



## PRESS RELEASE

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### **Asian American Civil Rights Groups File Amicus Brief in Georgia Supreme Court Case**

ATLANTA, GA — **Asian American Center for Advancing Justice**, in collaboration with the Atlanta office of the international law firm **King & Spalding**, filed a friend-of-the-court brief with the Georgia Supreme Court Monday that highlights the profound effect the absence of a trained, qualified court interpreter can have on the outcome of a case for non-English speakers.

**Asian American Justice Center (AAJC)**, **Asian Law Caucus (ALC)**, **Asian Pacific American Legal Center (APALC)** and **Asian American Institute (AAI)** are affiliated organizations working to protect and expand the civil rights of Asian Americans as members of the newly formed Asian American Center for Advancing Justice.

“For millions living here, English is learned as a second language,” said **Karen K. Narasaki**, president and executive director of AAJC. “Courts across the country have begun to recognize that meaningful access to the justice system means providing skilled foreign language interpreters. The failure to supply a defendant who doesn’t speak English with a qualified court interpreter at every step of a court proceeding is unacceptable – especially when an individual’s liberty is at stake.”

The issue in *Ling v. State of Georgia* stems from the failure of the lawyer for **Ms. Annie Ling**, a Mandarin Chinese-speaking immigrant with limited English skills, to provide her with a certified interpreter even though Ms. Ling clearly struggles to understand advanced English. The state offered Ms. Ling, who faced criminal charges, a last-minute plea bargain. Ms. Ling was not provided adequate help in translating the complex legal information presented, which made it impossible for her to fully understand how her rights were in jeopardy. The case went to trial, where Ms. Ling again did not receive the assistance of a certified interpreter. She wound up with a 10-year sentence instead of the one-year offered in the plea bargain.

“The failure to provide Ms. Ling with a certified interpreter throughout the court proceedings compromised Ms. Ling’s basic rights,” continued Narasaki. “The state of Georgia instituted rules regarding court interpreters for a reason. The rules ensure that a fair day in court is not contingent upon one’s English-speaking abilities.”

Ms. Ling was not aware of these rules and her lawyer never told that she could request an interpreter. Instead, he recruited his own wife and Ms. Ling's husband to interpret. Although both speak Mandarin Chinese, her lawyer's handling of the situation did not meet Georgia's standards.

"Bilingual family members or bystanders who are conversational in both languages are far different from trained, qualified interpreters who have been rigorously tested to navigate the court system," said **Julie A. Su**, litigation director at APALC. "Certified interpreters have a specialized understanding of ethics, legal process and terminology, and they have the flexibility to interpret both written legal documents and oral communications in terms the client can understand. This is critical to real access to justice in the courts for immigrant communities."

**Bobby Woo**, a partner at King & Spalding, said, "The firm is proud to have joined with the four preeminent Asian American civil rights organizations in the country to file an amicus brief with the Georgia Supreme Court on this important issue. Georgia's state courts have adopted fair and workable rules for court interpreters, but those rules were not followed here. Hopefully, this case will encourage compliance with those rules and shed light on the importance of access to the courts by non-English speakers, both in Georgia and beyond."

Celebrating 125 years of service, King & Spalding is an international law firm with more than 800 lawyers in the United States, Europe and the Middle East.

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*Founded in 1983, the Asian Pacific American Legal Center (APALC) is a nonprofit organization dedicated to advocating for civil rights, providing legal services and education, and building coalitions to positively influence and impact Asian Pacific Americans and to create a more equitable and harmonious society. APALC is a member of Asian American Center for Advancing Justice, which also includes Asian American Institute (Chicago, IL), Asian American Justice Center (Washington, DC) and Asian Law Caucus (San Francisco, CA).*