



WHAT COURT INTERPRETERS WOULD TELL YOU IF THEY WERE HERE

[Written by The National Immigrant Women's Advocacy Project: February 19, 2009. Taken from Court Interpreting, Legal Translating and Bilingual Services Section, New Jersey Administrative Office of the Courts, September 6, 1988 (revised October 25, 1988; November 18, 1988; February 9, 1989).]

1. Take some time to become familiar with my profession. I'd like very much for you to understand the professional services I am responsible for rendering. When you do that, you will be more likely to respect and treat me as a professional. You will be less likely to view me as a glorified clerk or someone of dubious professional (certainly not equal to court reporters!) standing. It may be a helpful guide if you would treat me the way you tend to treat your reporter or any officer of the court

Once you understand my job better, here are some things you will no longer do. Please understand that this isn't just me talking. The following examples represent the best thinking of judges, lawyers, and court administrators – as well as professional interpreters, of course – who have pondered the role of the interpreter in great depth. These examples are based on the Code of Professional Responsibility I'm expected to follow.

- A. Don't ask me to explain or restate what you or anyone else says. I can only put into another language exactly what a person has said.
- B. Don't allow attorneys appearing before you to ask me to explain or restate what someone says. When I decline to perform this task for them, please support me and do not expect me to violate the Code.
- C. Don't ask me to take the persons) for whom I'm interpreting to an office, counter, etc.
- D. Don't let two or more people talk at the same time. There's no way I can interpret everything that's being said!
- E. Don't ask me not to interpret something. I'm professionally and ethically bound to interpret everything that's said.
- F. Don't forbid me to interpret simultaneously during a proceeding because it interferes with your concentration or otherwise bothers you. There are many situations in which I'm professionally, ethically, and legally bound to interpret in the simultaneous mode. If my whispered simultaneous interpreting gets too loud, respectfully ask if I can speak more quietly. I'll do my very best to be as unobtrusive as possible.
- G. When an attorney or someone else alleges that I have made an error in interpretation, don't automatically assume that I have made one. Remember that the attorney is in

National Immigrant Women's Advocacy Project (NIWAP, pronounced *new-app*)
American University, Washington College of Law

4300 Nebraska Avenue, N.W., N100B, Washington, D.C. 20016

(o) 202.274.4457 · niwap@wcl.american.edu · wcl.american.edu/niwap · <http://library.niwap.org/>

an adversary relationship and I am not. I do make mistakes sometimes and I will be the first person to admit a mistake when I recognize one. But ask me if I agree with an attorney's allegation before concluding that I have actually made a mistake. As a neutral party and a linguist, I should have more credibility before the court than virtually any attorney on such matters.

- H. Don't talk to me when you are really talking to a witness, defendant or someone else. If you say, "Ask him if..." or "Tell him that..." remember that I am required to say exactly that in the interpretation or to remind you to talk directly to the person you are addressing. If I do the former, the person with whom you are attempting to communicate will often be confused. If I do the latter, you may get upset.
2. Avoid rapid-fire delivery of what to you is very routine material and help attorneys avoid excessively fast speech. Understand that when we are interpreting into other languages, it is often the case that it will take more words for me to convey a message accurately and completely. Be patient and understanding if I have to keep reminding you or others to slow down so I can do my job, too.
 3. I need breaks every bit as much as your reporters do, maybe even more. I am often the only person in the courtroom who is taking all of the time. While everyone else is only having to understand what is being said, I have to both understand it and put it into another language. This is intensely demanding work.

Furthermore, if the proceeding I am interpreting is a proceeding which involves simultaneous interpreting for more than an hour, two interpreters should be assigned to the case. We should be able to switch off every 30 minutes or so.

4. Please make efficient use of my services. I have other commitments to attend to when I finish interpreting for the case before you for which you have summoned me. Take my case as quickly as possible in order to prevent incurring the extra costs of having me wait and inconveniencing the other courts or court support services that may be waiting for my services.
5. Understand the human limits of my job. My main interest here is that you comprehend the fact that no person knows all of the words in any one language, much less all of the words of all the dialects of that language – and, much, much less, all of the words of all the dialects of two languages (not to mention the professional and legal jargon for which there is often no equivalent at all in other languages)! Sometimes I need to obtain clarification. It is unethical for me to make up an interpretation or guess at an interpretation of something I do not understand. Instead of viewing such a request as casting doubt upon my professional credentials, consider viewing it in terms of my commitment to accuracy.
6. Many of my colleagues are not very well qualified and want very much to improve their interpreting skills. They need support for attending courses and professional seminars. Please do everything you can to enable on-the-job training, so do not hesitate to take them – and me, sometimes – under your wing when there is something we need to learn.
7. Before you expect me to start interpreting for a given matter, give me the opportunity to find out what the nature of the proceeding is, who is involved, etc. Furthermore, let me speak to

the linguistic minority person briefly to size up the person's communicative style and needs so I can make whatever adjustments may be necessary and appropriate to improve communication – or perhaps even discover that I might not be able to communicate sufficiently with the individual! Like any other professional, the better prepared I am, the better job I'll be able to do and the smoother the whole proceeding will flow.