The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Xavier I. Alexander.

DIGEST

SB 71 Original 2019 Regular Session Carter

Present law requires in a civil proceeding a judge to appoint a competent interpreter to interpret the proceedings to a non-English-speaking person who is a principal party in interest or a witness in a proceeding before the court.

Proposed law retains present law and further provides that an interpreter shall be appointed prior to the rule to show cause if it is determined that an interpreter is necessary.

Present law requires the court to order reimbursement, as court costs, to the interpreter for his services at a fixed reasonable amount in civil proceedings.

Proposed law requires the court to order payment out of the judicial fund to the interpreter for his services at a fixed reasonable amount in civil proceedings.

Present law provides that a petition for civil protective order shall contain the following:

(1) The name of each petitioner and each person on whose behalf the petition is filed, and the name, address, and parish of residence of each individual alleged to have committed abuse, if known; if the petition is being filed on behalf of a child or person alleged to be incompetent, the relationship between that person and the petitioner.

(2) The facts and circumstances concerning the alleged abuse.

(3) The relationship between each petitioner and each individual alleged to have committed abuse.

(4) A request for one or more protective orders.

Proposed law maintains present law and further provides that the petition shall contain a request for a competent interpreter for non-English-speaking petitioner or witness.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends C.C.P. Art. 192.2 and R.S. 46:2134(A))