

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001
4

A Bill

HOUSE BILL 1514

5 By: Representative Hathorn
6 By: Senator Hill
7
8

For An Act To Be Entitled

9
10 AN ACT TO AMEND VARIOUS SECTIONS OF THE ARKANSAS CODE
11 REGARDING THE CERTIFICATION AND PAYMENT OF CERTIFIED
12 FOREIGN LANGUAGE COURT INTERPRETERS; AND FOR OTHER
13 PURPOSES.
14
15

Subtitle

16
17 AN ACT TO AMEND VARIOUS SECTIONS OF THE
18 ARKANSAS CODE REGARDING THE CERTIFICATION
19 AND PAYMENT OF CERTIFIED FOREIGN LANGUAGE
20 COURT INTERPRETERS.
21
22

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
24

25 SECTION 1. Arkansas Code 16-10-127 is amended to read as follows:
26 16-10-127. Court interpreters.

27 (a) The director shall establish a program to facilitate the use of
28 interpreters and transliterators in all courts of the State of Arkansas.

29 (b)(1) The director shall prescribe the qualifications of and certify
30 persons who may serve as certified interpreters and transliterators in all
31 courts of the State of Arkansas in bilingual proceedings and proceedings
32 involving the hearing impaired, whether or not also speech impaired.

33 (2) The director shall maintain a current ~~master list~~ registry of
34 all interpreters and transliterators certified by him and shall report
35 annually to the Arkansas Supreme Court on the frequency of requests for and
36 the use and effectiveness of the interpreters and transliterators.

1 (c) In all state court bilingual proceedings and proceedings involving
2 the hearing impaired, whether or not also speech impaired, the presiding
3 judicial officer, with the assistance of the director, shall utilize the
4 services of a certified interpreter or transliterator to communicate verbatim
5 all spoken words or signs, illustrating alphabetical letters or words, in
6 American Sign Language, signed English, or spoken English.

7 (d) All state courts shall maintain on file in the office of the clerk
8 of the court a list of all persons who have been certified as interpreters or
9 transliterators by the director in accordance with the certification program
10 established pursuant to this section.

11 (e) Whenever a judicial officer appoints a certified foreign language
12 interpreter or transliterator from the registry to a criminal or civil case,
13 upon the conclusion of the interpreter's or transliterator's services in the
14 case, the judicial officer may certify those services to the director, upon a
15 form prescribed by the Administrative Office of the Courts.

16 (f) The director is authorized to pay, from funds specifically
17 appropriated for this purpose, the certified foreign language interpreter or
18 transliterator for the interpreting services furnished to the court.

19 ~~(e)~~(g) As used in this section, unless the context otherwise requires:

20 (1) "Deaf person" means a person with a hearing loss so great as
21 to prevent his understanding language spoken in a normal tone.

22 (2) "Director" means the Director of the Administrative Office of
23 the Courts.

24
25 SECTION 2. Arkansas Code 16-64-111(b) is amended to read as follows:

26 (b)(1) The interpreter may be retained by the party or witness himself,
27 or if the person is unable to pay for an interpreter, may be appointed by the
28 court before which the action is pending.

29 (2) If an interpreter is appointed by the court, the fee for the
30 services of the interpreter shall be set by the court and shall be paid in
31 such manner as the court may determine.

32 (3) If a certified foreign language interpreter from the roster
33 is appointed by the court in a civil matter, the judge may certify the
34 appointment to the director of the Administrative Office of the Courts as
35 provided in § 16-10-127.

SECTION 3. Arkansas Code 16-89-104(b) is amended to read as follows:

(b)(1) An interpreter may be retained by the party or witness himself or, if the person is unable to pay for an interpreter, may be appointed by the court before which the action is pending and shall be appointed by the court before which the action is pending if the person is a defendant in the criminal action.

(2) If an interpreter is appointed by the court, the fee for the services of the interpreter shall be set by the court and shall be paid in such manner as the court may determine, except that an acquitted defendant shall not be required to pay any fee for the services of a court-appointed interpreter.

(3) If a certified foreign language interpreter from the roster is appointed by the court in a criminal matter, the judge may certify the appointment to the director of the Administrative Office of the Courts as provided in § 16-10-127.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36