

January 21, 1970

SENATE FILE 1096

Passed on File

Judiciary 1-21-70, Pass 3/10

By DeKOSTER and GRIFFIN

Passed Senate, Date.....3-19-70..... Passed House, Date.....4-6-70.....

Vote: Ayes54..... Nays6..... Vote: Ayes78..... Nays0.....

ApprovedApril 13, 1970.....

A BILL FOR

- 1 An Act relating to the appointment of interpreters in legal pro-
2 ceedings before any court or administrative agency.
- 3 *Be It Enacted by the General Assembly of the State of Iowa:*
- 4 Section 1. As used in this Act, "legal proceeding" means any
5 action before any court, or any legal action preparatory to
6 appearing before any court, whether civil or criminal in nature;
7 and any administrative proceeding before any state agency or
8 governmental subdivision which is quasi-judicial in nature and
9 which has direct legal implications to any person.
- 10 Sec. 2. Every person who cannot speak or understand the
11 English language, or every person who because of hearing, speak-
12 ing or other impairment has difficulty in communicating with
13 other persons, and who is a party to any legal proceeding or a
14 witness therein, shall be entitled to an interpreter to assist
15 such person throughout the proceeding.
- 16 Sec. 3. An interpreter shall be appointed without expense
17 to the person requiring assistance in the following cases:
- 18 1. If the person requiring assistance is a witness in the
19 legal proceeding.
- 20 2. If the person requiring assistance is indigent and
21 financially unable to secure an interpreter.
- 22 Every court shall tax the cost of an interpreter the same as
23 other court costs. If the proceeding is before an administra-
24 tive agency, that agency shall provide such interpreter but may
25 require that a party to the proceeding pay the expense thereof.

1 Sec. 4. Every interpreter appointed by a court or adminis-
2 trative agency shall receive a fee to be set by the court or
3 administrative agency.

4 Sec. 5. Every interpreter in any legal proceeding shall
5 take the same oath as any other witness.

6 Sec. 6. Any court or administrative agency may inquire into
7 the qualifications and integrity of any interpreter, and may
8 disqualify any person from serving as an interpreter.

EXPLANATION

This bill will permit any person who has a communication handicap to have the assistance of an interpreter in any legal proceeding before a court or administrative agency.

FISCAL NOTE

Date prepared January 20, 1970

Requested by Senator DeKoster.

Prepared in regard to a bill for an Act relating to the appointment of interpreters in legal proceedings before any court or administrative agency.

Following is the fiscal effect in dollars of the legislative proposal as required by Rule 31.

No fiscal note required since the cost of the interpreter would be assessed the same as court costs.

GERRY D. RANKIN
Legislative Fiscal Director