

SUPREME COURT OF YUKON

PRACTICE DIRECTION
GENERAL-32

Request for Interpreters in Court Proceedings

This practice direction sets out when the Court will provide and pay for an interpreter for a party or witness in a court proceeding and when the party or witness is responsible for obtaining and paying for an interpreter. It also sets out the procedure for requesting a Court-provided interpreter.

Under s. 14 of the *Canadian Charter of Rights and Freedoms*, a party or witness in a court proceeding who does not understand or speak the language of the proceeding has the right to the assistance of an interpreter. This right exists with respect to all languages.

There are also legal requirements for parties in civil and family actions and for accused persons in criminal proceedings to have their matter conducted in their choice of either French or English. This may give rise to the need for an interpreter.

In some circumstances, the cost of the interpreter is paid by the Court; in others, the person requiring the interpreter pays.

The Court will arrange and pay for an interpreter for a party or witness in:

- any language required in criminal matters;
- French in all matters where a proceeding is held in English;
- English in all matters where a proceeding is held in French;
- sign language and other visual language interpretation in all matters; and
- any other circumstance, with a Court order, on application.

Where a party or witness seeks a Court-provided interpreter in any of the circumstances listed above, they or their lawyer must complete a Request for a Court Interpreter form and file it with the court registry at least 14 days before the proceeding at which interpretation is required. Exceptions may be made for urgent matters. Interpretation for a witness is restricted to their testimony.

Where a party or witness requires interpretation in a matter that is not listed above, they are responsible for arranging and paying for an interpreter in accordance with this practice direction. The person requiring the interpreter, or their lawyer, must notify the clerk supervisor at clerk-supervisor@yukon.ca of their intention to use an interpreter as soon as possible.

The person requiring the interpreter, or their lawyer, must ensure that the interpreter has no prior personal relationship with any of the parties, lawyers, or witnesses involved in the proceedings, in order to avoid any conflict of interest.

All interpreters appearing before the Court must have sufficient training and experience to properly interpret the proceedings. Unless otherwise ordered by the Court, the interpreter must be provided by an organization that provides court interpreters, such as British Columbia Professional Legal Interpreters ("BCPLI"). A list of organizations that provide court interpreters can be obtained from the Court registry.

Interpreters may be permitted to appear by videoconference depending on the proceedings and as directed by the presiding justice. In exceptional circumstances, telephone appearances may be permitted by the presiding justice.

A handwritten signature in blue ink, appearing to read "Duncan C.J.", written in a cursive style.

Duncan C.J.
March 5, 2025

REQUEST FOR A COURT INTERPRETER

1. File #:
2. Date of request:
3. Style of Cause:
4. Name of party or witness requiring an interpreter:
5. Name of person making request (*if different from above*):
6. Nature of proceeding (*application, trial, sentencing, etc.*):
7. Date and time of proceeding (*if multiple dates, please specify all*):
8. Language of proceeding French English French and English

(*choose one*): American Sign Language Other:
9. Language spoken by the party or witness requiring the interpreter (*including any dialect*):
10. Reason for the request that Court Services Branch provide the interpreter (*if applicable, state whether your request is based on a court order*):
11. I am requesting that the interpreter appear: In-person By videoconference

APPROVAL

An interpreter in the above-noted language/dialect is approved for the court proceeding in this matter on the above-noted date(s) and time(s). The interpreter is to appear by

Justice of the Supreme Court of Yukon