

AMENDED IN ASSEMBLY MARCH 28, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 2370

Introduced by Assembly Member Chau

February 21, 2014

An act to amend Section ~~68566~~ 68561 of the Government Code, relating to court interpreters.

LEGISLATIVE COUNSEL'S DIGEST

AB 2370, as amended, Chau. Court interpreters.

Existing law provides for the regulation of court interpreters, and requires the Judicial Council to designate the languages for which certification programs shall be established. Any person who interprets in a court proceeding using a language designated by the Judicial Council is required to be a certified court interpreter for the language used. Existing law authorizes the court, for good cause, to appoint an interpreter who does not hold an interpreter certificate for a designated language. Existing law authorizes a person who interprets in a court proceeding using a language not designated by the Judicial Council to be qualified by the court under qualification procedures and guidelines adopted by the council. Existing law requires interpreters to establish to the court that they meet the requirements described above under procedures adopted by the Judicial Council and also requires the court record to show that the interpreter is a certified interpreter or qualified as an interpreter for good cause or for a nondesignated language, as specified.

This bill would additionally require the presiding judge in a court proceeding, when using a qualified interpreter, to require the name of the interpreter and a statement that he or she meets the qualification

requirements specified above to be stated on the record. When using a certified court reporter, the bill would require, among other things, the name of the interpreter, the status of his or her interpreter certification, and a statement that the interpreter’s oath was administered to the interpreter, or that he or she has an oath on file with the court, as specified, to be stated on the record.

~~Existing law provides for the regulation of court interpreters. Existing law designates specified persons with the title “certified court interpreter,” and prohibits the use of that title by other persons or entities.~~

~~This bill would make technical, nonsubstantive changes to that provision.~~

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

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

1 SECTION 1. Section 68561 of the Government Code is
 2 amended to read:
 3 68561. (a) Except for good cause as provided in subdivision
 4 (c), ~~any~~ a person who interprets in a court proceeding using a
 5 language designated by the Judicial Council ~~under~~ pursuant to
 6 subdivision (a) of Section 68562 shall be a certified court
 7 interpreter, as defined in Section 68566, for the language used.
 8 (b) Interpreters named and maintained on the list of
 9 recommended court interpreters ~~(1)~~ previously established by the
 10 State Personnel Board, ~~or~~ ~~(2)~~ or established by an entity
 11 provisionally approved ~~under~~ pursuant to subdivision (b) of Section
 12 ~~68562~~, 68562 shall be deemed certified ~~under~~ pursuant to this
 13 article until January 1, 1996. After that date, those interpreters
 14 shall not be deemed certified unless they have complied with the
 15 procedures for certification adopted ~~under~~ pursuant to subdivision
 16 (c) of Section 68562. Interpreters approved by the State Personnel
 17 Board or any other agency or entity for use in administrative
 18 hearings or nonjudicial settings shall not be deemed certified as
 19 court interpreters. These interpreters ~~also~~ shall not be used in court
 20 proceedings unless they are qualified by the court ~~under~~ pursuant
 21 to subdivision (c) or (d).
 22 (c) A court may for good cause appoint an interpreter for a
 23 language designated by the Judicial Council who does not hold a
 24 court interpreter certificate. The court shall follow the good cause

1 and qualification procedures and guidelines adopted by the Judicial
2 Council.

3 (d) ~~Any~~ A person who interprets in a court proceeding using a
4 language not designated by the Judicial Council shall be qualified
5 by the court ~~under~~ pursuant to the qualification procedures and
6 guidelines adopted by the Judicial Council. If this qualified
7 interpreter also passes an English fluency examination offered by
8 a testing entity approved by the Judicial Council, this person shall
9 be designated a “registered interpreter.”

10 (e) Interpreters shall establish to the court that they meet the
11 requirements of this section under procedures adopted by the
12 Judicial Council. The court record shall show that the interpreter
13 (1) is a certified court interpreter as defined by Section 68566 for
14 the language used, or (2) was qualified by the court under
15 subdivision (c), after a finding of good cause, or under subdivision
16 (d), if the language is not designated by the Judicial Council.

17 (f) *If a court uses a qualified interpreter pursuant to subdivision*
18 *(c) or (d), the presiding judge in the court proceeding shall require*
19 *the following to be stated on the record:*

20 (1) *The name of the qualified interpreter.*

21 (2) *A statement that the qualified interpreter meets the*
22 *requirements of subdivision (c) or (d).*

23 (g) *If a court uses a certified court interpreter, as defined by*
24 *Section 68566, the presiding judge in the court proceeding shall*
25 *require the following to be stated on the record:*

26 (1) *The name of the certified court interpreter, as listed on his*
27 *or her court interpreter certification.*

28 (2) *The status of his or her interpreter certification, including*
29 *his or her current certification number.*

30 (3) *A statement that the certified court interpreter has presented*
31 *photo identification or a certified interpreter identification badge*
32 *to the court.*

33 (4) *The language to be interpreted.*

34 (5) *A statement that the interpreter’s oath was administered to*
35 *the certified court interpreter or that he or she has an oath on file*
36 *with the court.*

37 ~~SECTION 1. Section 68566 of the Government Code is~~
38 ~~amended to read:~~

39 ~~68566. A natural person who either (1) holds a valid certificate~~
40 ~~as a certified court interpreter issued by a certification entity~~

1 approved by the Judicial Council, or (2) until January 1, 1996, is
2 named and maintained on the list of recommended court
3 interpreters previously established by the State Personnel Board
4 or established by an entity provisionally approved under
5 subdivision (b) of Section 68562, shall be designated a “certified
6 court interpreter.” No other person or entity shall use the title
7 “certified court interpreter,” or represent that he, she, or it is
8 certified to interpret in or for the courts.

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