

By the Committee on Judiciary; and Senator Torres

590-03534-23

20231302c1

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 that the clerk of the circuit court is not
13 required to provide translation services; providing an
14 effective date.

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16 Be It Enacted by the Legislature of the State of Florida:

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18 Section 1. Paragraph (a) of subsection (3) of section
19 28.35, Florida Statutes, is amended to read:

20 28.35 Florida Clerks of Court Operations Corporation.—
21 (3) (a) The list of court-related functions that clerks may
22 fund from filing fees, service charges, court costs, and fines
23 is limited to those functions expressly authorized by law or
24 court rule. Those functions include the following: case
25 maintenance; records management; court preparation and
26 attendance; translation services; processing the assignment,
27 reopening, and reassignment of cases; processing of appeals;
28 collection and distribution of fines, fees, service charges, and
29 court costs; processing of bond forfeiture payments; data

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30 collection and reporting; determinations of indigent status; and
31 paying reasonable administrative support costs to enable the
32 clerk of the court to carry out these court-related functions.

33 Section 2. Section 28.215, Florida Statutes, is amended to
34 read:

35 28.215 Pro se assistance.—The clerk of the circuit court
36 shall provide ministerial assistance to pro se litigants.

37 (1) Assistance may ~~shall~~ not include the provision of legal
38 advice.

39 (2) Assistance may include translation services to pro se
40 litigants under s. 28.217.

41 Section 3. Section 28.217, Florida Statutes, is created to
42 read:

43 28.217 Translation services.—

44 (1) The clerk of the circuit court may contract with a
45 third-party translation service provider for translation
46 services for civil cases. The provision of such services is
47 ministerial and constitutes a court-related function under s.
48 28.35(3)(a), and such services are an allowable expenditure by
49 the clerk of the circuit court under s. 28.36.

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

56 (3) Nothing in this section may be construed to prohibit a
57 party from providing for his or her own translation service or
58 third-party translation service provider.

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59 (4) The provision of translation services under this
60 section is an optional court-related function, and nothing in
61 this section requires the clerk of the circuit court to provide
62 such services.

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