



ADMINISTRATIVE RULES OF MONTANA



37.62.947 INTERPRETERS

- (1) Whenever a party or a witness is unable to understand or speak the English language, and the presiding ALJ determines that this inability may impair the substantial rights of any party to a fair hearing, the ALJ may adjourn the hearing and appoint ex parte an interpreter at the CSSD's expense. The hearing will be reconvened after an interpreter is obtained.
- (2) Every person appointed as an interpreter under this rule, before entering upon his or her duties, shall take an oath or affirmation to give a true verbatim translation.
- (3) Interpreters are subject to the rules of evidence relating to their qualifications as experts.
- (4) No interpreter shall be appointed who has a personal interest in any matter at issue, or who is related to any party, or who has a personal or business relationship with any party.
- (5) In addition to and not in substitution for an interpreter appointed by the ALJ, a person who is a party or witness may appear in any contested proceeding with the person's own interpreter at the person's expense. If the person's interpreter is to make translations on the record, (2) and (3) of this rule shall apply to the interpreter. The interpreter may be a relative of or may have a personal relationship with the party or witness, however, the relationship shall be noted in the record of the case.
- (6) Interpreters for the hearing impaired shall be appointed as provided in 49-4-501 through 49-4-511 , MCA.

Authorizing statute(s): 17-4-105, 40-5-202, 40-5-262, 40-5-272, 40-5-273, 40-5-405, 40-5-713, 40-5-825, 40-5-906, MCA

Implementing statute(s): 17-4-105, 40-5-157, 40-5-202, 40-5-208, 40-5-226, 40-5-233, 40-5-261, 40-5-271, 40-5-273, 40-5-414, 40-5-431, 40-5-703, 40-5-710, 40-5-821, 40-5-822, 40-5-823, 40-5-824, 40-5-906, MCA

History: NEW, 2000 MAR p. 3547, Eff. 12/22/00; AMD, 2020 MAR p. 966, Eff. 5/30/20.