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OCT 09 2024

CLERK OF SUPREME COURT
OF WISCONSIN

Clerk of Supreme Court
Attention: Deputy Clerk – Rules
P.O. Box 1688
Madison WI 53701-1688

October 7, 2024

Re: Rule Petition 24-02

Dear Clerk and Honorable Justices of the Supreme Court,

I write on behalf of Judicare Legal Aid in strong support of Petition 24-02, filed by the Wisconsin Justice Initiative, requesting expanded interpreter services in Wisconsin's municipal courts. We urge the Court to adopt a rule mandating that all municipal courts provide qualified interpreters in proceedings involving limited English proficient (LEP) individuals, ensuring equal access to justice and due process for all.

Judicare Legal Aid, based in Wausau, Wisconsin, serves the northern half of the state and Native American communities statewide. Our mission is to provide equal access to justice for low-income individuals across a large and diverse service area. We are acutely aware of the challenges faced by immigrant, refugee, and minority populations, many of whom encounter language barriers that make navigating the legal system particularly difficult. Our work consistently demonstrates that true access to justice requires the ability to understand both the law and legal proceedings—neither of which is possible without adequate language assistance.

Current Wisconsin Stat. § 885.38 requires courts to appoint qualified interpreters in certain situations. However, this statute does not extend to all municipal court proceedings, leaving a significant gap in language access for LEP individuals. Without qualified interpreters, many LEP individuals cannot fully understand the cases brought against them, their legal rights, or the nature of the proceedings in which they are involved. This lack of understanding undermines their ability to participate meaningfully in their own defense and to receive fair treatment in court.

We respectfully urge the Court to expand the requirement for qualified interpreters to cover all municipal court proceedings, including non-evidentiary hearings. While Wisconsin Stat. § 885.38(3)(b) allows for telephonic, video, or computerized interpreter services in non-evidentiary hearings, these services must be reliable, easily accessible, and of high quality to

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ensure that LEP individuals are not disadvantaged. Without proper language access, the risk of miscommunication, unfair outcomes, and lack of trust in the judicial process is greatly increased.

In Northern Wisconsin, we have seen firsthand the challenges of providing language access in communities with large Hmong refugee populations and newly arriving immigrant families. While obtaining qualified interpreters in these rural areas can be difficult, we do so because it is a fundamental aspect of justice. The absence of interpreters means that individuals are effectively excluded from the legal system, which is an unacceptable outcome in any court of law.

Ensuring interpreter access is not only a matter of fairness, but also one of efficiency. Providing qualified interpreters helps streamline court proceedings by reducing misunderstandings, procedural delays, and the need for retrials or appeals resulting from language barriers. By requiring interpreters in all cases involving LEP individuals, the Court would not only safeguard the rights of these individuals but also promote a more efficient and trustworthy judicial system.

The adoption of a rule ensuring interpreter services for all LEP individuals in municipal court proceedings would be a significant step toward protecting the constitutional rights of all Wisconsin residents and upholding the principle of equal justice under the law.

Thank you for your attention to this critical issue. Should you need any further information or input, I would be happy to assist in any way I can.

Sincerely,

A handwritten signature in black ink, appearing to read "Beth Ann Richlen", written in a cursive style.

Beth Ann Richlen
Executive Director