

SUGGESTIONS FOR WORKING EFFECTIVELY WITH NON-PROFESSIONAL INTERPRETERS

In cases where no professionally qualified interpreter is available, it is sometimes deemed necessary to resort to using bilingual individuals who are not trained as interpreters ("ad hoc" interpreters) to facilitate communication and expedite short interpreted encounters with LEPs. Ad hoc interpreters may come from different backgrounds, such as bilingual staff, family members, and people from the non English-speaker's community or even volunteer self-proclaimed interpreters with little or no training.

Because of the risks involved in using untrained individuals as interpreters for court proceedings, this practice should generally be avoided for Court proceedings. If they are used for interviews with attorneys or other out of court encounters, there should be a brief voir dire with the ad hoc interpreter to ascertain her or his understanding of what will be discussed, and to generally advise her or him about what is expected. Also in these cases, a basic knowledge of the role of the court interpreter can help court staff and attorneys guide the ad hoc interpreter to a more successful encounter.

Here are some ideas for attorneys, clerks, judges and court staff in general who are using ad hoc interpreters to minimize possible miscommunication and errors.

SETTING UP THE INTERPRETED ENCOUNTER:

- Determine whether the ad hoc interpreter knows the person he or she would be interpreting for and to what extent (Especially when it could affect the person's willingness to disclose important information in front of an acquaintance or relative.) Avoid using family members as interpreters, especially minors.
- Explain to the ad hoc interpreter that they should say everything the person says as accurately as possible without changing, adding or deleting.
- Ask the ad hoc interpreter to refrain from making personal comments or giving advice to the non English-speaker and to limit themselves to interpreting what the Court says into the non English-speaker's language and vice versa.
- Unless a relative or a court advocate is used to interpret, ask the ad hoc interpreter to introduce her/himself to the non English-speaker as an impartial language facilitator. The ad hoc interpreter should also mention that everything said would be kept confidential.
- Clarify or define any term of art that the ad hoc interpreter and the non English-speaker might not be familiar with.

DURING THE ENCOUNTER:

- Speak and assure that others speak at a volume and rate that can be accommodated by the interpreter.
- Make certain that the interpreter can easily hear and that only one person speaks at a time.
- Ask questions or say things in simple, straightforward sentences. It will be easier for the ad hoc interpreter to transfer them into the other language. It will also make it much easier for the non English-speaker to understand.
- Whenever possible, avoid "rapid-fire" delivery of what to you is very routine information. It takes time to process an incoming message, and it could take more time to say in some languages what you are saying in English.
- Monitor the ad hoc interpreter's performance. You may have to intervene if you think that the ad hoc interpreter is engaging in conversations with the non English-speaker or if the non English-speaker seems uncomfortable or confused.
- You may want to ask the non English-speaker to repeat back to you what has just been said to them through the interpreter, as a way to ascertain comprehension.

SUGGESTIONS FOR WORKING EFFECTIVELY WITH PROFESSIONAL COURT INTERPRETERS

DO:

- ❖ Make certain that the interpreter can easily hear and that only one person speaks at a time.
- ❖ Explain to the non English-speaker that the interpreter is there to interpret exactly what you say and what he/she says.
- ❖ Address the person directly, not the interpreter. In other words, do not tell the interpreter; “Ask him or her if...” or “Tell him/her that...”
- ❖ Make good use of the interpreter’s time. He/she may have other assignments to cover.
- ❖ Whenever possible, provide the interpreter with written information on the case in hand so s/he can prepare beforehand.
- ❖ Ask questions or say things in simple, straightforward sentences, avoiding too many idiomatic expressions or figurative language. It will be easier for the interpreter to transfer them into the other language. It will also make it much easier for the non English-speaker to understand.
- ❖ Avoid “rapid-fire” delivery of what to you is very routine information. It takes time to process an incoming message, and it could take more time to say in some languages what you are saying in English.
- ❖ Make sure that the interpreter can hear all speakers. Interpreters cannot interpret what they can’t hear.
- ❖ Be patient if the interpreter asks for clarification or reminds parties to slow down.
- ❖ If the interpreter hasn’t done it first, suggest that s/he introduce her/himself to the non English-speaker. A brief introduction should include the interpreter’s language and her/his role as an impartial language bridge, not an advocate. The interpreter should also mention that everything said would be kept confidential.
- ❖ For attorneys: Even if you speak the non English-speaker’s language, allow interpreters to do their job in Court. Interpreters are trained in the practice of interpretation, translation and interpreting skills.