



Michigan Supreme Court

State Court Administrative Office

Court Services Division

Michigan Hall of Justice

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Jennifer Warner
Director

MEMORANDUM

DATE: September 10, 2020

TO: All Judges
cc: Court Administrators

FROM: Stacy Westra, Management Analyst
Stephanie Beyersdorf, Management Analyst

RE: Providing Foreign Language Interpreters and
ADA Accommodations for Remote Court Proceedings

To continue conducting court business while court facilities are closed to the public due to the spread of COVID-19, Michigan courts began holding proceedings remotely via Zoom¹ at the end of March 2020.² Although the requirements for providing accommodations under the ADA and for foreign language interpreters continue with remote hearings, fulfilling these requirements may look different in a virtual world.

Title II of the Americans with Disabilities Act (ADA)³ requires state and local governments to provide persons with disabilities with reasonable accommodations to access a court program, service, or building. Requests for accommodations are decided on a case-by-case basis, with the court and the requestor engaging in a dialogue to determine the best reasonable accommodation.

MCR 1.111(B)(1) requires the court to appoint a foreign language interpreter when requested and if the court determines such services are necessary for meaningful participation in the case or court proceeding or, if in the court's own determination, it is deemed necessary. This requirement holds true for both civil and criminal case proceedings.

The Virtual Courtroom Task Force has issued resources to assist courts with conducting remote proceedings, including the [Virtual Courtroom Standards and Guidelines](#) and [ADA and Remote Hearings Information](#). Please review those materials for additional information about using both American Sign Language (ASL) and foreign language interpreters during virtual proceedings.

¹ The Michigan Supreme Court provided a Zoom license to every judge, magistrate, and referee in the state.

² Michigan Supreme Court [Administrative Order 2020-6](#) authorized remote proceedings whenever possible.

³ https://www.ada.gov/regs2010/titleII_2010/titleII_2010_regulations.htm

In addition to ASL interpretation, other common ADA accommodations for remote hearings include verbalization of documents shared onscreen or through the chat feature for individuals who have visual impairments, or Communication Access Real-Time Transcriber (CART) for hearing-impaired individuals. If the court does not have a CART-certified stenographic reporter, then the court must contact a third-party CART provider for the service.

There may be some instances when accommodations cannot be made for a remote hearing, so the court must hold an in-person hearing. In-person proceedings may also be appropriate for parties who require other types of interpretation or other accommodations to facilitate communication, access, and participation.

Please contact your regional administrator or Court Services at courtservices@courts.mi.gov with questions.