



Judicial Council of California

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Title

Judicial Council-Sponsored Legislation: Provisional Qualifications of American Sign Language Interpreters (Action Required)

Summary

The Policy Coordination and Liaison Committee and the Court Interpreters Advisory Panel recommend amending Evidence Code section 754 to incorporate language allowing for provisional qualification of American Sign Language (ASL) interpreters. This proposal was developed at the request of courts to create flexibility for the courts in securing services of ASL interpreters. Its enactment will result in revisions to Judicial Council forms dealing with the use of interpreters, which will provide guidance to court staff when court-certified ASL interpreters are not available.

Recommendation

The Policy Coordination and Liaison Committee and the Court Interpreters Advisory Panel recommend that the Judicial Council sponsor legislation to amend Evidence Code section 754 as follows:

1. Update and clarify unnecessary, inaccurate, or obsolete language, including replacing all references to the term “hearing impaired” with “deaf or hard of hearing.”
2. Simplify language regarding the process for selecting the ASL testing entity, and tie the process to the requirements of the California Rules of Court.
3. Add language requiring ASL court interpreters to enroll with the Judicial Council, in order to become California court certified, and not just to hold the requisite certification, while eliminating the need for local courts to maintain their own rosters.
4. Add language expressly allowing courts to use provisionally qualified ASL interpreters when a California court-certified interpreter is not available. Courts will be able to provisionally qualify ASL interpreters according to the same rules and guidelines which govern use of provisionally qualified spoken language interpreters.