

Legal Interpreting Basics

- Slide 1. : Legal Interpreting Basics
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A MARIE Center Presentation
- Slide 2. Starting point: definitions
1. Community Interpreting
 2. Legal Interpreting
 3. Quasi-legal Interpreting
 4. Court Interpreting
- Slide 3. Legal Interpreting Specialty -- Assumptions/core values
1. Generalist competency is a pre-requisite
 2. Established generalist practice
 3. Supervised work experience
 4. Regular collegial reflection with peers
 5. Specialists often work in Deaf-hearing teams
- Slide 4. Legal Interpreting Competency Domains
1. Court/Legal Systems
 2. Legal Theory
 3. Protocol
 4. Interpreting
 5. Professional Development
- Slide 5. Court and Legal Systems Knowledge
1. General understanding of the legal system: Procedural and substantive; Protocol typical of legal personnel
 2. General understanding of the criminal and civil systems: Types of crime and punishment; Types of proceedings commonly encountered; Common causes of action; Typical flow chart process of civil cases.
 3. General understanding of specialized courts: Family law, mental health court, drug court; Processes involved mediation, commitment proceedings.
 4. General understanding of law enforcement: Reporting and investigating through prosecution
- Slide 6. Legal Theory Knowledge
1. State and federal interpreting legislation and regulations
 2. Privileged communications & testifying
 3. Evidentiary rules affecting interpreters
 4. Appellate procedures (record)

5. Legal standard of reasonably competent interpretation (expert issues)
6. Due process tests for competent interpretation
7. Immunity theories for court interpreters

Slide 7. Protocol Knowledge

1. Conflicts of interest & process of disclosure
2. Officer of the court scope of duty
3. Voir dire proficiency
4. Proper modes of interpreting
5. Speaking for the record
6. Various roles for legal interpreters
7. Jury duty interpreting
8. Placement
9. Security protocol
10. Responding to subpoenas

Slide 8. Interpreting Knowledge

1. Historical legal basis for court interpreting
2. Discourse structure of legal texts
3. Discourse structure of ASL legal texts
4. Ability to assess skills accurately
5. Accurate interpreting in appropriate register
6. Ability to articulate for a Deaf Interpreter Specialist
7. Ability to advocate for and work with a team interpreter
8. Ability to argue for appropriate hiring practices

Slide 9. Interpreting Knowledge Continued

1. Preparation
2. Ethical decision-making
3. Consecutive interpreting & note-taking
4. Simultaneous interpreting
5. Sight translation
6. Consistency in staffing
7. Court hiring practices

Slide 10. Professional Development Knowledge

1. Strong commitment to on-going, advanced knowledge and skill
2. Commitment to lifelong learning in court and legal interpreting

Slide 11. The path to specialization – SC: L

1. Eligibility requirements
2. Written examination

3. Performance examination

Slide 12. Eligibility Requirements

1. Degree requirement: Associate's degree or Alternative Pathway
2. Category 1: Certified, BA or AA in interpreting; 50 hours experience/30 hours formal training
3. Category 2: Certified, AA any field; 75 hours experience/50 hours formal training
4. Category 3: Certified, Degree???, 100 experience/70 training
5. Category 4Current SC: L retake

Slide 13. Written Examination -- Domains

1. Language
2. Judicial System
3. Team Interpreting
4. Professional Issues

Slide 14. Language – 25%

1. Legal terms/phrases
2. Challenges presented by legalese
3. Powerless forms of language
4. Cultural and linguistic adjustments
5. Linguistic minority status
6. Interpreting for non-standard signers
7. Issues arising from non-standard signers
8. Determining interpreting needs
9. Implications of youthful consumers

Slide 15. Judicial System – 40%

1. Law enforcement
2. Miranda
3. Court procedure/logistics
4. Criminal judicial system
5. Civil judicial system
6. Specialized courts & quasi-judicial settings
7. Interpreting statutes and regulations
8. Roles of courtroom personnel

Slide 16. Team Interpreting – 15%

1. Teaming with another hearing interpreter
2. Teaming with a deaf interpreter

- Slide 17. Professional Issues – 20%
1. State and federal interpreting legislation
 2. Legal ethics
 3. Liability issues

- Slide 18. Performance Examination
1. Miranda warnings
 2. Courtroom scene
 3. Voir dire of Deaf interpreter
 4. Undergo voir dire as candidate
 5. Jury instructions

- Slide 19. Resources
1. RID Legal Interpreters Members Section
<http://www.ridlims.com/LIMS/LIMS.html>
Conference activities
Interim activities
Yahoo list serve
 2. MARIE Center
http://www.unco.edu/marie/legal_interpreters.html
Legal Interpreter Preparation Program
Institute for Legal Interpreting
 3. NAJIT
www.najit.org
 4. NCSC Consortium for Language Access
<http://www.ncsc.org/Education-and-Careers/State-Interpreter-Certification-Archive.aspx>

- Slide 20. Questions and Next Steps