

**RESOLUTION PROPOSED BY THE
THE JOINT RIGHT TO COUNSEL, ACCESS TO JUSTICE
LANGUAGE ACCESS SUBCOMMITTEE
OF THE LOUISIANA STATE BAR ASSOCIATION**

WHEREAS, the Louisiana justice system is based upon the guiding principle that all persons should have equal access to the judicial system.

WHEREAS, in recognition of the diversity of persons who appear in and utilize Louisiana courts, it is essential to institute minimum requirements related to the use of court interpreters in Louisiana courts.

WHEREAS, such regulations are necessary to guarantee competent interpretation of court proceedings and ensure compliance with federal civil rights law thereby avoiding numerous harms, including imposition upon children forced to interpret for parents during family proceedings and the inability of litigants to comply with court orders they do not understand, which create additional litigation and costs. As a result, such guidelines are an important way to boost the public confidence in the state court system.

WHEREAS, court interpretation for foreign language speaking and deaf or hearing-impaired individuals is a highly specialized form of interpreting that should be performed by persons who have specialized and professional training skills.

WHEREAS, court interpreters act as officers of the court while providing interpretive services and, as a consequence, must abide by ethical considerations to ensure the proper administration of justice.

WHEREAS, the attached guidelines may serve as a model for a Supreme Court rule that provides for the certification, appointment, and use of interpreters to secure the state and federal constitutional rights of non-English-speaking or limited English proficiency persons in all legal proceedings.

NOW, THEREFORE BE IT RESOLVED, that the House of Delegates of the Louisiana State Bar Association and its members support the creation of Language Access Guidelines for Louisiana courts.

Respectfully Submitted,
LSBA Right to Counsel Committee
January 22, 2010

Marta-Ann Schnabel
Access to Justice Committee, Chair