

By Senator Torres

25-01824-23

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1 A bill to be entitled
2 An act relating to translation services; amending ss.
3 28.35 and 28.215, F.S.; authorizing a clerk of the
4 circuit court to provide translation services;
5 creating s. 28.217, F.S.; authorizing a clerk of the
6 circuit court to contract with a third-party
7 translation service provider to provide translation
8 services; requiring that such service by a clerk of
9 the circuit court be ministerial assistance only;
10 prohibiting a clerk of the circuit court from
11 providing legal advice; providing construction;
12 providing an effective date.

13
14 Be It Enacted by the Legislature of the State of Florida:

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16 Section 1. Paragraph (a) of subsection (3) of section
17 28.35, Florida Statutes, is amended to read:

18 28.35 Florida Clerks of Court Operations Corporation.—

19 (3) (a) The list of court-related functions that clerks may
20 fund from filing fees, service charges, court costs, and fines
21 is limited to those functions expressly authorized by law or
22 court rule. Those functions include the following: case
23 maintenance; records management; court preparation and
24 attendance; translation services; processing the assignment,
25 reopening, and reassignment of cases; processing of appeals;
26 collection and distribution of fines, fees, service charges, and
27 court costs; processing of bond forfeiture payments; data
28 collection and reporting; determinations of indigent status; and
29 paying reasonable administrative support costs to enable the

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30 clerk of the court to carry out these court-related functions.

31 Section 2. Section 28.215, Florida Statutes, is amended to
32 read:

33 28.215 Pro se assistance.—The clerk of the circuit court
34 shall provide ministerial assistance to pro se litigants.

35 (1) Assistance may ~~shall~~ not include the provision of legal
36 advice.

37 (2) Assistance may include translation services to pro se
38 litigants authorized under s. 28.217.

39 Section 3. Section 28.217, Florida Statutes, is created to
40 read:

41 28.217 Translation services.—

42 (1) The clerk of the circuit court may contract with a
43 third-party translation service provider for translation
44 services for civil cases. The provision of such services is
45 ministerial and constitutes a court-related function under s.
46 28.35(3)(a), and such services are an allowable expenditure by
47 the clerk of the circuit court under s. 28.36.

48 (2) Translation services may be made available to any party
49 requesting such services, regardless of whether the party is
50 represented by counsel. The clerk of the circuit court shall
51 provide ministerial assistance only in making such services
52 available, and such assistance may not include the provision of
53 legal advice.

54 (3) This section may not be construed to prohibit a party
55 from providing for his or own translation service or third-party
56 translation service provider.

57 Section 4. This act shall take effect October 1, 2023.