


# Using Interpreters in DR Processes

Bruno G. Romero, Language Services  
Supreme Court of Ohio




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## Overview

- The Role of Interpreters in the Dispute Resolution
- The Working with Interpreters
- Providing Language Services




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## The Work of Interpreters in Communication

- **Canon 2. Accuracy and Completeness.** (Code of Conduct)

Shall render a complete and accurate interpretation without altering, omitting, or adding anything to what is spoken or written, and shall do so without explaining the statements of the original speaker or writer.

Includes accuracy of style or register, not distorting the meaning of the source language, even if obscene, incoherent, non-responsive, or a misstatement. "Accurately," "completely," and "exact" do not signify a word-for-word or literal interpretation, but rather mean to convey the exact meaning of the discourse of the speaker or writer.




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**Canon 3. Impartiality and Conflicts of Interest.**

Interpreters and translators shall be impartial and unbiased. Interpreters and translators shall refrain from conduct that may give the appearance of bias and shall disclose any real or perceived conflict of interest.

**Canon 4. Confidentiality.**

Shall protect from unauthorized disclosure all privileged or other confidential communications, documents, or information they hear or obtain while acting in a professional capacity.



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**Canon 9. Scope of Practice.**

...shall not give legal advice, communicate their conclusions with respect to any answer, express personal opinions to individuals for whom they are interpreting or translating, or engage in any other activity that may be construed to constitute a service other than interpreting or translating while serving as an interpreter.



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**Technical Skills**

- Direct Speech – Taking on the voice of the speaker – Interpreting in the first person
- Modes of Interpretation
  - Sight Translation
  - Consecutive
  - Simultaneous



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### Working with Interpreters

- Find the most qualified interpreter
  - Supreme Court Roster
  - Certified Medical and Healthcare Interpreters
  - State wide associations – CCIO
  - National Association of Judiciary Interpreters and Translators
  - American Translators Association
  - Interpreter Coordinators in Cleveland, Hamilton and Franklin County Municipal Court
  - Supreme Court of Ohio Language Services Program




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### Complete and Accurate

- Party begins his story...
- INTERPRETER 1: "She called the police and had my car towed away. He thought she could still get out if she wanted to. He didn't block the whole drive way. His tail was sticking out about half a meter so it was no big deal was. He didn't throw the rock and he doesn't know who did."




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### Complete and Accurate #2

- Party begins his story
- INTERPRETER 2: "She called the police and had my car towed away. She didn't have to do that. He had not parked there before. She could still get out if she wanted to. He didn't block the whole drive way. His tail was sticking out but he didn't know what the big deal was. It was late and she wasn't going out. He saw her peeking through the window when He was handcuffed and pushed into the police car. He didn't throw the rock."




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### Complete and Accurate #3

• "You bet I was pissed, she called the police and had my car towed away. I mean she didn't have to do that. It was after hours and I knew she was going nowhere. It is not true that I had parked there before. There's a bunch of cars that look like mine and that was only the second time I had gone to that nightclub. I thought she could still get out if she wanted to. I didn't block the whole drive way. My tail was sticking out about half a meter so I don't know what the big deal was. I think she just doesn't like people like me. I mean she was smiling ... you know. I saw her peeking through the window when they handcuffed me and pushed into the police car. She though she was getting even, but I didn't throw the rock through the window. There was a lot of people that walk out of the bar at the same time; it was closing time. I'm sorry that that happened."




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### Complete and Accurate

- Party begins his story...
- INTERPRETER 1: "She called the police and had my car towed away. He thought she could still get out if she wanted to. He didn't block the whole drive way. His tail was sticking out about half a meter so it was no big deal was. He didn't throw the rock and he doesn't know who did."




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### Prepare Interpreters

- Share Documents before hand
- Share names details and type of conflict or referral
- Discuss with interpreters on how to best work together
- Translate forms before hand regarding confidentiality agreements, generic forms, templates and evaluations




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**Final Questions or Comments**

Thank you for your time!



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# THE SUPREME COURT *of* OHIO

65 South Front Street Columbus, Ohio 43215-3431

## RULES OF SUPERINTENDENCE FOR THE COURTS OF OHIO

### Court Interpreter Rules

#### **RULE 80. Definitions.**

As used in Sup.R. 80 through 89:

##### **(A) Ancillary court services**

“Ancillary court services” means any activity, other than a case or court function, that includes the exchange of legal or general court-related information with the public or parties in interest and is paid for or provided by the court. “Ancillary court services” includes, but is not limited to, the following:

- (1) Alternative dispute resolution programs;
- (2) Evaluations;
- (3) Information counters;
- (4) Probation or criminal diversion program functions;
- (5) Pro se clinics;
- (6) Specialized dockets and dedicated-subject-matter dockets.

##### **(B) Case or court function**

“Case or court function” means any hearing, trial, pre-trial conference, settlement conference, or other appearance before a court in an action, appeal, proceeding, or other matter conducted by a judge, magistrate, or other court official.

##### **(C) Consecutive interpretation**

“Consecutive interpretation” means interpretation in which a foreign language interpreter or sign language interpreter waits until the speaker finishes an entire message rendered in a source language before rendering the message in a target language.

##### **(D) Crime of moral turpitude**

“Crime of moral turpitude” means either of the following:

(1) A crime punishable by death or imprisonment in excess of one year pursuant to the law under which the person was convicted;

(2) A crime involving dishonesty or false statement, regardless of the punishment and whether based upon state or federal statute or local ordinance.

**(E) Deaf blind**

“Deaf blind” means a combination of hearing and vision loss of any varying degree that causes an individual extreme difficulty in attaining independence in daily life activities, achieving psychosocial adjustment, or obtaining vocational objectives.

**(F) Foreign language interpreter**

“Foreign language interpreter” means an individual who, as part of any case or court function, facilitates communication between or among legal professionals and a limited English proficient or non-English speaking party or witness through consecutive interpretation, simultaneous interpretation, or sight translation.

**(G) Limited English proficient**

“Limited English proficient” means an individual who does not speak English as a primary language or who has a limited ability to read, speak, write, or understand English and requires the assistance of a foreign language interpreter or sign language interpreter to effectively communicate.

**(H) Provisionally qualified foreign language interpreter**

“Provisionally qualified foreign language interpreter” means a foreign language interpreter who has received provisional certification from the Supreme Court Language Services Program pursuant to Sup.R. 81(G)(3).

**(I) Registered foreign language interpreters**

“Registered foreign language interpreter” means a foreign language interpreter who has registered with the Supreme Court Language Services Program pursuant to Sup.R. 87.

**(J) Sight translation**

“Sight translation” means interpretation in which a foreign language interpreter or sign language interpreter renders in a target language a written document composed in a source language.

**(K) Sign language interpreter**

“Sign language interpreter” means an individual who, as part of any case or court function, facilitates communication between or among legal professionals and a deaf, hard-of-

hearing, or deaf-blind party, witness, or juror through the use of sign language or other manual or oral representation of a spoken language.

**(L) Simultaneous interpretation**

“Simultaneous interpretation” means interpretation in which, after a brief pause to listen for or view key grammatical information, a foreign language interpreter or sign language interpreter renders in a target language the message of a person rendered in a source language as the person continues to communicate.

**(M) Supreme Court certified foreign language interpreter**

“Supreme Court certified foreign language interpreter” means a foreign language interpreter who has received certification from the Supreme Court Language Services Program pursuant to Sup.R. 81.

**(N) Supreme Court certified sign language interpreter**

“Supreme Court certified sign language interpreter” means a sign language interpreter who has received certification from the Supreme Court Language Services Program pursuant to Sup.R. 82.

**(O) Telephonic interpretation**

“Telephonic interpretation” means the use via telephone of a foreign language interpreter who is in a location that is physically separate from that of the party or witness who is limited English proficient and requires the services of the interpreter for meaningful participation.

**(P) Translator**

“Translator” means an individual who, as part of any case or court function, takes written text composed in a source language and renders it into an equivalent written text of a target language.

**RULE 81. Certification for Foreign Language Interpreters.**

**(A) Certification**

A foreign language interpreter may receive certification from the Supreme Court Language Services Program and be styled a “Supreme Court certified foreign language interpreter” pursuant to the requirements of this rule.

**(B) General requirements for certification**

An applicant for certification as a Supreme Court certified foreign language interpreter shall satisfy each of the following requirements:

- (1) Be at least eighteen years old;



- (2) Be a citizen or legal resident of the United States or have the legal right to remain and work in the United States;
- (3) Have not been convicted of any crime involving moral turpitude.

**(C) Application for certification**

An applicant for certification as a Supreme Court certified foreign language interpreter shall file an application with the program. The application shall include each of the following:

- (1) Verification the applicant is at least eighteen years old;
- (2) Verification the applicant is a legal resident or citizen of the United States or has the legal right to remain and work in the United States;
- (3) A copy of a completed criminal background check showing no conviction of a crime involving moral turpitude;
- (4) A nonrefundable application fee in an amount as determined by the program.

**(D) Orientation training**

An applicant shall attend an orientation training session conducted or sponsored by the program providing an introductory course to interpreting and addressing ethics, legal procedure and terminology, modes of interpretation, and other substantive topics. The program may waive this requirement upon demonstration by the applicant of equivalent experience or training. The program shall charge the applicant a nonrefundable fee in an amount as determined by the program for attendance at a program-sponsored training session.

**(E) Written examination**

- (1) An applicant for certification as a Supreme Court certified foreign language interpreter shall take the written examination of the National Center for State Courts. The examination shall be administered by the program in accordance with the standards described in the test administration manuals of the center.
- (2) To pass the written examination, an applicant shall receive an overall score of eighty percent or better in the English language and grammar, court-related terms and usage, and professional conduct sections of the examination.
- (3) An applicant who fails the written examination shall wait one year before retaking the examination.
- (4) An applicant who has taken the written examination in another state within the past twenty-four months may apply to the program for recognition of the score. The

program shall recognize the score if it is substantially comparable to the score required under division (E)(2) of this rule.

**(F) Post-written examination training course**

Upon compliance with the written examination requirements of division (E) of this rule, an applicant for certification as a Supreme Court certified foreign language interpreter shall attend a training course sponsored by the program focusing on simultaneous, consecutive, and sight translation modes of interpretation in English and the target language of the applicant. The program may charge the applicant a nonrefundable fee in an amount as determined by the program for attendance at the training course.

**(G) Oral examination**

(1) After attending the post-written examination training course pursuant to division (F) of this rule, an applicant for certification as a Supreme Court certified foreign language interpreter shall take the oral examination of the National Center for State Courts. The examination shall be administered by the program in accordance with the standards described in the test administration manuals of the center.

(2) To pass oral examination, an applicant shall receive a score of seventy percent or better in each of the sections of the examination.

(3) An applicant who receives a score of less than seventy percent but at least sixty percent in each of the sections of the oral examination shall receive provisional certification from the program and be styled a “provisionally qualified foreign language interpreter.” The applicant may maintain provisional certification for up to thirty-six months following the examination. If the applicant fails to receive an overall score of at least seventy percent in the sections of the examination within this time frame, the provisional certification of the applicant shall cease.

(4) An applicant who receives a score of at least seventy percent in two of the sections of the oral examination may carry forward the passing scores for up to thirty-six months or three testing cycles, whichever occurs last. If the applicant fails to successfully pass any previously failed sections of the examination during the time period which passing scores may be carried forward, the applicant shall complete all sections of the examination at a subsequent examination. An applicant may not carry forward passing scores from an examination taken in another state.

**(H) Written and oral examination preparation**

The program shall provide materials to assist applicants for certification as Supreme Court certified foreign language interpreters in preparing for the written and oral examinations,

including overviews of each examination. The program also shall provide and coordinate training for applicants.

**(I) Reciprocity**

An applicant for certification as a Supreme Court certified foreign language interpreter who has previously received certification as a foreign language interpreter may apply to the program for certification without fulfilling the training and examination requirements of division (D) through (G) of this rule as follows:

- (1) An applicant who has received certification from the federal courts shall provide proof of certification and be in good standing with the certifying body.
- (2) An applicant who has received certification from another state shall provide proof of having passed the oral examination. The program may verify the test score information and testing history before approving certification.
- (3) An applicant who has received certification from the National Association of Judiciary Interpreters and Translators shall provide proof of having received a score on the examination of the association substantially comparable to the scores required under divisions (E)(2) and (G)(2) of this rule. The program may verify the test score information and testing history before approving reciprocal certification.
- (4) Requests for reciprocal certification from all other applicants shall be reviewed by the program on a case-by-case basis, taking into consideration testing criteria, reliability, and validity of the examination procedure of the certifying body. The program shall verify the test score of the applicant after accepting the certification criteria of the certifying body.

**(J) Oath or affirmation**

Each Supreme Court certified foreign language interpreter and provisionally qualified foreign language interpreter shall take an oath or affirmation under which the interpreter affirms to know, understand, and act according to the “Code of Professional Conduct for Court Interpreters and Translators,” as set forth in Appendix H to this rule.

**RULE 82. Certification for Sign Language Interpreters.**

**(A) Certification**

A sign language interpreter who has received a passing score on the “Specialist Certification: Legal” examination of the Registry of Interpreters for the Deaf may receive certification from the Supreme Court Language Services Program and be styled a “Supreme Court certified sign language interpreter” pursuant to the requirements of this rule.

**(B) General requirements for certification**

An applicant for certification as a Supreme Court certified sign language interpreter shall satisfy each of the following requirements:

- (1) Be at least eighteen years old;
- (2) Be a citizen or legal resident of the United States or have the legal right to remain and work in the United States;
- (3) Have not been convicted of any crime involving moral turpitude.

**(C) Application for certification**

An applicant for certification as a Supreme Court certified sign language interpreter shall file an application with the program. The application shall include each of the following:

- (1) Verification the applicant is at least eighteen years old;
- (2) Verification the applicant is a legal resident or citizen of the United States or has the legal right to remain and work in the United States;
- (3) A copy of a completed criminal background check showing no conviction of a crime involving moral turpitude;
- (4) Proof of having received a passing score on the “Specialist Certification: Legal” examination;
- (5) A nonrefundable application fee in an amount as determined by the program.

**(D) Oath or affirmation**

Each Supreme Court certified sign language interpreter shall take an oath or affirmation under which the interpreter affirms to know, understand, and act according to the “Code of Professional Conduct for Court Interpreters and Translators,” as set forth in Appendix H to this rule.

**RULE 83. Revocation of Certification.**

The Supreme Court Language Services Program may revoke the certification of a Supreme Court certified foreign language interpreter or a Supreme Court certified sign language interpreter or the provisional certification of a provisionally qualified foreign language interpreter for any of the following reasons:

- (A) A material omission or misrepresentation in the application for certification from the interpreter;

(B) A substantial breach of the “Code of Professional Conduct for Court Interpreters and Translators,” as set forth in Appendix H to this rule;

(C) Noncompliance with the applicable continuing education requirements of Sup.R. 85.

**RULE 84. Code of Professional Conduct for Court Interpreters and Translators.**

Supreme Court certified foreign language interpreters, Supreme Court certified sign language interpreters, provisionally qualified foreign language interpreters, and translators shall be subject to the “Code of Professional Conduct for Court Interpreters and Translators,” as set forth in Appendix H to this rule.

**RULE 85. Continuing Education.**

**(A) Requirements**

(1) Each Supreme Court certified foreign language interpreter and Supreme Court certified sign language interpreter shall complete and report, on a form provided by the Supreme Court Language Services Program, at least twenty-four credit hours of continuing education offered or accredited by the program for each two-year reporting period. Six of the credit hours shall consist of ethics instruction and the remaining eighteen general credit hours shall be relevant to the work of the interpreter in the legal setting. The interpreter may carry forward a maximum of twelve general credit hours into the following biennial reporting period.

(2) Each provisionally qualified foreign language interpreter shall complete and report, on a form provided by the program, at least twenty-four credit hours of continuing education offered or accredited by the program within twenty-four months after the date of the last oral examination of the National Center for State Courts administered by the program.

**(B) Compliance with requirements**

The program shall keep a record of the continuing education hours of each Supreme Court certified foreign language interpreter, Supreme Court certified sign language interpreter, and provisionally qualified foreign language interpreter, provided it shall be the responsibility of the interpreter to inform the program of meeting the continuing education requirements.

**(C) Accreditation**

The program shall accredit continuing education programs, activities, and sponsors and establish procedures for accreditation, provided any continuing education programs or activities offered by the National Center for State Courts, the National Association of Judiciary Interpreters and Translators, and the Registry of Interpreters for the Deaf shall not require accreditation. The program may assess a reasonable nonrefundable application fee in an amount as determined by the program for a sponsor submitting a program or activity for accreditation.

**RULE 86. Certification Roster.**

The Supreme Court Language Services Program shall maintain a roster of each Supreme Court certified foreign language interpreter, Supreme Court certified sign language interpreter, and provisionally qualified foreign language interpreter who is in compliance with the applicable continuing education requirements of Sup.R. 85(A). The program shall post the roster on the website of the Supreme Court.

**RULE 87. Registered Foreign Language Interpreters.**

**(A) Registration**

The Supreme Court Language Services Program may register foreign language interpreters to whom both of the following apply:

- (1) The interpreter is ineligible for certification as a Supreme Court certified foreign language interpreter due to the lack of an oral examination of the National Center for State Courts for that language;
- (2) The interpreter demonstrates to the program's satisfaction proficiency in the interpreter's target language and sufficient preparation to properly interpret case or court functions.

**(B) Title**

A foreign language interpreter registered with the Supreme Court Language Services Program pursuant to division (A) of this rule shall be styled a "registered foreign language interpreter."

**RULE 88. Appointment of a Foreign Language Interpreter or Sign Language Interpreter.**

**(A) When appointment of a foreign language interpreter is required**

A court shall appoint a foreign language interpreter in a case or court function in either of the following situations:

- (1) A party or witness who is limited English proficient or non-English speaking requests a foreign language interpreter and the court determines the services of the interpreter are necessary for the meaningful participation of the party or witness;
- (2) Absent a request from a party or witness for a foreign language interpreter, the court concludes the party or witness is limited English proficient or non-English speaking and determines the services of the interpreter are necessary for the meaningful participation of the party or witness.

**(B) When appointment of a sign language interpreter is required**

(1) A court shall appoint a sign language interpreter in a case or court function in either of the following situations:

(a) A party, witness, or juror who is deaf, hard of hearing, or deaf blind requests a sign language interpreter;

(b) Absent a request from a party, witness, or juror for a sign language interpreter, the court concludes the party, witness, or juror is deaf, hard of hearing, or deaf blind and determines the services of the interpreter are necessary for the meaningful participation of the party, witness, or juror.

(2) When appointing a sign language interpreter pursuant to division (B)(1) of this rule, the court shall give primary consideration to the method of interpretation chosen by the party, witness, or juror, in accordance with 28 C.F.R. 35.160(b)(2), as amended.

**(C) Appointments to avoid**

A court shall use all reasonable efforts to avoid appointing an individual as a foreign language interpreter pursuant to division (A) of this rule or sign language interpreter pursuant to division (B) of this rule if any of the following apply:

(1) The interpreter is compensated by a business owned or controlled by a party or a witness;

(2) The interpreter is a friend or a family or household member of a party or witness;

(3) The interpreter is a potential witness;

(4) The interpreter is court personnel employed for a purpose other than interpreting;

(5) The interpreter is a law enforcement officer or probation department personnel;

(6) The interpreter has a pecuniary or other interest in the outcome of the case;

(7) The appointment of the interpreter would not serve to protect a party's rights or ensure the integrity of the proceedings;

(8) The interpreter does or may have a real or perceived conflict of interest or appearance of impropriety.

**(D) Appointment of and certification requirement for foreign language interpreters**

(1) Except as provided in divisions (D)(2) through (4) of this rule, when appointing a foreign language interpreter pursuant to division (A) of this rule, a court shall appoint a Supreme Court certified foreign language interpreter to participate in-person at the case or court function.

(2) Except as provided in divisions (D)(3) and (4) of this rule, if a Supreme Court certified foreign language interpreter does not exist or is not reasonably available to participate in-person at the case or court function and after considering the gravity of the proceedings and whether the matter could be rescheduled to obtain a Supreme Court certified foreign language interpreter to participate in-person at the case or court function, a court may appoint a provisionally qualified foreign language interpreter to participate in-person at the case or court function. The court shall summarize on the record its efforts to obtain a Supreme Court certified foreign language interpreter to participate in-person at the case or court function and the reasons for using a provisionally qualified foreign language interpreter.

(3) Except as provided in division (D)(4) of this rule, if a Supreme Court certified foreign language interpreter or provisionally qualified foreign language interpreter does not exist or is not reasonably available to participate in-person at the case or court function and after considering the gravity of the proceedings and whether the matter could be rescheduled to obtain a Supreme Court certified foreign language interpreter or provisionally qualified foreign language interpreter to participate in-person at the case or court function, a court may appoint a foreign language interpreter who demonstrates to the court proficiency in the target language and sufficient preparation to properly interpret the proceedings to participate in-person at the case or court function. Such interpreter shall be styled a “language-skilled foreign language interpreter.” The court shall summarize on the record its efforts to obtain a Supreme Court certified foreign language interpreter or provisionally qualified foreign language interpreter to participate in-person at the case or court function and the reasons for using a language-skilled foreign language interpreter. The language-skilled foreign language interpreter's experience, knowledge, and training should be stated on the record. Each language-skilled foreign language interpreter shall take an oath or affirmation under which the interpreter affirms to know, understand, and act according to the “Code of Professional Conduct for Court Interpreters and Translators,” as set forth in Appendix H to this rule.

(4) If a Supreme Court certified foreign language interpreter, provisionally qualified foreign language interpreter, or language-skilled foreign language interpreter does not exist or is not reasonably available to participate in-person at the case or court function and after considering the gravity of the proceedings and whether the matter could be rescheduled to obtain a Supreme Court certified foreign language interpreter, provisionally qualified foreign language interpreter, or language-skilled foreign language interpreter to participate in-person at the case or court function, a court may appoint an interpreter to participate in the case or court function through telephonic interpretation. The court shall summarize on the record its efforts to obtain a Supreme Court certified foreign language interpreter, provisionally qualified foreign language interpreter, or language-skilled foreign language interpreter to participate in-person at the case or court function and the reasons for using an interpreter who will participate in the case or court function through telephonic interpretation. In appointing



the interpreter, the court shall follow the order of certification preference in divisions (D)(1) through (3) of this rule and comply with the “Standards for the Use of Telephonic Interpretation,” as set forth in Appendix J to this rule.

**(E) Appointment of and certification requirement for sign language interpreters**

(1) Except as provided in divisions (E)(2) through (4) of this rule, when appointing a sign language interpreter pursuant to division (B) of this rule, the court shall appoint a Supreme Court certified sign language interpreter.

(2) Except as provided in divisions (E)(3) and (4) of this rule, if a Supreme Court certified sign language interpreter does not exist or is not reasonably available and after considering the gravity of the proceedings and whether the matter could be rescheduled to obtain a Supreme Court certified sign language interpreter, a court may appoint a sign language interpreter who holds one of the following certifications:

(a) A “National Interpreter Certification” from the National Association of the Deaf and the Registry of Interpreters for the Deaf;

(b) A “Certification of Interpretation” and “Certification of Transliteration” from the Registry of Interpreters for the Deaf;

(c) A “Comprehensive Skills Certificate” from the Registry of Interpreters for the Deaf;

(d) A “Master Comprehensive Skills Certificate” from the Registry of Interpreters for the Deaf;

(e) A “Level V Certification” from the National Association of the Deaf;

(f) A “Level IV Certification” from the National Association of the Deaf.

(3) If the communication mode of the deaf, hard-of-hearing, or deaf-blind party, witness, or juror is unique and cannot be adequately accessed by a sign language interpreter who is hearing, a court shall appoint a sign language interpreter certified as a “Certified Deaf Interpreter” by the Registry of Interpreters for the Deaf.

(4) If the communication mode of the deaf, hard-of-hearing, or deaf-blind party, witness, or juror requires silent oral techniques, a court may appoint a sign language interpreter who possesses an “Oral Transliteration Certificate” from the Registry of Interpreters for the Deaf.

(5) A court shall summarize on the record its efforts to obtain and reasons for not using a Supreme Court certified sign language interpreter.

**(F) Appointment of multiple foreign language interpreters or sign language interpreters**

(1) To ensure the accuracy and quality of interpretation, when appointing a foreign language interpreter pursuant to division (A) of this rule or sign language interpreter pursuant to division (B) of this rule, a court shall appoint two or more foreign language interpreters or sign language interpreters in either of the following situations:

(a) The case or court function will last two or more hours and requires continuous, simultaneous, or consecutive interpretation;

(b) The case or court function will last less than two hours, but the complexity of the circumstances warrants the appointment of two or more interpreters.

(2) To ensure the accuracy and quality of interpretation, a court shall appoint two or more foreign language interpreters or sign language interpreters for a case or court function involving multiple parties, witnesses, or jurors requiring the services of an interpreter.

**(G) Examination on record**

(1) In determining whether the services of a foreign language interpreter are necessary for the meaningful participation of a party or witness pursuant to division (A) of this rule, the court shall conduct an examination of the party or witness on the record. During the examination, the court shall utilize the services of a foreign language interpreter, who may participate remotely. However, in doing so the court is not required to comply with the requirements of division (D) of this rule.

(2) In determining whether the services of a sign language interpreter are necessary for the meaningful participation of a party, witness, or juror, pursuant to division (B) of this rule, the court shall conduct an examination of the party, witness, or juror on the record. During the examination, the court shall utilize the services of a sign language interpreter, who may participate remotely. However, in doing so the court is not required to comply with the requirements of division (E) of this rule.

**(H) Waiver**

A party may waive the right to a foreign language interpreter under division (A) of this rule or sign language interpreter under division (B) of this rule, unless the court has determined the interpreter is required for the protection of the party's rights and the integrity of the case or court function. When accepting the party's waiver, the court shall utilize the services of a foreign language interpreter or sign language interpreter, who may participate remotely. However, in doing so the court is not required to comply with the requirements of division (D) or (E) of this rule.

**(I) Administration of oath or affirmation**

A court shall administer an oath or affirmation to a foreign language interpreter appointed pursuant to division (A) of this rule or sign language interpreter appointed pursuant to division (B) of this rule in accordance with Evid.R. 604.

**RULE 89. Use of Communication Services in Ancillary Services.**

**(A) Limited English proficient individuals**

A court shall provide foreign language communication services to limited English proficient individuals in conjunction with ancillary court services. Dependent upon the significance and complexity of the ancillary court service, the following individuals may provide the communication services in person, telephonically, or via video:

- (1) An employee of the court, other than a Supreme Court certified foreign language interpreter or provisionally qualified foreign language interpreter, who has demonstrated proficiency in English and the target language in accordance with standards set by Supreme Court Language Services Program and who the program has determined is qualified to conduct communication services directly with a limited English proficient individual in the target language;
- (2) A Supreme Court certified foreign language interpreter;
- (3) A provisionally qualified foreign language interpreter;
- (4) A registered foreign language interpreter.

**(B) Deaf, hard-of-hearing, and deaf-blind individuals**

A court shall provide sign language communication services to deaf, hard-of-hearing, and deaf-blind individuals in conjunction with ancillary court services. Dependent upon the significance and complexity of the ancillary court service, the following individuals may provide the communication services in person, telephonically, or via video:

- (1) A Supreme Court certified sign language interpreter;
- (2) A sign language interpreter listed in Sup.R. 88(E)(2) through (4);
- (3) A sign language interpreter employed by a community center for the deaf.



THE SUPREME COURT *of* OHIO

LANGUAGE SERVICES PROGRAM



# Court Interpreter **BENCH NOTES**

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In order to comply with the prohibition against national origin discrimination in Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et. seq., the Omnibus Crime Control and Safe Streets Act of 1968, 42 U.S.C. 3789d(c), and 28 C.F.R. Part 42, Subparts C and D, recipients of federal funds must provide meaningful access to limited English proficient (LEP) individuals. *Lau v. Nichols*, 414 U.S. 563 (1974). The U.S. Department of Justice advises that practices, such as charging for interpretation and translation services or seeking recoupment for those costs, significantly impair, restrict, or preclude the participation of LEP individuals in the judicial system and are inconsistent with recipients' Title VI obligations. For more information, please refer to Guidance from the U.S. Department of Justice to state court justices and administrators' letter from Assistant Attorney of the Civil Rights Division to Chief Justices and State Court Administrators (Aug. 16, 2010); Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 67 Fed. Reg. 41455 (June 18, 2002).

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The Supreme Court of Ohio

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## WORKING WITH FOREIGN LANGUAGE INTERPRETERS IN THE COURT

### HOW DO I KNOW IF A PARTY OR WITNESS NEEDS AN INTERPRETER?

A court shall appoint a foreign language interpreter when [Sup.R. 88(A)]:

A non-English speaking party or witness requests an interpreter and the court determines the interpreter is necessary. Absent a request, the court concludes the party is limited in communication and the services of the interpreter are necessary.

### DETERMINING THE ENGLISH PROFICIENCY OF THE PARTY

The judge should ask the following on the record to determine if an interpreter is necessary. In general, avoid questions easily answered with “yes” or “no” replies.

- Please tell the court your name.
- How long have you been in this country, and how did you learn English?
- Please tell me about your country.
- What is the highest grade you completed in school?
- Please tell us about the last magazine, book, or newspaper you read.
- Describe some of the things you see in this courtroom.
- You have the right to a court-appointed interpreter at no cost to you. Please tell the court the best way to communicate with you and to let you know what is being said.

### WHAT TYPES OF INTERPRETERS ARE THERE?

#### INTERPRETER CREDENTIALS:

##### Certified Interpreters

Supreme Court Certified Foreign Language Interpreter is a foreign language interpreter who has received certification from the Supreme Court Language Services Program, pursuant to Sup.R. 81.

These interpreters have demonstrated their skills by having successfully passed a written and oral exam administered by the Language Services Program and they have also provided a background check showing no convictions of crimes involving moral turpitude.

Courts should not accept any other certification to meet the requirements of Sup.R. 88(D).

### THE SUPREME COURT OFFERS CERTIFICATION IN 20 LANGUAGES:

1. Arabic
2. Bosnian/Croatian/Serbian
3. Cantonese
4. French
5. Haitian-Creole
6. Hmong
7. Ilocano
8. Khmer
9. Korean
10. Lao
11. Mandarin
12. Marshallese
13. Polish
14. Portuguese
15. Russian
16. Somali
17. Spanish
18. Tagalog
19. Turkish
20. Vietnamese

### **REQUIRED** **JUDICIAL TASK**



Add the court’s efforts to obtain a certified interpreter by the judge or magistrate to the case record.

[Sup.R. 88(D)]



## THE ROLE OF THE INTERPRETER

The interpreter must interpret everything that is stated or written, without editing, summarizing, or changing the meaning of the original message. The interpreter is not there to give opinions on cultural matters, explain the law, explain terms, provide language assessments, or act as an advocate. The interpreter is trained only to interpret and is not tested in substantive areas of law, culture, linguistics, or other disciplines.

## CASE OR COURT FUNCTION

“Case or court function” can include a hearing, trial, pretrial conference, settlement conference, or other appearance before a court in an action, appeal, proceeding, or other matter conducted by a judge, magistrate, or other court official.

### Provisionally Qualified Interpreters

Provisionally Qualified Foreign Language Interpreter is a foreign language interpreter who has received provisional certification from the Supreme Court Language Services Program, pursuant to Sup.R. 81(G)(3).

This interpreter received a score of less than 70 percent, but at least 60 percent in each section of the oral examination, as well as passed the written exam, passed a background check, and has no less than 24 hours of court interpreter training.

### Registered Interpreters

Registered Foreign Language Interpreter is a foreign language interpreter who has registered with the Supreme Court Language Services Program, pursuant to Sup.R. 87.

Registered interpreters are ineligible for certification as Supreme Court-certified foreign language interpreter because no oral exam exists. Registered interpreters scored 70 percent or better on the written exam, scored superior in their foreign language assessment, passed a background check, and have attended at least 24 hours of court interpreter training.

### Language-Skilled Interpreters

Language-skilled Foreign Language Interpreter is an interpreter whose qualifications, experience, knowledge, and training have been determined by the court for the given case.

A language-skilled interpreter is required to take an oath or affirmation to know, understand, and act according to the Code of Professional Conduct for Court Interpreters and Translators, as set forth in Appendix H of the Rules of Superintendence for the Courts of Ohio. It is uncertain whether language-skilled interpreters have been screened by a background check.

The process of appointment may include the following:

- For certified languages, courts appoint certified, provisionally qualified, language-skilled, or telephonic interpreters.
- For non-certified languages, courts appoint registered, language skilled or telephonic interpreters.
- In all interpreter appointments, courts must comply with all standards prescribed by law.

## APPOINTMENT OF CERTIFIED INTERPRETERS IN CASE OR COURT FUNCTION [SUP.R. 88(D)]

1. The court shall appoint a Supreme Court certified interpreter.
2. If a certified interpreter does not exist or is not reasonably available and, after considering the gravity of the matter and whether it could be rescheduled to obtain a certified interpreter, the court may appoint a provisionally qualified interpreter.
3. If a certified or a provisionally qualified interpreter does not exist or is not reasonably available and, after considering the gravity of the matter and whether it could be rescheduled to obtain a certified interpreter or a provisionally qualified interpreter, the court may appoint a language-skilled interpreter.

The court shall summarize on the record its efforts to obtain a certified or provisionally qualified interpreter and the reasons for using a language-skilled interpreter.

The language-skilled interpreter's experience, knowledge, and training should be stated on the record.

## **APPOINTMENT OF TELEPHONIC INTERPRETERS IN CASE OR COURT FUNCTION [SUP.R. 88(D)(4)]**

If a Supreme Court-certified foreign language interpreter, provisionally qualified foreign language interpreter, or language-skilled foreign language interpreter does not exist or is not reasonably available to participate in-person and, after considering the gravity of the proceedings and whether the matter could be rescheduled to obtain a certified, provisionally qualified, or language-skilled foreign language interpreter to participate in-person at the case or court function, a court may appoint an interpreter to participate in the case or court function through telephonic interpretation.

The court should summarize on the record its efforts to obtain a Supreme Court certified foreign language interpreter, provisionally qualified foreign language interpreter, or language-skilled foreign language interpreter to participate in-person at the case or court function and the reasons for using an interpreter who will participate in the case or court function through telephonic interpretation. When appointing an interpreter, the court must follow the order of certification as outlined in divisions (D)(1) through (3) of Sup.R. 88, which requires using a certified interpreter if one exists or is reasonably available, a provisionally qualified interpreter if one exists or is reasonably available, or a language-skilled interpreter if one exists or is reasonably available.

## **SAMPLE VOIR DIRE TO DETERMINE INTERPRETER QUALIFICATIONS**

### For Certified Languages

- Do you have certification or provisional qualification from the Supreme Court of Ohio?
- If so, what is your certification or provisional number?

### For Non-Certified Languages

- Are you a registered interpreter with the Supreme Court of Ohio and, if so, what is your registration number?
- How much experience do you have as a court interpreter in number of years and number of cases you have provided interpreter services?
- How and where did you learn English?
- Do you have any degrees from an American university?
- How and where did you learn your other language?
- Do you have a degree from a university outside the United States?
- Are you familiar with Ohio's Code of Professional Conduct for Court Interpreters and Translators? What are its main points?
- How many times have you interpreted in court interpreting these kinds of cases?

## **APPOINTMENTS TO AVOID**

The court should use all reasonable efforts to avoid appointing an individual as a foreign language interpreter if any of the following apply [Sup.R. 88(C)]:

1. The interpreter is compensated by a business owned or controlled by a party or a witness;
2. The interpreter is a friend or a family or household member of a party or witness;
3. The interpreter is a potential witness;
4. The interpreter is court personnel employed for a purpose other than interpreting;
5. The interpreter is a law enforcement officer or probation department personnel;
6. The interpreter has a pecuniary or other interest in the outcome of the case;
7. The appointment of the interpreter would not serve to protect a party's rights or ensure the integrity of the proceedings;
8. The interpreter does or may have a real or perceived conflict of interest or appearance of impropriety.

**WHEN SATISFIED WITH THE INTERPRETER'S QUALIFICATIONS, THE OATH SHALL BE GIVEN**

**INTERPRETER OATH:**

Do you solemnly swear or affirm you will interpret accurately, completely, and impartially, using your best skill and judgment in accordance with the standards prescribed by law and follow all official guidelines established by this court for legal interpreting or translating, and discharge all of the solemn duties and obligations of legal interpretation and translation?

**SAMPLE VOIR DIRE - CONTINUED**

- Describe your familiarity with legal terminology.
- What types of cases have you interpreted?
- Are you related to or close friends with anyone in this case?
- Do you understand you are to be a neutral party [Sup.R. 88(C)] who is here to facilitate communication and that you should not offer advice or interject your opinion into these proceedings?

**HOW CAN I FACILITATE COMMUNICATION IN AN INTERPRETED PROCEEDING?**

- Advise everyone in the courtroom of the presence and role of the interpreter.
- Instruct all participants to speak loudly and clearly and allow only one person to speak at a time.
- Allow the interpreter to converse briefly with the non-English speaker to ensure understanding of accents, dialect, or pronunciation differences.
- Ask the non-English speaker if the speaker is able to understand and communicate through the interpreter. Instruct the speaker to interrupt or raise a hand if the speaker does not understand something.
- Allow the interpreter to view court files prior to the proceedings to become familiar with names, parties, and technical vocabulary.
- Speak directly to the party or witness, not to the interpreter. Do not ask the interpreter to explain or restate anything said by the party. Always direct the interpreter to interpret in the first person in order for the record to be accurate.
- The interpreter must convey all questions, answers, and courtroom dialogue. Therefore, the interpreter is constantly working. Advise the interpreter to notify the court when breaks are needed. If the proceeding will last longer than two hours, require the presence of two interpreters who can switch as needed. [Sup.R. 88(F)(1)(a)]
- Recognize that court proceedings can be confusing and intimidating for a non-English speaker since other countries' legal systems and concepts often vary from those of the United States.

**PROVIDING LANGUAGE SERVICES IN ANCILLARY COURT SERVICES**

In providing language assistance in ancillary court services, courts should match the complexity of the service with the expertise of the language provider. For example, if a party requires general information at an information counter, a bilingual person may suffice. If the ancillary service is complex and discourse entails technical terminology, then a certified interpreter may be necessary.

**RULE 89. Use of Communication Services in Ancillary Services.**

**(A) Limited English proficient individuals**

A court must provide foreign language communication services to limited English proficient individuals in ancillary court services.

Dependent on the significance and complexity of the ancillary court service, the court may provide this service in person, telephonically, or via video. The court may select:

- (1) An employee of the court, other than a Supreme Court certified foreign language interpreter or provisionally qualified foreign language interpreter, who has demonstrated proficiency in English and the target language in accordance with standards set by Supreme Court Language Services Program and who the program has determined is qualified to conduct communication services directly with a limited English proficient individual in the target language;
- (2) A Supreme Court certified foreign language interpreter;
- (3) A provisionally qualified foreign language interpreter;
- (4) A registered foreign language interpreter.

(B) Deaf, hard-of-hearing, and deaf-blind individuals

A court must provide sign language communication services to deaf, hard-of-hearing, and deaf-blind individuals in ancillary court services. Dependent upon the significance and complexity of the ancillary court service, the following individuals may provide the communication services in person, telephonically, or via video:

- (1) A Supreme Court certified sign language interpreter;
- (2) A sign language interpreter listed in Sup.R. 88(E)(2) through (4);
- (3) A sign language interpreter employed by a community center for the deaf.

(C) Ancillary court services

“Ancillary court services” means any activity, other than a case or court function, that includes the exchange of legal or general court-related information with the public or parties in interest and is paid for or provided by the court. “Ancillary court services” includes, but is not limited to, the following:

- (1) Alternative dispute resolution programs;
- (2) Evaluations;
- (3) Information counters;
- (4) Probation or criminal diversion program functions;
- (5) Pro se clinics;
- (6) Specialized dockets and dedicated-subject-matter dockets.



For more information,  
contact the Supreme Court  
of Ohio’s Language  
Services Program at  
614.387.9403.



## WORKING WITH INTERPRETERS FOR DEAF & HARD OF HEARING PERSONS IN THE COURTROOM

### UNDER SUP.R. 88(B)(1):

Courts shall appoint a sign language interpreter when:

1. A deaf, hard of hearing, or deaf-blind party, witness, or juror requests an interpreter.
2. Absent a request, the court concludes an interpreter is necessary for meaningful participation.

The court shall give primary consideration to the method of interpretation chosen by the party, witness, or juror. [Sup.R. 88(B)(2)]

Deaf, deaf-blind and hard of hearing people may not be charged for the costs of such auxiliary aids or services. [28 C.F.R. 35.130(f)]

### AMERICAN SIGN LANGUAGE (ASL) INTERPRETER CREDENTIALS

ASL credentialing divides into two main categories: generalist and specialized. For legal interpreting, the Registry of Interpreters for the Deaf offers the Specialist Certificate: Legal (SC:L). SC:Ls have demonstrated specialized knowledge of legal settings and greater familiarity with language used in the legal system. The path to this specialized certification includes completion of a bachelor degree or associate degree in sign language interpreting, plus documentation of at least 50 hours of legal interpreting experience, 30 hours of formal legal training, and five years general interpreting experience. Other ways include an associate degree in sign language interpreting, plus an increased combination of legal interpreting experience and mentoring, as well as an additional number of hours of legal training.

In order to receive Supreme Court of Ohio sign language certification, a candidate must have received an SC:L, completed a background check, and taken an oath to comply with the code of professional conduct for court interpreters.

Generalist categories include National Interpreter Certification (NIC), Certificate of Interpretation (CI), Certificate of Transliteration (CT), and Comprehensive Skills Certificate (CSC), National Associate of the Deaf (NAD) to name a few. All the certifications listed above, except for NIC, are no longer offered, but are recognized by the Registry of Interpreters for the Deaf.

To receive certification, a candidate takes a national exam that involves a knowledge test and a performance test. To learn more about ASL certification, visit:

<http://rid.org/rid-certification-overview/>.

### COMPLYING WITH THE AMERICANS WITH DISABILITIES ACT (ADA) AND OHIO SUPERINTENDENCE RULE 88

The Americans with Disabilities Act (ADA) assures equal access to justice for people who are deaf, deaf-blind, or hard of hearing. Courts must work closely with interpreters, parties, and witnesses to determine effective communication methods. Possible accommodations may include sign language interpreters, specialized interpreter services, computer-assistive transcription services, and assistive listening devices.

### REQUIRED JUDICIAL TASK



Add the court's efforts to obtain a certified interpreter by the judge or magistrate to the case record. [Sup.R. 88(D)]

## THE ROLE OF THE INTERPRETER

The interpreter must interpret everything that is stated or written, without editing, summarizing, or changing the meaning of the original message. The interpreter is not there to give opinions on cultural matters, explain the law, explain terms, provide language assessments, or act as an advocate. The interpreter is trained only to interpret and is not tested in substantive areas of law, culture, linguistics, or other disciplines.

## CASE OR COURT FUNCTION

“Case or court function” can include a hearing, trial, pretrial conference, settlement conference, or other appearance before a court in an action, appeal, proceeding, or other matter conducted by a judge, magistrate, or other court official.

## APPOINTMENTS TO AVOID

The court should use all reasonable efforts to avoid appointing an individual as a sign language interpreter if any of the following apply [Sup.R. 88(C)]:

1. The interpreter is compensated by a business owned or controlled by a party or a witness;
2. The interpreter is a friend or a family or household member of a party or witness;
3. The interpreter is a potential witness;
4. The interpreter is court personnel employed for a purpose other than interpreting;
5. The interpreter is a law enforcement officer or probation department personnel;
6. The interpreter has a pecuniary or other interest in the outcome of the case;
7. The appointment of the interpreter would not serve to protect a party’s rights or ensure the integrity of the proceedings;
8. The interpreter does or may have a real or perceived conflict of interest or appearance of impropriety.

Additionally, the court should avoid appointing non-certified sign language interpreter for case or court functions.

## APPOINTMENT OF CERTIFIED INTERPRETERS IN CASE OR COURT FUNCTION [SUP.R. 88(E)]

1. The court shall appoint a Supreme Court certified interpreter.
2. If a certified interpreter does not exist or is not reasonably available and after considering the gravity of the matter and whether it could be rescheduled to obtain a certified interpreter, the court may appoint one of the following certifications:
  - (a) National Interpreter Certification (NIC)
  - (b) Certification of Interpretation and Certification of Transliteration (CI/CT)
  - (c) Comprehensive Skills Certificate (CSC)
  - (d) Master Comprehensive Skills Certificate (MCSC)
  - (e) Level V Certification from the National Association of the Deaf (NAD)
  - (f) Level IV Certification from the National Association of the Deaf (NAD).
3. If the communication method cannot be adequately established by a sign language interpreter who is hearing, the court must then bring a deaf person who holds the credential of “Certified Deaf Interpreter” (CDI) to help with the communication. A CDI will act as an intermediary between the deaf party and the sign-language hearing interpreter.
4. If the communication method required silent oral techniques, the court must appoint a certified interpreter who holds an Oral Transliteration Certificate.

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## HOW CAN I FACILITATE COMMUNICATION IN AN INTERPRETED PROCEEDING?

- Advise everyone in the courtroom of the presence and role of the interpreter.
- Instruct participants to speak loudly and clearly. Allow only one person to speak at a time.
- Allow the interpreter to converse with the deaf or hard of hearing person prior to the proceedings to ensure effective communication and identify possible signing differences or other concerns. Additionally, deaf persons with minimal language skills, blindness, or who rely upon lip reading may require specialized interpreting services. In these instances, the court may need to provide such an interpreter.
- Ask the deaf or hard of hearing person if he or she is able to understand and communicate through the interpreter. Instruct the person to raise a hand if something is not understood.
- Allow the interpreter to view court files prior to the proceedings to become familiar with names and technical vocabulary. Allow the interpreter to view all exhibits, photos, or other records prior to their introduction into evidence.
- Speak directly to the party or witness, not to the interpreter. Do not ask the interpreter to explain or restate anything the party or witness says. The interpreter will interpret in the first person in order for the record to be accurate. The interpreter will convey all questions, answers, and courtroom dialogue. Therefore, the interpreter is always working. Advise the interpreter to notify the court when breaks are needed.
- If the proceeding will last longer than two hours or has multiple deaf or hard of hearing persons involved, then the presence of two interpreters who can switch as needed is required. [Sup.R. 88(F)(1)(a)]
- Proper interpreter positioning and close proximity to the speaker allow optimal access to communication.

## CLARIFYING THE ROLE OF THE INTERPRETER

Before the start of courtroom proceedings, it is highly recommended the judge clarify the role of the interpreter for the defendant, witnesses, and jury members. Judges may use the following language for this purpose.

### For the Defendant/Witness

I want you to understand the role of the interpreter. The court interpreter is impartial and here only to interpret the proceedings. The interpreter will interpret only what is said without adding, omitting, or summarizing anything. The interpreter will interpret everything you state, so do not say anything you do not want everyone to hear. You are here to listen and/or give testimony to this court. When speaking, speak directly to the attorney or to me. Do not ask the interpreter for advice. If you do not understand the interpreter, then tell me. If you need a question or answer repeated, please tell me. Wait until the entire statement has been interpreted before you answer. Do you have any questions?

### For the Jury

Modes of communication other than spoken English may be used during this trial. The evidence you are to consider is only that provided through the official court interpreters. Although some of you may understand the deaf or hard of hearing person, it is important for all jurors to consider the same evidence. Therefore, you must base your decision on the evidence presented in the interpretation. You must not rely in any way upon your own interpretation of the witness' words.

## WHEN SATISFIED WITH THE INTERPRETER'S QUALIFICATIONS, THE OATH SHALL BE GIVEN

### INTERPRETER OATH:

Do you solemnly swear or affirm you will interpret accurately, completely, and impartially, using your best skill and judgment in accordance with the standards prescribed by law and follow all official guidelines established by this court for legal interpreting or translating, and discharge all of the solemn duties and obligations of legal interpretation and translation?





## PROVIDING LANGUAGE SERVICES IN ANCILLARY COURT SERVICES

In providing language assistance in “Ancillary Court Services” courts should match the complexity of the service with the expertise of the language provider. For example, if a party requires general information at an information counter, a bilingual person may suffice. If the ancillary service is complex and discourse entails technical terminology, then a certified interpreter may be necessary.

### RULE 89. Use of Communication Services in Ancillary Services.

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- (2) A Supreme Court certified foreign language interpreter;
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# THE SUPREME COURT *of* OHIO

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# PRACTICAL GUIDE TO EXPLORE INTERPRETER QUALIFICATIONS

In the absence of performance-based evaluation, certification or credentialing of interpreter services, legal professionals must ensure competency by carefully selecting individuals to perform this service. Here are questions that legal professionals may use to ascertain whether an interpreter has sufficient expertise:

## General Education:

- 1. Do you have interpreter certification from a trade organization or a governmental institution?
  - No
  - Yes 10 points (upon verification)
  
- 2. Do you possess a degree from an accredit college or university in the U.S. or in a country outside the U.S.?
  - No 0 points
  - Yes 1 point for partial
  - 2 points for BA/BS
  - 3 for Masters
  - 4 points for PhD
  - 5 points for MA in interpreting
  - 6 points for PhD in Interpreting
  
- 3. What was your area of study?
  - 1 point for sciences, arts or business
  - 2 points for poli sci
  - 3 points legal studies
  - 4 points for law or foreign language
  - 5 points interpreting or translation
  
- 4. Did you have any courses on linguistics, grammar or American legal studies? If so what were they?
  - No 0 points
  - Yes 1 point
  - 2 points for 2 classes
  - 3 points for 3 classes or more
  
- 5. Have you taken courses (not training) in interpretation or translation?
  - No 0 points
  - Yes 1 point
  - 2 points for 2 courses
  - 3 points for 3 classes or more
  
- 6. If so, where and what were these courses?
  - 1 point for general
  - 2 points for consecutive or sight translation
  - 3 points for simultaneous

7. Have you taken any training in interpretation or translation?

No 0 points  
Yes 1 point for 5 hours or less  
2 points for 6-10 hours  
3 points for 11-25 hours  
4 points for 26-40 hours  
5 points for 41-75 hours  
6 points for 76+

8. How long have you been working as a paid interpreter?

0 points for 1<sup>st</sup> time  
1 point for 1 year or less  
2 points for 1-3 years  
3 points for 3-5 years  
4 points for 6-10 years  
5 points for 10-15 years  
6 points for 16+

#### Speaking Fluency:

- How old were you when you started speaking English?  
 How old were you when you started speaking \_\_\_\_\_?  
 How old were you when you left your country?  
 Or how much time did you spend abroad learning \_\_\_\_\_?  
 How old were you when you came to the United States?  
 Or how old were you when you went abroad?  
 Besides when interpreting, how often do you speak foreign language?  
 And when you speak it, who do you speak it with?  
 Do you use your (foreign language) in a formal setting like with professionals who speak the same language as you? If so, whom or which group? (like, medical field, engineers dignitaries, etc.)  
 What do you do to keep your (foreign language) fluency?  
 If you have worked in a legal setting before, how did you learn legal terminology?

#### Reading Fluency:

- When you read in (foreign language), what kind of material do you read?  
 Do you read fiction or literature in (foreign language)?  
 Do you read academic articles in (foreign language)?  
 If so, in what area and how often?  
 What (foreign language) newspapers do you read?  
 How about magazines in (foreign language)?  
 When you assemble a product or an object, do you read the instruction in English or in (your foreign language)? Why?  
 Do you visit websites in (foreign language)?

- Do you have a dictionary in your own language?
- Do you have a dictionary in your own language?
- Do you have a bilingual dictionary?
- Do you have a dictionary in your own language?
- Do you have a legal dictionaries?
- If no, how do you look up words?

Legal Interpreter Training:

- How did you prepare to become a legal interpreter?
- Do you have interpreter-specific training?
- How much self-study do you do a month to prepare you for legal interpreting?
- How many hours of training do you have in civil or criminal procedure?
- How many hours of training do you have in legal terminology?
- How many hours of training do you have in the modes of interpretation?
- How many hours of training do you have on interpreter ethics?
- How many hours of advanced training do you have?
- How many hours of training do you have on idioms, slang & colloquialisms?
- How many hours of training do you have on note-taking?
- Can you list at least three canons in your code of ethics?

Legal Terminology

- Can you tell me what “accessory” means in legal terms?
- Can you tell me what an “arraignment” is?
- If a defendant is having a bench trial, what do you understand from that?
- Can you tell me what a bench warrant is?
- What is double jeopardy?
- Do you know what we mean by a “conflict of interest”?

Example:

	Candidate #1	Candidate #2	Candidate #3	Candidate #4
Certification	10	0	0	0
Degree	0	1	4	6
Area of Study	0	1	4	4
Key Courses	0	1	3	3
Interp classes	0	0	0	0
Relevancy	0	0	0	0
Training	3	4	6	6
Experience	3	2	4	6
TOTALS	16	9	21	25