

AMENDED IN SENATE JUNE 27, 2011

AMENDED IN ASSEMBLY MAY 5, 2011

AMENDED IN ASSEMBLY MARCH 21, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 810

Introduced by Assembly Member Wagner

February 17, 2011

An act to repeal Section 26806 of, and to repeal and add Section 69894.5 of, the Government Code, relating to courts.

LEGISLATIVE COUNSEL'S DIGEST

AB 810, as amended, Wagner. Courts: translators.

Existing law authorizes the clerk of the court, in a county with a population of 900,000 or more, to employ as many foreign language interpreters as are necessary to interpret in criminal and juvenile cases, and to translate documents intended for filing in any civil or criminal action or proceeding or for recordation in the county recorder's office, as specified. Existing law authorizes an interpreter so employed to collect from the litigants a specified fee for his or her services, and to deposit the fee into the county treasury.

This bill would recast these provisions to authorize the clerk of the court to employ as many foreign language interpreters as may be necessary to interpret cases in the superior court, and to translate documents as specified. The bill would require the clerk of the court to assign interpreters when needed to interpret in criminal and juvenile delinquency cases in the superior court, and in civil cases if an assignment can be made without causing the court to be unable to perform its obligations in criminal proceedings. The bill would delete

the authorization for the collection of a fee, ~~and would state that these provisions are declarative of existing law.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 26806 of the Government Code is
- 2 repealed.
- 3 SEC. 2. Section 69894.5 of the Government Code is repealed.
- 4 SEC. 3. Section 69894.5 is added to the Government Code, to
- 5 read:
- 6 69894.5. (a) A person unable to understand English who is
- 7 charged with a crime has a right to an interpreter throughout the
- 8 proceedings.
- 9 (b) The clerk of the court may employ as many foreign language
- 10 interpreters as may be necessary to interpret cases in the superior
- 11 court, and to translate documents as may be required, pursuant to
- 12 the Trial Court Interpreter Employment and Labor Relations Act
- 13 ~~Chapter (Chapter 7.5 (commencing with Section 71800) of Title~~
- 14 ~~8) 71800)).~~
- 15 (c) In addition to any other right to an interpreter, the clerk of
- 16 the court shall, when interpreters are needed, assign interpreters
- 17 to interpret in criminal and juvenile delinquency cases in the
- 18 superior court.
- 19 (d) The clerk of the court may also assign interpreters to interpret
- 20 in civil cases in the superior court, if an assignment in a civil case
- 21 can be made without causing the court to be unable to perform its
- 22 obligations in criminal proceedings.
- 23 ~~(e) This section is declarative of existing law.~~