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HOUSE BILL NO. 1467**AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the House Committee for Courts of Justice)

(Patron Prior to Substitute —Delegate Darner)

House Amendments in [] — February 13, 1996

A BILL to amend the Code of Virginia by adding in Article 5 of Chapter [10 of Title 19.2 13 of Title 8.01] a section numbered 8.01-384.1:1, relating to courtroom interpreters.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 13 of Title 8.01 a section numbered 8.01-384.1:1 as follows:

§ 8.01-384.1:1. Interpreters for non-English-speaking persons in civil cases.

A. In any civil case in which a non-English-speaking person is a party or witness, an interpreter for the non-English-speaking person may be appointed by the court. A qualified English-speaking person fluent in the language of the non-English-speaking person may be appointed by the judge of the court in which the case is to be heard unless the non-English-speaking person shall obtain a qualified interpreter of his own choosing who is approved by the court as being competent.

B. To the extent of available appropriations, the compensation of such interpreter shall be fixed by the court and shall be paid from the general fund of the state treasury as part of the expense of trial. The amount allowed by the court to the interpreter may, in the discretion of the court, be assessed against either party as a part of the cost of the case and, if collected, the same shall be paid to the Commonwealth.

C. Whenever a person communicates through an interpreter to any person under such circumstances that the communications would be privileged, and such persons could not be compelled to testify as to the communications, this privilege shall also apply to the interpreter. The provisions of this section shall apply in circuit, family and district courts.

ENGROSSED

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