

NATIONAL CLEARINGHOUSE OF REHABILITATION TRAINING MATERIALS, JULY 20, 2013.

SECRETS COURT INTERPRETERS SHOULD SHARE WITH DEAF LITIGANTS, JULY 20, 2013.

>> HELLO EVERYBODY.

MY NAME IS CARRIE WHITE, THE MARIE CENTER PROJECT COORDINATOR AND I WELCOME YOU TO OUR WEBINAR TODAY ENTITLED "SECRETS TO SHARE WITH DEAF PEOPLE ABOUT INTERPRETING IN COURT." PRESENTED BY CARLA MATHERS.

I HAVE SOME HOUSEKEEPING ITEMS I NEED TO GO OVER WITH YOU.

BEFORE WE GET STARTED AND AT THE END I WILL REPEAT SOME OF THE INFORMATION FOR THOSE WHO CAME IN LATE AND ALSO TO CLARIFY, IF YOU DIDN'T CATCH THE FIRST TIME.

CAPTIONING AND INTERPRETERS ARE PROVIDED.

THE STREAMING WINDOW OPENS AUTOMATICALLY.

THERE IS A TAB FOR THE AUDIO AND VISUAL ON THE FAR RIGHT.

CLICK ON THE BOTTOM CORNER AND THE MENU WILL DROP DOWN.

CLICK "DETACH PANEL," AND YOU CAN RESIZE THE VIDEO BOX.

TO OPEN THE CAPTIONING, CLICK ON THE CAPTIONING ICON ON THE TOOL BAR.

WINDOWS CAN BE CLOSED OR SIZED TO CREATE YOUR PERSONAL VIEWING ENVIRONMENT.

THE CHAT WINDOW CAN BE MADE BIGGER BY PULLING IT OUT.

YOU DO THIS BY CLICKING ON THE ICON BOX, IN THE UPPER RIGHT CORNER OF THE CHAT BOX, TO ACCESS THE MENU AND MAKE THE CHAT FONT BIGGER.

IF YOU HAVE TECHNICAL ISSUES, USE THE CHAT FUNCTION AND A MEMBER OF THE CLEARINGHOUSE STAFF WILL AID YOU.

QUESTIONS FOR THE PRESENTER WILL BE USED IN THE CHAT FUNCTION.

PLEASE WRITE DOWN YOUR QUESTIONS AT HOME, AND YOU WILL WAIT FOR CARLA TO ASK FOR QUESTIONS, THEN TYPE THEM INTO THE CHAT BOX.

I ALSO WANT TO MENTION CEUS AT THIS TIME.

IF YOU ARE LOGGED IN AND WATCHING INDIVIDUALLY, AT THE END OF THE WEBINAR, WHEN YOU EXIT OUT, A SURVEY WILL POPULATE.

THE SURVEY WILL ASK YOU QUESTIONS ABOUT YOUR EXPERIENCE WITH THE WEBINAR, AND ALSO ASK YOU FOR YOUR CEU INFORMATION AT THAT TIME.

THAT IS FOR INDIVIDUAL USERS.

IF YOU ARE IN A GROUP WATCHING THIS, YOU HAVE MANY PEOPLE, YOU CAN HAVE THE LEADER OF THE GROUP FILL OUT THE SURVEY.

BUT THE REST OF YOU NEED TO FILL OUT THE SIGN-IN SHEET THAT WAS SENT WITH THE WEBINAR LINK.

IF YOU FILL OUT THE SURVEY ONLINE IN YOUR NAME, YOU DO NOT NEED TO PUT YOUR NAME ON THE SIGN-IN SHEET.

BECAUSE I WILL ALREADY HAVE YOUR INFORMATION.

THE SIGN-IN SHEET IS FOR GROUPS OF PEOPLE ONLY BECAUSE I WILL NOT HAVE INFORMATION FROM THOSE WHO ARE UNABLE TO FILL OUT THE SURVEY.

OKAY, WITHOUT FURTHER ADO, I WOULD LIKE TO HAND THIS OVER TO CARLA MATHERS.

THANK YOU.

>> THANK YOU CARRIE.

AND WELCOME BACK EVERYONE.

WE HAVE 98 PEOPLE ON THIS WEBINAR RIGHT NOW; WHICH IS AMAZING.

WE HAVE DEAF FOLKS.

WE HAVE PEOPLE FROM HAWAI'I, AS FAR AWAY AS ALASKA AND IT'S REALLY NICE TO HAVE A DIVERSE GROUP AND THROUGH THIS MECHANISM TO HAVE SO MANY PEOPLE AND NOT TO MENTION THAT WE THANK THE MARIE CENTER.

IN CASE YOU WEREN'T WITH US FOR THE FIRST TIME THIS IS THE SECOND IN A SERIES WE'RE DOING THIS SUMMER AND I HAVE A DISCLAIMER FOR MY USE OF LANGUAGE FOR THIS PRESENTATION, IN CASE YOU MISSED IT THE FIRST TIME.

IT'S VERY STANDARD PRACTICE IN THE ASL COURT INTERPRETING INDUSTRY TO SIGN OUR PRESENTATIONS IN A LANGUAGE WE ALL HAVE ACCESS TO.

BECAUSE OF THE TECHNOLOGY THAT WE'RE USING FOR THIS PARTICULAR WEBINAR, WE'RE NOT ABLE TO DO THAT. SO THE BEST WORK AROUND THAT WE HAVE FOUND, BECAUSE OF THE LIMITATIONS OF THE TECHNOLOGY IS TO PROVIDE INTERPRETATION AND CAPTIONING. SO I APOLOGIZE TO MY DEAF COLLEAGUES, AND KNOW THAT WE ARE WORKING ON A FIX FOR THE NEXT SERIES.

MY OTHER DISCLAIMER IS THAT NOTHING THAT I SAY DURING ANY OF THESE SERIES SHOULD BE CONSTITUTED AS "LEGAL ADVICE." CLEARLY I'M ONLY LICENSED IN MARYLAND AND THE DISTRICT OF COLUMBIA.

THIS TOPIC, "SECRETS TO SHARE WITH DEAF PEOPLE ABOUT COURT INTERPRETERS," IS SOMETHING THAT WE TALKED ABOUT A LOT BEFORE KIND OF FIGURING OUT HOW TO DO A PRESENTATION.

WE WANTED SOME CONTENT THAT WAS VALUABLE TO THE DEAF COMMUNITY, OUR CONSUMERS.

AND SOMETHING THAT WOULD HELP THEM UNDERSTAND A LITTLE BIT BETTER OUR ROLE AS LEGAL INTERPRETERS. SO THE CONTENT MAY NOT BE NEW TO SOME OF YOU ON THE LIST WHO HAVE A GREAT DEAL OF EXPERIENCE AND TRAINING, BUT WE'RE HOPEFULLY PACKAGING IT IN A WAY THAT IT WILL BE EASILY SHARED WITH THE CONSUMERS YOU WORK WITH. SO THAT THEY CAN UNDERSTAND BETTER WHAT WE DO.

IN MY CLASSES OFTEN TELL PEOPLE THAT WE HAVE AN OBLIGATION TO CORRECT MISUNDERSTANDINGS ABOUT WHAT COURT INTERPRETERS DO AND SHOULD DO.

I EVEN IN MY OWN INTERPRETER TRAINING PROGRAM WAY BACK IN THE DAY, THEY KIND OF DRILLED IT INTO US THAT CONFIDENTIALITY WAS PARAMOUNT.

THAT NOTHING THAT WE WOULD DO, THAT WE WOULD DISCLOSE, NO ASSIGNMENT-RELATED INFORMATION AT ALL ACROSS THE BOARD AND WE TOLD DEAF PEOPLE THAT, BUT THOSE PREMISES CONFLICT WITH THE RULE OF LAW.

AND THERE ARE MANY, MANY TIMES THAT WE ARE OBLIGATED TO SHARE ASSIGNMENT-RELATED INFORMATION FOR EXAMPLE, AMONG OTHER THINGS.

AND WE HAVEN'T TOLD DEAF PEOPLE THAT YET. SO THAT IS ONE OF THE THINGS THAT THIS SEMINAR HOPES TO ACHIEVE IS TO BE ABLE TO PUT THOSE DIFFERENCES AND THOSE EXPECTATIONS OF COURT AND LEGAL INTERPRETERS, HIGHLIGHTED IN A WAY THAT WE'LL BE ABLE TO EXPLAIN TO THEM WHEN WE WORK WITH THEM.

SORRY, I WAS READING ONE OF THE COMMENTS.

I GUESS I SHOULD PUT THE POWERPOINT ON.

SORRY. SO "SECRETS COURT INTERPRETERS SHOULD SHARE WITH DEAF LITIGANTS." THE NEXT SLIDE IS JUST AN OVERVIEW TO SHOW YOU THE DIFFERENT TOPICS THAT WE'LL GO THROUGH.

AND AT THE END OF EACH TOPIC I'M GOING TO PAUSE AND TAKE QUESTIONS. SO TAKE A MOMENT TO READ THIS SLIDE. SO WE HAVE DIFFERENT RULES THAT APPLY WHEN YOU ARE OUTSIDE OF COURT VERSUS INSIDE OF COURT, WHETHER IT'S OUTSIDE OF COURT REGULAR WORK AND LEGAL INTERPRETING, DIFFERENT RULES APPLY.

THE RID CODE OF PROFESSIONAL CONDUCT ALWAYS APPLIES, BUT IN CERTAIN LEGAL SETTINGS IT HAS TO TAKE A BACK SEAT TO THE RULE OF LAW OR OTHER LEGAL PRINCIPLES SUCH AS PRIVILEGED COMMUNICATIONS, THAT AFFECT THE WORK THAT WE DO AT LEGAL INTERPRETING.

SO THE EXPECTATIONS FROM OUR CONSUMERS MAY NOT RECOGNIZE AND PROBABLY HAVE NEVER BEEN TOLD THAT THESE DIFFERENCES EXIST. SO SOME OF THE DIFFERENCES RELATE TO THE EVIDENTIARY DOCTRINE AND PRIMARILY CONFIDENTIALITY AND EVIDENTIARY DOCTRINE IS WHAT EVIDENCE CAN BE ADMITTED AND WHAT CANNOT BE ADMITTED AND THERE ARE EVIDENTIARY DOCUMENTS THAT RELATE TO INTERPRETERS.

WITH RESPECT PRIMARILY TO PRIVILEGED COMMUNICATIONS, BEING SUBPOENAED TO TESTIFY, WHICH IS THE ULTIMATE BREACH OF CONFIDENTIALITY.

AND TESTIFYING IN COURT TO SET THE FOUNDATION FOR AN OFFICER'S TESTIMONY OF, FOR EXAMPLE A CONFESSION BY A DEAF PERSON.

WE'LL TALK ABOUT ETHICS, RULES, AND PROTOCOL FOR THE COURT INTERPRETERS, BOTH THE PROCEEDINGS INTERPRETERS AND TABLE INTERPRETER AND SOME OF THE ETHICAL ISSUE THAT ARE DIFFERENT, SUCH AS CONFLICTS OF INTEREST, CONFLICTS THAT APPEAR TO MAKE THE INTERPRETER TO APPEAR TO HAVE A BIAS AND PROHIBITIONS ON GIVING LEGAL ADVICE, AND HOW THOSE THINGS MAY OR MAY NOT COMPORT WITH THE EXPECTATION OF WHAT COMMUNITY INTERPRETERS DO.

FINALLY WE'LL TALK ABOUT -- NOT FINALLY, BUT WE'LL TALK ABOUT THE DIFFERENT MODES OF INTERPRETING AND WHEN THEY ARE USED.

PREPARATION, ALL OF THESE THINGS THAT WE'RE TALKING ABOUT THAT ARE DIFFERENT FOR COURT INTERPRETERS THAN COMMUNITY INTERPRETERS NEEDS TO BE EXPLAINED TO DEAF PEOPLE AND WE'LL HAVE A SUMMARY ON HOW TO DO THAT AND FINALLY WE'LL TALK ABOUT CERTIFIED DEAF INTERPRETERS AND WE'LL HAVE AN OPPORTUNITY FOR QUESTIONS AFTER EACH TOPIC AND AT THE END, IF THERE IS TIME, AND THAT IS THE ROADMAP THAT WE'RE GOING TO FOLLOW THIS FINE AFTERNOON, UNLESS YOU ARE ON THE WEST COAST AND IT'S MORNING.

WE'LL TAKE A MOMENT TO READ THIS SLIDE.

THE RID CODE SAYS THAT INTERPRETERS WILL KEEP ALL ASSIGNMENT-RELATED INFORMATION CONFIDENTIAL.

THIS IS NOT ACTUALLY TRUE AND THAT IS BECAUSE OF THE LAW OF PRIVILEGED COMMUNICATIONS.

THE ONLY TIME THAT AN INTERPRETER ACTUALLY CANNOT BE FORCED OR SUBPOENAED TO SHARE INFORMATION ABOUT WHAT HAPPENED IN AN INTERPRETATIVE INTERACTION IS IF THE ASSIGNMENT IS PRIVILEGED AND IF THE DEAF PERSON DOES NOT WAIVE THAT PRIVILEGE. SO ANY TIME AN INTERPRETER IS WORKING IN AN NON-PRIVILEGED SETTING WHICH IS MOST OF THE TIME, UNLESS YOU ARE A MEDICAL INTERPRETER OR MENTAL HEALTH INTERPRETER, MOST OF THE TIME THE WORK THAT YOU DO IS NOT PRIVILEGED. SO ANY TIME WORKING IN A NON-PRIVILEGED SETTING THEY CAN BE FORCED TO DISCLOSE THAT INFORMATION; SO THAT IS THE KEY PRINCIPLE THAT NEEDS TO BE SHARED WITH THE DEAF COMMUNITY INSTEAD OF US TELLING THEM THAT WE'RE GOING TO KEEP ALL ASSIGNMENT-RELATED INFORMATION CONFIDENTIAL.

THERE ARE IMPORTANT ETHICAL -- EXCUSE ME, THERE ARE IMPORTANT EVIDENTIARY PURPOSES BEHIND WHY AN INTERPRETER NEEDS TO TESTIFY.

TO LAY THAT FOUNDATION FOR THE OFFICER THEN TO LATER COME IN AND TESTIFY. SO JUST BRIEFLY, BECAUSE NOW YOU KNOW THAT THIS RULE EXISTS, BUT IT'S ALSO IMPORTANT TO UNDERSTAND A LITTLE BIT BEHIND WHAT A "PRIVILEGED COMMUNICATION" IS AND WHEN IT APPLIES.

WE HAVE PRIVILEGES, BECAUSE A LAYPERSON IS GOING TO A PROFESSIONAL TO SEEK ADVICE AND WE NEED TO ENSURE THAT THE LAYPERSON THAT IF THEY REVEAL SOMETHING THAT IS EMBARRASSING OR ILLEGAL, FOR EXAMPLE, IF THEY ADMIT TO A CRIME, THAT THEY CAN FEEL CONFIDENT THAT THEIR COMMUNICATIONS WON'T BE REPEATED. SO IT ENCOURAGES TRUTHFUL AND FULLY FORTHCOMING DIALOGUE BETWEEN A PROFESSIONAL AND A LAYPERSON. SO PRIVILEGES ARE GOVERNED BY STATE LAW AND THERE ARE A FEW UNIVERSAL LIKE THE ATTORNEY-CLIENT PRIVILEGE, BUT THE REST OF THEM REALLY DEPEND ON YOUR STATE'S STATUTES AND MOSTLY WE HEARD ABOUT DOCTOR-PATIENT PRIVILEGES, PRIEST-PENITENT PRIVILEGES, BUT THE QUESTION IS WHETHER THERE IS A INTERPRETER-CONSUMER PRIVILEGE AND THERE ISN'T EXCEPT IN A FEW PLACES LIKE TEXAS, WHERE THEY PASSED A STATUTE.

EXCUSE ME, FOR THE MOST PART THERE IS KNOLL INTERPRETER-CONSUMER PRIVILEGE.

THE ELEMENTS OF A PRIVILEGE ARE THAT THE COMMUNICATION MUST BE MADE IN CONFIDENCE, OR WITH SOME OF THE INTENT THAT THE COMMUNICATION BE CONFIDENTIAL.

IF THE PERSON IS PRESENT, THE PRIVILEGE IS DESTROYED UNLESS IT'S NECESSARY FOR COMMUNICATION SO THAT IS OBVIOUSLY INTERPRETERS.

THE PRESENCE OF AN INTERPRETER DOES NOT DESTROY A PRIVILEGED COMMUNICATION.

THE SECOND THERE HAS TO BE A COMMUNICATION.

AND THE COMMUNICATION HAS TO BE BETWEEN THE CLIENT AND THE ATTORNEY, AND FOR THE PURPOSE OF LEGAL REPRESENTATION.

IF THOSE FACTORS ARE MET, THEN BOTH THE ATTORNEY AND THE INTERPRETER CANNOT BE FORCED TO DIVULGE WHAT WAS SAID, UNLESS THE DEAF PERSON, THE CLIENT, WHO OWNS THE PRIVILEGE,

WAIVES IT. SO IF THOSE SET OF CIRCUMSTANCES DO NOT EXIST, THEN YOU ARE NOT INTERPRETING IN A PRIVILEGED SETTING AND YOU CAN BE SUBPOENAED TO TESTIFY AND BREACH COMMUNICATIONS. SO WHAT THAT MEANS IS A COUPLE OF THINGS.

ONE IS THAT EVERY SETTING THAT YOU GO INTO, WHETHER IT'S LEGAL OR COMMUNITY, YOU NEED TO BE FULLY COGNIZANT THAT EVERYTHING THAT YOU SAY OR DO MAY BE SCRUTINIZED LATER.

IN THE DECISIONS THAT YOU MAKE, MAY BE CHALLENGED AND YOU CAN BE CALLED TO TESTIFY AS TO THE BASIS FOR YOUR DECISIONS. SO THAT IS A CAUTION THAT WE SHOULD DO ANYWAY.

IT'S NOT JUST YOUR INTERPRETATION MAY BE CHALLENGED, BUT IT'S YOUR CONDUCT.

AND IT ALSO MEANS THAT WE NEED TO TELL DEAF PEOPLE THIS.

WE NEED TO TELL THEM THAT YOU CAN BE FORCED TO TESTIFY.

YOU CAN BE FORCED TO DISCLOSE INFORMATION SHOULD YOU BE SUBPOENAED.

NOW I WANT TO TALK ABOUT WHAT IT LOOKS LIKE WHEN AN INTERPRETER THOSE BREACH CONFIDENTIALITY BY BEING SUBPOENAED.

THE LAW OF EVIDENCE PERMITS ONLY PEOPLE WHO HAVE PERSONAL KNOWLEDGE OF AN EVENT TO TESTIFY TO IT.

INFORMATION THAT IS NOT PERSONALLY OBSERVED, BUT REPEATED IN COURT IS CALLED "HEARSAY." AND THE LAW CONSIDERS HEARSAY TO BE UNRELIABLE.

YOU CAN'T TRUST IT.

BECAUSE THE PERSON WHO PERSONALLY OBSERVED THE EVENT IS NOT PRESENT TO TESTIFY THEIR RECOLLECTION OF THAT EVENT, SO TEST THEIR MEMORY, TO TEST THE ABILITY TO PERCEIVE THE EVENT.

THEY ARE NOT PRESENT, THE PERSON WHOM THEY TOLD OR REPEATED THE VERSION OF EVENTS TO IS PRESENT. SO WE ONLY HAVE SOMEONE WITH SECONDHAND KNOWLEDGE AND IN COURT, WITH WITNESSES, WE WANT THE PERSON WHO HAS FIRSTHAND KNOWLEDGE. SO INTERPRETATIVE INTERACTIONS BY DEFINITION ARE REPEATED INTERACTIONS.

BY DEFINITION, THEY ARE HEARSAY. SO IF YOU LOOK AT THE SLIDE, YOU SEE THE DEAF SUSPECT CONFESSES.

HE DOES THAT IN SIGN.

AND THEN THE INTERPRETER REPEATS IT IN ENGLISH TO THE OFFICER. SO THAT IS THE FIRST REPEATED STATEMENT; THAT HAS TO SATISFY SOME HEARSAY RULE IN ORDER TO BE ADMITTED INTO EVIDENCE BY THE PERSON WHO HAS PERSONAL KNOWLEDGE OF THE CONFESSION.

SO THE INTERPRETER REPEATS THAT CONFESSION TO THE OFFICER AND LATER, THE OFFICER GOES INTO COURT AND REPEATS THE INTERPRETER'S REPETITION OF THE DEAF PERSON'S CONFESSION IN COURT. SO THAT IS THE SECOND INSTANCE OF HEARSAY, AND ALSO HAS TO MEET SOME KIND OF EVIDENTIARY RULE IN ORDER FOR THE OFFICER TO TESTIFY AS TO THE CONFESSION. SO INTERPRETATIVE STATEMENTS ARE INHERENTLY DOUBLE HEARSAY.

WHICH IS DEFINED "HEARSAY IS DEFINED AS AN ADEQUATE STATEMENT WHICH IS REPEATED IN COURT." AND WE WANT THE JURY TO BELIEVE THE CONTENT OF THE STATEMENT AND THAT WOULD BE "HEARSAY," UNLESS AN EXCEPTION APPLIED. SO IF NO EXCEPTION APPLIES, WE -- WELL, FIRST WE HAVE THE FIRST STATEMENT, WHICH IS THE CONFESSION AND HAS A LONG STANDING EXCEPTION THAT CONFESSIONS ARE HIGHLY RELIABLE. SO WE PERMIT A PERSON WHO HEARS A CONFESSION TO REPEAT IT IN COURT. SO THE FIRST STATEMENT COULD BE REPEATED BY THE INTERPRETER IN COURT.

BUT IF WE WANT THE OFFICER TO TESTIFY, WE HAVE TO FIGURE OUT HOW THAT SECOND STATEMENT QUALIFIES AS NOT HEARSAY OR AN EXCEPTION AND THE WAY COURTS HAVE DONE THAT IS APPLY A JOINT AGENCY TEST AND THE REASON WE'RE TALKING ABOUT THIS NOW WITH SECRETS TO SHARE IS BECAUSE THE JOINT AGENCY TEST TO PERMIT THE OFFICER TO TESTIFY TO THE CONFESSION REQUIRES THAT THE INTERPRETER TAKE THE STAND AND TESTIFY.

NOT ABOUT THE CONFESSION.

BUT ABOUT A SERIES OF FACTORS THAT HELP US BUILD A FOUNDATION FOR THE OFFICER'S TESTIMONY.

THE FACTORS HAVE TO SHOW THAT WE CAN CHECK THAT THE INTERPRETATION WASN'T INACCURATE, AND THAT THE INTERPRETER DIDN'T HAVE ANY REASON TO SKEW THE INTERPRETATION.

AGAIN, THE INTERPRETER HAS TO TAKE THE STAND AND TESTIFY AND THAT IS INFORMATION THAT WE SIMPLY HAVEN'T TOLD THE DEAF COMMUNITY.

THOSE FACTORS ARE THIS: SO AUTHENTICATION IS JUST ANOTHER WORD FOR "FOUNDATION." WHICH YOU HAVE HEARD IN COURT OR ON TV BEFORE AND YOU HAVE HEARD THE OBJECTION, "IT LACKS FOUNDATION." THE ACTUAL WORD IS "AUTHENTICATION," AND SIMPLY MEANS THAT SOME EVIDENCE HAS TO BE INTRODUCED SO THAT WE BELIEVE THAT THE INTERPRETATION WAS MORE LIKELY THAN NOT ACCURATE AND WITHOUT INFLUENCE FROM ANY IMPROPER RELATIONSHIPS.

NAZEMIAN IS THE NAME OF THE FEDERAL CASE THAT MANY STATES AND MOST OTHER FEDERAL CIRCUITS HAVE ADOPTED THE FACTORS SET FORTH IN THAT PARTICULAR CASE.

AND THE INQUIRY REALLY GOES TO WHETHER THE INTERPRETER HAD AT THE TIME OF THE INTERPRETATION THE SKILLS TO DO THE JOB AND WHETHER THERE WAS NO UNDUE INFLUENCE THAT WOULD HAVE BIASED THEIR INTERPRETATION. SO THE INTERPRETER TESTIFIES WHO THEY ARE, WHAT ARE THEIR CREDENTIALS? WHAT IS THEIR TRAINING? HOW DID THEY GET TO THE ASSIGNMENT AND RETAIN THEM?

IMPARTIALITY MEANS IS THERE ANY REASON THEY MIGHT SKEW THE INTERPRETATION IN FAVOR OF ONE SIDE OR THE OTHER? A GENERAL QUESTION AS TO THEIR QUALIFICATION AND THEIR CERTIFICATION.

WE THINK THAT AN INTERPRETATION IS MORE LIKELY TO BE ACCURATE IF THERE WAS SOMETHING IN THE SETTING, LIKE THE POLICE STATION, THAT IMPRESSED UPON THE INTERPRETER THE IMPORTANCE OF ACCURATELY INTERPRETING.

THAT COULD BE AN OATH OR WHAT WE CALL AN OATH SUBSTITUTE. SO NORMALLY THERE ISN'T AN ONLY IN THE POLICE STATION, BUT THERE MAY BE A DOCUMENT THAT THE INTERPRETER HAS TO SIGN THAT SAYS THEY INTERPRETED TO THE BEST OF THEIR ABILITY.

THAT WOULD MAKE IT MORE LIKELY THAT THE INTERPRETER WAS AN AGENT OF THE PARTIES AND THAT THE INTERPRETATION WAS AUTHENTIC.

AND FINALLY, PROBABLY MOST IMPORTANTLY, THE INTERPRETER HAS TO BE SUBJECT TO CROSS-EXAMINATION. SO THAT ONE SIDE OR THE OTHER CAN TEST THEIR REASONS OR THEIR MOTIVATION TO SKEW OR THEIR RELATIONSHIPS OR THEIR SKILLS.

THEY HAVE TO BE SUBJECT TO CROSS-EXAMINATION. SO WHILE WE OFTEN THINK I'M GETTING SUBPOENAED, THEY WANT ME TO TELL THEM ABOUT THE FOUNDATION, THEY ARE NOT REALLY ASKING ABOUT WHAT DID THE DEAF PERSON SAY?

THEY ARE REALLY ASKING ABOUT WHO ARE YOU? AND WHAT QUALIFIES YOU TO DO THE INTERPRETATION? SO IT'S SHARING ASSIGNMENT-RELATED INFORMATION AND IT DOES FALL UNDER THAT RUBRIC OF THINGS THAT WE HAVE TOLD DEAF PEOPLE ALL ALONG THAT WE WON'T DO.

AND WHEN I GO THROUGH THIS, THE ONE THING I ALWAYS LIKE TO READ IS JUST TO SHOW YOU THAT I DIDN'T ACTUALLY MAKE THIS UP.

IT'S A PAGE FROM 1892 AND I'M GOING READ ONE PART. SO THE LAWYERS WHO ARE ON THE LIST, AND I KNOW WHO YOU ARE, IT'S COMMONWEALTH VS. VOSE.

157 MASS, 393. SO THIS WAS IN 1892, RIGHT? AND THEY WERE TALKING ABOUT HAVING AN INTERPRETER CALLED TO THE STAND TO TESTIFY THAT THERE WAS NO BIAS OR IMPARTIALITY. SO THEY SAID WHEN TWO PEOPLE SPEAK DIFFERENT LANGUAGES, THEY CANNOT UNDERSTAND EACH OTHER, AND CONVERSE THROUGH AN INTERPRETER.

THEY ADOPT A MODE OF COMMUNICATION IN WHICH THEY ASSUME THE INTERPRETER IS TRUTHWORTHY.

EACH ACTS UPON THE THEORY THAT THE INTERPRETATION IS CORRECT.

EACH AGREES IMPLIEDLY THAT HIS LANGUAGE MAY BE RECEIVED THROUGH THE OTHER.

AND THIS IS THE PART THAT SAYS YOU HAVE TO TESTIFY.



IF NOTHING APPEARS TO SHOW THAT THEIR RESPECTIVE RELATIONS TO THE INTERPRETER DIFFER, THEY MAY BE SAID TO CONSTITUTE HIM AS JOINT AGENT. SO IF NOTHING APPEARS TO SHOW THEIR RELATIONS TO THE INTERPRETER DIFFERS, WHAT THAT MEANS WE HAVE TO KNOW WHAT THEIR RELATIONSHIP WITH THE INTERPRETER IS. SO THEY AREN'T GOING TO TESTIFY TO THAT.

WE CALL THE INTERPRETERS TO THE STAND.

WE ASK THEM HOW THEY ARRIVED AT THE CASE? NOT DID THEY DRIVE OR HITCHHIKE, BUT WHO RETAINED THEM? AND WHETHER OR NOT THEY KNOW THE PARTIES? SO WE CAN SEE THAT NOTHING APPEARS TO SHOW THEIR RESPECTIVE RELATIONS TO THE INTERPRETER DIFFER. SO THE POINT: WHEN WE TELL DEAF PEOPLE THAT ALL ASSIGNMENT-RELATED INFORMATION WILL BE CONFIDENTIAL. IT'S JUST NOT TRUE AND WE SHOULD BE YELLING AND SCREAMING THE OPPOSITE AND WE SHOULD SAY IF WE KNOW WE'RE IN A NON-PRIVILEGED SETTING, DON'T TELL ME ANYTHING THAT YOU DON'T WANT REPEATED BECAUSE I COULD BE SUBPOENAED TO TESTIFY. SO I'M GOING TO MOVE ON TO COURT INTERPRETER ROLES AFTER I TAKE A MOMENT AND LOOK TO SEE WHETHER OR NOT YOU HAVE ANY QUESTIONS.

WE HAVE A QUESTION FROM AN ATTORNEY, CONGRATULATIONS CATHERINE AND SAYS YOU SAID THAT THE DEAF CLIENT WOULD HAVE TO WAIVE IT.

CAN YOU ADDRESS SITUATIONS IN WHICH PRIVILEGE CAN BE INADVERTENTLY WAIVED SUCH AS SOMEONE IN A HALLWAY HAPPENS TO OVERHEAR A CONVERSATION?

RIGHT.

THERE ARE LOTS OF WAYS TO INADVERTENTLY WAIVE PRIVILEGE.

IF THE THIRD PERSON IS PRESENT, SUCH AS IN THAT HALLWAY AND THEY OVERHEAR THE CONVERSATION, AND THAT CAN BREACH PRIVILEGE.

IN MY EXPERIENCE, I HAVE SEEN SOMETIMES EXPERT WITNESSES WILL BREACH PRIVILEGE, NOT REALIZING OR TRYING TO SHARE INFORMATION WITHOUT LETTING THE ATTORNEY KNOW.

I HAVE SEEN THAT HAPPEN.

EVEN -- WE USED TO JUST PANIC WHEN YOU WOULD ACCIDENTALLY SEND A PRIVILEGED DOCUMENT TO THE WRONG ATTORNEY VIA EMAIL OR FAX. SO THERE ARE LOTS OF WAYS TO INADVERTENTLY WAIVE THAT PRIVILEGE. WHAT DID SHE SAY ABOUT TEXAS?

TEXAS HAS A STATUTE ON THEIR BOOK THAT CRIMINALIZES THE BREACH OF CONFIDENTIALITY OF A RELAY OPERATOR OR AN INTERPRETER AND MAKES IT A MISDEMEANOR.

BRENDA ASKED A REALLY GOOD POINT, WITH THE DEAF COMMUNITY BEING SO SMALL, AND WORKING IN THE COMMUNITY FOR OVER 15 YEARS, YOU KNOW EVERYBODY.

HOW DO YOU EXPLAIN THAT IN COURT? THAT YOU PREVIOUSLY WORKED WITH THE DEAF PERSON IN OTHER ENVIRONMENTS?

RIGHT.

ONE OF THE THINGS THAT I TELL JUDGES WHEN I DO JUDGE TRAINING IS EXACTLY THAT, THE DEAF COMMUNITY IS VERY SMALL.

WE'RE NOT LIKE SPANISH INTERPRETER, YOU CAN ACTUALLY EXPECT THAT INTERPRETERS WILL HAVE PRIOR CONTACTS, WHETHER PROFESSIONAL, MEANING YOU INTERPRETED FOR SOMEONE OR PERSONAL, MEANING THAT YOU KNOW THEM.

THAT THEY SHOULD EXPECT THAT THEIR SIGN LANGUAGE INTERPRETERS WILL HAVE PRIOR CONTACT AND THEY WILL VOIR DIRE THEM.

IN THE EVENT THAT THEY DON'T, IT'S SIMPLE TO MAKE A DISCLOSURE BY SAYING AFTER THEY GIVE YOU THE OATH AND SAY MY NAME IS CARLA MATHERS AND FOR THE RECORD, I HAVE A PRIOR PROFESSIONAL CONTACT WITH THE DEFENDANT IN THIS MATTER.

THAT I DO NOT BELIEVE WILL AFFECT MY ABILITY TO INTERPRET MUTUALLY AND IMPARTIALLY IN THIS MATTER AND THEN LET THE JUDGE DECIDE WHAT TO DO, BUT YOU HAVE MADE YOUR RECORD.

WHICH IS YOU GOT IT DOWN IN THIS TRANSCRIPT THAT YOU HAVE MADE THIS DISCLOSURE.

AND THERE ARE CERTAIN KINDS OF CONFLICTS THAT OBVIOUSLY IF YOU KNOW THE DEAF PERSON SO WELL, THAT YOU DON'T TAKE THOSE JOBS.

BUT FOR THE MOST PART WE'RE DEFINITELY GOING TO KNOW THE PEOPLE THAT WE WORK WITH AND WE HAVE AN OBLIGATION TO DISCLOSE THAT.

JANET, IF THE QUESTION OF THE DEAF PERSON IN A POLICE STATION IS VIDEO RECORDED, DOES THAT PRECLUDE THE INTERPRETER FROM TESTIFYING? NO; BECAUSE THE VIDEO RECORDING DOESN'T ANSWER THE QUESTIONS ON THE SCREEN.

AND THE QUESTIONS ON THE SCREEN ARE THE REASON WHY YOU ARE BEING CALLED TO TESTIFY.

THE VIDEO IS MOST HELPFUL FOR THE EXPERT WITNESS WHO IS GOING TO REVIEW THE INTERPRETER'S BEHAVIOR, AND THE INTERPRETATION, AND TO GIVE AN UPON ON THAT AT A MOTION TO SUPPRESS.

GREAT.

OKAY.

GOOD QUESTIONS. SO BRIEFLY ONTO THE ROLE DIFFERENCES.

MOST OFTEN WHEN WE ARE HIRED TO WORK IN COURT, WE TAKE THE ROLE OF WHAT WE CALL "A PROCEEDINGS INTERPRETER." THAT INTERPRETER IS ALIGNED WITH THE COURT, AND IS CALLED AN OFFICER OF THE COURT.

THE DUTY OF LOYALTY THAT THAT INTERPRETER HAS IS TO PROTECT THE INTEGRITY OF THE INTERPRETED PROCEEDINGS.

THEY TAKE AN OATH TO ACCURATELY INTERPRET AND THEY INTERPRET FOR ALL THE PROCEEDINGS AND ALL THE WITNESSES. SO THE COURT INTERPRETER, OF COURSE, THE RID CODE APPLIES, BUT IT'S IN THE BACKGROUND, BECAUSE THERE IS A SEPARATE COURT INTERPRETER CODE OF CONDUCT IN NEARLY EVERY STATE.

THE RID CODE STILL APPLIES TO THINGS LIKE LAW ENFORCEMENT WITH, OF COURSE, THE OVERLAY OF BEING CALLED TO TESTIFY.

AND IT APPLIES TO TABLE INTERPRETING, WHICH I WILL EXPLAIN. SO IT IS IN THE BACKGROUND, BUT IT'S SECONDARY TO THE COURT INTERPRETER'S CODE OF CONDUCT AND TO THE RULES OF PROCEDURE, WHICH GOVERN OUR CONDUCT IN COURT. SO THE ETHICS ARE DIFFERENT.

CONFLICTS ARE DIFFERENT THAN WHAT MANY INTERPRETERS THINK A CONFLICT IS. A "CONFLICT" IS DEFINED AS "A CONDITION THAT EXISTS, WHICH MIGHT AFFECT THE INTERPRETER'S ABILITY TO INTERPRET ACCURATELY WITHOUT FAVORING OR HARMING ONE SIDE OR THE OTHER." SO IT'S A CONDITION THAT EXISTS THAT MIGHT AFFECT THE INTERPRETER'S ABILITY TO INTERPRET ACCURATELY, WITHOUT FAVORING OR HARMING ONE SIDE OR THE OTHER.

OBVIOUSLY CONFLICTS EXIST WHEN AN INTERPRETER HAS A FINANCIAL INTEREST IN THE OUTCOME OF THE CASE.

THAT IS THE MOST OBVIOUS AND DOESN'T TAKE A LOT OF ANALYSIS, BUT LESS OBVIOUS CONFLICTS ALSO EXIST WHEN THERE IS A RELATIONSHIP WITH ONE SIDE OR THE OTHER AND THAT RELATIONSHIP, A NEUTRAL OUTSIDER MIGHT THINK WOULD COLOR THE INTERPRETER'S INTERPRETATION IN ONE WAY OR ANOTHER. SO IN COURT INTERPRETING WE HAVE TWO TYPES OF CONFLICTS.

THEY ALSO DON'T COMPORT WITH THE DEAF COMMUNITY'S -- SOMETIMES THEIR EXPECTATIONS OF HOW INTERPRETERS SHOULD BEHAVE. SO WE HAVE WHAT WE CALL "APPEARANCE CONFLICTS." ESSENTIALLY HOW WE BEHAVE IN COURT MIGHT NOT COMPORT WITH THE EXPECTATIONS OF DEAF PEOPLE.

WE HAVE WHAT WE CALL "DECLINE CONFLICTS." AND I WAS JUST REFERRING TO IN THE QUESTION THAT SOMEONE ASKED.

UNDER CERTAIN CIRCUMSTANCES, THE INTERPRETER WHO IS ASKED TO INTERPRET HAS TO DECLINE THE ASSIGNMENT ALL TOGETHER, BECAUSE THE RELATIONSHIP IS TOO PRONOUNCED, THAT A NEUTRAL OUTSIDER COULD BELIEVE THEY COULD NOT INTERPRET IMPARTIALLY. SO THERE ARE A COUPLE OF THINGS. ONE IS THAT IN COMMUNITY INTERPRETING THERE IS ALSO A PREFERENCE FOR CONTINUITY

AND INTERPRETING SERVICES AND YOU WANT THE SAME INTERPRETER AT A COLLEGE CLASS THROUGHOUT THE SEMESTER AND IN COURT THERE ARE TIMES WHEN THE RULES OF EVIDENCE OR THE RULES OF PROCEDURE REQUIRE A DIFFERENT INTERPRETER; FROM THE PERSON WHO DID THE LAW ENFORCEMENT TO THEN DO THE PROCEEDINGS. SO THIS EXPECTATION OF CONTINUITY THAT WE SEE IN COMMUNITY INTERPRETING IS SOMETIMES NOT -- WE'RE NOT ABLE TO ADHERE TO IT IN COURT WHEN INTERPRETING AND WE HAVEN'T TOLD DEAF PEOPLE THAT.

IN ADDITION, IN COMMUNITY INTERPRETING, THERE IS A PREFERENCE TO HAVE THE DEAF PERSON CHOOSE THE INTERPRETER THAT THEY WANT TO INTERPRET FOR THEM.

THERE IS THIS CONSUMER PREFERENCE CONCEPT THAT IS PREVALENT IN THE FIELD AND THAT PREFERENCE IS SEEN AS AN IMPERMISSIBLE CONFLICT.

IT'S SEEN AS THE DEAF PERSON WANTING TO PICK THE INTERPRETER WHO WILL INTERPRET MOST FAVORABLY FOR THEM.

IT HAS EVEN HAPPENED TO ME, WHEN I WOULD CALL THE COURT TO GET AN INTERPRETER FOR A CLIENT, AND I WOULD SAY I WANT YOU TO CALL SO AND SO AND SO AND SO AND SO AND, SO BECAUSE I KNEW THEY WERE TRAINED.

THEY WERE SKILLED.

AND THEY WOULD DO A GOOD JOB.

AND COURTS ROUTINELY SAID NO, WE'RE NOT GOING TO PICK WHO YOU WANT, BECAUSE YOU OBVIOUSLY WANT SOMEONE WHO IS GOING TO INTERPRET BETTER FOR YOU THAN THEY WOULD FOR THE OTHER SIDE.

VOIR DIRE: I THINK IT'S IMPORTANT FOR INTERPRETERS TO UNDERSTAND, BECAUSE ONCE YOU DISCOVER A CONFLICT, I MEAN, BECAUSE DISCOVERING CONFLICTS IS ONE OF THE REASONS THAT AN ATTORNEY WILL WANT TO PUT YOU ON THE STAND, AND ASK YOU QUESTIONS AS TO YOUR QUALIFICATIONS. SO THOSE SAME AUTHENTICATION QUESTIONS THAT WE JUST TALKED ABOUT, THOSE ARE THE SAME TYPES OF QUESTIONS THAT ARE ASKED OF THE INTERPRETER DURING VOIR DIRE TO DISCOVER IF THERE ARE CONFLICTS OF INTEREST IS ONE OF THE MAJOR PURPOSES FOR THEM. SO I KNOW THAT SOMETIMES INTERPRETERS FEEL THAT THIS KIND OF QUESTIONING IS OFFENSIVE TO THEM, ASKING THEM ABOUT IMPARTIALITY OR THEIR ABILITY TO INTERPRET ACCURATELY JUST RUFFLES THEIR FEATHERS, BUT IT JUST MAKES INTERPRETERS LOOK DEFENSIVE ON THE STAND AND WE NEED TO TELL PEOPLE THERE IS A CHANCE TO MAKE THIS DISCLOSURE BEFORE THE OATH, LIKE I DID OR WE'LL BE VOIR DIED.

ADDITIONALLY IF THE VOIR DIRE IS GOING TO BE SUBSTANTIVE, THEN THE COURT INTERPRETER NEEDS TO MAKE ARRANGEMENTS FOR SOMEONE ELSE TO BE PRESENT TO INTERPRET THEIR VOIR DIRE FOR THE DEAF PARTY. SO THAT IS SOMETHING THAT IS UNIQUE TO COURT AND LEGAL INTERPRETING.

WE DON'T SEE THAT IN MANY OTHER SETTINGS THAT I'M AWARE OF.

THE OTHER IS THE PROTOCOL FOR INTERRUPTIONS. SO THAT IS WHEN INTERPRETERS ARE ACTIVELY INVOLVED IN THE PROCEEDINGS, BECAUSE THEY INTERRUPT THE COURT TO GET PERMISSION TO TALK DIRECTLY TO THE DEAF CONSUMER.

WHEN WE'RE OUTSIDE OF COURT, WE DON'T ASK ANYBODY'S PERMISSION TO TALK DIRECTLY TO THE DEAF PERSON.

WE JUST DO IT OR USE OUR FACIAL EXPRESSIONS TO GO "WHAT," AND WE GET A REPETITION. SO IN COURT, ALL OF THIS NEGOTIATION IS PROHIBITED.

AND WE NEED TO BE REALLY TRANSPARENT.

WE NEED TO TELL DEAF PEOPLE THAT.

AND DEMONSTRATE, AND SHOW THEM WHAT IT LOOKS LIKE.

YOU RAISE YOUR HAND AND YOU ASK FOR PERMISSION TO ASK THE DEAF PERSON TO REPEAT A SIGN OR SPELL A NAME SIGN AND FINALLY ANOTHER HUGE DIFFERENCE AND I THINK RUNS COUNTER TO THE EXPECTATION OF THE INTERPRETER AS A MEMBER OF THIS COMMUNITY IS THAT WE ARE NOT PERMITTED TO SHARE WHAT WE KNOW.

WE ARE GOING TO TALK ABOUT THIS MORE, BECAUSE IT'S DISCONCERTING ON A NUMBER OF LEVELS.

HOW MUCH INTERPRETERS REALLY FEEL THE NEED TO SHARE WITH A THEY KNOW ABOUT THE LEGAL SETTING WITH THE DEAF PEOPLE? AND THERE ARE STRICT PROHIBITIONS AGAINST DOING THAT IN THE COURT INTERPRETER CODE OF CONDUCT. SO I WANT TO DRILL-DOWN A LITTLE BIT INTO SOME OF THESE DIFFERENCES.

THERE IS A PERCEPTION DIFFERENCE AND WE CALL IT "APPEARANCE CONFLICTS," AND HOW WE ARE PERCEIVED IN WHAT WE DO.

I THINK OUTSIDE OF COURT, INTERPRETERS ARE OFTEN APPEAR OR PERCEIVED TO BE ALIGNED WITH THE DEAF PARTY.

THAT WE ARE THERE FOR THE DEAF PARTY.

WHETHER THAT IS ACCURATE OR NOT, THAT IS THE PERCEPTION OUT THERE.

SOME PEOPLE MAY EVEN FUNCTION UNDER THE PHILOSOPHY THAT PART OF THEIR DUTY IS TO ASSIST IN BALANCING OR EQUALIZING THESE INHERENT POWER IMBALANCES THAT THE DEAF COMMUNITY HAS FACED AS A RESULT OF BEING A MINORITY LANGUAGE AND CULTURE IN THE UNITED STATES AND THAT MAY BE THE INTERPRETER'S PHILOSOPHY AND THAT MAY BEAR OUT IN THE PERCEPTION OF HOW THE CONDUCT -- OF HOW THEY CONDUCT THEMSELVES. SO WE DON'T GREET DEAF PEOPLE IN THE TRADITIONAL MANNER THAT WE WOULD OUTSIDE OF COURT, BECAUSE THAT IS AN APPEARANCE CONFLICT.

WE DON'T WALK UP AND HUG THEM.

IT MAKES IT LOOK LIKE WE'RE ON THEIR SIDE AND WE HAVE AN UNDUE AFFILIATION FOR THEM.

WE ALSO DON'T GREET EACH OTHER IN THE TRADITIONAL MANNER THAT WE DO IN THE COMMUNITY.

WE DON'T HAVE THESE SIDE CONVERSATIONS WITH DEAF CONSUMERS WHEN WE ARE INTERPRETING.

AND WE DON'T HANG OUT WITH DEAF CONSUMERS BEFORE OR AFTER AN ASSIGNMENT, EXCEPT IN THE OFFICIAL DISCHARGE OF OUR DUTIES. SO THIS MAKES US, I THINK, PERCEIVED BY THE DEAF COMMUNITY TO BE MORE OUTSIDE AND LESS SUPPORTIVE AND LESS PART OF THE COMMUNITY THAN A COMMUNITY INTERPRETER WOULD.

AND BECAUSE THERE ARE IMPORTANT REASONS FOR MAINTAINING IMPARTIALITY IT'S IMPORTANT TO TALK THROUGH THESE WITH THE DEAF PERSON AND DEAF COMMUNITY. SO INTERPRETER INTERACTION WE'RE IN COURT TO OBTAIN REPETITIONS AND CLARIFICATIONS AND ASSERT OTHER NEEDS IS DIFFERENT.

WE'RE TAKING AN ACTIVE ROLE IN THE INTERACTION, WHEN WE ARE ASSERTING THESE.

BUT WE ALSO SPEAK FOR THE PERSON.

WE SAY THE INTERPRETER NEEDS A CLARIFICATION.

OR THE INTERPRETER WOULD ASK THE COURT TO ASK COUNSEL TO SLOW DOWN.

WE DO THIS BECAUSE OF THE RECORD.

AND WE DON'T SIGN WHEN WE DO THIS, BECAUSE WE'RE AN ACTIVE PARTICIPANT IN THE SETTING.

AND THIS MAY LEAD THE DEAF PERSON TO FEEL LEFT OUT.

THEY MAY FEEL LIKE THE INTERPRETER IS VIOLATING THE RID CODE, BECAUSE THEY ARE NOT INTERPRETING EVERYTHING AND THEY MAY FILE A GRIEVANCE BASED ON THAT. SO THERE ARE IMPORTANT REASONS WHY WE DON'T USE SIM-COM OR SIGN AND TALK AT THE SAME TIME AND WE NEED TO TALK TO DEAF PEOPLE AHEAD OF TIME ABOUT THOSE INSTANCES IN WHICH WE'RE GOING TO BE INVOLVED IN AN INTERACTION THAT MAY VIOLATE DEAF CULTURAL NORMS, NOT KEEPING THE PERSON INFORMED AND THAT KIND OF THING AT THAT MOMENT ANYWAY, NOT KEEPING THEM INFORMED. SO THAT FOLKS ARE AWARE OF IT.

ANOTHER THING IS DISCLOSURE, WHEN WE MAKE THAT DISCLOSURE, WHICH WE ARE REQUIRED TO DO, WHEN WE HAVE PRIOR CONTACT WITH ANY OF THE PARTIES OR ATTORNEYS OR ANYBODY ELSE INVOLVED IN THE CASE.

WE ARE VIOLATING CONFIDENTIALITY, SO WE NEED TO TELL THE DEAF PEOPLE AHEAD OF TIME, WE HAVE MET BEFORE AND I NEED TO TELL THE COURT THAT AND THIS IS WHAT IT'S GOING TO SOUND LIKE. SO THERE IS A WHOLE DEAL OF UN-INTERPRETED INFORMATION THAT GOES ON, SOMETIMES THE INTERPRETER MIGHT GO TO THE BENCH WITH THE ATTORNEYS TO DISCUSS AN INTERPRETING ISSUE OUTSIDE OF THE PRESENCE OF THE JURY.

THIS IS NOT INTERPRETED AND IT IS INTENDED TO BE PRIVATE.

IF THERE IS A TABLE INTERPRETER THERE, THAT INTERPRETER MIGHT BE ABLE TO CATCH THE DEAF PERSON UP, IF THE ATTORNEY GIVES PERMISSION.

BUT THE DEAF PERSON MAY BE THE WITNESS AND THE SIDE BAR MAY BE ABOUT THEIR TESTIMONY, IN WHICH CASE IT'S INTENDED TO BE PRIVATE FROM THE DEAF PERSON, BECAUSE THEY ARE A WITNESS. SO THE INTERPRETER WOULD NEVER GO TO A BENCH CONFERENCE AND THEN BACK TO THE WITNESS, THE DEAF WITNESS AND SAY OH, HERE IS WHAT WE JUST TALKED ABOUT.

THAT WOULD BE BAD.

AT THE SAME TIME, THIS IS QUITE AT ODDS WITH THE RID CODE.

WE'RE TO INTERPRET EVERYTHING; RIGHT? AND THAT IS WHAT WE TELL DEAF PEOPLE, WE'LL INTERPRET EVERYTHING.

WHEN, IN FACT, WE'RE NOT GOING TO INTERPRET THINGS LIKE BENCH CONFERENCES.

WE'RE NOT GOING TO INTERPRET WHEN WE TAKE THE OATH.

WE'RE NOT GOING TO INTERPRET WHEN WE'RE AN ACTIVE PARTICIPANT. SO WHY DON'T WE JUST SIM-COM? BECAUSE WE DON'T USE THAT TECHNIQUE IN COURT.

WE KNOW THAT THE RESEARCH THAT WE HAVE, WE KNOW THAT SIGNING AND TALKING AT THE SAME TIME IS INEFFECTIVE IN ONE LANGUAGE OR THE OTHER, AND USUALLY IT'S THE SIGN LANGUAGE THAT SUFFERS, ALTHOUGH I HAVE HEARD PEOPLE SPEAK WHEN THEY ARE SIGNING AND THE ENGLISH SUFFERS.

THE POINT IS THAT YOU CAN'T USE TWO LANGUAGES AT SAME TIME AND WHEN YOU SIGN AND TALK, YOUR SIM-COM IS NECESSARILY FOLLOWING ENGLISH. SO THE DEAF PERSON USING ASL WILL NOT BE IN THE SAME POSITION AS THE PERSON WHO IS LISTENING TO THE ENGLISH.

AND IF THE PURPOSE OF SIGNING AND TALKING AT THE SAME TIME IS TO PUT EVERYONE IN THE SAME POSITION, IT FAILS BY DEFINITION.

ADDITIONALLY, LEGAL INTERPRETERS HAVE GONE TO?

SOME EFFORT TO EXPLAIN THE DIFFERENCE BETWEEN AMERICAN SIGN LANGUAGE AND ENGLISH.

AND WHEN THE COURT SEES SOMEONE SIGNING AND TALKING AT THE SAME TIME, IT GIVES THIS IMPRESSION THAT ASL AND ENGLISH ARE THE SAME THING. SO IT SETS BAD PRECEDENT, TOO, FOR THE INTERPRETERS WHO UNDERSTAND THIS IS NOT AN EFFECTIVE TECHNIQUE AND DON'T USE IT WHILE INTERACTING. SO PROACTIVELY WE LET THE DEAF PERSON KNOW WE'RE NOT ALLOWED TO SIGN AND SPEAK AT THE SAME TIME AND THERE WILL BE INSTANCES WHERE IT DOESN'T GET INTERPRETED AND GIVE EXAMPLES. SOMETIMES, THE DEAF PERSON WILL ACTUALLY KNOW BEFORE THE UN-INTERPRETED INFORMATION HAPPENS.

YOU SAY TO THEM IN PREPARATION, WHEN I RAISE MY HAND, I AM PROMISING TO INTERPRET ACCURATELY AND THEY KNOW BEFORE YOU TAKE THE OATH, AS SOON AS THEY SEE YOUR HAND GO UP WHAT YOU ARE DOING.

RIGHT. SO LEGAL ADVICE IS KNOWLEDGE.

IT IS SHARING WHAT YOU KNOW AND WHAT YOU PREDICT MAY HAPPEN BASED UPON LEGAL TRAINING, AND EXPERTISE. SO INTERPRETERS WHO WORK IN COURT A LOT, OFTEN GAIN KNOWLEDGE OF THE SYSTEM, BUT THE KNOWLEDGE IS IMPERFECT AND EVEN WHEN IT'S PERFECT, IT IS UNETHICAL TO SHARE IT AND IN MANY PLACE IT'S CRIMINAL TO SHARE IT.

IT IS A CRIME TO GIVE LEGAL ADVICE WITHOUT HAVING A LICENSE AND IT'S NOT BECAUSE OF THE ATTORNEY MONOPOLY.

IT'S BECAUSE YOU REALLY DON'T KNOW WHAT YOU DON'T KNOW. SO THAT RUNS COUNTER TO THE CONFLICT WITHIN THE COMMUNITY THAT IF YOU HAVE INFORMATION YOU SHOULD SHARE IT?

DEAF CULTURE SHARING INFORMATION RULES AND WE HAVE THIS BODY OF ONLY IN AND WE WANT TO HELP AND WE WANT TO SHARE IT, BUT IN DOING SO WE ARE GIVING LEGAL ADVICE AND IT MAY BE INACCURATE.

DEAF FOLKS MAY THINK YOU KNOW MORE BECAUSE YOU ARE HEARING AND EXPERIENCED AND THERE MIGHT BE THIS CULTURAL EXPECTATION THAT YOU SHARE AND HELP THE DEAF PERSON OUT.

YOU MAY FEEL OBLIGATED.

YOU MAY FEEL LIKE YOU KNOW ENOUGH FROM YOUR EXPERIENCE AND YOU MAY WANT TO HELP.

WE ALL WANT TO HELP, BUT THE PROBLEM IS OFTEN WE THINK WE KNOW, BUT WE REALLY DON'T KNOW ALL OF THE RAMIFICATIONS. SO LET'S TAKE TRAFFIC COURT, FOR EXAMPLE.

IF YOU WORK IN TRAFFIC COURT, YOU ARE PRETTY SURE THAT YOU KNOW IF THE OFFICER DOESN'T SHOW UP, THEN THE DEAF PERSON CHANGES THEIR PLEA FROM NOT GUILTY TO GUILTY, THEN THE CASE WILL BE DISMISSED BECAUSE THE GOVERNMENT CAN'T PROVE THEIR CASE WITHOUT THEIR WITNESS, THE OFFICER. SO WE REALLY WANT TO SHARE THAT WITH THE DEAF PERSON, BECAUSE THEY MAY COME IN AND GO OH, I'M GUILTY, BUT I HAVE AN EXPLANATION; RIGHT? SO SOMETIMES IT'S TRUE THAT THE CASE WILL BE DISMISSED AND SOMETIMES IT'S NOT TRUE.

IT WON'T BE DISMISSED IN MY JURISDICTION IF THERE IS AN ACCIDENT INVOLVED.

OR IF THERE IS ANY PERSONAL INJURY INVOLVED.

AND IT WON'T BE DISMISSED IF THE PERSON HAS A LONG HISTORY OF TRAFFIC ACCIDENTS, WHERE THERE ARE INFRACTIONS AND WON'T BE DISMISSED ABOUT THE PERSON IS ON PAROLE OR PROBATION AND SO IT WILL BE CONTINUED UNTIL THE OFFICER CAN ATTEND.



>> THE VERY LAST THING YOU WANT TO HAVE THE BASIS OF AN APPEAL BE IS "THAT IS WHAT THE INTERPRETER TOLD ME TO DO." WE DON'T WANT THE PERSON TO GO UP ON APPEAL AND SAY OH, I DID THAT BECAUSE THAT IS WHAT THE INTERPRETER TOLD ME TO DO. SO I THINK IT'S COMPLETELY APPROPRIATE TO -- IF THE DEAF PERSON ASKS YOU WHAT SHOULD I DO, TO OFFER TO FIND SOMEBODY TO ANSWER THAT QUESTION AND OFFER TO INTERPRETER THAT INTERACTION.

BUT YOU HAVE TO BE VERY, VERY CAREFUL ABOUT SHARING THE KNOWLEDGE IN A LEGAL SETTING.

I SEE A LOT OF QUESTIONS, BUT WE'RE GOING TO GET THROUGH THE NEXT SLIDE AND THEN I WILL BE HAPPY TO GO BACK AND TAKE A LOOK AT THEM.

BECAUSE THE NEXT SLIDE IS REALLY QUICK.

DEAF PEOPLE DON'T KNOW MUCH ABOUT THIS ROLE AND IT WOULD BEHOVE US TO EXPLAIN IT TO THEM, SO THEY CAN EXPLAIN IT TO THEIR ATTORNEYS AND ADVOCATE FOR THEMSELVES BECAUSE HAVING A TABLE INTERPRETER PRESENT IN A CONTESTED CASE IS A VERY VALUABLE AND IMPORTANT ROLE FOR LITIGATION COUNSEL.

AND IT COMES BEST WHEN THAT EXPLANATION IS COMING FROM THEIR DEAF CLIENT, SO IT DOESN'T LOOK LIKE THE INTERPRETER IS TRYING TO JUST GET MORE JOBS FOR MORE INTERPRETERS. SO VERY QUICKLY, COUNSEL TABLE INTERPRETING IS A ROLE THAT IS ONE TYPE OF LEGAL INTERPRETING.

THAT INTERPRETERS INTERPRETS ALL THE PRIVILEGED COMMUNICATIONS.

IT'S A VERY DIFFERENT ROLE THAN THE PROCEEDINGS INTERPRETERS, BUT IT'S NOT AN ADVERSARIAL ROLE IN THE PROCEEDINGS INTERPRETER.

THIS PERSON IS HIRED BY COUNSEL AND INTERPRET ALL THE INFORMATION UP TO, AND DURING THE CASE AND INTERPRET ANY DEAF WITNESSES OR PARTIES.

DURING THE TRIAL, THE INTERPRETER SITS AT THE TABLE WITH THE COUNSEL, NOT ONLY TO INTERPRET, BUT TO WATCH THE PROCEEDINGS INTERPRETS TO MAKE SURE IT THEY ARE ACCURATELY INTERPRETING.

WHEN THERE IS AN SUBSTANTIVE ERROR, THEY INFORM COUNSEL AT THE TABLE.

IF COUNSEL DOESN'T MAKE AN IMMEDIATE OBJECTION, THEY WAIVE THAT RIGHT FOREVER.

THEY WAIVE THAT RIGHT FOREVER. SO IF THERE IS NO TABLE INTERPRETER THERE, THEY HAVE WAIVED ALL OF THEIR RIGHTS TO OBJECT TO ANY OF THE INTERPRETATION.

AND THAT IS HUGE.

THAT IS ONE OF THE KEY FACTORS THAT ANYBODY EXPLAINING THE NEED FOR TABLE INTERPRETER CAN USE TO CONVINCEN AN ATTORNEY TO HIRE ONE, BECAUSE ATTORNEYS ARE NATURALLY PARANOID ABOUT WAIVING RIGHTS. SO IF YOU TELL THEM, YOU ARE WAIVING YOUR RIGHT TO OBJECT TO THE ERRORS THAT WILL OCCUR, IT'S VERY LIKELY.

PARTICULARLY IF THAT IS COMING FROM THE CLIENT, THAT THE ATTORNEY WILL BE MORE ENTHUSED ABOUT HIRING A TABLE INTERPRETER.

AND THE INTERPRETERS ARE PART OF THEIR TEAM, WHO CAN ASSIST THEM IN A VARIETY OF WAYS WITH THEIR KNOWLEDGE AND SKILL.

AT THE SAME TIME, THIS PERSON SHOULD BE HIGHLY QUALIFIED AND BE PREPARED TO BE VOIR DIRE IN CASE THEY DO LET THE ATTORNEY KNOW OF A SUBSTANTIVE ERROR AND IN CASE THEY DO HAVE TO EXPLAIN TO THE COURT ON THE RECORD THE NATURE OF THAT ERROR.

THE COURT IS GOING TO WANT TO KNOW NATURALLY, WHO ARE YOU? AND WHO ARE YOU AND VIS-A-VIS, WHO ARE MY COURT INTERPRETERS? SO YOU HAVE TO BE QUALIFIED TO TAKE THIS ROLE.

BEFORE WE GO ON, I WILL TAKE A LOOK AT THE QUESTIONS AND IF PEOPLE HAVE OTHER QUESTIONS, FEEL FREE TO TYPE THEM NOW.

SARAH PATTERSON ASKED A QUESTION ABOUT UN-INTERPRETED INFORMATION AND WHETHER OR NOT THE REASON THAT INFORMATION IS UN-INTERPRETED AND THE INTERPRETER DOESN'T INTERPRET THAT IS THAT BECAUSE IT'S SCARCE RESOURCES OF INTERPRETERS?

NO, AND ACTUALLY, I DON'T HAVE AN OBJECTION TO THE OTHER INTERPRETER, IF THEY ARE NOT ALSO INVOLVED IN THE INTERACTION FROM INTERPRETING FOR WHATEVER THE INTERPRETER WHO IS INVOLVED IN THE INTERACTION IS SAYING.

AS LONG AS IT'S NOT A BENCH CONFERENCE, BECAUSE THOSE ARE INTENDED TO BE PRIVATE.

AND IN MANY PLACES, THE DEFENDANT, BECAUSE THE DEFENDANT HAS A RIGHT IN THE CRIMINAL CASE TO BE PRESENT AT A BENCH CONFERENCE, IN MANY PLACES THEY WILL BE PRESENT BY HEADPHONES, IF THEY ARE HEARING AND THERE ARE TIMES THAT YOU ARE INTERPRETING FOR A DEFENDANT WHO IS NOT ON THE STAND, BUT IS AT THE TABLE AND YOU ARE AT A BENCH CONFERENCE. SO THAT IS CERTAINLY AN OPTION TO HAVE YOUR TEAM DO THAT. SO TUWANDA ASKING WHEN WORKING WITH AN INTERPRETER IN THE COURT AND WHEN CALLED TO TAKE AN OATH ON INTERPRETING ACCURATELY, ARE YOU SAYING YOU ARE NOT REQUIRED TO INTERPRET YOUR PART AS THE INTERPRETER -- YES.

WHEN YOU ARE TAKING THE OATH, YOU ARE AN ACTIVE PARTICIPANT IN THE INTERACTION, AND WOULD NOT BE INTERPRETING.

YOU DON'T HAVE TO HAVE YOUR TEAM INTERPRET, BUT IF YOUR TEAM IS AVAILABLE AND THEY WANT TO INTERPRET IT, THAT IS FINE. SO RIGHT, WHEN YOU ARE AN ACTIVE PART OF THE INTERACTION, YOU ARE NOT INTERPRETING, LIKE, WHEN YOU ARE ON THE STAND, AS A WITNESS BEING VOIR DIRE.

YOU WOULDN'T ALSO BE INTERPRETING THAT.

AND HELENE SAYS WHAT ABOUT MODELING CONSECUTIVE INTERPRETING WHEN TAKING THE OATH, INTERRUPTING FOR CLARIFICATION, ET CETERA? WELL, SO IT'S INTERESTING.

LOTS OF PEOPLE WANT TO HAVE THE DEAF PERSON KNOW IMMEDIATELY EVERYTHING THAT IS HAPPENING, WHICH IS WHEN YOU USE THIS TECHNIQUE OF WHAT IS SAID IS SAID AND THEN I INFORM THE DEAF PERSON.

AND AS LONG AS THAT IS INTERPRETING, I HAVE LESS OF AN ISSUE WITH IT, UNTIL IT CROSSES THE LINE INTO PRIVATE CONVERSATION WITH THE DEAF PERSON. SO YOU TAKE THE OATH.

YOU ARE DONE TAKING THE OATH AND YOU LET THEM KNOW, HEY, I JUST TAKE THE OATH.

THAT IS SORT OF CONSECUTIVE INTERPRETING AND THEY WILL ASK YOU WHY DID YOU TAKE AN OATH? WHAT DID THE ONLY SAY? THAT LEADS TO CONVERSATION AND THAT IS THE LINE THAT CAN BE CROSSED.

GAIL, CAN YOU TALK ABOUT AN INTERPRETER CONTINUING TO EXPLAIN SOMETHING AFTER THE ATTORNEY HAS STEPPED AWAY? NOT GIVING ADVICE, BUT EXPLAINING. WHAT I CAN SAY ABOUT THAT IS WHEN THE ATTORNEY STEPS AWAY, THE INTERPRETER STEPS AWAY, AND I'M NOT ENTIRELY SURE WHAT CIRCUMSTANCES I WOULD STAY AND EXPLAIN SOMETHING AFTER THE ATTORNEY HAD LEFT. SO IF YOU HAVE MORE SPECIFICS, IF NOT, THAT IS PRETTY MUCH WHAT I WOULD SAY.

JODY, THE TRAFFIC COURT EXAMPLE -- THIS IS JUST ON THE JOB, SHARING KNOWLEDGE IN A NON-ASSIGNMENT SETTING? THAT IS FINE, AS LONG AS -- I DON'T THINK OUR CODE SAYS ANYTHING ABOUT HOW YOU HAVE TO CONDUCT YOURSELF IN A NON-INTERPRETING SETTING AND, OF COURSE, YOU DO THING A GREAT MANY THINGS ON THE JOB AND THERE IS A CULTURAL EXPECTATION THAT WE SHARE INFORMATION.

BUT IT JUST NEEDS TO BE CLEAR WHETHER YOU ARE IN COURT OR OUT OF COURT YOU ARE NOT GIVING LEGAL ADVICE.

GREAT. SO MOVING ON. A COUPLE OF THINGS ABOUT THE DIFFERENT MODES OF INTERPRETING THAT WE USE IN COURT, THAT DEAF PEOPLE MAY NOT BE FAMILIAR WITH OR MAY HAVE MISUNDERSTANDINGS ABOUT WHEN AND WHY THEY ARE USED.

SIGHT TRANSLATION IS A TECHNIQUE WHERE AN INTERPRETER TRANSLATES A WRITTEN DOCUMENT ORALLY OR VISUALLY.

IT'S A HYBRID OF TRANSLATION AND INTERPRETATION. SO IT IS AN IMMEDIATE TRANSLATION, WHERE THE INTERPRETER MIGHT READ A DOCUMENT, AND THEN SIGN IT IN AMERICAN SIGN LANGUAGE.

WE USE IT IN COURT FOR FINANCIAL FORMS LIKE FINANCIAL AFFIDAVITS, DOMESTIC VIOLENCE PROTECTIVE ORDER APPLICATIONS, ANY EXPLANATION OF RIGHTS OR FORMS THAT THE DEAF PERSON NEEDS TO READ AND SIGN AND UNDERSTAND.

AND, OF COURSE, WITH CONSENT FORMS AND OTHER LEGAL DOCUMENTS THAT YOU ARE DOING A SIGHT TRANSLATION ON, IT'S IMPORTANT THAT THE ATTORNEY BE PRESENT FOR THE TRANSLATION, IN CASE THE CLIENT HAS QUESTIONS.

SIGHT TRANSLATION WORKS BOTH WAYS.

YOU MAY READ A DOMESTIC VIOLENCE PROTECTIVE ORDER AND SIGN IT TO THE DEAF PERSON.

THE PERSON MAY SIGN THEIR RESPONSES AND YOU WOULD FILL OUT THE FORM.

MY CAT IS COMING TO JOIN US, AGAIN.

CONSECUTIVE INTERPRETING AND NOTE -TAKING.

CONSECUTIVE INTERPRETING IS A TECHNIQUE WHERE THE INTERPRETER WAITS FOR THE SPEAKER TO FINISH, A SOURCE LANGUAGE MESSAGE BEFORE RENDERING IT IN THE TARGET LANGUAGE.

IN CONSECUTIVE INTERPRETING, INTERPRETERS USE NOTE-TAKING AS AN AID TO MEMORY.

AND THAT IT'S A CONCEPT THAT IS BECOMING MORE POPULAR IN THE LEGAL INTERPRETING FIELD, BUT HAS YET TO TAKE OFF, I THINK, AND GENERALLY ACCEPTED BY MANY LEGAL INTERPRETERS.

PEOPLE NEED A LOT MORE EXPERIENCE AND TRAINING ON HOW TO DO IT BEFORE THEY FEEL COMFORTABLE.

THE GOOD THING IS THAT IT'S EASY TO GET THAT EXPERIENCE AND TRAINING, SO PEOPLE CAN TAKE ADVANTAGE OF NOTE-TAKING TECHNIQUES WHILE THEY ARE DOING CONSECUTIVE INTERPRETING, WHICH IS USUALLY USED IN NON-ENGLISH-SPEAKING TESTIMONY, CONSECUTIVE INTERPRETING.

IT'S CRITICAL TO EXPLAIN AHEAD OF TIME TO THE DEAF PERSON, BECAUSE FOLKS AREN'T USED TO IT.

THIS FIELD FOR SOME REASON HAS ALWAYS STARTED WITH SIMULTANEOUS INTERPRETING AND NOT REALLY GOT BACK TO ACCEPTING THAT CONSECUTIVE INTERPRETING IS MORE ACCURATE.

AND I THINK IT'S A MATTER OF PRACTICE AND TRAINING AND PRACTICAL APPLICATION.

I THINK PEOPLE THINK THAT IF AN INTERPRETER WANTS TO USE CONSECUTIVE INTERPRETING THEY MAY BE LESSER SKILLED BECAUSE THEY CAN'T "KEEP UP" WITH THE SPEAKER. SO INTERPRETERS NEED TO UNDERSTAND WHY IT'S MORE ACCURATE AND, IN FACT, INTERPRETERS NEED TO USE IT ACCURATELY IN ORDER TO REASSURE THE DEAF PERSON THAT THEY WILL BE ABLE TO GET THE WHOLE STORY OUT.

I KNOW WHEN MY CUES OR MY CHUNKS WHEN I'M GOING CONSECUTIVE INTERPRETER IS TOO SHORT, I CAN SEE IT ON THE DEAF PERSON'S FACE THAT THEY ARE GETTING FRUSTRATED THAT I'M CUTTING THEM OFF.

IT'S INCUMBENT UPON US TO DEVELOP THE MEMORY TECHNIQUES TO ALLOW US TO RETAIN A MANAGEABLE AND REASONABLE CHUNK OF INFORMATION, SO THAT THE DEAF PERSON CAN BE REASSURED THAT THEY WILL BE ABLE TO GET THE WHOLE STORY OUT. SO A COUPLE OF OTHER THINGS ABOUT THE NOTES.

YOU NEED TO TALK TO YOUR TEAM ABOUT HOW YOU ARE GOING TO BE USING THEM, WHETHER YOU ARE BOTH GOING TO USE THEM.

WHEN YOU ARE INTERPRETING FROM ENGLISH, MAYBE YOUR TEAM IS THE ONE TAKING NOTES.

TALK TO YOUR TEAM ABOUT WHAT YOU NEED NOTES TAKEN ON, WHETHER IT'S WORDS OR NUMBERS.

YOU HAVE TO HAVE A SYSTEM IN PLACE.

AND ALSO, YOU WANT TO REASSURE THE DEAF PERSON THAT YOU WILL DESTROY THE NOTES. SO THAT YOU WILL DESTROY THE NOTES AND NOT KEEP THEM.

AND YOU MAY WANT TO TAKE A MOMENT DURING PREPARATION TO DEMONSTRATE THAT.

SIMULTANEOUS INTERPRETING IS A TECHNIQUE IS USED IN MANY LEGAL SETTINGS AND PRETTY MUCH THE DEAF PERSON ISN'T A DIRECT PARTICIPANT IN THE INTERACTION. SO INITIAL APPEARANCES.

JURY SELECTION.

OPENING STATEMENTS.

MOTIONS, OBJECTIONS, THAT KIND OF THING.

I THINK DEAF PEOPLE ARE PRETTY MUCH -- THERE IS NOT A LOT YOU NEED TO EXPLAIN TO THEM ABOUT SIMULTANEOUS INTERPRETATION EXCEPT TO USE IT AS A COMPARISON TO CONSECUTIVE.

SUMMARY INTERPRETING IS AN INCOMPLETE RENDITION OF THE MAIN IDEAS OR ACTION. IT'S NOT A MODE THAT IS USED AFTER THE CASE IS CALLED IN COURT.

IT HAS A VERY IMPORTANT ROLE TO BE USED PRIOR TO A PROCEEDING, WHILE YOU ARE WAITING FOR THE CASE AND GOING THROUGH THE DOCKET AND WAITING FOR YOUR CASE TO BE CALLED.

I SAY IT'S CRITICAL, BECAUSE RECENTLY I HAVE SPOKEN TO PEOPLE AT THE RID WHO RECEIVED GRIEVANCES THAT INTERPRETERS AREN'T ACCURATELY AND COMPLETELY INTERPRETING EVERYTHING BECAUSE THEY REFUSED TO INTERPRET THE PROCEEDINGS UP UNTIL THE DEAF PERSON'S CASE IS CALLED.

AND YOU KNOW, THERE IS TRUTH IN THE FACT IT MAY BE A COUPLE OF HOURS BEFORE THE DEAF PERSON'S CASE IS CALLED AND IF THERE IS ONLY ONE INTERPRETER THERE, WHICH IS REASONABLE, FOR A FIVE-MINUTE TRAFFIC CASE, THE COURT IS NOT GOING TO AND SHOULD NOT BE REQUIRED TO HIRE TWO INTERPRETERS. SO YOU HAVE ONE INTERPRETER AND IF THEY ARE INTERPRETING EVERYTHING UP UNTIL THE TIME THE CASE IS CALLED, THEN THE ACCURACY MAY SUFFER FOR THE ACTUAL CASE.

AT SAME TIME, THE DEAF PERSON AND THE COURT -- WELL, START WITH THE DEAF PERSON.

THE DEAF PERSON THINKS IT'S COMPLETELY UNFAIR AND FEEL LEFT OUT.

PEOPLE WHO USE SPOKEN LANGUAGE INTERPRETERS OFTEN ARE BILINGUAL AND HAVE SOME KIND OF UNDERSTANDING OF WHAT IS GOING ON PRIOR TO THE CASE.

THAT MAY NOT BE THE CASE WITH DEAF PEOPLE. SO THE COURTS, THE COURTS HAVE AN OBLIGATION TO PROVIDE A REASONABLE ACCOMMODATION.

IF THEY ARE PROVIDING A SIGN LANGUAGE INTERPRETER AND IF THE INTERPRETER REFUSES TO INTERPRET AT ALL FOR THAT ANYTHING UP UNTIL THE CASE IS CALLED, THEN THE COURT HAS EXPOSURE TO LIABILITY EVEN THOUGH THEY DID WHAT THEY ARE SUPPOSED TO DO, BY PROVIDING AN INTERPRET.

THE EXPOSURE TO LIABILITY CAME FROM THE DECISION THAT THE INTERPRETER MADE NOT TO INTERPRET UP TO THE TIME THAT THE PERSON'S CASE IS CALLED. SO ALL I CAN SAY ABOUT THAT IS THAT IN THE LAWSUIT, THE COURT WOULD PROBABLY BRING THE INTERPRETER IN AS A CO-DEFENDANT, BECAUSE IT WAS THE INTERPRETER'S DECISION NOT TO PROVIDE THE ACCOMMODATION THAT THE COURT PAID FOR. SO SUMMARY INTERPRETATION IS A GREAT RESOLUTION TO ALL OF THAT.

YOU DON'T JUST LEAVE THE DEAF PERSON NOT KNOWING WHO THE INTERPRETER IS AND IF THERE IS AN INTERPRETER THERE AND YOU DON'T JUST WAIT UNTIL THE CASE IS CALLED AND STAND UP AND START INTERPRETING.

YOU CAN PROVIDE A SUMMARY OF THE DIFFERENT CASES THAT ARE GOING ON PRIOR TO THE DEAF PERSON'S CASE BEING CALLED AND EXPLAIN TO THE DEAF PERSON WHY IT'S NOT A FULL INTERPRETATION.

WHEN THAT HAPPENS, DEAF PEOPLE, IN MY EXPERIENCE, GET IT.

AND THEY ARE FAR LESS LIKELY TO FILE AN RID GRIEVANCE, WHICH I TOLD YOU HAS BEEN HAPPENING.

AND THE COURTS ARE NOT PUT AT ANY RISK FOR LIABILITY OR EXPOSURE AS WELL. SO BEFORE WE GO ON TO CDIS, I WILL GO BACK AND LOOK AT YOUR QUESTIONS.

PEOPLE HAVE BEEN ACTIVE, I SEE.

LET ME JUST BACK UP HERE.

I AM PRESUMING EVERYBODY CAN STILL HEAR ME BECAUSE I SEE THE INTERPRETER IS STILL WORKING.

THERE WERE SOME ISSUES WITH SOME PEOPLE'S AUDIO.

I HAVE A QUESTION FROM SUZANNE.

HI SUZANNE.

THE DEPOSITION INTERPRETER OR INTERPRETERS USED DURING A TRAINING CONSULT, CAN HE OR SHE BE USED AS COUNSEL TABLE INTERPRETERS DURING THE PROCEEDINGS?

>> TWO DIFFERENT THINGS, THE DEPOSITION INTERPRETER, THE INTERPRETING THE QUESTIONS AND ANSWERS, SO THE DEPOSITION INTERPRETER IS A PROCEEDINGS INTERPRETER AND THAT PERSON CAN BE A TABLE INTERPRETER, BUT CANNOT GO BACK TO INTERPRETING THE PROCEEDINGS.

THE SECOND PART OF YOUR QUESTION IS INTERPRETERS USED DURING AN ATTORNEY CONSULTATION, WHICH I ASSUME WOULD TAKE PLACE AT A LAW OFFICE AND THAT INTERPRETER IS, IN FACT, THE TABLE INTERPRET? YES, THAT PERSON DEFINITELY CAN AND SHOULD BE THE TABLE INTERPRETER DURING THE PROCEEDING.

THAT PREFERENCE FOR CONTINUITY THAT WE SEE OUTSIDE OF COURT, THAT GETS SOMETIMES MESSED UP DURING COURT, HERE IS A PLACE IT'S REALLY CONTINUITY AND CONSISTENCY IN INTERPRETING IS REALLY IMPORTANT.

THE INTERPRETER IS DOING ALL THE BACKGROUND CONSULTATION SHOULD BE THE PERSON SITTING IN COURTROOM MONITORING BECAUSE THAT INTERPRET HAS THE MOST INFORMATION ABOUT THE CASE AND CAN ACTUALLY TELL WHEN AN ERROR IS BEING MADE AND IF THAT ERROR IS IMPORTANT ENOUGH TO TAKE ANY KIND OF STEPS. SO GOOD QUESTION.

PERCY, SIGHT TRANSLATION.

PERCY SAYS IN REGARDS TO SIGHT TRANSLATION, WHAT TO DO WHEN A DEAF PERSON IS FLUENT, BUT WOULD NEED CLARIFY CASE OF SOME PHRASES IN LEGALESE? AND THEN I KNOW THERE WAS A SECOND PART TO THIS QUESTION.

MAYBE FLUENT IS THE WRONG WAY TO EXPLAIN IT, BUT SOMETIMES THE DEAF PERSON WOULD LIKE TO READ THE DOCUMENT FIRST AND THEN REQUEST INTERPRETATION OF CERTAIN BLURBS IN THE DOCUMENT. WHAT WOULD AN INTERPRETER DO IN THIS SITUATION? IT'S A GOOD QUESTION, PERCY.

AND AGAIN, THERE IS A FINE LINE BETWEEN GIVING LEGAL ADVICE AND DOING AN INTERPRETATION.

AND IF I LOOKED AT THE DOCUMENT AND THE PERSON SAYS I DON'T UNDERSTAND THE PHRASE "EQUITABLE ESTOPPEL." IF I KNEW HOW TO INTERPRET THAT, I WOULD OKAY, BUT IF I DIDN'T KNOW HOW TO INTERPRET THAT THEN I WOULD HAVE TO SUGGEST THAT WE ASK THE ATTORNEY. SO AS LONG AS IT DOESN'T CROSS LINE INTO GIVING LEGAL ADVICE, I THINK IT'S OKAY.

IT'S ALMOST LIKE AT TIMES A CDI MIGHT BE THERE TO CLARIFY AND AS-NEEDED OR AD HOC BASIS. SO I THINK THAT WOULD FALL UNDER THE SAME KIND OF CIRCUMSTANCES.

BRENDA ASKS DO NOTES AND CONSECUTIVE INTERPRETING BECOME THE COURT'S PROPERTY? IS IT SHARED WITH ATTORNEYS? THERE IS NO AUTOMATIC NOTES BECOME THE COURT'S PROPERTY.

CERTAINLY IF THE COURT ASKS FOR IT, IT SHOULD BE GIVE TO THEM.

THE NOTES ARE USED FOR CONSECUTIVE INTERPRETING, WHICH MEANS THAT THEY ARE USED TO HELP YOU RENDER AN INTERPRETATION.

IF YOU ARE USING SYMBOLS, IF YOU ARE USING YOUR OWN SYSTEM OF NOTE -TAKING, THE NOTES MAY NOT MAKE SENSE TO THEM.

AS A COURT INTERPRETER, I WOULD OFFER TO USE THEM OR LEAVE THEM WITH DEFENSE COUNSEL OR PLAINTIFF'S COUNSEL.

SUZANNE INTERPRETER DURING POLICE QUESTIONS, JUDGE, PROSECUTOR AND DEFENSE ATTORNEY ARE ALL OKAY WITH USING THIS INTERPRETER DURING TRIAL, IS THIS ACCEPTABLE -- THIS IS NOT AN ACCEPTABLE -- IF YOU ARE AN ETHICAL INTERPRETER, DOES IT REALLY MATTER THAT EVERYONE ELSE THINKS IT'S OKAY? BECAUSE EVERYONE ELSE IS NOT LIABLE FOR YOUR INTERPRETATION.

IF YOU TAKE A LOOK AT THE CODE OF CONDUCT FOR YOUR COURT, IT IS USUALLY IN THE CANNON OF CONFLICTS OF INTEREST AND THERE IS USUALLY A LISTING OF CERTAIN CIRCUMSTANCES BY WHICH IF YOU ARE INTERPRET, YOU CANNOT INTERPRET IN THE COURT PROCEEDINGS AND LAWSUIT IS ALMOST ALWAYS ONE OF THEM IN ALMOST EVERY CODE OF ETHICS THAT I HAVE SEEN.

I THINK WE ALREADY COVERED JEN'S QUESTIONS ON NOTES, WELL ALMOST.

I MEAN, ALLOWS THEM TO BE TAKEN FROM THE ROOM -- REALLY I THINK THAT THE NOTES ARE NOT REALLY OF MUCH INTEREST TO THE COURT, BECAUSE THEY ARE SIMPLY A METHOD TO HELP YOU INTERPRET.

THEY ARE AN AID TO YOUR SHORT-TERM MEMORY.

IF YOU ARE TALKING ABOUT NOTES THAT A TABLE INTERPRETER MIGHT BE TAKING, THAT COULD BE VIEWED DIFFERENTLY, BUT IN THAT EVENT, THE TABLE INTERPRETER'S NOTES BELONG TO THE ATTORNEY AND ARE PRIVILEGED UNDER THE WORK PRODUCT DOCTRINE, AS PART OF THE ATTORNEY'S PREPARATION AND WORK DURING THE CASE.

AND THE ATTORNEY'S AGENT.

SO I DON'T SEE THEM WANTING OUR NOTES AS COURT INTERPRETERS, BUT IT'S USEFUL TO KEEP IN MIND THAT YOU PROBABLY WANT TO MAKE SURE THAT YOUR NOTES ARE -- THAT YOU ARE COMFORTABLE GIVING UP YOUR NOTES, IF ANYBODY ASKED FOR THEM, THAT YOU WOULDN'T WANT TO PUT ANYTHING IN YOUR NOTES THAT MIGHT GET YOU IN TROUBLE.

NO PERSONAL COMMENTS ABOUT THE JUDGE'S APPEARANCE.

I HAD A JUDGE TELL ME NOT TO BE INTERPRETING WHILE I AM WAITING.

FRUSTRATING.

ANY IDEAS? THE COMMENTS FROM THE JUDGE IS THAT YOU ARE DISTRACTING PEOPLE.

I WOULD ASK TO APPROACH THE BENCH.



AND JUST LET THEM KNOW THAT I WAS HIRED AS AN AMERICANS WITH DISABILITIES ACT REASONABLE ACCOMMODATION AND DEAF PERSON HAS AN INTEREST IN WORDS USING ACCESS IN JUSTICE, BECAUSE MOST OF THEIR COMMITTEES DEAL ON ACCESS TO JUSTICE.

IF I DIDN'T WANT TO DEAL WITH IT RIGHT THEN AND THERE, IF THERE WAS A COURT ADMINISTRATOR, I WOULD GO TO THE COURT ADMINISTRATOR, AND EXPLAIN THAT THEY MAY BE FACING SOME RISK OF EXPOSURE TO LIABILITY, BECAUSE THE COURT WASN'T LETTING -- OR BECAUSE THE COURT DIRECTED THE INTERPRETER NOT TO INTERPRET AND AGAIN, USING THEIR LANGUAGE BEING ACCESS TO JUSTICE, LANGUAGE ACCESS AND THOSE TYPES OF THINGS.

I HAD BAILIFFS TELL ME I COULDN'T STAND IN THE COURTROOM, AND YOU JUST NEED TO BE NICE AND POLITE AND RESPECT THEIR CULTURE AND THE NEXT TIME I WENT DOWN TO THE SAME COURTROOM, HE LET ME MOVE A LITTLE FURTHER INTO THE WELL IN THE COURTROOM.

THERE ARE TIMES THAT YOU ARE ALLOWED TO BE IN FRONT OF DEAF PERSON AND IT'S NOT A PROBLEM.

PART OF IT IS EDUCATING AND THEY DON'T UNDERSTAND THAT WE ARE NOT TALKING DURING COURT. SO I THINK IT'S AN EDUCATION ISSUE

TUWANDA SAYS THE INTERPRETER CAN DECIDE NOT TO INTERPRETER ANYTHING UNTIL THE CASE IS CALLED.

NOW WITHOUT JEOPARDIZING THE COURT'S LIABILITY IN THE INTERPRETERS BEING OBLIGED ABOUT THE CODE OF ETHICS, PROVIDING THAT A SUMMARY SHOULD SUFFICE -- NOT ENTIRELY SURE I UNDERSTAND THAT QUESTION, BUT I THINK I DO.

I DON'T THINK IT'S PROPER FOR AN INTERPRETER TO DECIDE NOT TO INTERPRET ANYTHING UP UNTIL THE TIME IS CALLED, BUT I DON'T THINK THAT IS WHAT YOU ARE ASKING ME.

I THINK IF YOU EXPLAIN IT TO THE DEAF PERSON AHEAD OF TIME, WHY YOU ARE PROVIDING A SUMMARY AS OPPOSED TO AN EXACT INTERPRETATION.

I WORK IN VIRGINIA COURTS OF INTERPRET AND THEY DO NOT PUT THE DEAF PERSON UP FRONT AND THEY GO EXACTLY BY THE OFFICER AND IF I'M WITH THE OFFICER WHO IS ON THE LEFT OF THAT DOCKET FOR THE DAY IT COULD BE THE AFTERNOON AND I EXPLAIN IT TO THE DEAF PERSON AND THEY GET IT.

THEY DON'T WANT YOU BEING SO EXHAUSTED BY THE TIME THEIR CASE IS COMING AROUND THAT I CAN'T GUARANTY ACCURACY.

ANOTHER THING I DO, IF IT'S A CASE THAT IS EXACTLY LIKE THEIRS, I WILL INTERPRET IT MORE ACCURATELY, SO THAT THEY CAN SEE WHAT DEFENDANTS ARE DOING IN CASES THAT ARE EXACTLY LIKE THEIRS.

AND ALSO, 99% OF THE DEFENDANTS THAT I WORK WITH IN VIRGINIA COURTS ARE PRO SE, MEANING THAT THEY DON'T HAVE AN ATTORNEY AND THIS CONVERSATION IS MEANING THERE IS NO ATTORNEY PRESENT, MOST OF THE TIME IN TRAFFIC COURT AND THINGS LIKE THAT.

OKAY.

I THINK BECAUSE IT'S 2:19 AND I KNOW THAT CARRIE HAS SOME CLOSING STATEMENTS THAT SHE NEEDS TO TALK TO YOU ABOUT.

I WANT TO GET THROUGH IN PARTICULAR THE WORKING WITH CDI SLIDES BECAUSE YOU CAN ACCESS THESE IN THE ARCHIVES.

THE SLIDE AFTER THAT IS SIMPLY A SUMMARY OF THE THINGS THAT WE WANT TO TALK TO DEAF PEOPLE ABOUT, YOU WILL HAVE ACCESS TO THAT AND THERE IS A SLIDE ABOUT NEXT STEPS AND A CHANGE IN DATE FOR THE NEXT SEMINAR. SO IF THERE IS TIME AFTER THAT, I WILL TAKE THE REST OF THE QUESTIONS. SO WORKING WITH CDIS. WHAT IT MEANS? WHAT IT DOESN'T MEAN? WHEN IT'S INDICATED AND WHEN IT SHOULD BE STANDARD?

CDIS ARE TRAINED AND THEY ARE COMPETENT TO PROVIDE NATIVE INTERPRETATION THAT IS MORE APPROPRIATE IN CERTAIN SETTINGS WITH CERTAIN CONSUMERS AND WITH CERTAIN INTERPRETERS OR CHARACTERISTICS OF CERTAIN INTERPRETERS.

THAT IS WHAT IT MEANS.

IT'S A PERSON WHO HAS A SPECIALIZED SKILL, WHO BRINGS SOMETHING DIFFERENT TO THE TEAM THAN WHAT THE HEARING INTERPRETER HAS.

LOTS OF PEOPLE SAY THAT COMPRISES OF CONSULTING. WHAT IT DOES NOT MEAN IS THAT THE DEAF PERSON IS DUMB.

THAT THE DEAF PERSON HAS MINIMAL LANGUAGE SKILLS OR THERE IS SOMETHING WRONG WITH THAT PERSON.

IT ALSO DOESN'T MEAN THAT THE HEARING INTERPRETER REQUESTS CDI -- AND IT WOULD BE REALLY NICE IF THE CDIS AMONGST US COULD REMEMBER THAT.

AND IF WE COULD WORK OUT STRATEGIES TOGETHER TO HELP CDIS AND EXPLAIN THE REASON WHY THEY ARE INDICATING IN A MATTER, WITHOUT DISPARAGING THE HEARING INTERPRETER, THAT WOULD BE GREAT.

I THINK THERE ARE RESOURCES THAT HAVE ALREADY BEEN PUBLISHED IN THE FIELD, AND THERE ARE UPCOMING EVENTS THAT ARE GOING TO FOCUS ON THE WORK OF COURT CDIS, THAT WILL HOPEFULLY GIVE US A FORUM TO TRY TO BEGIN SOME OF THOSE CONVERSATIONS.

BECAUSE IN MY EXPERIENCE, IT'S USUALLY THE HIGHLY QUALIFIED HEARING INTERPRETERS WHO ARE RECOGNIZING THAT NEED FOR A CDI AND MAKING THAT RECOMMENDATION TO THE COURT.

WE NEED TO TELL DEAF PEOPLE THAT AND TELL THEM WHAT A CDI INTERPRETER IS SO PEOPLE ARE USED TO IT.

THERE ARE CERTAIN HIGH-RISK SETTINGS IN WHICH CDIS ARE STANDARD PRACTICE.

THEY ARE INDICATED, AND MORE AND MORE, THEY ARE STANDARD PRACTICE.

THOSE ARE HIGH-RISK LEGAL SETTINGS SUCH AS LAW ENFORCEMENT, SUCH AS WORKING WITH CHILDREN, SUCH AS WORKING WITH DEAF INDIVIDUALS WHO HAVE OTHER COGNIZANT IMPAIRMENTS.

THERE ARE CLIENT CHARACTERISTICS LIKE I JUST SAID, DEAF FOLKS WITH COGNIZANT IMPAIRMENTS OR JUVENILES.

THERE ARE TIMES WHEN THE INTERPRETER WHO CAN HEAR DOESN'T HAVE THE LINGUISTIC FACILITY NECESSARY AND RECOGNIZES THAT AND REQUESTS A CDI.

THAT IS USUALLY NOT THE CASE IN LEGAL SETTINGS, AS I SAID.

BUT YOU CAN SEE THE MARKET FOR CDIS COULD BE EXTREMELY EXPANSIVE, IF THEY WERE PAIRED WITH INTERPRETERS WHO HAD MORE EMERGING LANGUAGE SKILLS AND SKILLSETS TO FILL THAT GAP BETWEEN SCHOOL AND WORK.

CURRENTLY CDIS ARE STANDARD IN LAW ENFORCEMENT SETTINGS, IN JUVENILE COURTS, MENTAL HEALTH COURTS, COMPETENCY HEARINGS, WHEN YOU ARE DEALING WITH FOREIGN-BORN OR HAVE OTHER EMERGING LANGUAGE ISSUES.

AGAIN, I WOULD SEND YOU TO THE MARIE CENTER'S WEBSITE FOR A FREE DOWNLOAD OF THE PAPER THAT ANALYZING DEAF INTERPRETERS, WHEN THEY ARE USED? WHY THEY ARE USED AND IT HAS A 50-STATE ANALYSIS OF THE STATE LAWS THAT EITHER PERMIT OR DO NOT PERMIT DEAF INTERPRETERS TO WORK IN COURT. SO THAT YOU CAN CHECK OUT WHAT YOUR OWN STATE SAYS. SO WHAT IF THE DEAF PERSON SAYS I DON'T WANT A CDI? WHAT DO YOU DO THEN? WHAT IS THAT LINE? I THINK WE DO TO SOME EXTENT NEED TO RESPECT THE PREFERENCES, BUT AT THE SAME TIME, TRY TO FIND OUT WHAT IS THE REASON FOR THE RELUCTANCE TO WORK WITH THE CDI?

THEY MAY HAVE NEVER HAD THE EXPERIENCE AND THAT PRIOR TO COURT STARTS, PRIOR TO THE TIME COURT STARTS YOU HAVE A DEMONSTRATION OF THE PROCESS, AND THEY MIGHT HAVE A REVELATION WHEN THEY SEE THAT IT CAN BE ACCURATE, AND IT CAN BE A MUCH LESS TAXING TO WATCH A CDI THAN TO WATCH A HEARING INTERPRETER.

AND IT MIGHT BE THAT THEY ARE JUST INSISTENT AND THEN THAT THEY DON'T WANT ONE AND THE CDI MIGHT BE A STANDBY INTERPRETER TO ASSIST WHENEVER COMMUNICATION ISSUES ARISE OR IF THE PROCEEDINGS INTERPRETER NEEDS ASSISTANCE OR IF THE DEAF PERSON ISN'T UNDERSTANDING AND ASKS FOR THEM TO CLARIFY. SO THERE ARE A LOT OF DIFFERENT CONFIGURATIONS, BUT I THINK THE KEY FOR DESCRIBING THE NEED AND WHEN IT'S INDICATED AND WHAT IT'S STANDARD AND I THINK

WE PRESENT THE WORK OF THE CDI AS AN IMPORTANT FACTOR AND WE NEED TO SHARE IT WITH THE CONSUMERS THAT WE WORK WITH.

WE HAVE FIVE MINUTES LEFT.

I JUST WANT TO SHOW YOU THIS SLIDE.

IT'S THE SUMMARY OF THE THINGS THAT WE HAVE TALKED ABOUT TODAY.

THE COURT IS DIFFERENT AND YOU REALLY WANT TO TALK ABOUT RID CONFIDENTIALITY.

THAT YOU CAN'T -- LIKE YOU CAN IN THE OUTSIDE WORLD, YOU CAN'T HAVE PRIVATE CONVERSATIONS WITH DEAF PEOPLE, PARTICULARLY IF THEY ARE ON THE STAND AS WITNESSES.

THAT THE PROCESS PROPER OBTAINING CLARIFICATION IS DIFFERENT AND THAT APPLIES TO ANY TIME YOU ARE ASSERTING YOURSELF IN THE PROCESS.

THAT THERE WILL BE UN-INTERPRETED INFORMATION AND GIVE EXAMPLES.

THAT YOU MAY HAVE TO MAKE DISCLOSURES.

THAT YOU CAN'T OFFER LEGAL ADVICE.

THAT THE COURT DOESN'T PERMIT US TO SIGN AND TALK AT THE SAME TIME IN COURT.

YOU EXPLAIN THE BENEFITS OF THE TABLE INTERPRETER AND THEN THE DEAF PERSON CAN ADVOCATE FOR THEMSELVES WITH THEIR COUNSEL TO ENSURE THAT A TABLE INTERPRETER IS HIRED.

EXPLAIN THE MODES OF INTERPRETING SUCH AS CONSECUTIVE, ESTABLISH A CUEING SYSTEM, EXPLAINING NOTE-TAKING AND THE USES OF SUMMARY INTERPRETING AS WELL AS THE BENEFITS OF THE CDI. SO I JUST WANT TO MAKE SURE THAT I GET TO THIS SLIDE BEFORE I TURN IT OVER TO CARRIE.

I WILL BE BACK MONDAY NIGHT, 6:00 TO 7:30 THE FINAL SESSION IS NOT SEPTEMBER 7TH.

I APOLOGIZE FOR THAT.

I HAD A CONFLICT, BUT IT WILL BE SEPTEMBER 21, WHICH I THINK IS A SATURDAY -- 1:30 LOOKS WRONG.

WE'LL MAKE SURE IT'S CORRECT ON THE WEBSITE.

I THINK IT'S 1:00, LIKE THIS ONE EASTERN STANDARD TIME.

AGAIN, YOU CAN GET ARCHIVED SESSIONS AT THIS WEBSITE AND IF YOU HAVE QUESTIONS AND I WILL TURN IT OVER TO CAROLYN NOW AND THANK YOU VERY MUCH TO YOUR TIME.

>> THANK YOU VERY MUCH, CARLA.

JUST A FEW REMINDERS.

RID CEUS CAN BE REQUESTED BY COMPLETING THE REQUEST FORM THAT WILL APPEAR AFTER THE SATISFACTION SURVEY IS COMPLETED.

THE SURVEY WILL OPEN ONCE YOU CLOSE OUT OF THE WEBINAR SOFTWARE.

SUBMIT THE SURVEY AND YOU WILL SEE A SCREEN WHERE YOU CAN CLICK ON THE FORM TO REQUEST CEUS.

THIS FORM MUST BE FILLED OUT TO RECEIVE RID CEUS.

IF THE SURVEY DOESN'T AUTOMATICALLY OPEN FOR YOU ONCE YOU CLOSE OUT, GO TO THE WEB PAGE FOR THE WEBINAR THAT WAS PROVIDED IN THE EMAIL SENT TO YOU LAST NIGHT WITH THE LINK TO ACCESS THE WEBINAR TONIGHT.

THE LINK TO THE SURVEY IS AT THE BOTTOM OF THE PAGE. A GROUP SIGN-IN SHEET WAS ATTACHED TO THE EMAIL THAT WAS SENT TO YOU.

IF YOU WATCHED AS A GROUP OF INDIVIDUALS, SIGN-IN AND EMAIL THE FORM TO ME.

CEUS WILL BE AWARDED VIA THE SIGN-IN SHEET FOR GROUP ACTIVITIES OR THE SURVEY FOR INDIVIDUALS.

I ENCOURAGE EVERYONE TO PLEASE COMPLETE THE SURVEY WHETHER YOU ARE SEEKING RID CEUS OR NOT.

THE LIST SERVE FOR THE SUMMER WEBINARS ARE CONTINUING AND PROVIDE AN OPPORTUNITY TO ASK CARLA QUESTIONS AND TO INTERACT WITH YOUR PEERS.

PLEASE LOOK FOR AN EMAIL THAT WILL BE SENT OUT ON MONDAY.

I ALSO WOULD LIKE TO THANK CARLA, AND THE INTERPRETERS, KIRK AND TERRI AND OUR CAPTIONIST CAROL AND JESSIE AND THE CLEARINGHOUSE TEAM WHO MAKE IT POSSIBLE FOR US TO HAVE THESE WEBINARS.

IF YOU HAVE ANY QUESTIONS, PLEASE EMAIL ME.

THANK YOU.

>> THANK YOU, CARRIE.