

2015-2016 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2015

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.