



# Office of the State Court Administrator

Office of Language Access

Division of Human Resources

## Court-Ordered Mediations:

### *Scheduling and Payment of Language Interpreter Services*

***Pursuant to C.R.S. §13-22-311, any court of record may, in its discretion, refer any case for mediation services or dispute resolution programs, subject to the availability of mediation services and dispute resolution programs.***

***Mediation means an intervention in dispute negotiations by a trained neutral third party with the purpose of assisting the parties to reach their own solution, C.R.S. §13-22-302***

The following guidance addresses the scheduling and payment of language interpreters for court-ordered mediation services provided to both indigent and non-indigent parties.

The best option for court-ordered mediations involving limited English proficient (“LEP”) individuals is always a bilingual mediator who has demonstrated through approved testing<sup>1</sup> the language skill required to conduct court-ordered mediations in a language other than English. A list of bilingual mediators on contract with the Office of Dispute Resolution can be found at [www.ColoradoODR.org](http://www.ColoradoODR.org) or by calling (303) 837-3672. If a bilingual mediator is not available, an approved language interpreter will be used to provide the required language access between/among the parties and the trained neutral third party (“mediator”) throughout the mediation process.

#### **INDIGENT PARTIES**

The Office of Dispute Resolution (“ODR”) provides court-ordered mediation services to both indigent and non-indigent parties. ODR mediators or designees are responsible for scheduling interpreters when an appropriate bilingual mediator is not available. When an indigent party requires an interpreter for ODR mediation services, ODR is responsible for payment of the interpreter’s fees, subject to availability of funds.

***Scheduling:*** When an ODR mediator is made aware of the need for a language interpreter for an indigent party, an interpreter must be scheduled by the mediator or designee from the list of approved interpreters maintained by the Colorado Judicial Department’s Office of Language Access (“OLA”).

If an interpreter is required in a language that does not appear on the current roster or additional interpreter options are required, the mediator or designee should contact the local Managing Interpreter for assistance. Current Independent Contractor and Managing Interpreter rosters are available at [www.ColoradoOLA.org](http://www.ColoradoOLA.org).

---

<sup>1</sup> OLA will maintain a list of approved oral proficiency testing options which can be used to determine the candidate’s bilingual ability, along with information on the minimum score required to pass the test.

The ODR mediator or designee should inform the interpreter at the time of scheduling that the party is indigent to ensure that billing is sent to the correct office.

**Billing:** Interpreters appearing for ODR indigent cases must invoice at the interpreting time and travel rates established by OLA for each language interpreter working for the Colorado Judicial Department. The interpreter will submit a Mediation Invoice directly to ODR for processing and payment at the following contact information:

Office of Dispute Resolution  
State Court Administrator's Office  
1300 Broadway, Suite 1200  
Denver, CO 80203  
*Email:* [odrmediations@judicial.state.co.us](mailto:odrmediations@judicial.state.co.us)  
*Fax:* 720.625.5987

### **NON-INDIGENT PARTIES**

Non-indigent parties may receive court-ordered mediation services from ODR mediators or other mediators working in a private capacity. OLA is responsible for the scheduling and payment of language interpreters for all court-ordered mediations for non-indigent parties.

**Scheduling:** When a mediator is made aware of the need for a language interpreter for a non-indigent party, the mediator or designee must contact the local Managing Interpreter who will coordinate the scheduling of the language interpreter. A list of Managing Interpreters is available [here](#).

The interpreter must be scheduled from the list of approved interpreters maintained by the CIP and, if permitted, the court-ordered mediation should take place at a courthouse facility. The interpreter should be informed at the time of scheduling that the party is non-indigent to ensure that billing is sent to the correct office.

**Billing:** Interpreters appearing for non-indigent parties must invoice at the rates established by OLA for each language interpreter working for the Colorado Judicial Department. The interpreter will submit a Mediation Invoice for processing and payment directly to the Managing Interpreter in charge of scheduling.

### **OTHER CONSIDERATIONS**

Court-ordered mediations in which both parties need an interpreter only require the use of one language interpreter. If one party is indigent and the other is non-indigent, the Mediation Invoice will be sent to the Office of Dispute Resolution. During processing the payment will be shared by ODR (for the indigent party) and OLA (non-indigent party).

Some mediations require that all parties in attendance, including the interpreter, sign a confidentiality agreement. Further clarification and information may be requested from the Court Interpreter Program at the following points of contact:

Jenny Moore, Office of Language Access  
*Email:* [jenny.moore@judicial.state.co.us](mailto:jenny.moore@judicial.state.co.us)  
*Telephone:* 720.625.5905

*Rev. August 3, 2018*