

JUDICIAL PROOF

CHAPTER 299

HOUSE BILL NO. 1302
(Winkjer, Richie)

SUBPOENA OF AN INTERPRETER FOR A WITNESS

AN ACT to amend and reenact section 31-01-11 of the North Dakota Century Code, relating to the right to subpoena an interpreter for a witness.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 31-01-11 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

31-01-11. INTERPRETER FOR WITNESS - WHEN REQUIRED - HOW SUBPOENAED - OATH OR AFFIRMATION.) When a witness does not understand the English language or speak the English language, or is deaf or unable to talk, an interpreter must be sworn to interpret for him. Any person who is a qualified interpreter may be subpoenaed by any court or judge to appear before such court or judge to act as an interpreter in any action or proceeding. The subpoena must be served and returned in like manner as a subpoena for a witness. Any person so subpoenaed who fails to attend at the time and place named in the subpoena is guilty of contempt. The oath or affirmation of the interpreter shall be as follows:

You do solemnly swear [affirm] that you will justly, truly, and impartially interpret to _____ the oath [affirmation] about to be administered to him; and the questions which may be asked him, and the answers that he shall give to such questions, relative to the cause now under consideration before this court (or officer). So help you God.

Any interpreter who has conscientious scruples as to taking the oath above described shall be allowed to make affirmations, substituting for the words "So help you God" at the end of the oath the following:

This you do affirm under the pains and penalties of perjury.