File #: 19-193, **Version:** 1

Title
Rules and Forms | Criminal Procedure: Interpreter's Statement on Judicial Council Forms (Action Required)

Summary
The Criminal Law Advisory Committee recommends removing a portion of the Interpreter's Statement on three Judicial Council forms to ensure that the statement accurately describes the role and responsibilities of interpreters. The committee also recommends adding the proposed Interpreter's Statement to the form used by mentally disordered defendants to indicate whether the defendant is challenging the Penal Code section 1606 report recommending confinement or continued outpatient treatment, or is waiving that right. Form CR-170 includes the option for waiver of a significant right of the defendant, and therefore, for cases that require an interpreter, it is appropriate to include the Interpreter's Statement certifying the information was correctly translated.

Recommendation
The Criminal Law Advisory Committee recommends that the Judicial Council, effective January 1, 2020:

1. Revise *Plea Form, With Explanations and Waiver of Rights-Felony* (form CR-101), *Domestic Violence Plea Form With Waiver of Rights-Misdemeanor* (form CR-102), and *Defendant's Statement of Assets* (CR-115) by removing a portion of the Interpreter's Statement to ensure that the statement accurately describes the role and responsibilities of interpreters; and
2. Revise *Notification of Decision Whether to Challenge Recommendation* (CR-170), the form used by mentally disordered defendants to indicate whether the defendant is challenging the Penal Code section 1606 report recommending confinement or continued outpatient treatment, or is waiving that right to add the proposed Interpreter's Statement.