



Judicial Council of California

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Subject Text

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Title

Rules and Forms | Civil Practice and Procedure: Waivers of Court Fees for Court Reporters and Interpreters (Action Required)

Summary

Recent changes in the law pertaining to a waiver of court fees for providing court reporters, providing court interpreters to parties in civil cases by priority level, and reimbursing courts for the cost of providing interpreters affect certain rules and forms that address fee waivers. The California Supreme Court recently held that courts that do not provide official court reporters must make available to parties entitled to a waiver of fees court reporters or other means to create a verbatim record. (*Jameson v. Desta* (2018) 5 Cal.5th 594.) Earlier legislation (Assem. Bill 1657; Stats. 2014, ch. 721) added a section to the Evidence Code that requires the Judicial Council to reimburse courts for court interpreter services for parties in civil cases and prioritizes by case type the provision of court interpreter services.

The Civil and Small Claims Advisory Committee recommends that two California Rules of Court be amended and nine fee waiver forms be revised to provide, generally, that a party that has been granted a fee waiver may request a court to provide an official reporter at a proceeding, delete an item addressing court-appointed interpreters in small claims actions, and change the language addressing court reporter's fees.

Recommendation

The Civil and Small Claims Advisory Committee recommends that the Judicial Council, effective September 1, 2019:

1. Amend Cal. Rules of Court, rules 2.956 and 3.55, to make changes consistent with *Jameson v. Desta* (2018) 5 Cal.5th 594; and
2. Revise the following forms to make changes consistent with *Jameson* and recent legislation, by replacing the existing language concerning a waiver of reporter's fees and to remove outdated and unnecessary language about a waiver of fees for a court-appointed interpreter in small claims court: FW-001-INFO, FW-003, FW-003-GC, FW-005, FW-005-GC, FW-008, FW-008-GC, FW-012, and FW-012-GC.

Speakers

Hon. Ann I. Jones, Chair, Civil and Small Claims Advisory Committee (by phone)

Ms. Susan McMullan, Legal Services