

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: Judiciary Committee

BILL: SB 1128

INTRODUCER: Senator Villalobos

SUBJECT: Certification of Court Interpreters

DATE: February 14, 2006

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Cibula	Maclure	JU	Favorable
2.	_____	_____	JA	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

This bill directs the Florida Supreme Court to establish standards and procedures to certify, discipline, and train foreign language interpreters who are appointed by a court. Additionally, the bill permits the Court to charge fees to persons who apply for certification or renewal of their certification as an interpreter. The bill provides that the fee revenues will be used to partially offset the costs of administering the certification process. Further, the bill authorizes the Court to employ personnel necessary to administer the procedures authorized by the bill.

This bill creates an unnumbered section of the Florida Statutes.

II. Present Situation:

Courts have an obligation to provide interpreters for indigent defendants to protect their due process and equal protection rights when a fundamental interest is at stake. Practices vary, however, among the Florida courts regarding the general management, regulation, and coordination of court interpreter services.¹

On February 12, 2003, Chief Justice Anstead appointed several circuit court chief judges to the Supreme Court Interpreter's Committee.² The committee was tasked with determining whether the Supreme Court should adopt procedural rules regarding court interpreters and whether statutory changes should be recommended to the Legislature. The committee concluded that the Court has the inherent authority to regulate court interpreters.³ The committee, however, appears

¹ Supreme Court Interpreter's Committee, Report and Recommendations 7 (October 2003).

² *In Re: Court Interpreter Rules*, Administrative Order No. AOSC03-8 (Feb. 12, 2003).

³ Supreme Court Interpreter's Committee, *supra* note 1, at 31.

to recommended that the Court pursue statutory authority to charge fees to offset the costs of regulating court interpreters.⁴

III. Effect of Proposed Changes:

This bill directs the Florida Supreme Court to establish standards and procedures to certify, discipline, and train foreign language interpreters who are appointed by a court. Additionally, the bill permits the Court to charge fees to persons who apply for certification or renewal of their certification as an interpreter. The bill provides that the fee revenues will be used to partially offset the costs of administering the certification process. Further, the bill authorizes the Court to employ personnel necessary to administer the procedures authorized by the bill.

The bill takes effect on July 1, 2006.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

This bill authorizes the Florida Supreme Court to charge unspecified fees to persons who apply to be certified court interpreters.

B. Private Sector Impact:

This bill may make more qualified court interpreters available to certain indigent defendants.

C. Government Sector Impact:

This bill authorizes the Florida Supreme Court to certify court interpreters and hire personnel necessary to administer the provisions of this bill.

⁴ *Id.*

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

VIII. Summary of Amendments:

None.

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