

OAR 438-007-0045

Translation of Documents

(1) Subject to section (2), all documents admitted at hearing shall be written in the English language.

(2) Any document that contains language that is not written in the English language may be admitted as evidence if:

(a) the parties stipulate (either in writing or orally) the English translation for the non-English language; or

(b) the party offering the document for admission includes an English translation of the non-English language.

(3) Any dispute regarding the accuracy of the English translation of the non-English language described in section (2)(b) shall be resolved by the Administrative Law Judge. In doing so, the Administrative Law Judge may consult any person/entity that the Administrative Law Judge deems achieves substantial justice.

(4) The costs incurred in reaching a stipulation described in subsection (2)(a) shall be borne in the manner agreed upon by the parties.

(5) The costs incurred in obtaining the English translation of the non-English language described in subsection (2)(b) shall be borne by the party offering the translation for admission into the evidentiary record.

(6) The costs incurred by the claimant under subsection (2)(a) and section (5) are subject to reimbursement under ORS 656.386(2), OAR 438-015-0005(8) and OAR 438-015-0019.

(7) The costs incurred in assisting the Administrative Law Judge to reach resolution of a dispute under section (3) shall be borne by the Board.

Statutory/Other Authority: ORS 656.726(5)

Statutes/Other Implemented: ORS 656.726(5)