

## **Practical Considerations for NM Judiciary Remote Interpreting Guidelines**

### **For the Judge:**

- Inform the parties that the hearing will be conducted with the interpreter appearing over the phone.
- Explain the role of the interpreter to the LEP party.
- Perform a sound check, to include allowing the interpreter and LEP party to assess whether they can hear and understand each other.
- Ask the interpreter to spell his/her name for the record and ask the parties whether they know the interpreter (in order to eliminate potential conflicts or the appearance of impropriety).
- Administer the interpreter's oath.
- Open any statement to the interpreter with "Mr./Ms. [interpreter name]" to alert the interpreter he/she is being addressed.
- Remember that telephonic interpretation is in the consecutive mode. This means that speakers need to pause and allow the interpreter to interpret. This applies regardless of who is speaking or being addressed (e.g., when the defense attorney and DA speak to each other).
- Instruct all participants to speak clearly and in short complete sentences and to identify themselves each time they speak.
- Instruct all participants to speak directly into the microphone.
- Ensure that only one person speaks at a time and that there are not competing noises.
- Allow the interpreter to request repetitions and or clarifications if necessary.
- If a non-verbal cue is used by any of the parties, provide instruction or clarification.
- Instruct all participants to immediately alert the court if they are unable to hear or understand the participant who is speaking, or if the equipment they are using is not working properly.
- Instruct staff to notify AOC Language Access Services immediately if any issues arise.

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### **For the Interpreter:**

- The use of a land line for telephonic interpreting is preferred, but if you must use a cell phone, select a quiet location where you will not be interrupted and where you have a good connection.
- The LAS Coordinator will send you notification of the telephonic event and will provide as much information as is available.
- Confirmation of assignment will include instructions on how to reach the courthouse by phone.
- Once you establish contact with the parties, ask the judge's permission to introduce yourself to the LEP party to establish whether you are able to hear and understand each other. If at any time you are unable to hear or there are any issues with connectivity, inform the judge.
- The judge may administer an oath. If no oath is administered, proceed as you normally would following the NM Code of Professional Responsibility (see <http://languageaccess.nmcourts.gov/policies-procedures.aspx>) and all rules established for your work with the New Mexico Courts.
- Disqualify yourself if you are handling a call you realize you are not qualified to handle or if you know the LEP party.
- If you make a mistake during the proceeding, inform the Court immediately and rectify the error for the record.
- Provide all interpreting services in the mode for which you were scheduled. Report back to the LAS Coordinator after every telephonic proceeding. This might include notifying the Coordinator of any issues that arose during the proceeding.

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### **References:**

- The New York State Unified Court System. Working with Interpreters by Video or Teleconference. Tips for Remote Interpreting
- National Association of Judiciary Interpreters and Translators. NAJIT Position Paper. Telephone Interpreting in Legal Settings
- Telephone Interpreting: A Comprehensive Guide to the Profession. Model Standards of Practice: Legal Settings. Nataly Kelly 2013
- Consortium For Language Access in the Courts (CLAC). Remote Interpreting Guide and Best Practices
- Assessment of Video-Mediated Interpreting in the Criminal Justice System. AVIDICUS 2. Sabine Braun, University of Surrey
- Videoconferencing & Interpreting in Legal Proceedings. A Quick Guide for Legal Interpreters. AVIDICUS 2008
- Colorado Judicial Department. Office of Language Access. Center for Telephone/Remote Interpreting. User Guide. October 2015
- Administrative Office of the Courts. State of New Jersey. Operational Standards for Telephone Interpreting. 2001
- New Jersey Judiciary. Manual for Interpreters Delivering Services by Telephone to Court Proceedings and Court Support Services 2001.