

## Secrets Court Interpreters Should Share With Deaf Litigants

- Slide 1. Secrets Court Interpreters Should Share With Deaf Litigants  
Carla M. Mathers, Esquire, CSC, SC:L  
A MARIE Center Presentation
- Slide 2. Legal V Community Interpreting: Differences
1. Evidentiary doctrines and confidentiality
  2. Legal interpreter roles
  3. Ethics and protocol
  4. Modes of interpreting
  5. Preparation topics
  6. Working with CDIs
- Slide 3. Confidentiality and Privileged Communications
1. Confidential
  2. Communications
  3. By client to an attorney
  4. For the purpose of legal representation
    - 4.1 Protected
    - 4.2 Unless waived
- Slide 4. Extra Judicial Interpreted Statements  
Top Down Hierarchal diagram with  
Top level as Police Station and bottom levels as Deaf Suspect Confession, Signer Voiced  
Interpretation of Confession and Officer Testifies to the Confession
- Slide 5. Authentication  
Nazemian Factors. Skills and Bias
1. Who is the interpreter?
  2. Who retained?
  3. Impartial?
  4. Qualified?
  5. Oath or substitute?
  6. Cross-examination.

- Slide 6. Court Interpreter Roles
1. Proceedings interpreter
    - 1.1 Officer of the court/duty of loyalty
    - 1.2 Sworn to accuracy
    - 1.3 Interprets all proceedings and witnesses
  2. Court Code of Professional Conduct
    - 2.1 Conflicts defined
    - 2.2 Voir dire
    - 2.4 Protocol for interruptions
    - 2.4 Prohibition against advising

- Slide 7. Impartiality
1. Appearance conflicts
  2. Interpreter interaction & Deaf cultural norms
  3. Disclosure conflicts and RID confidentiality
  4. Un-interpreted information

- Slide 8. Legal Advice
1. Deaf culture sharing information rules
  2. Prohibition of giving legal advice

- Slide 9. Counsel Table Interpreter
1. Privileged communications
  2. Monitor function
  3. Contemporaneous objection rule
  4. Litigation team member
  5. Qualifications and voir dire

- Slide 10. Modes of interpreting
1. Sight translation, Forms.
  2. Consecutive interpreting, Note taking.
  3. Simultaneous interpreting, Settings.
  4. Summary interpreting, Settings.

- Slide 11. Working with CDIs
1. What it means
  2. What it does not mean
  3. When indicated
  4. When standard

Slide 12. SECRETS TO SHARE

1. Court is different
2. RID Confidentiality
3. No private negotiations
4. Different clarifications
5. Un-interpreted information
6. Disclosures
7. No legal advice/offer to interpret
8. No Sim-Com
9. Benefits of a table interpreter
10. Consecutive interpreting and cuing system
11. Summary interpreting uses
12. Benefits of a CDI

Slide 13. Final Questions & Next Steps

1. Next Webinar: July 29, 2013. 6:00 - 7:30 EST
2. Topic: Interpreting in Family Law Settings
3. Change in series date:  
Final session on depositions is not September 7.  
Will be September 21, 2013 at 1:30 pm EST
4. Archived sessions: <http://www.unco.edu/marie/>  
Left column navigation to webinars
5. CEUs - Carolyn White at [Carolyn.white@unco.edu](mailto:Carolyn.white@unco.edu)

Thank you and good day.