



National Consortium of Interpreter Education Centers

FACT SHEET

Placement of Sign Language Interpreters in Court

Courts are accustomed to working with spoken language interpreters who interpret for non-English speakers participating in a legal proceeding. Typically, spoken language interpreters stand or sit next to the non-English speaker in order to quietly whisper the comments of others in the person's native language and to interpret the person's responses into English. Less frequently, courts are required to work with sign language interpreters who interpret for deaf citizens participating in a legal proceeding. A sign language interpreter functions much the same way as a spoken language interpreter in conveying the proceedings to the deaf person and the deaf person's comments and responses to the court. A major difference, however, is the unique placement of the sign language interpreter in court. This document will provide a brief overview of the proper placement for a sign language interpreter when there is a deaf participant in a proceeding.

The visual nature of sign language requires that the interpreter stand in front of and in the direct sightline of the deaf person. It is also helpful if the interpreter is located near the person who is speaking so the deaf person can glance back and forth from the speaker to the interpreter to get a flavor of the speaker's mood and manner of expression.

- When a ***deaf person is located at counsel table***, the interpreter should stand in the center of the court room (the well) with her back to the court. In this way, the deaf party can see the judge, the interpreter, the attorneys, and witnesses and will be better able to participate. The interpreter will indicate who is speaking visually by gesturing or pointing to the speaker. This placement is preferable to having the interpreter in constant motion between speakers and allows the deaf person to glance at the speaker during natural pauses. While the interpreter may have to move on rare occasions, such as during the use of exhibits, the centralized placement of the interpreter represents a balance and is standard practice in any group setting with which most deaf people are accustomed.
- When the ***deaf person is on the witness stand***, the interpreter should remain in the well facing the witness with his or her back to counsel. Interpreters should not be placed in a position which will block the jury's view of the witness. However, where an interpreter's placement blocks counsel's view of the witness, it is preferable that the court instruct counsel to move to a location from which they can see the witness rather than moving the interpreter.

- When the **deaf participant is a juror**, the interpreter will be in the well facing the deaf juror and not obstructing the jury's view of the witnesses. (See Fact Sheet, Working with Sign Language Interpreters When there are Deaf Jurors or Deaf Audience Members).
- Interpreters may work in teams for complicated matters. (See Fact Sheet, The Use of Interpreting Teams in the Courtroom). When interpreting for a deaf witness, effectively serving as the deaf person's voice for the record, the **interpreting team** will stand side by side in the well to allow the interpreters to unobtrusively monitor each other's interpretation and make minor adjustments for accuracy. This placement also is effective when there are both deaf parties and a deaf witness as long as sightlines to the interpreters are unimpeded. When the only participant is a deaf party at the table, one interpreter will be in the well facing the deaf person and the other will typically be across from the interpreter, in their sightline, usually standing behind the deaf party in order to monitor the working interpreter for accuracy and to make minor adjustments visually through sign as necessary.
- Finally, if the deaf person is in waiting for his matter to be called, or if there is a deaf audience member only, such as a family member, the court interpreter will want to stand or sit in the aisle or just inside the well facing the audience member to interpret the proceedings for them. (See Fact Sheet, Working with Sign Language Interpreters When there are Deaf Jurors or Deaf Audience Members). Sometimes bailiffs or courts mistake this communication for prohibited side conversations and instruct the interpreter to stop signing. It is important to recognize that the interpreter is not having a conversation with the deaf person. Rather the interpreter is providing a reasonable accommodation to an important public service that deaf people have come to expect as a result of federal legislation.

Should you have more questions, further information is available from the NCIEC at www.nciec.org, on the Consortium's Work on Legal Interpreting subpage under the Legal Specialization link.

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