



Court Interpreter Services
U.S. District Court, Central District of California
ORIENTATION FOR CONTRACT COURT INTERPRETERS

INTERPRETING AT THE WITNESS STAND

Arrive prepared: always bring a notepad and pen with you to the stand. Have a dictionary available to consult during breaks.

Interaction with witness: do not engage in any conversation with a witness. Your role is to *interpret*. Keep away from the witness during sidebars and breaks. Any preparation of the witness has to be done in the presence of the attorney before taking the stand.

Position at the stand: position yourself near the witness stand so as not to block the jury's view of the witness. Maintain a professional distance from the witness.

Mode of interpreting: federal law specifies that consecutive interpreting must be used when interpreting for a witness at the stand. It allows the interpreter to understand the context more fully before starting the translation. Interpret in a loud, clear voice. Simultaneous interpretation during witness testimony can be used only if authorized by the judge.

Requesting repetitions: if you need a question or an answer repeated, you should address the judge: ("Your Honor, may counsel/the witness repeat his/her question/answer?")

Objections: if an objection is made to a question, interpret the question and the objection. The objection, and any colloquy between court and counsel should be interpreted simultaneously in a whisper to the witness. If the objection is overruled, you may want to ask the judge to have the question read back by the court reporter.

Conservation of language level: use the same level ("register") of language as the witness. Never tone down, simplify, or attempt to improve a witness' means of expressing himself.

Searching for the right word: avoid fillers such as "Um," "Uh," unless used first by the witness. Do not offer more than one word as a translation (i.e., lawyer, attorney, counsel), choose one and stick to it.

Gestural language: if the witness gestures during testimony (to indicate size, height or amount), interpret the words *without attempting to copy the gesture*. Watch your body language. Do not draw attention to yourself by facial gestures or posture.

Mathematical conversions: never attempt to convert weights, measurements, or currencies.

Witness responses: repeat the witness' answers exactly, including slang, vulgarisms, and epithets to convey the intended meaning. Use the same grammatical person as the witness. If the witness responds in the third person ("Tell him it's untrue"), interpret what was said, then request that the judge instruct the witness to respond directly to the questioner, rather than addressing the interpreter. If you cannot hear, or do not understand the witness, ask the judge to have the witness repeat the answer.

Ambiguities: if the witness' answer contains ambiguities as to gender, number, pronouns,

etc., request the judge's permission to ask the witness to clarify before interpreting the answer.

Interpreting long answers: it may be necessary to take notes in order to retain a long answer accurately. If a witness gives long, rambling, or disjointed responses, you may ask the judge to instruct the witness to pause after a few sentences to give you a chance to interpret.

Correcting the record: if you realize that the questioner made a mistake (wrong date, names, colors, etc.), *interpret what was said*. It is up to the judge and counsel to correct the questions. If you realize that you made a mistake, you should correct it as soon as possible by saying, "Interpreter's correction, your Honor." If someone else corrects you, consider the matter objectively, and if the correction is warranted, say, "The interpreter stands corrected, your Honor." If you do not believe that you made a mistake, say, "The interpreter stands by the translation, your Honor."

Assessing and reporting impediments to performance: If you have any reservation about your ability to perform adequately as the interpreter for the witness, you should inform the judge immediately.

Errors made by other interpreters in the courtroom: if you believe that another interpreter made an error while interpreting at the witness stand, consider whether the error is substantive rather than simply a matter of a choice of words. If the error is of serious consequence, approach the other interpreter at the first opportunity and encourage him/her to correct the record. You should only inform the court of a colleague's material error when that colleague fails to correct the record after notice is given.

Errors in tape transcripts or other translated documents: if asked by any party, state that you will give an opinion *only if directed to do so by the judge*. Never volunteer an opinion regarding the quality, correctness, or other aspects of translated documents. *Your job is to interpret for the witness.*

Sight translation of documents: if asked to sight translate a document on the record, ask the judge for a moment to read it first and *evaluate whether you can do a satisfactory sight translation of it*. If you begin to sight translate, you should be able to finish without interruption. If the document is of a technical nature and you need more time to do an accurate job, tell the judge ("Your Honor, because of the nature of this document, an immediate sight translation cannot be done. The interpreter requests time to prepare a complete and accurate translation.") You may give a summary only if the judge requests it.

Simultaneous interpretation of recorded materials: if asked to simultaneously interpret a recording, inform the judge that it is not possible to simultaneously interpret recordings. It takes an average of 45 minutes to render an accurate translation of one (1) minute of recorded material.

Questions or doubts? Contact interpreter services: **213 894-4370**.