



Court says interpreter necessary, overturns conviction

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Legal rights groups are applauding a Georgia Supreme Court ruling Monday that granted a new trial to a Malaysian woman because she was denied the right to a court interpreter.

In a 4-3 ruling, the court overturned the child-cruelty conviction against Annie Ling, a Mandarin Chinese-speaking defendant who was sentenced in 2007 in Spalding County to 10 years in prison. The majority said that "one who cannot communicate effectively in English may be effectively incompetent to proceed in a criminal matter and rendered effectively absent at trial if no interpreter is provided."

Ling's appeal was supported by the American Civil Liberties Union, the ACLU of Georgia and the Legal Aid Society, which filed a brief saying the denial of interpreters to those who need them violates the U.S. Constitution and civil rights laws. The Asian American Center for Advancing Justice, represented by the Atlanta firm King & Spalding, also filed a brief in support of Ling's appeal.

"The court acknowledged that we don't have two systems of justice in this country – one for English-speakers and another for everyone else," said Azadeh Shahshahani of the ACLU of Georgia. "The constitutional guarantee of due process applies to everyone in this country, not just fluent English-speakers."