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Court Interpreter Training Resources  
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## **Advanced Coursework for Court Interpreters1**

### **Working in Legal Settings with Deaf Interpreters**

More and more often, courts are recognizing the need to provide Deaf and hearing teams of interpreters in order to ensure equal access to justice. Often at the behest of a hearing interpreter, the Deaf interpreter is frequently brought into the most complicated, most serious assignments because of the need for accurate interpretation. This seminar will focus on preparing Deaf and hearing team interpreters to function efficiently in legal settings. Participants will explore issues related to preparation of the team, payment issues, interpreting in law enforcement settings, qualifying both team members, explaining the need for the team, and ethical issues. Finally, participants will participate in role plays and will practice interpreting in Deaf and hearing teams.

### **Law Enforcement Interpreting**

New and exciting developments regarding interpreting in law enforcement settings have occurred during the past few years that competent ASL interpreters should know and understand. Courts are scrutinizing the work-product of ASL interpreters who are hired to assist the prosecutorial side of criminal cases more frequently and more critically than ever before. *State v. Hindsley*, the landmark Wisconsin case, is a prime example of the pitfalls that exist for ASL interpreters who accompany law enforcement to interrogate Deaf suspects. Contemporary socio-linguistic research into a suspect's assertion of his Sixth Amendment right to an attorney during the Miranda process and the court's view of that assertion as either powerful (direction) or powerless (indirection) language (and thereby effective or ineffective respectively) exists with which every interpreter working in law enforcement settings should be intimately familiar. Deaf interpreters, as well, are being called upon more and more frequently to take on the responsibility of ensuring the suspect's constitutional rights at interrogation are protected. Deaf interpreters and hearing interpreters must possess the ability to make a defensible argument for 1) the necessity of their work, 2) the accuracy of their work, and 3) the integrity of their work. Are we ready?

This fast-paced seminar presents a balanced mix of theory and hands-on practice for trained Deaf and hearing court interpreters. This seminar will focus on the interpreter's role and responsibility in interpreting in the law enforcement setting. The information presented will include critical description of the constitutional underpinnings of a suspect's rights in a police-citizen encounter, the law of privileged communications, the ethical duties of the law

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1 These seminars are limited to participants who have taken an Introductory course in Court Interpreting. The course must have been at least 20 contact hours. Hearing interpreters must be nationally certified at a generalist level. If your state does not recognize RID/NAD certification, contact presenter for options. There is no current certification requirement for Deaf interpreters, though they must have taken an introductory course.

enforcement interpreter, the evidentiary requirement of authentication of prior interpreting work, the concept of testifying with respect to the content of a prior interpreted event, text analysis and extensive interpretation practice and analysis of interpretations.

### **Evidentiary Foundations for Court Interpreters**

Court interpreting is one of the most challenging forums in which to work. Within that realm, understanding the discourse of the Court, the attorneys and the parties can be the most stress producing for interpreters. This course is designed to help interpreters understand how evidence is presented in a court of law. The rules of evidence constrain and dictate how English is used in a courtroom. This course will provide the interpreter with a theoretical framework to understand why objections to evidence are made, when they can be made, what constitutes objectionable material, and the various categories of objections encountered in court.

Once the participants understand how the rules of evidence control the flow of information in a legal proceeding, the seminar will address how the interpreter can use that information to enhance the interpretation. The participants will discuss evidentiary constructs that are conducive to the use of prediction and closure skills, will analyze direct and cross-examination texts for evidentiary underpinnings, and will use comparative and contrastive analysis to discuss the variety of discourse styles that are present in the various sub-parts of a legal proceeding.

### **Interpreting for the Deaf Juror**

More and more frequently, court interpreters are called upon to interpret for Deaf jurors in court. Traditionally, most interpreters were provided in criminal matters for Deaf defendants; however, with the advent of legislation such as the Americans with Disabilities Act more and more jurisdictions are calling on Deaf citizens to perform their civic duty. As a result, interpreters are working in this sub-specialty area more frequently and should be aware of the similarities and the differences between this and other types of court interpreting.

This seminar will discuss the background and history of Deaf jurors, the perception of jury duty from the consumer's perspective and the ethical challenges presented, the perspective of the Deaf juror from the jurors', judges' and attorneys' perspectives, the interpreter's role, function and duties as a jury duty interpreter, and specific preparation strategies for the jury duty interpreter. Participants will be able to practice interpreting orientation to jury service texts as well as other commonly encountered texts during jury service.

### **Access to Counsel: The ASL Interpreter at the Table**

The legal system is becoming more sophisticated in its understanding of language and interpreting issues in court and in its use of court interpreters. Because each side to a dispute has a right to arm itself with experts, interpreters are being hired to sit at counsel table, to interpret private conversations between counsel and client, to provide information about

interpreting to the litigation team, and to monitor the proceedings interpreters for accuracy. As a result, an interpreter may find herself or himself in a role quite different from what is normally expected.

As the counsel table interpreter, the interpreter functions both as an expert and as an interpreter. As an expert, the interpreter assists counsel by, among other things, monitoring the work of the proceedings interpreters for accuracy. As a monitor, the interpreter must be prepared to detect, note and address substantive uncorrected errors. The interpreter must possess a mental framework, strategies and tools for effectively fulfilling this function in a tactful and diplomatic manner. The interpreter also interprets privileged communications before, after and during the proceedings between counsel and the client.

Although interpreters have been performing this function for years, there has been no systematic effort to train interpreters by providing a model for analyzing non-equivalencies. This course is designed for certified interpreters who have taken a basic court interpreter training program and who actively work in the courts. Participants will discuss case law demonstrating the court's view of the table interpreter's role and function. Participants will be presented with a range of options for addressing non-equivalent messages. Participants will discuss a model for analysis of interpreter accuracy and strategies for addressing inaccurate interpretation. Finally, participants will apply the model to interpreted courtroom testimony.

### **Preparation Strategies for Court Interpreters**

Preparation in legal assignments is more than a good idea; it is the interpreter's obligation. Court interpreters take an oath to interpret accurately all of the proceedings in court, and if one interprets an assignment without adequate preparation, the oath can be violated. Unfortunately, the Courts and attorneys do not make the interpreter's job easy. This seminar will assist interpreters identify the preparation required for various legal assignments. Participants will analyze preparation materials along a continuum from the basic information one must have and without which an assignment should not be accepted to the preparation materials that an interpreter would have access to and study in an ideal setting.

Participants will receive hands on practice seeking preparation materials from attorneys, judges, deaf parties, and court personnel and will work with the materials after they are received in small groups, large groups and in role plays. After an in-depth discussion of all aspects of preparing for a legal assignment, participants will work in groups with hypothetical legal assignments from beginning to end as if they were preparing for an assignment in actuality. Participants will be responsible for assessing the requirements of the assignment and determining the number and types of interpretation needed. They will prepare the clerks, attorneys, deaf participants, and the court for a successful experience working with ASL interpreters. Participants will have the opportunity to fully debrief after the hypothetical situations are completed and to receive feedback and analysis from their peers and the presenter with respect to successful and less successful strategies.

## **Interpreting in Forensic Settings with Deaf Children**

With Pasch McCombs

Interpreting for deaf children in legal settings presents a variety of challenges heretofore unexamined critically in most court interpreter training programs. Interpreters in legal settings face this unique challenge when interpreting in juvenile court, domestic relations matters, criminal matters, civil matters, child abuse and neglect proceedings and in the law enforcement arena.

This seminar seeks to isolate the task of interpreting for deaf children, analyze the challenges presented, and prepare interpreters for interpreting with this special population. The presenters will discuss current trends in interpreting for children in legal settings, will present materials concerning eliciting testimony from children, evaluating children and investigating allegations obtained from children. Participants will analyze ethical vignettes that exemplify the difficulties that arise in interpreting for children. Participants will analyze texts presented by deaf children to discuss the appropriate equivalent interpretations with respect to accuracy, register and developmental language level. In addition, participants will analyze texts commonly encountered while interpreting for children. Participants will be required to complete extensive pre-reading assignments prior to the seminar as a tool for discussion during the class.

## **Advanced Ethics Seminar for the Court Interpreter**

With Keri Brewer

Court interpreters are not often provided with a safe haven in which to practice their ability to explain their role and function to court personnel. This seminar seeks to provide a peer-centered venue for interpreters to put into practice the ethical skills, knowledge and experience that they have gained as practicing court interpreters. Through a variety of non-threatening educational medium, such as large group discussion, small group practice, role-play exercises, presenter modeling and fishbowl activities, the participants will gain hands-on experience through practice in justifying to attorneys, judges, and court personnel the interpreter's practices, working condition requirements, role limitations and ethical obligations.

This advanced seminar is designed for court interpreters who have already received basic court interpreter training, or RID SC: L certified interpreters who seek a forum to refine their ethical analysis skills. Participants will explore and practice common ethical quandaries that arise when accepting, preparing for and practicing in legal interpreting assignments. The content of the program consists of a review of court interpreter roles and ethical requirements with respect to conflicts of interest. Thereafter, participants will explore in small group settings various real world issues that frequently arise that test the interpreter's knowledge, diplomacy skills and abilities.

## **Interpreting in Criminal Settings**

In contemporary legal interpreting practice, much of a court interpreter's time is spent interpreting in the criminal setting. Though more and more deaf jurors are being called to serve and they are typically chosen for an equal number of civil cases, it has traditionally been the criminal setting in which the court interpreter finds himself or herself. As a result, it behooves the interpreter to study and learn the criminal setting.

This course will give interpreters an in-depth look at the criminal law setting from the time of arrest through and including post-conviction proceedings. Through a variety of methods, from required preliminary readings, to in class discussion, and small group work, participants will delve into the world of criminal law to understand the system, compare and contrast it with the civil system, and create a schema for understanding similar but related systems such as juvenile and domestic violence practice.

Participants will prepare justifications to present to the court and the attorneys after analyzing a commonly interpreted setting which requires a number of interpreters to appropriately staff the matter. Participants will discuss and work with the ethical tenets underlying and constraining their practice in a criminal setting. Participants will receive information on working with a deaf interpreter team in the criminal arena. In addition, participants will discuss, work with and become familiar with how spoken English is used in the criminal setting. Interpreters will interpret and analyze interpretations done in the criminal setting, both live in-class and on videotape. Participants will conduct text analysis of commonly interpreted criminal texts and practice interpreting.

## **Interpreting a Mock Deposition**

Theory and classroom training can never replace actual experience that interpreters obtain from an assignment. This seminar provides the court interpreter with actual legal interpreting experience by learning about, preparing for and interpreting an actual civil deposition. First the seminar will define the various roles an interpreter can be expected to take in a civil deposition, including the monitor role and the proceedings interpreter role. A discussion of the legal underpinnings for each role, including a review of the concept of privileged communications will be presented. The participants will engage in actual preparation with the attorneys and the deaf consumers for a mock deposition. Finally, the presenter and the participants will engage in in-depth analysis of interpretations at the conclusion of the deposition.

## **The Art of Witness Interpreting**

With Pasch McCombs

This seminar is designed for advanced level interpreters who work in court and who wish to expand their skills and knowledge of interpreting techniques for working with deaf witnesses. The seminar will include a discussion of the various types of witness examination that a court interpreter will encounter, a discussion of current linguistic research on the issue of interpreting cross-examination questions, and practical application of interpreting various question types taken from trial transcripts. The seminar will provide the interpreter with practice in working with a team interpreter, with the consecutive interpretation process and with proper note taking strategies and techniques.

Participants will become familiar with and demonstrate an understanding of the following topics through lecture, discussion, and where appropriate, the opportunity to practice skills.

- The process of witness examination
- The difference between direct exam and cross-exam
- Various question types used during witness examination
- Linguistic research on question types
- Why do consecutive interpreting?
- Consecutive interpreting of witness examination
- Listening in consecutive
- Voicing in consecutive
- How to work as a team for consecutive interpreting
- Note Taking
- Cueing strategies for consecutive interpreting

## **Interpreting a Mock Proceeding**

Putting it all together, the mock proceeding takes the skills developed in the previous courses and completes a full trial. The culmination of courses is similar to the mock deposition except that it provides participants an opportunity to practice not just witness testimony but a full course trial.

The course has specific volunteer actor requirements and equipment needs. For more information, contact presenter directly.