or on the record, if the criminal defendant's hearing impairment will in any way affect his or her ability to meet all conditions of probation. The probation officer for the criminal defendant shall also inform the court of any available alternative programs that would allow the criminal defendant to participate in all probation programs. Upon said written notice, the court shall conduct a hearing to identify any disability-related issues preventing compliance with the conditions of probation and to include and/or modify conditions to include alternative means of ensuring compliance. Such alternative means may include, but are not limited to, alternative programs or options, or excusing the criminal defendant from particular terms and conditions of probation.

The court will give primary consideration to a hearing impaired individual's choice of auxiliary aid or service unless it can show that another equally effective means of communication is available or that use of the means chosen would result in a fundamental alteration in the nature of the court proceedings or an undue financial or administrative burden on Webb County. The clerk of the court or other court employee designated by the judge shall be responsible for securing the services of certified interpreters and/or otherwise qualified interpreters. In order to ensure that this policy is properly implemented, the clerk must be familiar with its court's policy of providing reasonable accommodations to hearing

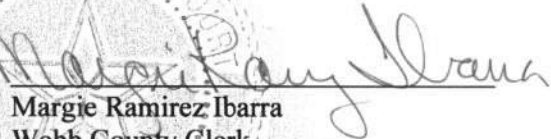
impaired individuals. The clerk must have a ready working knowledge of the types of auxiliary aids and services necessary for effective communication available to serve the needs of the hearing impaired persons and of the local sources from which auxiliary aids and services may be procured. Auxiliary aids and services include a "live" person, qualified or American Sign Language certified interpreter or one provided by a Video Remote Interpreting (VRI) language translation service. A qualified interpreter is an interpreter who is able to interpret effectively, accurately and impartially both receptively and expressively so that a party can fully participate and effectively communicate in the judicial proceedings to ensure a fair trial. The interpreter must hold a current legal certificate issued by the National Registry of Interpreters for the Deaf or a current court interpreter certificate issued by the Board for Evaluation of Interpreters at the Department of Assistive and Rehabilitative Services. CPRC §21.003; CCP art. 38.31(g)(2). Although VRI may not be appropriate in all circumstances, such as a jury trial, it is to be highly considered for hearings. Each court should maintain a roster of certified interpreters and otherwise qualified interpreters available to perform interpreting services. A list of qualified sign language interpreters and their rate schedule is attached to this policy as Exhibit B 1 - 4 and incorporated herein. The clerk of the court or other court employee designated by the judge is responsible for locating certified or otherwise qualified interpreters for court proceedings. Payment for sign language interpreting services or other auxiliary aids should be from the Webb County Operating Budget applicable to the fiscal year at the time sign language interpreting services are rendered. For services rendered in District Court, the funding source is the Judicial General District County account. For services rendered in County Courts, the funding source is the Judicial General County Courts account of the Webb County Operating Budget. For all other courts, the Webb County Auditor will determine the funding source.

ATTEST:



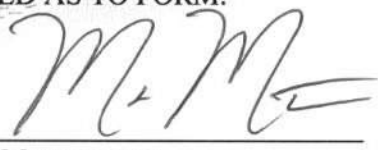
Danny Valdez
Webb County Judge





Margie Ramirez Ibarra
Webb County Clerk

APPROVED AS TO FORM:



Marco A. Montemayor
Webb County Attorney

***By law, the county attorney's office may only advise or approve contracts or legal documents on behalf of its clients. It may not advise or approve a contract or legal document on behalf of other parties. Our review of this document was conducted solely from the legal perspective of our client. Our approval of this document was offered solely for the benefit of our client. Other parties should not rely on this approval, and should seek review and approval of their own respective attorney(s).**

CAUSE NO. _____

_____ § IN THE: DISTRICT COURT # _____;

§ COUNTY COURT AT LAW # _____;

§ or

§ JUSTICE OF THE PEACE:

§ PRECINCT # _____, PLACE # _____

VS. §

§

_____ § WEBB COUNTY, TEXAS

MOTION FOR APPOINTMENT OF SIGN LANGUAGE INTERPRETER

NOW COMES _____, a hearing impaired individual, who is a Plaintiff/Defendant, in the above entitled matter and pursuant to §57.002 of the TEX. GOV'T CODE asks the court to appoint a sign language interpreter.

I.

1. Plaintiff/Defendant (circle one), is a hearing impaired individual who has a hearing impairment that inhibits their comprehension of proceedings and communication with others.
2. The court should appoint a sign language interpreter because the above referenced hearing impaired individual is incapable of understanding the court proceedings without the assistance of a sign language interpreter.
3. A court has the authority to appoint a sign language interpreter. See §57.002 of the TEXAS GOVERNMENT CODE and TEX. CIV. PRAC. & REM. CODE §21.002.

II.

For these reasons, Plaintiff/Defendant asks the Court to appoint a sign language interpreter. Pursuant to TEX. CIV. PRAC. & REM. CODE §21.006(a), the sign language interpreter

EXHIBIT A

shall be paid a reasonable fee for their services to be determined by the court.

ORDER ON MOTION FOR SIGN LANGUAGE INTERPRETER

After consideration of _____, a hearing impaired individual's Motion to Appoint a Sign Language Interpreter, the Court considers the same to be meritorious and hereby appoints _____ to provide sign language interpreting services. Reasonable fees for said service shall be paid from the Webb County Operating Budget.

Signed this _____ day _____ of 20_____.

PRESIDING JUDGE

South Texas Interpreters for the Deaf LLC

711 W. Nolana Ave. Ste 104-B McAllen TX 78504 Ph:956-971-8000 Fax:956-971-8001

Southtexasinterpretersforthedeaf@yahoo.com

Interpreter Rates

ALL ASSIGNMENTS ARE BILLED AT A 2 HOUR MINIMUM

BEI Level 1, 2 and Basic: \$63.00 per hour

BEI Level 3, 4, Advanced, Advanced Trilingual, RID CI/CT: \$82.50 per hour

Legal Interpreting Fee: \$170.00 per hour (minimum 2 hours)

Round trip travel is billed at total hours traveled times hourly rate

After 5 p.m. and weekends charged as time and a half

Feel free to contact our South Texas Interpreters for the Deaf staff at (956) 971-8000 or my business cell (956) 525-9565.

Cordially,

Jovonne A. Delgado, BBA, TX-DARS BEI Level 3 Interpreter

Owner, South Texas Interpreters for the Deaf LLC.

EXHIBIT B 1-4

two worlds/one voice

Deaf
Interpreter

S E R V I C E S



INC.

www.deaf-interpreter.com



Mailing Address:
P O Box 700047
San Antonio, TX. 78270

Office: (210) 545-2946 / 24 Hrs.
Fax: (210) 490-1006
E-mail: Marilyn@deaf-interpreter.com

 [Facebook.com/DeafInterpreter](https://www.facebook.com/DeafInterpreter)  [Twitter@DeafInterpSvc](https://twitter.com/DeafInterpSvc)

WHO WE ARE:

Deaf Interpreter Services, Inc. (D.I.S.) is a woman owned / HUB Certified, **Award Winning Company** based out of San Antonio Texas that specializes in providing professional, state/nationally certified Sign Language & Oral Interpreters, Tri-Lingual Interpreters, Intermediary Interpreters, Video Remote Interpreting (VRI) and Captioning /CART services 24 hours a day, Nationwide. **Since 1993** we have worked with thousands of people enabling successful communication between persons who are Deaf / Hard-of-Hearing and hearing through the use of Sign Language, Oral Interpreting & Captioning.

Our mission is to break thru the language barrier improving educational, occupational and social opportunities for people who are Deaf – while maintaining an excellent working relationship with the Business Community.

WHAT WE DO:

* We provide **Professional Interpreters, VRI & Captioning** for all situations including:

Educational (all levels)	Government Agencies	Legal / Judicial
Business / Training	Military Settings	EEOC Hearings
Medical / Hospitals	Therapy / Counseling	Theatre / Concerts
Interviews / Meetings	Job Coaching / Vocational	Conferences / Seminars
Non - Profits	Social Services	Weddings / Funerals

Deaf Interpreter Services, Inc. adds value to your organization by conducting **Americans with Disabilities (A.D.A.) Compliance Consulting** and offering **Job Coaching** and **Deaf Support Specialists** for organizations needing to integrate their deaf employees into their work environment, establish reasonable accommodations and improve communication. We provide **Compliance & Assistive Equipment** and **Technological Solutions**, through our "online store" and offer **Cultural Mediation** ~ resolving issues between deaf staff members and hearing staff members due to cultural differences.

WHY CHOOSE DIS?

Deaf Interpreter Services, Inc. is an established leader in providing state/nationally certified sign language and oral interpreters, with a commitment to matching the right interpreter to your needs. We have obtained a reputation for hiring only the finest, most Professional Interpreters in the Nation! We have accomplished this, in part, by conducting criminal background checks and drug tests on all employees, and helping to plan for their future by offering a company sponsored Retirement/Savings plan. We've received much local and national recognition and many awards; among those are a **National Innovation Award**, **ADA Employer of the Year Award**, **Outstanding Philanthropic Small Business Award**, **Special Recognition from the Alamo Community Association of the Deaf** and **Ethics in Business** finalist.

We operate in an environment of high standards, professionalism and integrity, and carry a comprehensive Errors and Omissions Liability Insurance policy on all of our interpreters.

*** Professional Sign Language & Oral Interpreters * Video Remote Interpreting * Captioning**
*** Deaf Support Specialists * On-line Store / Equipment Sales ***

two worlds/one voice



www.deaf-interpreter.com

Billing Address:
P O Box 700047
San Antonio, TX. 78270

Office: (210) 545-2946 / 24 Hrs.
Fax: (210) 490-1006

Facebook.com/DeafInterpreter Twitter@DeafInterpSvc

Interpreter Request Form

** Please fill out and fax back to (210) 490-1006 as soon as possible **

Date of Appointment: Today's date:
Deaf Person's Name: Time of Appointment:
Type of Appt.:
Location/Address of Appointment:
Length of Appt: Contact person (Name & #):

Name & Ph # of Person Making Request:
(We may contact this person to confirm interpreter & information regarding appointment)

Business Mailing Address:

SCHEDULED CONFIRMATION
Confirmed by (Name):
Date: Time:

ATTN: PH#

Billing Information: (check box)

Fax # Email Mail (see above)
Credit Card (3% additional handling fee)
MasterCard Visa American Express

Name on card:
Card Number: Exp. date:
Cardholders address:
Signature of cardholder:

- * Requests received with less than 24 hour notice will be billed at Time-and-a-half*
Less than 24 hour cancellation will be billed in its entirety
Legal assignments require 48 hour notice for scheduling & cancellations
Short notice cancellations & Client "NO-Shows" will be billed for in their entirety
24 hr. cancellation notice is required per day for assignments lasting more than one day
(i.e. a two day event requires 48 hr notice, a three day event requires 72 hr notice)

two worlds/one voice



www.deaf-interpreter.com

Mailing Address:
PO Box 700047
San Antonio, TX. 78270

Office: (210) 545-2946 / 24 hrs.
Fax: (210) 490-1006
E-mail: Marilyn@deaf-interpreter.com
VP: (210) 888-0039

LEGAL PRICE SCHEDULE

All scheduled appointments:
\$80/ hour per interpreter (2 hour min.)
(Trilingual will be \$85/hour)

All non-scheduled appointments
(less than 72 hour notice),
evenings after 6:00 pm and
weekends:

\$120/ hour per interpreter (2 hour min.)

All emergency calls,
(assignments from 10:00 pm-6:00 am)
and Holidays:

\$160/ hour per interpreter (2 hour min.)

All cancellations not received 72 hours
prior to appointment, including
"No-Shows" will be billed
accordingly-in its entirety.

**2 hour minimum includes
Portal-to-Portal time.**

*Due to physical and mental fatigue,
assignments over 1.25 hours
may require two Interpreters and will
be billed per interpreter
including portal-to-portal time.*

BILLING PROCEDURE:

**Payment is NOT made at the time
of the appointment.**

Deaf Interpreter Services, Inc.
will invoice your organization the first
week of the following month. Invoices
are sent out monthly, unless requested
otherwise.

*You may request an interpreter online
at: www.deaf-interpreter.com or via
fax to (210) 490-1006, as soon
as the appointment is scheduled.*

*When requesting an interpreter,
please include the following
information on our
Interpreter Request Form:*

- * Name of the deaf person**
- * Date, time & location of
Appointment**
- * Type of appointment**
- * Estimated length of time of the
appointment**
- * Name & number of a contact
person**
- * Billing Information**