



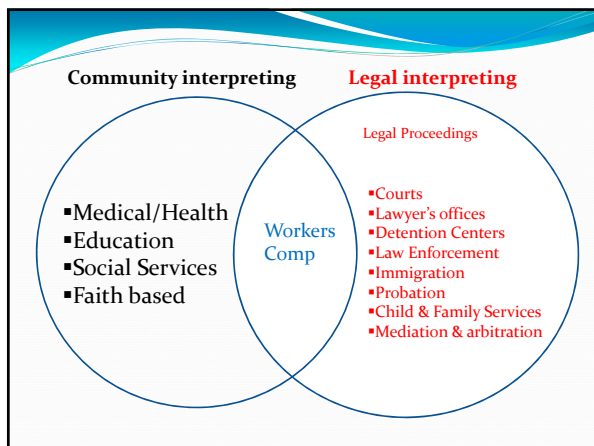
How to work with a Legal Interpreter

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Legal & Community Interpreter
Registered Legal Interpreter
Qualified Interpreter (Community Interpreter)



Interpreter vs. Translator

- **Interpreters** convey spoken material from one language into a different language.
- **Translators** convey written material from one language into a different language.



Types of Interpreters

- Certified Interpreter** is an interpreter who has taken professional training and passed a valid and reliable certification exam administered by an independent entity such as the National Center for State Courts or State.
 - In other states: Orientation course, English written test, A test on the Interpreter Code of Ethics, Training course (5 days), 2 or 3 parts of examination tests on practical assessments with different modes of interpretations, 10 or more hours of observation.
- Registered Interpreter** is an interpreter who has taken the WY Supreme Court training and passed the written english test (70% or better). Scored minimum Advanced Mid in the Oral Proficiency Interview (OPI) language assessment. [LINK](#) [WYNSLA](#)

Types of Interpreters

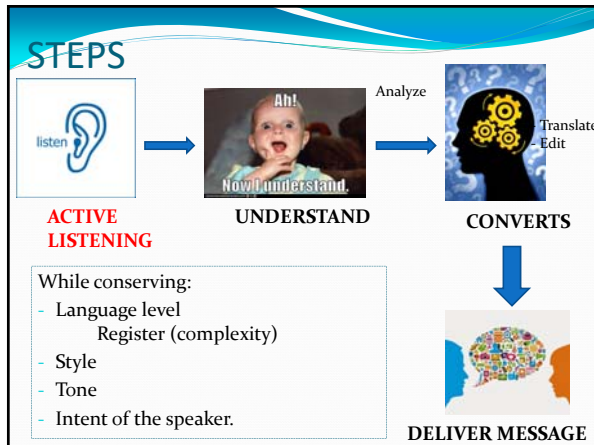
- Qualified Interpreter** is a language interpreter who has not achieved certification or registration requirements, as may be established by the Wyoming Supreme Court, but has been found qualified by the local court.
 - Bilingual individual** is a person who has some degree of proficiency in two languages.
- Qualified interpreter for the Community Interpreter** is an individual who has completed professional training (40 hours) and demonstrates a high level of proficiency in at least two languages (Take OPI) and pass the written exam with at least 80% or more.
 CERTIFICATE OF COMPLETION OF THE TRAINING →

Levels of Language Proficiency scale

The diagram is a pyramid divided into 11 horizontal sections, representing levels of language proficiency. From top to bottom, the levels are: Distinguished, Superior, Advanced High, Advanced Mid, Advanced Low, Intermediate High, Intermediate Mid, Intermediate Low, Novice High, Novice Mid, and Novice Low. Two red arrows point from the right side of the pyramid to the 'Advanced High' and 'Advanced Mid' levels, with the labels 'Community' and 'Legal' respectively.

ACTFL AMERICAN COUNCIL ON THE TEACHING OF FOREIGN LANGUAGES

HOW DOES INTERPRETING WORK?



A common error is the belief that any person that knows two languages can interpret.

Modes of Interpreting

- SIMULTANEOUS
- CONSECUTIVE
- SIGHT TRANSLATION

SIMULTANEOUS

- Is rendering an interpretation continuously, at the same time someone is speaking. Use equipment.

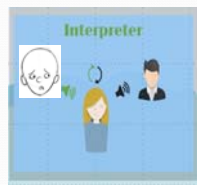
ENG/SPAN
30 % more words



WHISPERING/CHUCHOTAGE:
Variation of simultaneous
No equipment

CONSECUTIVE

- The interpreter renders an interpretation after the speaker has stopped speaking.




Note taking

SIGHT TRANSLATION


- The oral rendition of a written text from one language into another language.

AVOID
Complex
Extensive



Why not to use family members

- Friends and family members have personal and emotional attachments. They usually do not want to confuse or upset their loved one, nor be the carriers of bad news.
- Friend or family interpreters can end up adding their own opinions or withholding crucial parts of the message.

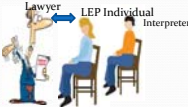


Why not to use family members?

- Maybe they speak 2 languages but if they don't have training as interpreters.....
 - Fluent in the legal and technical terminology?
 - Aware of the professional and ethical responsibilities of trained interpreters?
- They may omit key words or summarize the message, which results in an inaccurate interpretation.

TIPS

- **Speak in meaningful segments. Pause** after you're finished talking and give the interpreter enough time to interpret.
- **Speak directly** to the LEP individual.



TIPS

- In consecutive interpreting wait until the interpreter is finished speaking before you begin speaking. (**Delay**)
- Don't expect a word for word translation. **Meanings and concepts** are transferred because often times there's not a direct translation of words from one language into another. example

Interpreting meaning not words

- **ATTORNEY ASKS:** "What were you doing in the parking lot?"
- **INTERPRETER:** Asks the question interpreted into Spanish
- **NON ENGLISH SPEAKER DEPONENT:** "Estaba manejando mi mueble."
- **INTERPRETER:** Option 1 : "I was driving my furniture."
- **INTERPRETER :** Option 2: "I was driving my old junker."


In México, they use the word "mueble" (which has a literal interpretation of "furniture") to mean "junker" or "old car."

TIPS

- **Provide the interpreter with the tools needed for a professional job** – provide copies of documents/motions/pleads 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, etc.
- **Avoid asking an interpreter to provide opinions** regarding the case. Interpreters are there to interpret; they are not attorneys, psychologists or counselors.

THINGS TO AVOID

- Don't ask interpreters not to interpret something.
- Do not ask an interpreter to “go over” legal documents or “explain” legal concepts.
- Don't expect the interpreter to clear up misunderstandings.

Code of Ethics 

APPENDIX B

Interpreter's Code of Ethics

Canon 1: Accuracy and Completeness
Interpreters shall render a complete and accurate interpretation or sight translation, without altering, omitting, or adding anything to what is stated or written, and without explanation.

Canon 2: Representation of Qualifications
Interpreters shall accurately and completely represent their certifications, training, and pertinent experience.

Canon 3: Impartiality and Avoidance of Conflict of Interest
Interpreters shall be impartial, unbiased and shall refrain from conduct that may give an appearance of bias. Interpreters shall disclose any real or perceived conflict of interest.

Canon 4: Professional Demeanor
Interpreters shall conduct themselves in a manner consistent with the dignity of the court as shall be as unobtrusive as possible.

Canon 5: Confidentiality
Interpreters shall keep confidential all matters interpreted and all conversations overheard between counsel and client. Interpreters should not discuss a case pending before the court.

Canon 6: Restriction of Public Comment
Interpreters shall not publicly discuss, report, or offer an opinion concerning a matter in which they are or have been engaged, even when that information is not privileged or required by law to be confidential.

Canon 7: Scope of Practice
Interpreters shall limit themselves to interpreting and translating, and shall not give legal advice, express personal opinions to individuals for whom they are interpreting, or engage in any other activities which may be construed to constitute a service other than interpreting or translating while serving as an interpreter.

Canon 8: Assessing and Reporting Impediments to Performance
Interpreters shall assess at all times their ability to deliver their services. When interpreters have any reservation about their ability to satisfy an assignment competently, they shall immediately convey that reservation to the appropriate judicial authority.

Canon 9: Duty to Report Ethical Violations
Interpreters shall report to the proper authority any effort to impede their compliance with any law, any provision of this code, or any other official policy governing court interpreting and legal translating.

SUPREME COURT OF WYOMING
OFFICE OF THE CHIEF JUSTICE


Language Interpreters Policy

THINGS TO AVOID

- Avoid the **use of acronyms** or explain what the acronym stands for.
- If using advanced legal terminology **provide definitions and examples.**


In court

- **Speak clearly** and be mindful of how you ask questions.
- **Avoid lengthy questions** and double negatives. ➡
- If you are reading aloud from a document, **slow down.**
- **Use microphones/speak up**





In court

- **Documents and audio recordings** in foreign languages should be **translated or transcribed/translated well before they are to be introduced into evidence.** The tasks of translation and transcription/translation are complex. A rushed or hurried job may not produce reliable results.




In court

- **Prepare your witnesses** who will testify through an interpreter. It is important to familiarize witnesses with the rhythm of questions and answers through an interpreter.
- Give the interpreter **breaks** every 20-30 minutes. Giving the interpreters brain time to regroup protects the **accuracy of the interpretation**.
- For long hearings or trials use team interpreting. 



Example of Double Negative

- “Isn’t it true that you didn’t know Mr. Smith?”
- A negative answer may mean:
“No, it is not true” or “No, I didn’t know Mr...”



Example of the Certificate of Completion of the Community Interpreting training




Hereby confirm that

has successfully completed the 40-hour training

THE COMMUNITY INTERPRETER® INTERNATIONAL
Interpreter Training for Health, Education and Human Services

She has also demonstrated proficiency in Spanish and English.
In the assessment of InterpretersAcademy & Cesco Linguistic Services,
is a **QUALIFIED (Level I)** interpreter.

LEVEL I Qualified Interpreter (scored Superior or Advanced High for language proficiency) May be capable of handling the more challenging or technical assignments.
LEVEL II Professionally Trained Interpreter (scored Advanced Mid or Advanced Low for language proficiency) May be appropriate for intermediate level of assignments.
LEVEL III Hospitality Interpreter (scored lower than Advanced Low for language proficiency) Greets/directs clients, makes appointments, may handle basic assignments.
For information on national language proficiency guidelines, go to <http://www.languagelearning.com/cale.htm>



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Questions?
