

INTERPRETER BILLING INSTRUCTIONS

July 1, 2012

The Administrative Office of the Courts (“AOC”) compensates foreign language interpreters who provide services in the following cases:

1. A court has appointed an interpreter pursuant to Supreme Court Rule 42 to interpret for a party, witness or victim of a crime regardless of whether the person is indigent or not;
2. The case is before any Tennessee general sessions court, or municipal court exercising general sessions jurisdiction, or any juvenile, probate, circuit, chancery, criminal, or appellate court, in an action, appeal, or other proceeding, including any matter conducted by a judicial magistrate. The AOC will not compensate interpreter costs for hearings in a municipal court when the municipal court is exercising municipal only jurisdiction.
3. In criminal cases as follows:
 - a. If the party is indigent and has been appointed state funded counsel (public defender or appointed counsel) the AOC will reimburse for the following interpreter costs:
 - i) All court hearings;
 - (ii) Pre-trial conferences between defendants and district attorneys in order to relay a plea offer immediately prior to a court appearance or to discuss a continuance;
 - (iii) Communication between client and state funded counsel appointed pursuant to Supreme Court Rule 13; and communication between client, state funded counsel and others for the purpose of gathering background information, investigation, trial preparations, and witness interviews.
 - b. If the party has not been found to be indigent by the court and is not entitled to appointment of counsel, the AOC will reimburse for the following interpreter costs:
 - i) Any hearing, trial, or other appearance before any Tennessee general sessions court, or municipal court exercising general sessions jurisdiction, or any juvenile, probate, circuit, chancery, criminal, or appellate court, in an action, appeal, or other proceeding, including any matter conducted by a judicial magistrate.
 - c. For victim(s) of crime during court proceedings where the victim(s), or in the case of a homicide, the next –of-kin, are present.
4. In a civil case as follows:
 - a. Any hearing, trial, or other appearance before any Tennessee general sessions court, or municipal court exercising general sessions jurisdiction, or any juvenile, probate, circuit, chancery, criminal, or appellate court, in an action, appeal, or other proceeding, including any matter conducted by a judicial magistrate.
5. If a party does not have a statutory or constitutional right to appointed counsel as outlined in Supreme Court Rule 13, Sections 1(d)(1) and (2), the AOC will not compensate interpreters costs in the following situations:
 - a. Communication with attorneys, prosecutors, or other parties related to a case involving LEP individuals for the purpose of gathering background information, investigation, trial preparation, witness interviews, or client representation at a future proceeding;
 - b. Communications relating to probation treatment services;
 - c. Any other communication which is not part of a court proceeding or immediately preceding or following a court proceeding.

*Interpreters will be compensated for travel time and in-court interpreting and wait time as outlined below. If the travel time and in-court interpreting and wait time do not total 2 hours, interpreters will be paid a 2 hour minimum for the day. If the travel time and in-court interpreting and wait time total over 2 hours, interpreters will be paid for actual travel time, in-court interpreting time and wait time.

Examples:

1. If interpreter travels 30 minutes to a court hearing, interprets for 10 minutes and travels 30 minutes back to his/her office or home, the total paid will be the 2 hour minimum for the day.
2. If interpreter travels 1 hour to a court hearing, interprets for 10 minutes and travels 1 hour back to his/her office or home, the total paid will be the 2 hours of travel plus the 10 minutes of interpretation for the day.

3. If interpreter travels 20 minutes to a court hearing, waits 1 hour, interprets 10 minutes and travels 20 minutes back to his/her office or home, the total paid will be the two hour minimum.
4. If interpreter travels 20 minutes to a court hearing, waits 1.5 hours, interprets 20 minutes and travels 20 minutes back to his/her office or home, the total paid will be the 40 minutes of travel plus 110 minutes of wait and interpreting time for a total of 2.5 hours.

FOR INTERPRETERS BEING COMPENSATED \$100 PER HOUR OR MORE: Compensation for travel will be at 50% the hourly rate (See Rule 42 Section 7(d)(5)).

To facilitate efficient and accurate compensation, the AOC requests that you carefully follow the instructions set out below when completing your request for payment form (“invoice”). Before you can be paid, a judge must sign an order appointing you to provide interpreter services, and you must attach the order to the invoice you submit to the AOC after you perform the services. If the judge does not include the required information in the order, the AOC will return your invoice to you and will process it only after you submit an order which contains the necessary information. Likewise, if you do not properly complete the invoice, the AOC will return it to you. In most circumstances, you will complete a separate invoice form for each case. If you interpret for multiple cases in one court on a single date, you may complete the multiple case invoice form. Although many of the following instructions apply equally to both invoices, the remaining instructions are tailored to the individual case invoice form.

INVOICE COMPLETION INSTRUCTIONS

1. Insert your taxpayer identification number into the “Taxpayer ID” box. If you do not have a taxpayer i.d., list your social security number or if you have recently been compensated by the AOC, please note “On File” in this space.
2. In the “Language” box, insert the language in which you interpreted/translated.
3. In the “Credentials” box, put an “X” next to your credential level. The credentials at issue are those granted by the Tennessee Court Interpreter Credentialing Program, which is administered by the Tennessee Administrative Office of the Courts. If you do not know the status of your credentials, contact the AOC at (615) 741-2687. If you have not been designated as a registered or certified interpreter by the AOC, you are considered a non-credentialed interpreter.
4. Clearly print your name, street address, city, state, zip code, telephone number, and e-mail address in the box which requests that information.
5. Clearly print the service date(s), name of person you are interpreting for, case number(s), charges/type of civil case, county, and court in which the proceedings are held (Fifth Circuit Court, for instance) in the appropriate boxes. If you do not know this information, request it from the court, the clerk, or an attorney.
6. Record your interpreting activities in the “ACTIVITY” column of the table. Specify whether you were interpreting in court, interpreting at the local jail, interpreting in defense counsel’s office, waiting in court for a proceeding to begin, driving from your home/office to court outside of the county where your home/office is located, etc. **YOU WILL NOT BE COMPENSATED FOR WAITING TIME IF YOU SIT IN A COURTROOM WAITING FOR A COURT TO APPOINT YOU TO A CASE. LIKEWISE, IF THE CASE TO WHICH THE COURT HAS APPOINTED YOU IS SCHEDULED FOR 11:00 A.M., YOU MAY NOT ARRIVE AT 9:00 A.M. AND REQUEST COMPENSATION FOR YOUR WAITING TIME. YOU WILL ONLY BE COMPENSATED FOR WAITING TIME IF THE COURT ORDERS YOU TO BE IN COURT AT A PARTICULAR TIME AND THE CASE TO WHICH YOU HAVE BEEN APPOINTED IS NOT IMMEDIATELY TAKEN UP BY THE COURT.**
7. In the “HOURS/WORDS” column, specify, in tenths of an hour, the amount of time you spent traveling or performing an interpreting service. For written translations, list the number of words you translated. Use the information in the chart below for your time calculations. After you have recorded your time and/or number of words, multiply those numbers by the court-approved hourly rate (the same hourly rate will apply to interpreting services and travel time) or per-word rate (for written translations) and list the total fee. In the “EXPENSES” column, list your fees for miscellaneous expenses such as parking and mileage, if applicable. When you have entered all of your activities, list the total hours, words, service and travel fees, and expenses in the “TOTALS” row at the bottom of the table.

CALCULATION OF HOURS IN TENTHS

6 MINUTES = .10 (up to 8 minutes)
12 MINUTES = .20 (9 minutes – 14 minutes)
18 MINUTES = .30 (15 minutes – 20 minutes)
24 MINUTES = .40 (21 minutes – 26 minutes)
30 MINUTES = .50 (27 minutes – 32 minutes)
36 MINUTES = .60 (33 minutes – 38 minutes)
42 MINUTES = .70 (39 minutes – 44 minutes)
48 MINUTES = .80 (45 minutes – 50 minutes)
54 MINUTES = .90 (51 minutes – 56 minutes)
60 MINUTES = 1.0 (57 minutes – 62 minutes)

8. TRAVEL – The AOC will compensate you for travel time and, in certain circumstances, for mileage. The rules that apply to compensation for mileage are as follows: (1) The AOC will compensate you for mileage when you are traveling to the courthouse, attorney’s office, jail, etc., in a county other than the county in which your office (or home if you do not have an office) is located; (2) The AOC will also compensate you for mileage for in-county travel to the jail, attorney’s office, etc., but NOT for in-county travel to the courthouse; (3) If you are riding in a car with another person who is being compensated for mileage, you are not entitled to compensation for mileage; and (4) mileage for travel within the state is compensated in accordance with Judicial Department travel regulations. Effective January August 1, 2011, the rate is forty-seven cents (\$0.47) per mile.

9. Regardless of which invoice you use, do not list a “minimum” payment. The AOC will calculate your total fee after receiving your claim form. For auditing purposes, the form must list in detail the tasks you performed and the total fee calculated under the rates listed in Rule 42.

10. If you require an overnight stay in a hotel, contact the AOC at (615) 741-2687 and you can be assisted in preparing an invoice.

11. If you are using the single case invoice, list the total fee in the box in the bottom right hand corner of the invoice.

12. After you complete the invoice, sign and date it.

13. Attach any necessary receipts for parking, hotels, etc., to the invoice.

14. Ask the defense attorney, prosecuting attorney, case attorney or judge to review the form and confirm that you performed the listed services by printing his/her name, signing his/her name, and dating the form. **IF YOU USE THE MULTIPLE-CASE INVOICE, THE JUDGE MUST SIGN IT.**

15. When you submit your invoice to the AOC, you must attach a copy of the court’s order appointing you to the case. If you complete a multiple-case invoice, you must attach a court order appointing you to each of the cases listed on the invoice.

16. **YOUR DAILY COMPENSATION FOR SERVICES CANNOT EXCEED \$500** for certified interpreters, \$400 for registered interpreters or \$250 for non-credentialed interpreters for the Spanish language. If you are interpreting in a language other than Spanish, the maximum may exceed those listed above **IF** there are written findings by a court and you must attach a copy of the written findings.

17. If you have additional questions, contact the AOC at 615-741-2687 or see the sample invoices on the AOC’s website at: <http://www.tncourts.gov/programs/court-interpreters/resources-interpreters>. **IF YOUR INVOICE IS NOT COMPLETED PROPERLY AND/OR YOU DO NOT ATTACH THE REQUIRED DOCUMENTATION AND/OR RECEIPTS, THE AOC WILL RETURN YOUR INVOICE TO YOU.**

18. Send the invoice and the attachments to the Administrative Office of the Courts at the following address:

Administrative Office of the Courts
Fiscal Division
Nashville City Center, Suite 600
511 Union Street
Nashville, Tennessee 37219