



DISTRICT OF COLUMBIA SUPERIOR COURT
Special Operations Division
Office of Court Interpreting Services

Practice Standards for Interpreters

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What are practice standards?

Practice standards define the role and duties of an interpreter working in the District of Columbia Courts. These standards have been developed by the Office of Court Interpreting Services (OCIS) in compliance with the best professional practices and ethical standards of court interpreting to ensure consistent quality in interpreting services.

The role of the court interpreter is to act as a conduit and allow complete and accurate communication between Limited English Proficient (LEP) or deaf or hard-of-hearing individuals and the Court, thus overcoming linguistic and cultural barriers to the judicial process and other court services. Court interpreters working in the Superior Court of the District of Columbia must abide by a strict code of ethics and rules of professional conduct when performing their duties in and out of the courtroom.

Working with Interpreters

These standards are for both court interpreters engaged by the Superior Court of the District of Columbia, and those who work with, train, and contract them. They are meant to eliminate any confusion regarding the manner in which interpreters are expected to perform their duties and how other parties involved in the administration of justice will interact with them.

PRACTICE STANDARDS

Qualifications

Objective: To provide those contracting interpreters with a clear understanding of the educational background, training, certifications, and experience an interpreter possesses to professionally serve the needs of the Court.

- The interpreter will accurately represent all certifications, training, and pertinent experience when applying to work at the Court.

The interpreter will provide proof of all pertinent qualifications to Office of Court Interpreting Services staff by submitting a resume and a copy of all interpreter certifications.

Accuracy

Objective: To provide all parties a clear understanding of what each speaker is saying, and thus allow the Court to determine the facts, safeguard the due process rights of the LEP or deaf or hard-of-hearing individual, and administer justice.

- The interpreter will render a faithful and accurate interpretation of all statements and testimony for all in-court and out-of-court matters.

An interpreter will interpret all that is said, even if it seems repetitive, redundant, incoherent, untrue, irrelevant, or rude.

- The interpreter will preserve the level of language used, maintaining the register, style, and tone of the speaker.

If the Court uses language that the Limited English Proficient or deaf or hard-of-hearing court user has difficulty comprehending, the interpreter will not substitute simpler explanations for

complex legal terminology. The interpreter will not ask the Court to simplify the language but instead allow the LEP or deaf or hard-of-hearing individual to speak for him or herself. Similarly, if the party receiving interpreting services uses slang or expletives, the interpreter will not sanitize the language, but interpret into the target language using the same register, style, and tone of language as the speaker.

- The interpreter will manage the flow of communication.

If a speaker is speaking too quickly or is not taking pauses when they speak, the interpreter will ask the judge to instruct the party to slow down.

Conflict of Interest & Impartiality

Objective: To prevent any interpreter bias, prejudice, or preference so that testimony presented before the Court is not influenced or altered in any way.

- The interpreter will not allow personal opinions to affect his or her impartiality.

The interpreter will not inadvertently reveal personal feelings through words, tone of voice, facial expressions, gestures, or body language.

- The interpreter will disclose potential conflicts of interest, withdrawing from assignments if necessary.

The interpreter will avoid interpreting for a family member or close friend where it may be difficult or impossible to be impartial.

- The interpreter will limit personal involvement with all parties during the interpreting assignment.

The interpreter will not hold private conversations or share personal information with any of the parties.

Duty to Report Inaccuracies

Objective: To maintain an accurate record of the proceedings so that parties can testify about their experience and observations, preserve their evidence for the record, and challenge the testimony of adverse witnesses.

- The interpreter will correct his or her own errors in interpretation.

An interpreter who has omitted an important word will correct the mistake as soon as possible.

- The interpreter will not correct errors made by parties, attorneys, or other individuals involved in the case.

If a witness makes a mistake when spelling his or her name, the interpreter will interpret what the witness said and not spell the name correctly.

- The interpreter will correct errors in interpretation in a team interpreting situation.

If two interpreters are working as a team and one makes an error without realizing it, the other interpreter will pass a note or discretely confer with his or her teammate. The interpreter who made the mistake will correct the record as soon as the error is identified.

No Advocacy/Legal Advice

Objective: To avoid stepping out of the role of interpreter and providing erroneous advice to any party in a case.

- The interpreter will limit his or her professional activity to only those matters related to interpreting.

An interpreter will never advise a witness or defendant on legal questions or advocate on his or her behalf, but instead direct the party to address those matters with the attorney.

Confidentiality

Objective: To foster trust in the interpreter's discretion on the part of defendants, attorneys, witnesses, and the Court.

- The interpreter is ethically bound to protect the confidentiality of all privileged and confidential information obtained in the course of his or her duties.

An interpreter will not discuss a defendant's case with the defendant's family members or friends.

- The interpreter will protect the confidentiality of any written case materials entrusted into his or her possession for purposes of preparation for the assignment.

An interpreter will leave any printed case-related material from the Court's case management system in the Interpreter's Office and not bring the material to the courtroom.

Restriction on Public Comment

Objective: To prevent the interpreter from divulging information obtained while rendering his or her services in Court on a public forum.

- The interpreter will not publicly discuss, report, or offer an opinion concerning a matter in which he or she is or has been engaged.

An interpreter will not disclose or share information on Facebook regarding any case where he or she has provided interpreting services.

Dignity of the Court

Objective: To foster in the interpreter a demeanor that reflects both the dignity of the Court and the professional ethics of the interpreting profession.

- The interpreter acts in a manner that demonstrates that he or she is cognizant of established protocol, rules, and procedures for delivering interpreting services in a court setting.

An interpreter will dress appropriately, arrive on time for assignments, and proceed swiftly from one courtroom assignment to the next when assigned by OCIS staff to prevent delays.

- The interpreter is respectful of the other professionals with whom he or she works.

An interpreter will not speak ill of colleagues or spread rumors that could discredit another interpreter.

- The interpreter ensures direct communication among all parties in a case.

In an attorney-client meeting, the interpreter will instruct the attorney and the client to address each other directly to facilitate interpretation.

- The interpreter will ensure a clear record of the proceedings involving interpreting by referring to him or herself in the third person when it is necessary to intervene.

When seeking clarification from a witness, an interpreter will say to the parties, "The interpreter requests clarification from the witness" or "The interpreter requests a repetition."

No Remuneration

Objective: To avoid creating a conflict of interest.

- The interpreter does not receive payment of any kind from anyone but the court.

If a juror in a trial where an interpreter is working offers to take the interpreter out for coffee, the interpreter will decline.

Impediments to Compliance with Code of Ethics

Objective: To promote compliance with professional work standards that protect the integrity of the interpretation.

- The interpreter is ethically bound to advocate and seek working conditions that support accuracy in interpreting.

If an interpreter finds him or herself working alone on a lengthy matter, that interpreter is ethically bound to inform the Court when interpreter fatigue is setting in, thus jeopardizing the integrity of the interpretation. A relief interpreter will be requested from the Office of Court Interpreting Services or, if none is available, the interpreter will ask the Court for a recess.

- The interpreter prepares for all assignments.

An interpreter will ask OCIS staff about the nature of the assignment and request the printing of case information from the Court's case management system to allow the interpreter to review relevant information.

- The interpreter is ethically bound to assess his or her own ability to perform competently in any assignment, and will immediately disclose any reservations about having the skill level required for the assignment.

An interpreter who is unfamiliar with highly technical ballistics terminology will decline to accept a firearms-related assignment.

- The interpreter does not offer explanations of information presented in court documents.

When asked to explain a plea agreement or a waiver of probable cause, an interpreter will sight translate the document in the presence of the attorney or offer to interpret the attorney's explanation of the document's content to the client.

Professional Development

Objective: To continuously hone and improve interpreting skills and competence and stay abreast of changes or developments in court interpreting.

- The interpreter continues to develop interpreting skills and linguistic and cultural knowledge.
An interpreter will develop and update glossaries on legal terminology used in different court divisions or regional slang.
- The interpreter supports the professional development of fellow interpreters.
An experienced interpreter will mentor novice interpreters and permit them to shadow them during in-court proceedings open to the public with prior approval from OCIS staff.
- The interpreter is a member of professional organizations or participates in activities and events that contribute to his or her professional development.
An interpreter will attend professional workshops, training sessions, and conferences related to interpretation and/or translation and submit proof of attendance in continuing education to OCIS staff.