

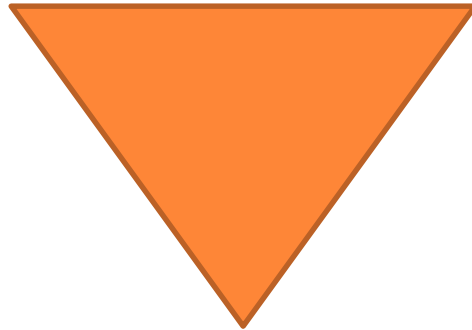


LEGAL INTERPRETING BASICS

Carla M. Mathers, Esquire, SC: L
A MARIE Center presentation

STARTING POINT: DEFINITIONS

- Community Interpreting
- Legal Interpreting
- Quasi-legal Interpreting
- Court Interpreting



LEGAL INTERPRETING SPECIALTY -- ASSUMPTIONS/CORE VALUES

- Generalist competency is a pre-requisite
- Established generalist practice
- Supervised work experience
- Regular collegial reflection with peers
- Specialists often work in Deaf-hearing teams



LEGAL INTERPRETING COMPETENCY DOMAINS

- Court/Legal Systems
- Legal Theory
- Protocol
- Interpreting
- Professional Development



COURT AND LEGAL SYSTEMS

KNOWLEDGE

- General understanding of the legal system
 - Procedural and substantive
 - Protocol typical of legal personnel
- 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
- General understanding of specialized courts
 - Family law, mental health court, drug court
 - Processes involved mediation, commitment proceedings
- General understanding of law enforcement
 - Reporting and investigating through prosecution



LEGAL THEORY KNOWLEDGE

- State and federal interpreting legislation and regulations
- Privileged communications & testifying
- Evidentiary rules affecting interpreters
- Appellate procedures (record)
- Legal standard of reasonably competent interpretation (expert issues)
- Due process tests for competent interpretation
- Immunity theories for court interpreters



PROTOCOL KNOWLEDGE

- Conflicts of interest & process of disclosure
- Officer of the court scope of duty
- Voir dire proficiency
- Proper modes of interpreting
- Speaking for the record
- Various roles for legal interpreters
- Jury duty interpreting
- Placement
- Security protocol
- Responding to subpoenas



INTERPRETING KNOWLEDGE

- Historical legal basis for court interpreting
- Discourse structure of legal texts
- Discourse structure of ASL legal texts
- Ability to assess skills accurately
- Accurate interpreting in appropriate register
- Ability to articulate for a Deaf Interpreter Specialist
- Ability to advocate for and work with a team interpreter
- Ability to argue for appropriate hiring practices



INTERPRETING KNOWLEDGE CONTINUED

- Preparation
- Ethical decision-making
- Consecutive interpreting & note-taking
- Simultaneous interpreting
- Sight translation
- Consistency in staffing
- Court hiring practices



PROFESSIONAL DEVELOPMENT KNOWLEDGE

- Strong commitment to on-going, advanced knowledge and skill
- Commitment to life long learning in court and legal interpreting



THE PATH TO SPECIALIZATION – SC: L

- Eligibility requirements
- Written examination
- Performance examination



ELIGIBILITY REQUIREMENTS

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



WRITTEN EXAMINATION -- DOMAINS

- Language
- Judicial System
- Team Interpreting
- Professional Issues



LANGUAGE – 25%

- Legal terms/phrases
- Challenges presented by legalese
- Powerless forms of language
- Cultural and linguistic adjustments
- Linguistic minority status
- Interpreting for non-standard signers
- Issues arising from non-standard signers
- Determining interpreting needs
- Implications of youthful consumers



JUDICIAL SYSTEM – 40%

- Law enforcement
- Miranda
- Court procedure/logistics
- Criminal judicial system
- Civil judicial system
- Specialized courts & quasi-judicial settings
- Interpreting statutes and regulations
- Roles of courtroom personnel



TEAM INTERPRETING – 15%

- Teaming with another hearing interpreter
- Teaming with a deaf interpreter



PROFESSIONAL ISSUES – 20%

- State and federal interpreting legislation
- Legal ethics
- Liability issues



PERFORMANCE EXAMINATION

- Miranda warnings
- Courtroom scene
- Voir dire of Deaf interpreter
- Undergo voir dire as candidate
- Jury instructions



RESOURCES

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



QUESTIONS AND NEXT STEPS

