
By: **Senator Mooney**
Introduced and read first time: January 28, 2002
Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Courts - Interpreters**

3 FOR the purpose of requiring that an interpreter appointed by the court in certain
4 proceedings be an adult; and generally relating to the appointment of qualified
5 interpreters in certain court proceedings.

6 BY repealing and reenacting, with amendments,
7 Article - Courts and Judicial Proceedings
8 Section 9-114
9 Annotated Code of Maryland
10 (1998 Replacement Volume and 2001 Supplement)

11 BY repealing and reenacting, with amendments,
12 Article - Criminal Procedure
13 Section 1-202 and 3-103
14 Annotated Code of Maryland
15 (2001 Volume)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
17 MARYLAND, That the Laws of Maryland read as follows:

18 **Article - Courts and Judicial Proceedings**

19 9-114.

20 (a) If a party or witness is deaf or cannot readily understand or communicate
21 the spoken English language, any party may apply to the court for the appointment of
22 a qualified ADULT interpreter to assist that person. Upon the application of any party
23 or witness who is deaf the court shall appoint a qualified ADULT interpreter to assist
24 that person. The court shall maintain a directory of interpreters for manual
25 communication and/or oral interpretation to assist deaf persons.

26 (b) Any interpreter appointed pursuant to this section shall be allowed
27 compensation the court deems reasonable. It is discretionary with the court, in
28 accordance with the provisions of the federal Americans with Disabilities Act, to tax,

1 as part of the costs of the case, amounts paid to an interpreter for services and
2 expenses. Otherwise the amount shall be paid by the county where the proceedings
3 were initiated.

4

Article - Criminal Procedure

5 1-202.

6 (a) The court shall appoint a qualified ADULT interpreter to help a defendant
7 in a criminal proceeding throughout any criminal proceeding when the defendant is:

8 (1) deaf; or

9 (2) cannot readily understand or communicate the English language and
10 cannot understand a charge made against the defendant or help present the defense.

11 (b) The court shall give an interpreter appointed under this section:

12 (1) compensation for services in an amount equal to that provided for
13 interpreters of languages other than English; and

14 (2) reimbursement for actual and necessary expenses incurred in the
15 performance of services.

16 3-103.

17 (a) The court shall appoint a qualified ADULT interpreter to help a defendant
18 throughout any court proceedings under this title when the defendant is:

19 (1) deaf; or

20 (2) cannot readily understand or communicate the English language and
21 cannot understand a charge made against the defendant or help present the defense.

22 (b) The court shall give an interpreter appointed under this section:

23 (1) compensation for services in an amount equal to that provided for
24 interpreters of languages other than English; and

25 (2) reimbursement for actual and necessary expenses incurred in the
26 performance of services.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 October 1, 2002.