

AMENDED IN ASSEMBLY MAY 13, 2014
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 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 Existing law provides that 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~~ *Judicial Council, and to be designated as a registered interpreter if he or she passes an approved English fluency examination.* 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 *or registered* court ~~reporter~~ *interpreter*, the bill would require, among other things, the name of the interpreter, the status of his or her interpreter certification *or registration*, 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.

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

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

3 (d) 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 pursuant to the qualification procedures and guidelines
6 adopted by the Judicial Council. If this qualified interpreter also
7 passes an English fluency examination offered by a testing entity
8 approved by the Judicial Council, this person shall be designated
9 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~~ *an interpreter who is qualified*
18 pursuant to subdivision (c) or (d), the ~~presiding~~ judge in the court
19 proceeding shall require 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, *or a registered court interpreter*, the ~~presiding~~
25 judge in the court proceeding shall require the following to be
26 stated on the record:

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

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

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

35 (4) The language to be interpreted.

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

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