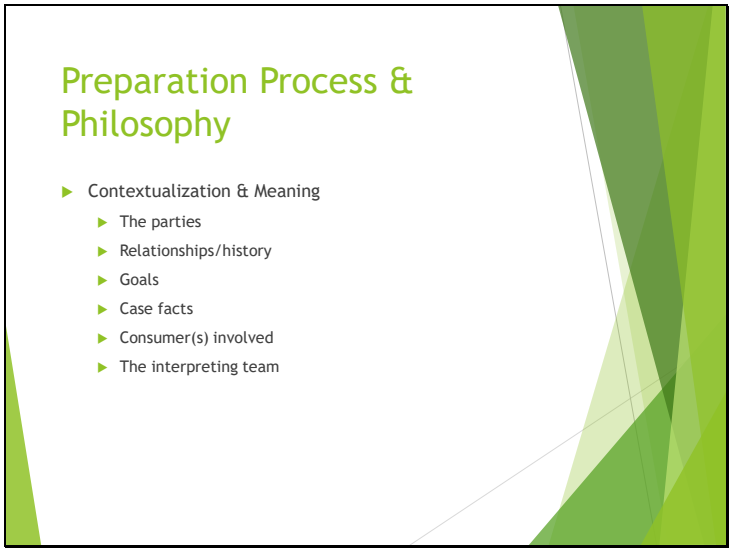
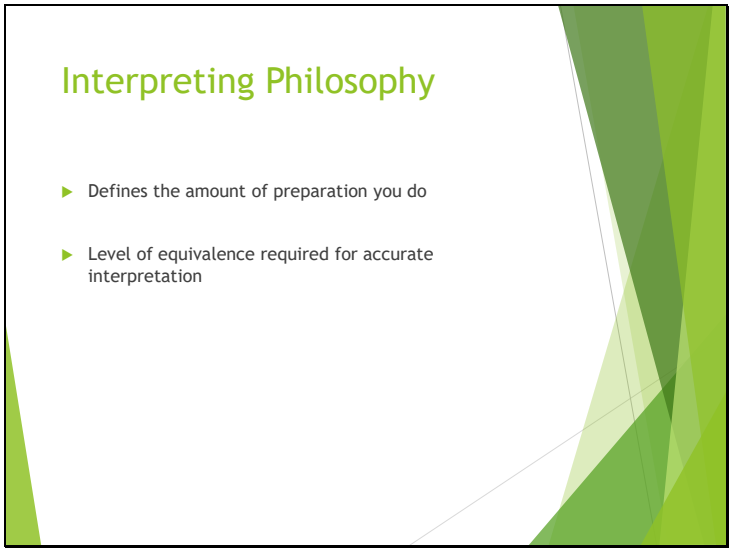
Slide 1

Preparing the court interpreter for trial
Carla M. Mathers, Esq. SC: L
Legal Interpreter Training Institute
2018-2019 Series
Professional Interpreting Enterprise

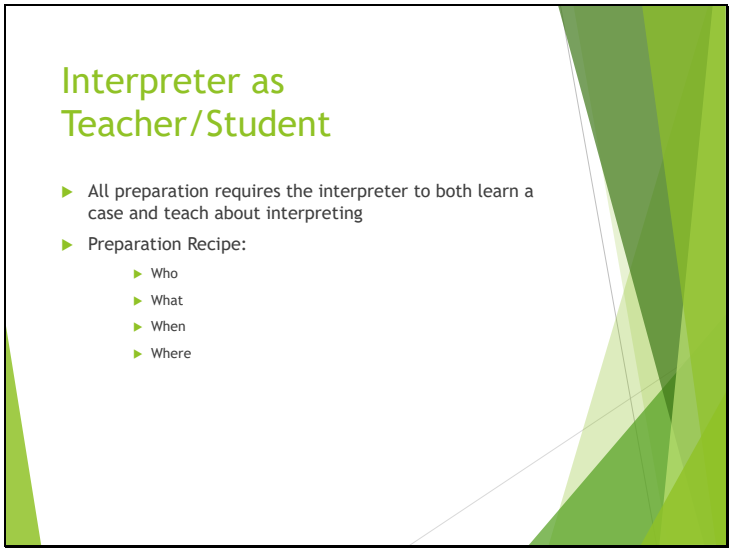
Slide 2


Preparation Process & Philosophy
Contextualization & Meaning
The parties
Relationships/history
Goals
Case facts
Consumer(s) involved
The interpreting team

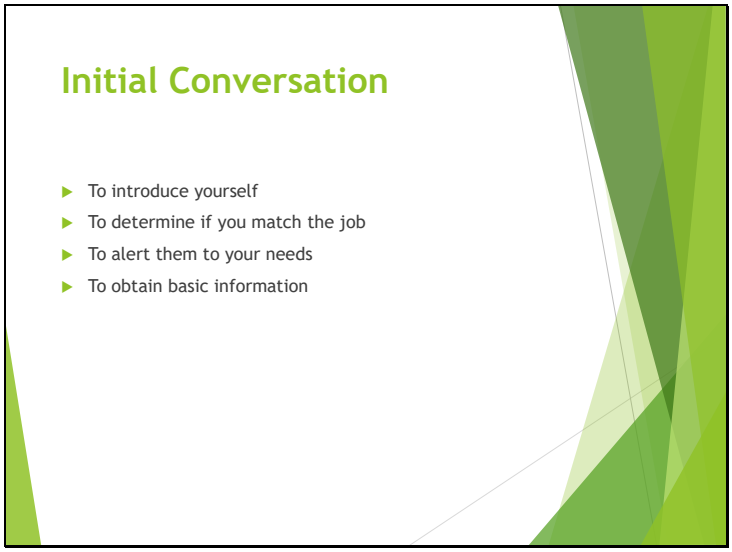
Slide 3


Interpreting Philosophy
Defines the amount of preparation you do
Level of equivalence required for accurate interpretation

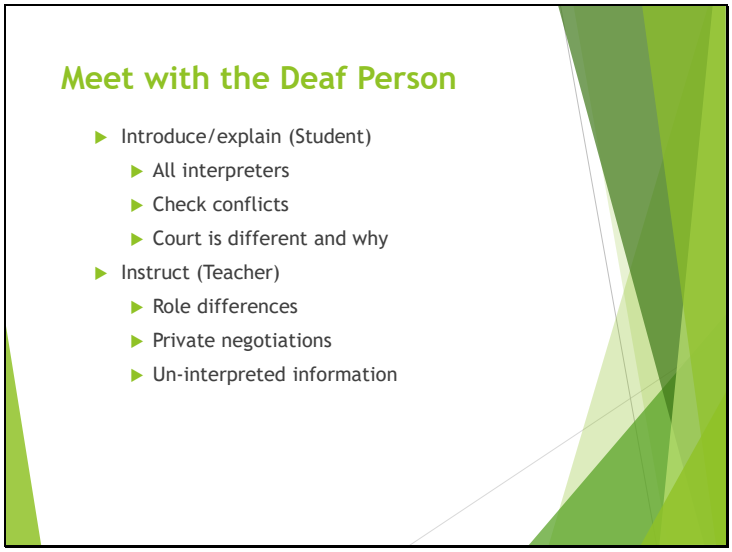
Slide 4


Interpreter as Teacher/Student
All preparation requires the interpreter to both learn a case and teach about interpreting
Preparation Recipe:
Who
What
When
Where

Slide 5


Initial Conversation
To introduce yourself
To determine if you match the job
To alert them to your needs
To obtain basic information

Slide 6


Meet with the Deaf Person
Introduce/explain (Student)
All interpreters
Check conflicts
Court is different and why
Instruct (Teacher)
Role differences
Private negotiations
Un-interpreted information

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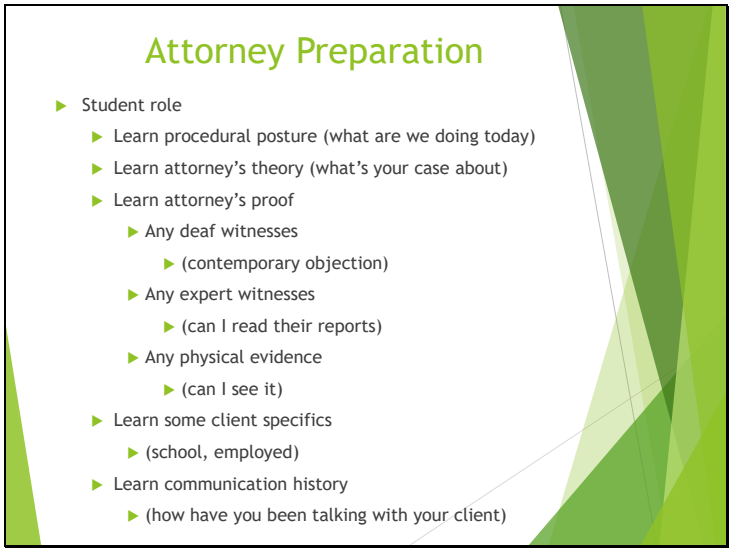
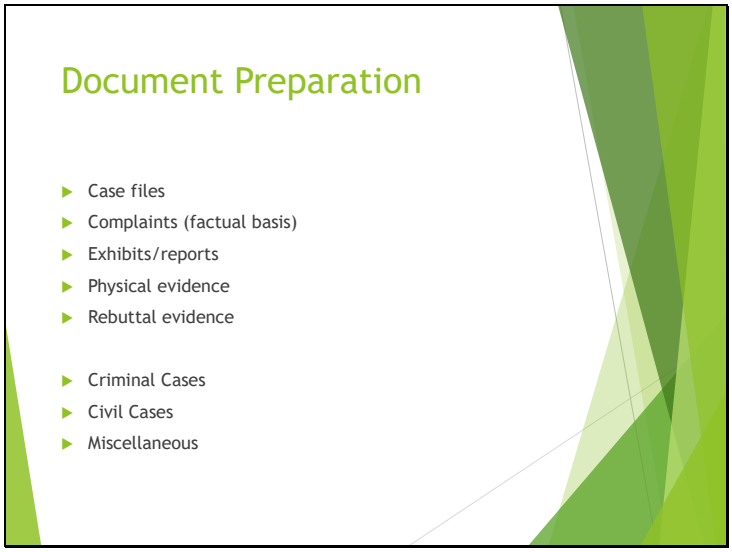
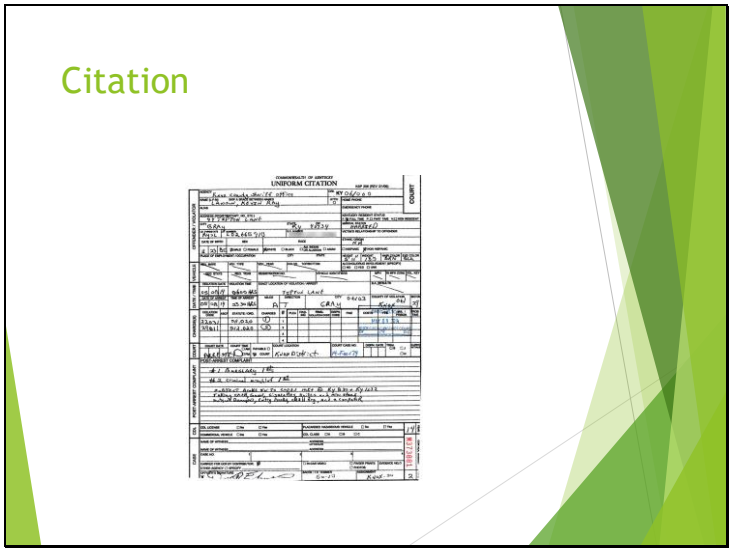
Slide 8


Attorney Preparation
Student role
Learn procedural posture (what are we doing today)
Learn attorney's theory (what's your case about)
Learn attorney's proof
Any deaf witnesses
(contemporary objection)
Any expert witnesses
(can I read their reports)
Any physical evidence
(can I see it)
Learn some client specifics
(school, employed)
Learn communication history
(how have you been talking with your client)

Slide 9


Document Preparation
Case files
Complaints (factual basis)
Exhibits/reports
Physical evidence
Rebuttal evidence
Criminal Cases
Civil Cases
Miscellaneous

Slide 10



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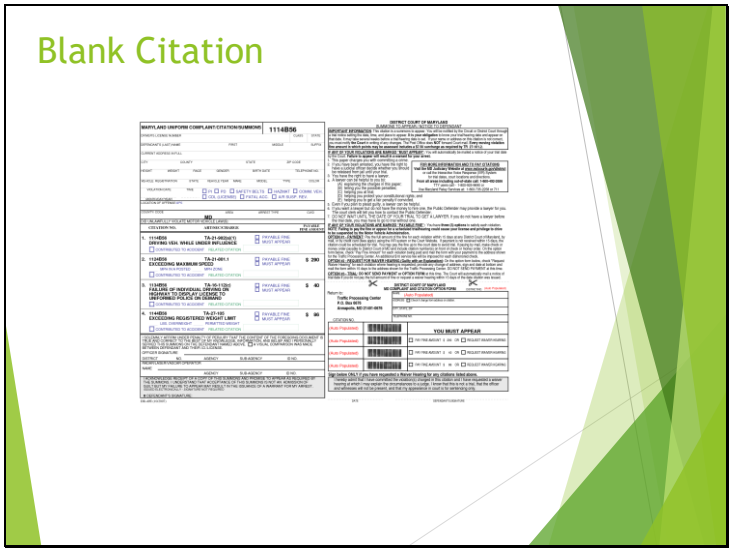

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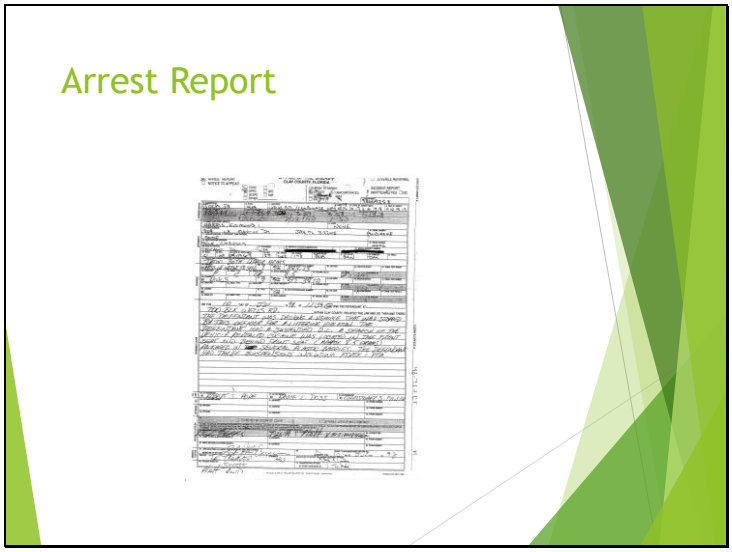

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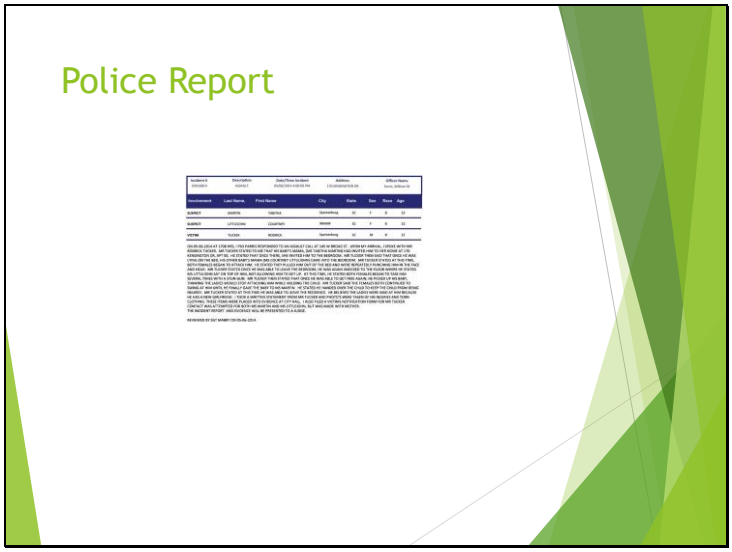

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Criminal Summary Sheet

- See Shaw Docket

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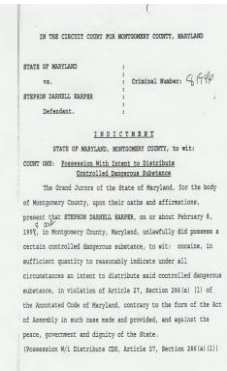
Criminal Felony Indictment



IN THE CIRCUIT COURT FOR MONTGOMERY COUNTY, MARYLAND

STATE OF MARYLAND
vs.
STEPHEN DARNELL HARPER
Defendant.

Criminal Number: 5,[illegible]

INDICTMENT

STATE OF MARYLAND, MONTGOMERY COUNTY, to wit:

COUNT ONE: Possession With Intent to Distribute Controlled Dangerous Substance

The Grand Jurors of the State of Maryland, for the body of Montgomery County, upon their oaths and affirmations, present that STEPHEN DARNELL HARPER, on or about February 8, 1991, in Montgomery County, Maryland, unlawfully did possess a certain controlled dangerous substance, to wit: cocaine, in sufficient quantity to reasonably indicate under all circumstances an intent to distribute said controlled dangerous substance, in violation of Article 27, Section 286(a) (1) of the Annotated Code of Maryland, contrary to the form of the Act of Assembly in such case made and provided, and against the peace, government and dignity of the State.

(Possession W/I Distribute CDS, Article 27, Section 286(a)(1))

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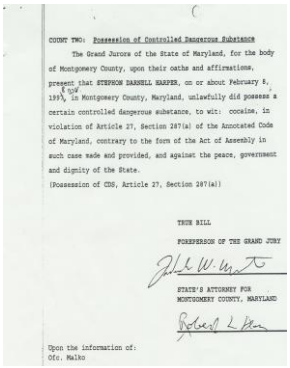
Indictment Page 2



COUNT TWO: Possession of Controlled Dangerous Substance

The Grand Jurors of the State of Maryland, for the body of Montgomery County, upon their oaths and affirmations, present that STEPHON DARNELL HARPER, on or about February 8, 1993, in Montgomery County, Maryland, unlawfully did possess a certain controlled dangerous substance, to wit: cocaine, in violation of Article 27, Section 287(a) of the Annotated Code of Maryland, contrary to the form of the Act of Assembly in such case made and provided, and against the peace, government and dignity of the State.

(Possession of CDS, Article 27, Section 287(a))

TRUE BILL

FOREPERSON OF THE GRAND JURY

STATE'S ATTORNEY FOR MONTGOMERY COUNTY, MARYLAND

Upon the information of:
Ofc. Walko

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

ALICE COGSWELL,	)	
	)	
Plaintiff,	)	Civil Action No.
	)	AW-97-17013
v.	)	
	)	
	)	COMPLAINT & JURY
PACIFIC QUAD,	)	DEMAND
	)	
Defendant.	)	

NATURE OF ACTION

Plaintiff Alice Cogswell, a former employee of Pacific Quad, brings this action for unlawful discharge from Defendant's employ in violation of the Americans with Disabilities Act. Ms. Cogswell is Deaf and uses American Sign Language to communicate. Ms. Cogswell was terminated because she requested a reasonable accommodation in the form of a certified American Sign Language interpreter for staff meetings and other important employment- related events. Rather than providing Ms. Cogswell with a reasonable accommodation for her disability, defendants summarily terminated her employment and/or authorized her summary termination. Ms. Cogswell brings this action against defendant Pacific Quad under the Americans with Disabilities Act of 1990, 42 U.S.C., sections 12101, et seq.

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PARTIES

5. Ms. Cogswell is a former employee of Pacific Quad, a Maryland corporation.

6. Pacific Quad is a Maryland corporation.

FACTS

7. On or about January 7, 1997, plaintiff Alice Cogswell was hired by Pacific Quad in the position of secretary/clerk.

8. After learning of the position through the newspaper, Ms. Cogswell was interviewed on or about December 31, 1996, by Emily Snead, Secretarial Supervisor for Pacific Quad.

9. At the same time, Ms. Snead gave Ms. Cogswell a timed typing test on the computer and a filing exercise.

10. At the time Ms. Cogswell was hired, Pacific Quad knew of her disability and that she used American Sign Language to communicate.

11. At the interview, Belen Lyons, a "signer" was provided by Pacific Quad to communicate with Ms. Cogswell during the interview.

12. During the interview, Ms. Cogswell told Pacific Quad that she would need qualified interpreters for training, staff meetings and other important employment-related events.

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File Review Exercise: Murder

- Pair up
- Assume Deaf defendant
- Review documents and ON SEPARATE PAPER
  - For each document, state how does this help in interpreting?
  - Note the name of the document and prioritize helpfulness by putting the number on your paper
    - **Do not write on the case files**
    - 1 = Critical
    - 2 = Helpful
    - 3 = If time permits, helpful
    - 4 = Can disregard it

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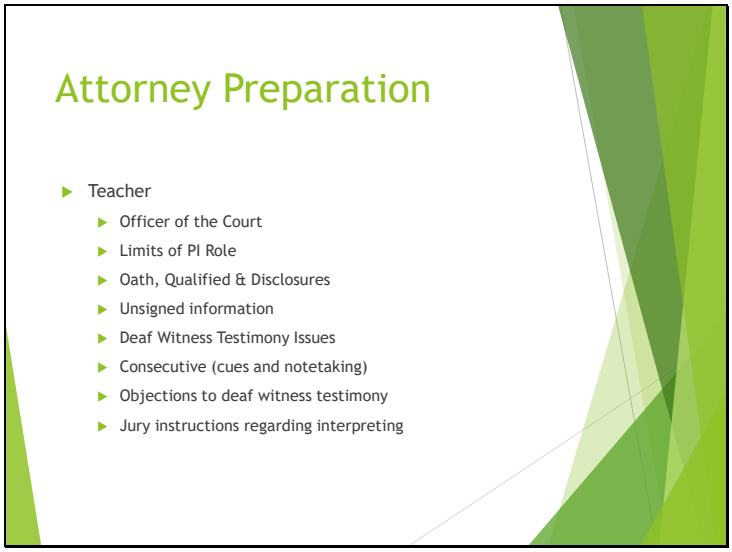
Attorney Preparation
Teacher
Officer of the Court
Limits of PI Role
Oath, Qualified & Disclosures
Unsigned information
Deaf Witness Testimony Issues
Consecutive (cues and notetaking)
Objections to deaf witness testimony
Jury instructions regarding interpreting

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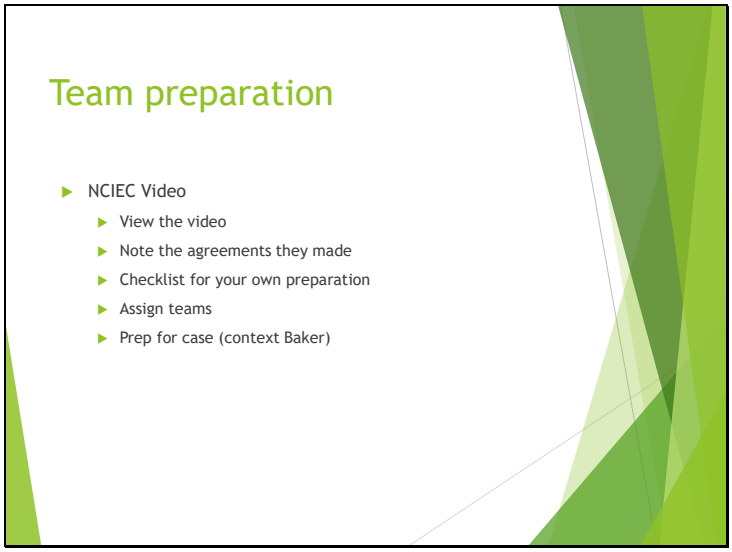
Slide 22


Team preparation
NCIEC Video
View the video
Note the agreements they made
Checklist for your own preparation
Assign teams
Prep for case (context Baker)

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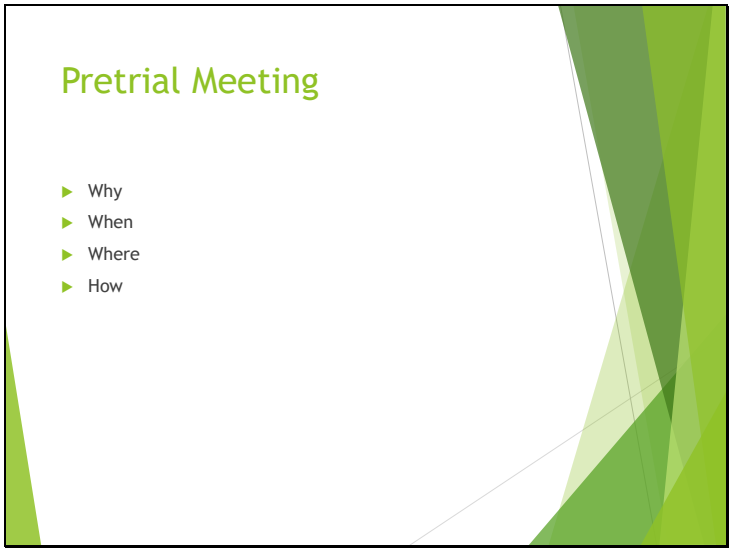
Slide 24



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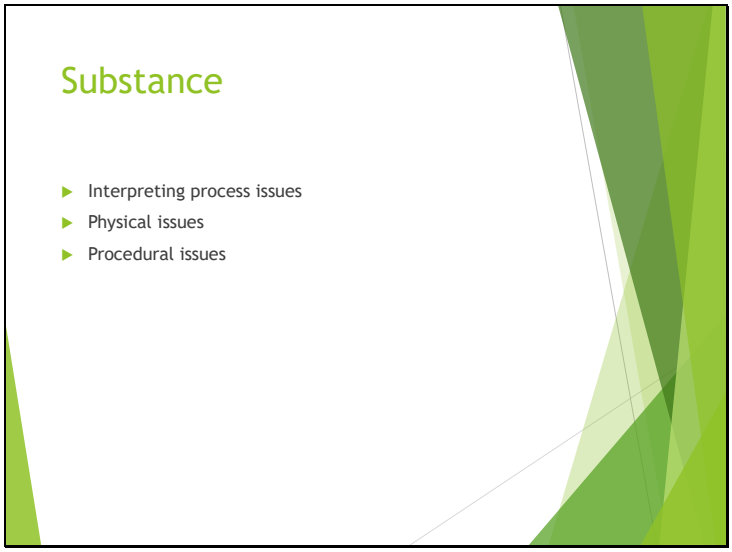
Substance
Interpreting process issues
Physical issues
Procedural issues

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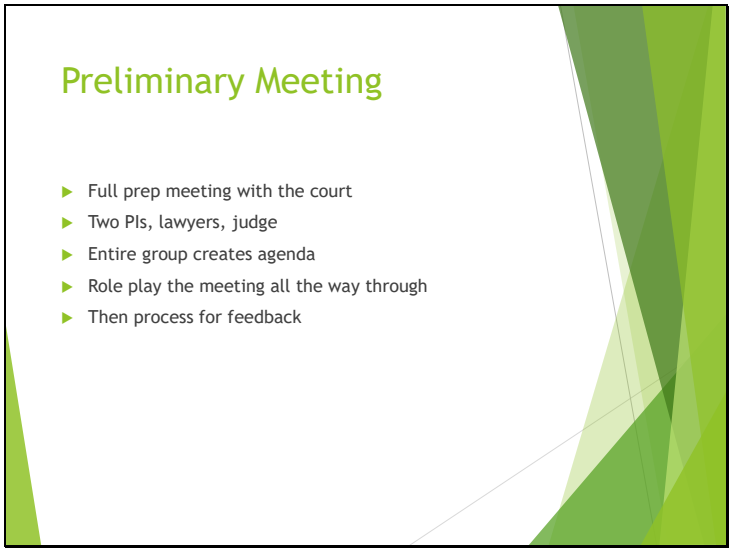
Preliminary Meeting
Full prep meeting with the court
Two PIs, lawyers, judge
Entire group creates agenda
Role play the meeting all the way through
Then process for feedback

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