

February 11, 1971

PRESIDENT: We're ready for the consideration of bills on General File. If you're ready we'll start on 140.

SENATOR ORME: I move that it be advanced to E & R for initial. I was very happy when the suggestion was made yesterday that the amendments be incorporated. I had put them in my copy, but now you can see the bill as a total. If you notice the title refers to handicapped persons. To provide for the rights of accused persons and we learn how they propose to do this provide for fees and to provide the applicability of this ad. It points out that the policy of the state shall be the constitutional rights of deaf persons and other persons who because of hearing, speaking or other impairments are unable to readily understand or communicate the English language, cannot be fully protected unless qualified interpreters are available to assist such persons in legal proceedings and it points out how it shall be done. It's the intent to provide a procedure for the appointment of such interpreters to avoid injustice and to assist such persons in their own defense. The definition is, handicapped persons shall mean a person who because of a hearing or speaking impediment cannot readily understand or communicate the English language. In any proceeding wherein a handicapped person may be subjected to confinement or criminal sanctions or any proceeding prelinated thereto, presiding judicial officers shall appoint a qualified interpreter to assist the handicapped persons throughout the proceedings, if such person is an indigent and unable to procure an interpreter. It was pointed out to me by one of our attorneys in the bill drafting department that this is very much as interpreters furnished to those persons who are unable to pay for an attorney outright and the presiding judicial officer appoints one. In section 4, it says the interpreter must not, the only kind of interpreter that should be appointed is one who is readily able to communicate with the handicapped person, translate the proceedings for him and accurately receive and translate the statements of the handicapped persons to the officials before whom the proceeding is taking place. And every qualified interpreter appointed for pursuant to the provisions of section 1-5 before entering upon his duties shall have taken over that he will to the best of his skill and judgment make a true interpretation of the handicapped persons being examined of all the proceedings in a language which such persons understands. And that he will repeat the statements in the English language of such person to the court or other officials before whom the proceeding is taking place. The fees & expenses of an interpreter shall be fixed by the court and shall be paid by the county which the proceeding occurred. I understand that this is exactly as is done when an individual cannot pay for his own council.

(End of belt #2)