

# VIRGINIA ACTS OF ASSEMBLY -- 2004 SESSION

## CHAPTER 243

*An Act to amend the Code of Virginia by adding a section numbered 37.1-67.5:01, relating to interpreters in mental commitment proceedings.*

[S 24]

Approved March 31, 2004

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding a section numbered 37.1-67.5:01 as follows:**

*§ 37.1-67.5:01. Interpreters for non-English-speaking persons in commitment or certification proceedings.*

*In any proceeding pursuant to § 37.1-65.1 or §§ 37.1-67.1 through 37.1-67.4 in which a non-English-speaking person is alleged to be mentally retarded or mentally ill or is a witness in such proceeding, an interpreter for such person shall be appointed by the judge, or in the case of § 37.1-67.1, a magistrate before whom such proceeding is pending. Failure to appoint an interpreter when an interpreter is not reasonably available or when the person's level of English fluency cannot be determined, shall not be a basis to dismiss the petition or void the order entered at such proceeding. The compensation for such interpreter shall be fixed by the court in accordance with the guidelines set by the Judicial Council of Virginia and shall be paid out of the state treasury.*