



HF 707 – Court Interpreters (LSB1372HZ.2)
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 Fiscal Note Version – Final Action

Description

House File 707 relates to interpreters and translators for limited-English-proficient (LEP) persons and sign language interpreters for deaf and hard-of-hearing persons in legal proceedings. The Bill provides that the State Court Administrator is to receive, review, and pay fee claims for interpreters and translators from the Jury and Witness Revolving Fund established in Iowa Code section [602.1302\(3\)](#).

The Bill also provides that costs and fees associated with interpreters and translators are not payable from the Indigent Defense Fund. The result of the Bill, in part, is that the Judicial Branch is to assume responsibility for the review and payment of interpreter and translator claims formerly paid by the Indigent Defense Fund.

Funding appropriated to the Indigent Defense Fund in FY 2021 is to be used by the State Public Defender for payment of costs and fees of interpreters and translators received prior to the effective date of this Bill. The Bill takes effect on July 1, 2021.

Background

Currently, four State agencies may pay oral language interpreters, depending on the case type and economic status of the person needing an interpreter:

- State Public Defender — Pays interpreters who work on behalf of indigent parties who are LEP and who are represented by assigned counsel in criminal and juvenile cases.
- Local Public Defender Field Offices — Pays interpreters who work on behalf of indigent parties represented by public defenders in criminal and juvenile cases.
- Counties — Pays all sign language interpreters in court proceedings and oral language interpreters who assist LEP persons who are subjects of mental health commitment proceedings.
- State Court Administrator — Pays interpreters appointed for LEP parties in all other cases.

Assumptions

- Oral language interpreter fees for LEP indigent persons represented by public defenders or court-appointed counsel will be the same in FY 2022 as those expenses were in FY 2019, and similar to prior fiscal years. **Table 1** shows the court interpreter fees paid by the State Public Defender from the Indigent Defense Fund for the last four fiscal years.

Table 1 — Court Interpreter Fees Paid by the State Public Defender

FY 2017	FY 2018	FY 2019	FY 2020
\$ 414,096	\$ 447,989	\$ 499,876	\$ 292,196

- Since the pandemic significantly reduced the number of court proceedings and demand for interpreters during March through June 2020, the FY 2020 interpreter expenses are not indicative of future costs.

- The Indigent Defense Fund currently pays out approximately \$42,000 in interpreter fees per month.

Fiscal Impact

House File 707 is estimated to increase funding and costs to the Jury and Witness Revolving Fund by approximately \$500,000 beginning in FY 2022. Currently, the State Public Defender pays these interpreter fees from the Indigent Defense Fund. The Bill will transfer those costs to the Revolving Fund. As a result, the Indigent Defense Fund will experience a savings of approximately the same amount.

Sources

Office of the State Public Defender
Judicial Branch

/s/ Holly M. Lyons

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The fiscal note for this Bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

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