

AB 1657 (Gomez) Court Interpreters

Bill Summary

Assembly Bill 1657 will clarify the ability of courts to provide foreign language interpreters in all cases.

Existing Law

Current law, including Government Code sections 26806 and 68092, is ambiguous as to whether or not courts can provide these services, or if parties in civil cases need to pay for interpreter services on their own. Courts are already required to provide sign language interpreters in all cases, and to provide foreign language interpreters in all criminal, and certain civil, cases.

Background

Courts must provide interpreters to non-English speaking defendants in all criminal cases, including juvenile delinquency cases and traffic cases. In civil cases, however, interpreters must be provided in some cases, are provided by some courts, and are not in others. Statutory and case law require courts to provide interpreters in juvenile dependency cases, certain family law cases where the parties are indigent, and in some small claims cases where no volunteer or other free interpreters are available. In other cases, whether or not an interpreter is provided can depend on the size of the county, the availability of funds, and the local rules of the specific court.

These local rules, coupled with various interpretations of Government Code requirements, have led to some courts providing civil interpreters in some cases

where they are not explicitly required, and other courts not providing them. The income of the parties can impact the ultimate decision as well. The Federal Department of Justice believes that courts are already required to provide these services. Without a clarification in the Government Code, however, individual courts are left to their own devices to decide how they view the Government Code's requirements.

Details of the Bill

AB 1657 clarifies the identified conflict in the Government Code, explicitly declaring that “[A] **a court may provide an interpreter in any civil action or proceeding at no cost to the parties, regardless of the income of the parties.**” This allows for courts to apply the law fairly, uniformly, and equally statewide.

Support

Judicial Council of California (sponsor)
CalChamber

Opposition

None on File

For More Information

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