

Quick Reference Guide

Court Interpreter Ethics – What You Can Do To Help

As the proper role of the court interpreter may be misunderstood, users of interpreter services may ask or expect the interpreter to perform duties or engage in activities that run counter to the provisions of the interpreter code of ethics or other laws, regulations, or policies governing court interpreters.

This Quick Reference Guide is intended to assist courts, agencies, and their respective staff persons in ensuring court interpreters may carry out their duties ethically, supporting the goals of equal access to justice that is administered effectively and efficiently.

Understanding the Role of the Interpreter

1. The interpreter is a conduit only

- The interpreter’s sole role is to transfer a message from one language into another accurately and completely.
- The interpreter should not be requested to perform duties beyond this unique role. Tasks such as filling out documents, explaining, or summarizing the content of forms and pleadings all fall to other parties to perform.
- It is acceptable to request of an interpreter that certain documents be sight translated or that explanations offered by other competent parties be interpreted, as these tasks fall within the role of the conduit.

2. Ethical expectations

- Let your interpreters know that you expect them to be ethical. Become familiar with the Interpreters Code of Ethics to understand their responsibilities and the limits placed on them. Encourage your staff to do the same.

Setting the Stage for Success

3. Initial contact

- Give interpreters case identifying information when requesting their services so they may verify if there are any conflicts of interest.
 - Case type, case number, case name, etc.

4. Interpreters require information

- Context is vitally important to interpreters when choosing a proper translation. The more case-specific information that can be provided to the interpreter in advance of the hearing or event, the less likely it is information will become “lost in translation.”
- If possible, this information should be provided to the interpreter as soon as it is available, without making it necessary for the interpreter to ask for it.

In the Courtroom

- 5. Open communication** From time to time, interpreters may need to inform you of impediments to their performance. Be open to this information and encourage it whenever necessary. Resolving problems early can help to avoid bigger issues later.
- 6. Accommodations** Ensure the interpreter will be able to see and hear all parties during the hearing or event.

 - Interpreters should not be placed behind any party for whom they will need to interpret. There should be no obstructions around the interpreter.
 - Allow the interpreter to move freely, as needed, to best see & hear the event.
 - Longer hearings require there be a chair that is comfortable, supportive, and in good working order for the interpreter.
 - Make water freely available whenever possible.
- 7. Slower discourse is helpful** Courtroom discourse can flow at a surprisingly quick pace. Keep in mind that interpreters have to lag behind the speakers and may have to utter more words in the target language than were necessary in the source. Slow the speed of discourse so the interpreter can keep up.
- 8. Breaks are required** Keep in mind that interpreting is a complex mental task that can fatigue the human brain rather quickly. An interpreter won't always be aware of fatigue setting in before it is too late.

 - It may be helpful to intersperse non-interpreter matters in between a series of interpreter matters to help keep the interpreter rested and fresh.
 - For long hearings, consider team interpreting as an option.
 - If one interpreter must work unassisted for more than 20 – 30 minutes, breaks should be afforded at regular intervals.
- 9. Listen, watch & observe** Keep an eye on the interpreter whenever possible and, if you notice signs of distress or possible difficulties the interpreter may be experiencing, provide an avenue for the interpreter to express whatever the problem might be in order to assist in resolution.

 - Signs of possible issues include, but are not limited to: prolonged periods of silence, frequent uneven pacing during simultaneous interpretation, marked and unexpected changes in volume, “craning” of the neck to see or hear, puzzled expressions, etc.

Questions

If you're unsure about anything, contact your local interpreter services office or the AOC Language Access Specialist: David Svoboda, 602-452-3965, dsvoboda@courts.az.gov