

Department of Legislative Services
 Maryland General Assembly
 2001 Session

FISCAL NOTE
Revised

House Bill 862

(Delegate Montague, *et al.*)

Judiciary

Judicial Proceedings

Courts - Access to the Justice System - Language Barriers

This bill requires a court to appoint a qualified interpreter to help a respondent in a juvenile delinquency proceeding when the respondent is deaf or cannot readily understand or communicate the English language and cannot understand a charge made against the respondent or help present the defense. In a criminal or juvenile proceeding, a court must appoint more than one interpreter when necessary to protect client confidentiality.

The Chief Judge of the Court of Appeals, in conjunction with specified others, must prepare a report on contacts and benchmarks and develop a plan for the expedited implementation of utilization of capable interpreters in criminal, juvenile, and civil proceedings. The Chief Judge must report to the General Assembly on the status of the implementation plan by December 15 each year beginning in 2001 until the plan is fully implemented.

Fiscal Summary

State Effect: General fund expenditures would increase by an estimated \$13,400 annually for interpreters, exclusive of any costs that may result from the implementation plan that is ultimately developed.

(in dollars)	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	13,400	13,400	13,400	13,400	13,400
Net Effect	(\$13,400)	(\$13,400)	(\$13,400)	(\$13,400)	(\$13,400)

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect

Local Effect: None.

Small Business Effect: Potential minimal.

Analysis

Current Law: In a criminal proceeding, a qualified interpreter must be appointed to assist a defendant who is deaf or does not speak English, at the expense of the Administrative Office of the Courts (AOC).

State Expenditures: Since July 1, 1999, the AOC has paid for court interpreters in criminal proceedings in the circuit courts. In fiscal 2000 these costs were \$244,310. Costs for fiscal 2001 are projected at \$268,000.

The juvenile court is a division of circuit court in every jurisdiction except Montgomery County (where the juvenile court is part of the District Court). The AOC advises that it does not currently pay for interpreters in juvenile court, and estimates that its interpreter costs would increase by 5%, or approximately \$13,400 annually, pursuant to the bill.

It is expected that the Judiciary could prepare the required plan and reports using existing budgeted resources. The implementation plan that is ultimately developed could result in additional, potentially significant expenditures for the Judiciary.

Small Business Effect: Small businesses that provide translation services could receive additional business as a result of the bill.

Additional Information

Prior Introductions: Similar cross filed bills were introduced during the 2000 session as SB 741/HB 1228. SB 741 received an unfavorable report from the Senate Judicial Proceedings Committee. The House Commerce and Government Matters Committee held a hearing on HB 1228, but no further action was taken.

Cross File: None.

Information Source(s): Judiciary (Administrative Office of the Courts), Department of Legislative Services

Fiscal Note History: First Reader – February 28, 2001
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