

Regular Session, 2010

HOUSE CONCURRENT RESOLUTION NO. 48

BY REPRESENTATIVE RICHMOND

A CONCURRENT RESOLUTION

To urge and request the Judicial Council to study and make recommendations for inclusion by the Supreme Court of Louisiana in the uniform rules of state court guidelines for the qualifications and standards governing the use of interpreters in the courts for non-English-speaking principal parties in interest, defendants, and witnesses in proceedings before the court.

WHEREAS, Act No. 882 was enacted during the 2008 Regular Session of the Legislature of Louisiana and requires that a judge appoint a competent interpreter to interpret or to translate the proceedings to a principal party in interest or witness and to interpret or translate his testimony in civil and criminal proceedings before a court; and

WHEREAS, on September 17, 2009, the Judiciary Committee of the Louisiana House of Representatives held a meeting to study the effect of Act No. 882 of the 2008 Regular Session of the Legislature and received testimony from numerous witnesses; and

WHEREAS, these witnesses before the committee testified as to problems in the court because of nonuniformity in the standards of the interpreters utilized by different courts; and

WHEREAS, these witnesses before the committee recommended that standards needed to be set regarding what constitutes a "competent interpreter" and that the Supreme Court of the state of Louisiana should adopt uniform rules establishing a certification procedure for interpreters as to what standards would be required to be accepted in a courtroom as an interpreter; and

WHEREAS, forty of the fifty states have joined the Consortium for State Court Interpreter Certification of the National Center for State Courts which was created and implemented in direct response to the Court Interpreters Act of 1978 and whose mission is

to inspire and enable its members to promote equal access to justice in courts and tribunals by eliminating language barriers for persons with limited English proficiency; and

WHEREAS, the Consortium for State Court Interpreter Certification of the National Center for State Courts may be a good resource to be utilized by the council in considering standards for the courts of Louisiana; and

WHEREAS, Act No. 882 of the 2008 Regular Session of the Legislature requires the fees paid to interpreters be taxed by the court as court costs; and

WHEREAS, the model suggested by the National Center for State Courts would allow the state to apply to access federal funds to support state court interpreter programs in areas such as certification, training, and general support; and

WHEREAS, one of the purposes of the Judicial Council is to make continuous study of the organization of the courts, of the rules, procedures, and practices of the judicial system of the state, as well as of the work accomplished and the results attained by it, and of the uniformity of the exercise of discretionary power of the courts, to the end that procedure may be simplified, business expedited, and justice better administered.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby urge and request the Judicial Council to study and make recommendations to the Supreme Court of Louisiana for inclusion in the uniform rules of state court guidelines for the qualifications and standards governing the use of interpreters in the courts for non-English-speaking principal parties in interest, defendants, and witnesses in proceedings before the court.

BE IT FURTHER RESOLVED that a copy of this Resolution be submitted to the Chief Justice of the Supreme Court of the state of Louisiana as member and chairperson of the Judicial Council.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE