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CLERK OF SUPREME COURT
OF WISCONSIN

October 7, 2024

Clerk of Supreme Court
Attention: Deputy Clerk – Rules
P.O. Box 1688
Madison, WI 53703-1688

Re: Rule Petition 24-02 (Interpreters in Municipal Court Proceedings)

Dear Honorable Justices:

The League of Wisconsin Municipalities (“League”) appreciates the opportunity to comment on Rule Petition 24-02 regarding interpreters in municipal court proceedings. The League is a non-profit, non-partisan association of cities and villages whose current membership consists of 189 of Wisconsin’s 190 cities and 403 of Wisconsin’s 417 villages. Many of those members are represented in Wisconsin’s 229 municipal courts. Accordingly, the League is concerned about the impact Rule Petition 24-02 will have on its members.

The League fully supports the petition’s goal of ensuring access to interpretation services when individuals involved in municipal court proceedings need such assistance. In fact, it is the League’s understanding that most municipal courts already provide these services without charge. However, interpretation assistance is often provided through less formal services when the situation is appropriate, such as by using non-certified interpreters or technology-based tools like Google Translate. While the petition does allow for approved telephonic, video and computerized interpretation services, the League is concerned that informal interpretation services may ultimately be prohibited. These services are often suitable for certain court proceedings or preliminary matters that typically involve less complexity than evidentiary hearings. Because formal interpretation services will carry an increased cost, the petition will create an unfunded mandate. Municipalities will be required to cover the increased costs of providing formal interpretation services in all instances. The League also agrees with the Wisconsin Municipal Judges Association’s concerns regarding whether there are sufficient qualified interpreters available in Wisconsin, especially considering the petition’s expanded scope of those eligible for qualified interpreter services.

The League urges the Court to recognize the fiscal challenges granting this petition would create, particularly for smaller municipalities with limited budgets. By requiring the exclusive use of qualified interpreters, many municipal courts will face higher expenses without the flexibility to use alternative, more affordable options. Additionally, as translation technology continues to rapidly evolve, tools like automated translation services are becoming more accurate and could provide a cost-effective solution in many situations. Prohibiting such tools entirely would place unnecessary financial burdens on municipalities.

We respectfully ask the Court to preserve municipal courts' discretion to use more informal interpretation services when appropriate. Additionally, the League strongly advocates for municipalities to be given the ability to establish mechanisms to cover interpretation costs, similar to the reimbursement program for circuit courts. This would help offset the financial burden the petition would impose and ensure that the goal of providing fair access to justice does not inadvertently create undue hardship for Wisconsin municipalities.

Thank you for the opportunity to provide comment on Rule Petition 24-02. The League appreciates the Court's efforts to address the need for interpreter services in municipal court proceedings and recognizes the importance of this goal. The League is hopeful that the Court will consider the concerns raised regarding the financial implications for municipalities and the availability of qualified interpreters. Thank you for your time and consideration.

Sincerely,

Maria Davis

Maria Davis
General Counsel