

# Top 10 Suggestions for Attorneys Working with Court Interpreters



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## *The proper role of the interpreter...*

1. It takes three to interpret. Court interpreters interpret, plain and simple. They don't offer personal opinions, explain legal matters to LEP (limited English proficient) or deaf persons, clarify cultural nuances to attorneys, or assist LEP or deaf persons to fill out legal forms. They cannot call your clients on their own, you need to arrange for a 3-way call and talk to the client. Interpreters should interpret what is being spoken, or sight translate what information appears on a paper/form. When an interpreter sight translates a document from English to the non-English language, remain present to answer questions.
2. Interpreters interpret exactly what is spoken. Supreme Court General Rule 11.2 requires court interpreters to interpret all communications accurately without adding or omitting anything. Interpreters do not interpret verbatim; instead they retain the same meaning and formality level of the speaker. When you speak in formal, eloquent words, the interpreter will use the linguistic equivalent. If your client swears or answers in a nonsensical way, an accurate interpretation means that you will hear a swearing or a nonsensical answer in English.

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## *To ensure that communications are accurately conveyed...*

3. Direct your comments and questions to the LEP or deaf person, not to the interpreter. Interpreters are trained to interpret exactly what you say. If you say to the interpreter "Ask him whether he can pay the fine?" The interpreter may likely interpret that literally, which results in confusion. Instead please say to the LEP or deaf person "Can you pay the fine?"
4. You may need to explain legalese and acronyms, and to simplify references to case law, rules, and statutes as you speak with your LEP client. Many of these concepts, particularly infrequently used ones, are complicated to interpret into another language. Communicating information in "plain English" will result in more accurate interpretations, particularly when an interpreter has limited court experience.
5. Slow down; ensure that everyone speaks one at a time. Like court reporters,

interpreters cannot interpret for more than one person at a time. If an interpreter is interpreting consecutively (interpreting after you have completed speaking), stop after each complete idea. Do not speak continuously for a long time; pause frequently to allow time for interpretation. Watch to see that the interpreter has finished before beginning to speak again. If an interpreter is interpreting simultaneously (interpreting while you are speaking), make sure to allow pauses in between speakers. Pauses are crucial because most languages require more syllables to convey the same idea, and because word order varies from language to language. Interpreters are several words *behind* the speaker, and need the pauses in between utterances in order to keep up. If you are reading aloud from a document, slow down. Most people read at a much faster pace than they normally speak.

6. Provide copies of documents/motions/pleadings/names to the interpreter before the hearing or meeting. Interpreters more accurately interpret when they have background context and specific information that will be referenced such as names, dates, statutes, rule numbers, or jury instructions. If the interpreter doesn't get the information in advance, carefully pronounce names and numbers to ensure accuracy.
  7. Give Interpreters a Break. An interpreter is the only person who is speaking nonstop during court hearings or client meetings. Give interpreters breaks every 20 – 30 minutes to rest, offer a glass of water, and ensure that they can comfortably see and hear all speakers in the room. Remember that private discussions between the client and attorney may be a break for the court, but not for the interpreter.
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*Effectively coordinate with the court...*

8. Notify the Court of Interpreter Needs. Because there are relatively few interpreters who are qualified to interpret legal proceedings, scheduling them can be very tricky. If you have a case where an interpreter will be needed, contact court staff as soon as possible. For more uncommon language needs, provide the court with information on the person's language, dialect, and country of origin.
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*Know the law...*

9. Familiarize yourself with the legal standards. There are statutes, court rules, and case law pertaining to court interpreting and ensuring language access. Be particularly aware of standards for interpreter qualifications, RCW 2.43.030, the Code of Conduct for Court Interpreters, GR 11.2, and the legal standards that are unique to the Deaf community under the Americans with Disabilities Act.
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*Use credentialed court interpreters when possible...*

10. Use court certified and registered interpreters to communicate with your clients. Like attorneys, court certified and registered interpreters have proven their skills through testing and training, are required to comply with continuing education, and are held to ethical standards. A listing of AOC certified and registered court interpreters for spoken languages can be found at [www.courts.wa.gov/interpreters](http://www.courts.wa.gov/interpreters). Similarly, the Registry of Interpreters for the Deaf (RID) administers a rigorous legal certification exam, and only those interpreters who are qualified to interpret legal matters receive the SC:L certification. A listing of certified sign language interpreters can be found at [www.rid.org](http://www.rid.org). Remember your case rests on good communication and communication rests on good interpretation.

