

**INSTRUCTIONS TO THE DEAF PERSON**

The Proceedings Interpreter must meet with each deaf party or witness in the presence of the attorney or sponsoring attorney. The interpreter will explain the various roles and rules involved in court interpreting. The following topics should be covered:

• **Confidentiality Rules**

- The court does not recognize the RID code of ethics
- The interpreter can be forced to tell what she has interpreted
- The interpreter can be forced to tell what she has chatted about with the deaf person
- Emphasize that this difference is very important and affects everything the interpreter does in court

• **No Private Negotiations**

- Common in outside of court setting for repetition/clarifications
- Give examples like name signs, numbers, etc.
- In court all repetition/clarification is mediated through the court
- Show examples, raise your hand, speak in the third person, ask for repetition, done in spoken English

- **No Private Conversations**
  - Inside or outside of court because of the appearance of impropriety
  - Issue is the interpreter can be called to the stand to repeat the conversation
  - Cultural issues with hugging, chatting, etc.
  - No legal advice. Even seemingly minor questions or requests for information must be referred to the attorney or clerk (if no attorney)
  
- **Disclosures**
  - The court requires the interpreter be completely neutral
  - The court must know if the interpreter knows or has had prior contact with any of the people, deaf or hearing in the case.
  - The interpreter is required to disclose, at the time they take the oath, any prior contact with the deaf person, or any of the hearing people.
  - The interpreter does not tell details
  - The judge will ask the interpreter if she can be neutral and objective.
  
- **Interpreter Roles**
  - The interpreter should explain the proceedings, defense and witness functions
  - The interpreter should explain the process the team of court interpreters will use to monitor each other and correct errors.

- The interpreter should explain the monitor function if a defense interpreter is present
- **No Simultaneous Communication**
  - The interpreter should explain that the court does not permit sim-com
  - The interpreter should give examples of un-interpreted information that the deaf litigant can expect to see and give potential remedies for getting the information
    - Oath, objections to deaf witness testimony, voir dire, any discussions at the bench dealing with interpreter issues such as clarifications, repetitions, etc., bench conferences in general and correcting errors
    - The interpreter should explain the process of interrupting for these issues, such as raising her hand, waiting to be recognized, approaching the bench, etc. The deaf person will then know and be prepared for un-interpreted information.