

## PROPER ROLE of a COURT INTERPRETER

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### The Proper Role of a Court Interpreter Should Be:

- A conduit / facilitator of communications.
- To interpret accurately all communications to and from English and the target language.
- To interpret thoroughly and precisely, adding or omitting nothing, giving consideration to grammar, syntax, and level of language.

### Ethical Considerations:

- Should be considered an officer of the court.
- Abide by a code of professionalism expected of any court officer to promote confidence and impartiality in the judicial process
- The interpreter shall avoid any conflict of interest, financial or otherwise.
  - Shall not render services if a potential witness, associate, friend or relative of a party.
  - Shall not render services if he/she has a stake in the outcome.
  - Shall not render services where he/she has served as an investigator in a preparation of litigation.
- Shall not disclose any communication that is otherwise privileged without consent or court order.
- Shall not comment on a matter where he/she has served as an interpreter.
- Report any effort by another to solicit, entice, or induce the interpreter to violate any law or canon of conduct for interpreter.
- Shall not give legal advice and shall refrain from the unauthorized practice of law.

### What You Should Expect From an Interpreter:

- He/she will request clarification if a phrase or word is not understood.
- He/she will interpret in the first person and should address the court in the third person, in order to keep a clear record.

- He/she will have paper and pencils available at all times and may have a dictionary or other reference material with him/her.
- He/she will be as unobtrusive and professional as possible.
- He/she will not converse with the defendant or party except to interpret everything that is said in the courtroom.

### **Red Flags to Watch For:**

- Beware of the interpreter who does not carry a State interpreter badge
- Be clear to identify the interpreter's level of certification (Current State, Federal, or Other State)
- Beware if the interpreter is not interpreting everything that is being said in the courtroom. Summary and paraphrase interpreting have no place in the courtroom, under any circumstances.
  - By observation, you can determine if the interpreter is simultaneously interpreting the testimony, both questions and answers of witnesses, the closing arguments of counsel, etc. The party is entitled to hear everything that is happening, as it is happening.
- Beware if you observe the interpreter engaging in conversation with the non-English speaking party or witnesses
- Beware if the interpreter is coaching or encouraging a party to answer in a certain way (such as nodding or using facial expressions). The interpreter should simply interpret everything that is being said in the courtroom, with no person input whatsoever.
- Beware if the interpreter draws undue attention to himself/herself. A trained interpreter will be as unobtrusive as possible and professional in manner.