



National Consortium of Interpreter Education Centers

FACT SHEET

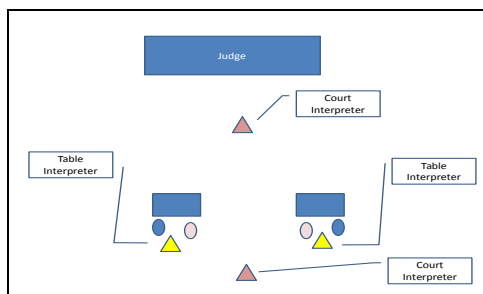
Working with Sign Language Interpreters in Contested Matters

When a deaf individual is involved in a court cases, a single sign language interpreter may be sufficient to interpret many proceedings, including scheduling, discovery disputes, motions hearings and other pre-trial conferences, and plea, sentencing, or settlement hearings. However, more than one sign language interpreter may be necessary in contested matters where evidence will be presented. In these matters, the court should hire two court interpreters – a **proceedings interpreter** to interpret all of the witness testimony and other open proceedings commentary and a **table interpreter** (sometimes referred to as a “party interpreter” in civil matters) placed at counsel table between the attorney and the client to facilitate privileged communications.

Proceedings interpreters should be sworn to interpret accurately for the record and to ensure the full participation of deaf participants. Proceedings interpreters will be placed in the well, facing counsel table for the bulk of the proceedings. Their positioning will be modified if a deaf person takes the stand to testify. (See Fact Sheet, Placement of Sign Language Interpreters in Court).

The table interpreter is not a court interpreter sworn to interpret the proceedings; rather, this interpreter assists counsel with the preparation and defense of the case. Most of the table interpreter’s work is done behind the scenes, privately, with counsel and the deaf client to ensure they are able to effectively communicate with each other in developing case strategy, theory and design. During the proceedings, the table interpreter provides immediate access to counsel to assist in the presentation of the case by interpreting privileged communications. Additionally, the table interpreter watches the sworn court interpreters’ interpretations. If errors are made, the interpreter at the table alerts counsel to the nature of the error in order for the attorney to be able to object to errors in the interpretation, thereby preserving the issue for appeal.

If there are multiple deaf parties and the case is contested, each table can be expected to need an interpreter seated at the table to perform these functions. Hence, in contested matters with two deaf parties, there may be four interpreters in the room – 2 team proceedings interpreters (See Fact Sheet, The Use of Interpreting Teams in the Courtroom) and a table interpreter for each deaf party. See diagram below.



Court interpreters are prepared to function as a resource to the court on the proper number, placement and functioning to ensure that the proceedings will be conducted fairly, efficiently and effectively. 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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