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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Hanna Gettys.

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DIGEST

SB 103Original

2024 Regular Session

Duplessis

Present law (C.C.P. Art. 192.2) provides for the appointment of a competent interpreter to interpret or translate court proceedings and the testimony of a non-English-speaking party or witness upon request.

Proposed law requires the appointment of an interpreter under present law to be made in accordance with the Code of Evidence and the Rules of the Louisiana Supreme Court and makes technical corrections.

Present law (C.Cr.P. Art. 25.1) provides for the appointment of a competent interpreter to interpret or translate court proceedings and the testimony of a non-English-speaking party or witness upon request.

Proposed law changes present law to require the appointment of an interpreter in accordance with the Code of Evidence and the Rules of the Supreme Court when a party is a limited English proficient or deaf individual.

Present law (C.Cr.P. Art. 433) sets forth the persons who are permitted to be present at grand jury sessions, including an interpreter translating the testimony of a witness who is unable to speak English.

Proposed law changes present law to use consistent terminology, expands its application to deaf individuals, and makes technical corrections.

Present law (C.E. Art. 604) provides that interpreters are subject to the provisions of the Code of Evidence relating to qualification as an expert.

Proposed law changes present law to subject interpreters to the Rules of the Louisiana Supreme Court, removes the reference to experts, and recognizes the distinction between interpretations and translations.

Proposed law provides for qualifications of court-appointed interpreters, voir dire examinations, exceptions and objections, and recordation and retention of interpreted communications.

Effective August 1, 2024.

(Amends C.C.P. Art. 192.2, C.Cr.P. Arts. 25.1 and 433(A) and (C), and C.E. Art. 604; adds C.E. Art. 604.1)