



National Consortium of Interpreter Education Centers

FACT SHEET

Securing a Qualified ASL-English Interpreter

The American with Disabilities Act requires the provision of a qualified sign language interpreter to ensure a deaf individual who uses sign language equal participation in the legal system. (See Fact Sheet, The American with Disabilities Act). Knowledge of sign language does not qualify someone to serve as a sign language interpreter. Rather, the law defines a qualified interpreter as one “who is able to interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary.”¹ This document provides tips to courts seeking to secure a qualified American Sign Language-English interpreter.

As the hiring entity, courts have the option to hire individuals directly or through an interpreter service agency. Depending on the number of deaf individuals in the geographic region served by the court, clerks and court administrators may already have an established relationship with individual sign language interpreters or interpreter service agencies. Legal interpreting requires highly skilled and trained professionals because of the significant stakes involved. Thus, a qualified interpreter must have a specific skill set to ensure the deaf person’s legal right to be present and participate in the courtroom proceedings is not compromised.

The Registry of Interpreters for the Deaf (RID), the professional association for sign language interpreters, has developed specific credentials that indicate minimum levels of competency required to interpret in legal settings. A Specialist Certificate: Legal (“SC:L”) is awarded to those interpreters that meet this criteria. However, the number of interpreters holding a SC:L is not sufficient to meet the

¹ 28 C.F.R. § 35.104.

demand for interpreters in legal settings. Thus, it is sometimes necessary to hire individuals with a generalist certificate. In many instances, these general practitioners will have completed specialized legal interpreter training which may qualify them to interpret in a legal setting. The court can and should conduct a *voir dire* to determine an interpreter's qualifications prior to proceeding.

The court should provide the interpreter with as much information as possible before the assignment date and time. This allows the interpreter to assess the unique language skills of the deaf individual involved in the courtroom proceeding and make recommendations to the court according to the deaf person's needs. These recommendations may include the number and type of interpreters needed for the job (see Fact Sheets, Deaf Interpreters as Reasonable Accommodations and The Use of Interpreting Teams in the Courtroom) and courtroom placement (see Fact Sheet, Placement of Sign Language Interpreters in Court). In addition, in accordance with the interpreter's own code of ethics, the interpreter will analyze her compatibility with the assignment and determine the existence of any conflicts of interest.

Additional information may also be obtained by reference to state statutes setting forth the qualifications required of a sign language interpreter under state law.

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