



Judicial Council of California

ADMINISTRATIVE OFFICE OF THE COURTS

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Chief Deputy Director

KATHLEEN T. HOWARD
Director, Office of Governmental Affairs

March 29, 2006

Hon. Dave Jones, Chair
Assembly Judiciary Committee
State Capitol, Room 3126
Sacramento, California 95814

Subject: AB 2302 (Assembly Judiciary Committee), as introduced February 22, 2006 - Support
Hearing: Assembly Judiciary Committee – April 4, 2006

Dear Assembly Member Jones:

The Judicial Council is pleased to write in support of AB 2302. This proposal to expand interpreter services provided in civil matters is critical to ensuring meaningful access to justice for all Californians.

As you know, current law does not require certified or registered interpreters be present in civil matters for non-English speaking litigants, yet, the issues at stake in child custody, child support, and other civil cases can be as critical as the issues involved in criminal cases where the law requires interpreters be provided. Litigants in most civil cases are unable to use professional interpreters unless they can pay for the costs of their services.


Lack of interpreter services jeopardizes the court's ability to identify the crucial issues that guide the determination in a case. These problems are exacerbated by the fact that many of these litigants are also lacking any legal representation. Lack of interpreters has enormous consequences for litigants: in domestic violence cases, respondents do not understand the orders entered against them and all too often violate them; single parents are unable to obtain adequate child support awards and must go on public assistance; and extended family members are unable to obtain guardianships, which would allow them to care for children who otherwise are placed into foster care or juvenile hall.

Hon. Dave Jones, Chair
March 29, 2006
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In reviewing AB 2302, trial courts have begun to identify potential barriers to full implementation of this bill, including the shortage of qualified interpreters to appear in civil cases in addition to the criminal cases where they now appear. Additionally, trial courts will need to review current business practices in order to efficiently calendar cases and schedule interpreters in all necessary languages in both criminal and civil matters. It may be necessary to consider prioritizing case types or a phase-in approach to make this an effective policy change.

As AB 2302 moves forward we hope to work with the Legislature to ensure that amendments are made to address these and any other workability problems that arise. It is also essential that funding be provided for any new policy requiring interpreters be provided in civil matters. We do not believe that courts could fully implement this bill without additional resources. The Judicial Council and its staff are available to work with you and your staff on any of the issues raised here.

Sincerely,



Eraina Ortega
Manager

EO/lb

cc: Ms. Sue Blake, Assistant Office of Planning and Research
Mr. Eric Csizmar, Deputy Legislative Secretary, Office of the Governor
Mr. Kevin Baker, Staff Counsel, Assembly Judiciary Committee



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June 21, 2006

Hon. Joseph L. Dunn, Chair
Senate Judiciary Committee
State Capitol, Room 2080
Sacramento, California 95814

Subject: AB 2302 (Assembly Judiciary Committee), as amended May 26, 2006 - Support
Hearing: Senate Judiciary Committee – June 27, 2006

Dear Senator Dunn:

The Judicial Council is pleased to write in support of AB 2302. This proposal to provide interpreter services in civil matters is critical to ensuring meaningful access to justice for all Californians.

As you know, current law does not require certified or registered interpreters be present in civil matters for non-English speaking litigants, yet, the issues at stake in child custody, child support, and other civil cases can be as critical as the issues involved in criminal cases where the law requires interpreters be provided. Litigants in most civil cases are unable to use professional interpreters unless they can pay for the costs of their services.

Lack of interpreter services jeopardizes the court's ability to identify the crucial issues that guide the determination in a case. These problems are exacerbated by the fact that many of these litigants are also lacking any legal representation. Lack of interpreters has enormous consequences for litigants: in domestic violence cases, respondents do not understand the orders entered against them and all too often violate them; single parents are unable to obtain adequate child support awards and must go on public assistance; and extended family members are unable to obtain guardianships, which would allow them to care for children who otherwise are placed into foster care or juvenile hall.

Hon. Joseph L. Dunn, Chair
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The budget conference committee approved \$10 million to fund interpreters in civil cases; this funding is essential to the implementation of AB 2302. In addition to the need for funding, the ongoing shortage of qualified interpreters will impede full implementation of the bill. It will be necessary to prioritize the assignment of court interpreters to the most critical case types until such time that sufficient interpreters and funding are available for all civil matters. We are pleased that the bill will be amended to include a priority list and that the Judicial Council will have authority to adopt rules that ensure the efficient use of funding and interpreters resources.

For these reasons, we urge your "aye" vote on AB 2302.

Sincerely,



Eraina Ortega
Manager

EO/lb

cc: Members, Assembly Judiciary Committee
Ms. Alexandra Montgomery, Committee Counsel, Senate Judiciary Committee
Ms. Sue Blake, Director of Legislation, Office of Planning and Research
Mr. Eric Csizmar, Deputy Legislative Secretary, Office of the Governor