

162

2015-2016 Regular Sessions

I N   A S S E M B L Y

(PREFILED)

January 7, 2015

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Introduced by M. of A. WEINSTEIN, TITONE, JAFFEE, PERRY, ROSENTHAL --  
Multi-Sponsored by -- M. of A. FAHY -- read once and referred to the  
Committee on Judiciary

AN ACT to amend the family court act, the criminal procedure law and the  
domestic relations law, in relation to the duties of interpreters  
appointed by the courts in certain cases

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-  
BLY, DO ENACT AS FOLLOWS:

1     Section 1. The family court act is amended by adding a new section 169  
2     to read as follows:  
3     S 169. INTERPRETATION OF ORDERS OF PROTECTION. WHERE AN INTERPRETER  
4     HAS BEEN APPOINTED BY THE COURT TO ASSIST IN THE PROCEEDING BEFORE THE  
5     COURT, THE COURT SHALL ALSO DIRECT SUCH INTERPRETER TO INTERPRET INTO  
6     THE APPROPRIATE LANGUAGE ON THE RECORD, WHILE THE INTERPRETER IS PRESENT  
7     IN COURT, THE ESSENTIAL TERMS AND CONDITIONS THAT THE COURT SHALL CLEAR-  
8     LY OUTLINE AND READ INTO THE RECORD, OF ANY ORDER OF PROTECTION OR  
9     TEMPORARY ORDER OF PROTECTION ISSUED BY THE COURT UNDER ARTICLE THREE,  
10    FOUR, FIVE, SIX, SEVEN, EIGHT OR TEN OF THIS ACT. SUCH INTERPRETATION  
11    SHALL NOT AFFECT THE VALIDITY OR ENFORCEABILITY OF THE ORDER.  
12    S 2. Section 530.12 of the criminal procedure law is amended by adding  
13    a new subdivision 5-a to read as follows:  
14    5-A. WHERE AN INTERPRETER HAS BEEN APPOINTED BY THE COURT TO ASSIST IN  
15    THE PROCEEDING BEFORE THE COURT, THE COURT SHALL ALSO DIRECT SUCH INTER-  
16    PRETER TO INTERPRET INTO THE APPROPRIATE LANGUAGE ON THE RECORD, WHILE  
17    THE INTERPRETER IS PRESENT IN COURT, THE ESSENTIAL TERMS AND CONDITIONS  
18    THAT THE COURT SHALL CLEARLY OUTLINE AND READ INTO THE RECORD, OF ANY  
19    ORDER OF PROTECTION OR TEMPORARY ORDER OF PROTECTION ISSUED BY THE COURT  
20    PURSUANT TO THIS SECTION. SUCH INTERPRETATION SHALL NOT AFFECT THE  
21    VALIDITY OR ENFORCEABILITY OF THE ORDER.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

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1 S 3. Section 530.13 of the criminal procedure law is amended by adding  
2 a new subdivision 4-a to read as follows:

3 4-A. WHERE AN INTERPRETER HAS BEEN APPOINTED BY THE COURT TO ASSIST IN  
4 THE PROCEEDING BEFORE THE COURT, THE COURT SHALL ALSO DIRECT SUCH  
5 INTERPRETER TO INTERPRET INTO THE APPROPRIATE LANGUAGE ON THE RECORD,  
6 WHILE THE INTERPRETER IS PRESENT IN COURT, THE ESSENTIAL TERMS AND  
7 CONDITIONS THAT THE COURT SHALL CLEARLY OUTLINE AND READ INTO THE  
8 RECORD, OF ANY ORDER OF PROTECTION OR TEMPORARY ORDER OF PROTECTION  
9 ISSUED BY THE COURT PURSUANT TO THIS SECTION. SUCH INTERPRETATION SHALL  
10 NOT AFFECT THE VALIDITY OR ENFORCEABILITY OF THE ORDER.

11 S 4. Subdivision 3 of section 240 of the domestic relations law is  
12 amended by adding a new paragraph a-1 to read as follows:

13 A-1. WHERE AN INTERPRETER HAS BEEN APPOINTED BY THE COURT TO ASSIST IN  
14 THE PROCEEDING BEFORE THE COURT, THE COURT SHALL ALSO DIRECT SUCH INTER-  
15 PRETER TO INTERPRET INTO THE APPROPRIATE LANGUAGE ON THE RECORD, WHILE  
16 THE INTERPRETER IS PRESENT IN COURT, THE ESSENTIAL TERMS AND CONDITIONS  
17 THAT THE COURT SHALL CLEARLY OUTLINE AND READ INTO THE RECORD, OF ANY  
18 ORDER OF PROTECTION OR TEMPORARY ORDER OF PROTECTION ISSUED BY THE COURT  
19 PURSUANT TO THIS SECTION. SUCH INTERPRETATION SHALL NOT AFFECT THE  
20 VALIDITY OR ENFORCEABILITY OF THE ORDER.

21 S 5. Section 252 of the domestic relations law is amended by adding a  
22 new subdivision 1-a to read as follows:

23 1-A. WHERE AN INTERPRETER HAS BEEN APPOINTED BY THE COURT TO ASSIST IN  
24 THE PROCEEDING BEFORE THE COURT, THE COURT SHALL ALSO DIRECT SUCH INTER-  
25 PRETER TO INTERPRET INTO THE APPROPRIATE LANGUAGE ON THE RECORD, WHILE  
26 THE INTERPRETER IS PRESENT IN COURT, THE ESSENTIAL TERMS AND CONDITIONS  
27 THAT THE COURT SHALL CLEARLY OUTLINE AND READ INTO THE RECORD, OF ANY  
28 ORDER OF PROTECTION OR TEMPORARY ORDER OF PROTECTION ISSUED BY THE COURT  
29 PURSUANT TO THIS SECTION. SUCH INTERPRETATION SHALL NOT AFFECT THE  
30 VALIDITY OR ENFORCEABILITY OF THE ORDER.

31 S 6. This act shall take effect on the ninetieth day after it shall  
32 have become a law and shall apply to orders of protection issued on or  
33 after such effective date.