

Southern Hospitality 2.0
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Judicial Canons	
Judicial Canon 1 Upholding the Integrity and Independence of the Judiciary	An independent and honorable judiciary is indispensable to justice in our society. A judge should participate in establishing, maintaining and enforcing high standards of conduct, and should personally observe those standards so that the integrity and independence of the judiciary is preserved. The provisions of this Code are to be construed and applied to further that objective.
Judicial Canon 2 Complying with existing law and promoting public confidence in judiciary	A. A judge shall comply with the law and should act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.
Judicial Canon 3 Performing the Duties of the Judicial Office Impartially and Diligently	<p>B. Adjudicative Responsibilities.</p> <p>(4) A judge shall be patient, dignified and courteous to litigants, jurors, witnesses, lawyers and others with whom the judge deals in an official capacity, and should require similar conduct of lawyers, and of staff, court officials and others subject to the judge's direction and control.</p> <p>(5) A judge shall perform judicial duties without bias or prejudice.</p> <p>(6) A judge shall not, in the performance of judicial duties, by words or conduct manifest bias or prejudice, including but not limited to bias or prejudice based upon race, sex, religion, national origin, disability, age, sexual orientation or socioeconomic status, and shall not knowingly permit staff, court officials and others subject to the judge's direction and control to do so.</p> <p>(7) A judge shall require lawyers in proceedings before the court to refrain from manifesting, by words or conduct, bias or prejudice based on race, sex, religion, national origin, disability, age, sexual orientation or socioeconomic status against parties, witnesses, counsel or others. This requirement does not preclude legitimate advocacy when any of these factors is an issue in the proceeding.</p> <p>(8) A judge shall accord to every person who has a legal interest in a proceeding, or that person's lawyer, the right to be heard according to law. [. . .]</p> <p>(9) A judge should dispose of all judicial matters promptly, efficiently and fairly.</p> <p>C. Administrative Responsibilities.</p> <p>(1) A judge should diligently and promptly discharge the judge's administrative responsibilities without bias or prejudice and maintain professional competence in judicial administration, and should cooperate with other judges and court officials in the administration of court business.</p> <p>(2) A judge should require staff, court officials and others subject to the judge's direction and control to observe the standards of fidelity and diligence that apply to the judge and to refrain from manifesting bias or prejudice in the performance of their official duties.</p>

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Texas Government Code	
Tex. Gov. Code 57.002 Appointment of Interpreter or CART Provider; CART Provider List; Payment of Interpreter Costs.	<p>(a) A court shall appoint a certified court interpreter or a certified CART provider for an individual who has a hearing impairment or a licensed court interpreter for an individual who can hear but does not comprehend or communicate in English if a motion for the appointment of an interpreter or provider is filed by a party or requested by a witness in a civil or criminal proceeding in the court.</p> <p>(b) A court may, on its own motion, appoint a certified court interpreter or a certified CART provider for an individual who has a hearing impairment or a licensed court interpreter for an individual who can hear but does not comprehend or communicate in English.</p> <p>(b-1) A licensed court interpreter appointed by a court under Subsection (a) or (b) must hold a license that includes the appropriate designation under Section 157.101(d) that indicates the interpreter is permitted to interpret in that court.</p> <p>(c) Subject to Subsection (e), in a county with a population of less than 50,000, a court may appoint a spoken language interpreter who is not a licensed court interpreter.</p> <p>(d) Subject to Subsection (e), in a county with a population of 50,000 or more, a court may appoint a spoken language interpreter who is not a certified or licensed court interpreter if:</p> <ol style="list-style-type: none">(1) the language necessary in the proceeding is a language other than Spanish; and(2) the court makes a finding that there is no licensed court interpreter within 75 miles who can interpret in the language that is necessary in a proceeding. <p>(d-1) Subject to Subsection (e), a court in a county to which Section 21.021, Civil Practice and Remedies Code, applies may appoint a spoken language interpreter who is not a licensed court interpreter.</p> <p>(e) A person appointed under Subsection (c) or (d):</p> <ol style="list-style-type: none">(1) must be qualified by the court as an expert under the Texas Rules of Evidence;(2) must be at least 18 years of age; and(3) may not be a party to the proceeding. <p>(f) The department shall maintain a list of certified CART providers and, on request, may send the list to a person or court.</p> <p>(g) A party to a proceeding in a court who files a statement of inability to afford payment of court costs under Rule 145, Texas Rules of Civil Procedure, is not required to provide an interpreter at the party's expense or pay the costs associated with the services of an interpreter appointed under this section that are incurred during the course of the action, unless the statement has been contested and the court has ordered the party to pay costs pursuant to Rule 145. Nothing in this subsection is intended to apply to interpreter services or other auxiliary aids for individuals who are deaf, hard of hearing, or have communication disabilities, which shall be provided to those individuals free of charge pursuant to federal and state laws.</p>

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	<p>(h) Each county auditor, or other individual designated by the commissioners court of a county, in consultation with the district and county clerks shall submit to the Office of Court Administration of the Texas Judicial System, in the manner prescribed by the office, information on the money the county spent during the preceding fiscal year to provide court-ordered interpretation services in civil and criminal proceedings. The information must include:</p> <ol style="list-style-type: none"> (1) the number of interpreters appointed; (2) the number of interpreters appointed for parties or witnesses who are indigent; (3) the amount of money the county spent to provide court-ordered interpretation services; and (4) for civil proceedings, whether a party to the proceeding filed a statement of inability to afford payment of court costs under Rule 145, Texas Rules of Civil Procedure, applicable to the appointment of an interpreter. <p>(i) Not later than December 1 of each year, the Office of Court Administration of the Texas Judicial System shall:</p> <ol style="list-style-type: none"> (1) submit to the legislature a report that aggregates by county the information submitted under Subsection (h) for the preceding fiscal year; and (2) publish the report on the office's Internet website.
<p>Tex. Gov. Code, 157.001(2): Definitions</p>	<p>(2) "Licensed court interpreter" means an individual licensed under this chapter by the commission to interpret court proceedings for an individual who can hear but who has no or limited English proficiency.</p>
<p>Tex. Gov. Code, 157.101(d) Basic & Master Designations for Interpreters</p>	<p>(d) A license issued under this chapter must include at least one of the following designations:</p> <ol style="list-style-type: none"> (1) a basic designation that permits the interpreter to interpret court proceedings in justice courts and municipal courts that are not municipal courts of record, but the designation does not permit the interpreter to interpret a proceeding before the court in which the judge is acting as a magistrate; or (2) a master designation that permits the interpreter to interpret court proceedings in all courts in this state, including justice courts and municipal courts described by Subdivision (1).
<p>Texas Civil Practices and Remedies Code</p>	
<p>Tex. Civ. Prac. & Rem. Code, 21.002 Interpreters for Deaf Persons</p>	<p>(a) In a civil case or in a deposition, a deaf person who is a party or witness is entitled to have the proceedings interpreted by a court-appointed interpreter. A deaf person who is a juror in any case is entitled to have the proceedings interpreted by a court-appointed interpreter.</p> <p>(b) The proceedings must be interpreted in a language, including sign language, that the deaf person can understand.</p>
<p>Tex. Civ. Prac. & Rem. Code, 21.006 Fees and Travel Expenses</p>	<p>(a) The interpreter shall be paid a reasonable fee determined by the court after considering the recommended fees of the Texas Commission for the Deaf and Hard of Hearing.</p> <p>(b) If the interpreter is required to travel, the interpreter's actual expenses of travel, lodging, and meals relating to the case shall be paid at the same rate provided for state employees.</p>

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	(c) The interpreter's fee and expenses shall be paid from the general fund of the county in which the case was brought.
Texas Rules of Civil Procedure	
<p>Tex. R. Civ. P. Rule 145 Payment of Costs Not Required</p>	<p>(a) Costs Defined. "Costs" mean any fee charged by the court or an officer of the court, including, but not limited to, filing fees, fees for issuance and service of process, fees for copies, fees for a court-appointed professional, and fees charged by the clerk or court reporter for preparation of the appellate record.</p> <p>(f) Notice; Hearing; Requirements of Order. When a Statement has been filed, the declarant must not be ordered to pay costs unless these procedural requirements have been satisfied:</p> <p>(1) Notice and Hearing. The declarant must not be required to pay costs without an oral evidentiary hearing. The declarant must be given 10 days' notice of the hearing. Notice must either be in writing and served in accordance with Rule 21a or given in open court. At the hearing, the burden is on the declarant to prove the inability to afford costs.</p> <p>(2) Findings Required. An order requiring the declarant to pay costs must be supported by detailed findings that the declarant can afford to pay costs.</p> <p>(3) Partial and Delayed Payment. The court may order that the declarant pay the part of the costs the declarant can afford or that payment be made in installments. But the court must not delay the case if payment is made in installments.</p> <p>(4) Order Must State Notice of Right to Appeal. An order requiring the declarant to pay costs must state in conspicuous type: "You may challenge this order by filing a motion in the court of appeals within 10 days after the date this order is signed. See Texas Rule of Civil Procedure 145."</p>
<p>Tex. R. Civ. P. Rule 183 Interpreters</p>	<p>The court may appoint an interpreter of its own selection and may fix the interpreter's reasonable compensation. The compensation shall be paid out of funds provided by law or by one or more of the parties as the court may direct, and may be taxed ultimately as costs, in the discretion of the court.</p>
<p>Tex. R. Civ. P. Rule 500.10 Appearances at Court Proceedings</p>	<p>(a) Participant Method of Appearance. A judge may allow or require a participant to appear at a court proceeding by videoconference, teleconference, or other available electronic means.</p> <p>(b) Judge Method of Appearance; Location. A judge may appear at a court proceeding by videoconference, teleconference, or other available electronic means. However, even if appearing electronically, a judge must conduct the court proceeding from the judge's office at times prescribed by the commissioner's court, as provided by statute.</p>

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	<p>(c) Factors. In determining whether to allow or require electronic participation, the judge should consider factors such as:</p> <ol style="list-style-type: none">(1) case type;(2) the number of parties and witnesses;(3) the type of evidence to be submitted, if any;(4) technological restrictions such as lack of access to or proficiency in necessary technology;(5) travel restrictions such as lack of transportation, distance, or inability to take off work;(6) whether a method of appearance is best suited to provide necessary language access services for a person with limited English proficiency or accommodations for a person with a disability;(7) any previous abuse of a method of appearance; and(8) any agreement or objection by the parties. <p>(d) Notice. If the judge allows or requires a participant to appear electronically, the judge must provide reasonable notice of the electronic participation and include the notice in the papers of the case. The notice must contain the information needed for participants to participate in the proceeding, including instructions for joining the proceeding electronically, the court's designated contact information, and instructions for submitting evidence to be considered in the proceeding.</p> <p>(e) Open Courts. If the judge conducts a court proceeding at the judge's office in which all other participants appear electronically, then the judge must:</p> <ol style="list-style-type: none">(1) provide reasonable notice to the public of how to observe the court proceeding; and(2) provide the public the opportunity to observe the court proceeding, unless the judge has determined that the proceeding must be closed to protect an overriding interest, considered all less-restrictive alternatives to closure, and made findings in a written order adequate to support closure.
Texas Rules of Evidence	
Tex. R. Evid., Rule 604	An interpreter must be qualified and must give an oath or affirmation to make a true translation.
Federal Law	
Title VI of the Civil Rights Act of 1964, USC 2000d et seq.	§ 2000d. Prohibition against exclusion from participation in, denial of benefits of, and discrimination under federally assisted programs on ground of race, color, or national origin

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	No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.
Americans with Disabilities Act (ADA)	<i>Requires that people who are deaf or hard of hearing are entitled to the same services federally funded institutions provide to anyone else. They may not be excluded or segregated from services, be denied services, or otherwise be treated differently than other people.</i>