

IC 34-45

ARTICLE 45. WITNESSES

IC 34-45-1

Chapter 1. General Requirements

IC 34-45-1-1

Attachment; affidavit; knowledge of service

Sec. 1. An attachment shall not issue against a witness who has been served a copy only of the summons until the party applying for the attachment or the party's attorney makes an affidavit in the court from which the party is seeking the attachment, stating that the party or the party's attorney has reasonable cause to believe, and does believe, that the witness against whom the summons issued has knowledge of the service of the summons by copy in time to have obeyed its command.

As added by P.L.1-1998, SEC.41.

IC 34-45-1-2

Oath

Sec. 2. Before testifying, every witness shall be sworn to testify the truth, the whole truth, and nothing but the truth. The mode of administering an oath must be the most consistent with and binding upon the conscience of the person to whom the oath may be administered.

As added by P.L.1-1998, SEC.41.

IC 34-45-1-3

Interpreters; entitlement

Sec. 3. Every person who cannot speak or understand the English language or who because of hearing, speaking, or other impairment has difficulty in communicating with other persons, and who is a party to or a witness in a civil proceeding is entitled to an interpreter to assist the person throughout the proceeding.

As added by P.L.1-1998, SEC.41.

IC 34-45-1-4

Interpreters; appointment and qualifications

Sec. 4. (a) An interpreter assisting a person under section 3 of this chapter may be:

- (1) retained by the party or witness; or
- (2) appointed by the court before which the action is pending.

(b) If an interpreter is appointed by the court, the fee for the services of the interpreter shall be:

- (1) set by the court; and
- (2) paid in a manner as the court may determine.

(c) The court may inquire into the qualifications and integrity of any interpreter, and may disqualify any person from serving as an interpreter.

As added by P.L.1-1998, SEC.41.

IC 34-45-1-5

Interpreters; oath

Sec. 5. Every interpreter for another person who is either a party or a witness in a court proceeding described in this chapter shall take the following oath:

Do you solemnly swear (or affirm) that you will justly, truly, and impartially interpret to _____ the oath about to be administered to him (her), and the questions which may be asked him (her), and the answers that he (she) shall give to such questions, relative to the cause now under consideration before this court so help you God (or under the pains and penalties of perjury)?

As added by P.L.1-1998, SEC.41.