



OREGON JUDICIAL DEPARTMENT  
Office of the State Court Administrator

October 26, 2010  
(SENT BY EMAIL)

TO: Oregon Court Interpreters

FROM: Court Interpreter Services (CIS)  
Kelly Mills, Program Manager  
Max Christian, Interpreter Supervisor

RE: **Interpreting Concerns When the Court Interpreter Is Asked to Interpret non-English Recorded Evidence into English**

CIS Non-English Sound Recording Evidence Interpretation Guideline

“Court Interpreter Services advises that non-English recorded evidence be transcribed and translated by the moving party prior to being submitted as evidence, and that the court interpreter not perform interpretation of recorded evidence into English, except as instructed by the court.”

The *Code of Professional Responsibility for Interpreters in the Oregon Courts* requires that you, the court interpreter, render “a complete and accurate interpretation or sight translation, without altering, omitting anything from, or adding anything to what is stated or written, and without explanation.” You may be hindered or precluded from doing so by obstacles frequently encountered in sound recordings (recorded 911 calls, recorded jail calls, recorded voice mail, etc.). Three common impediments are:

- Lack of opportunity to request clarification of a word or an ambiguity
- Poor quality recordings
- Overlapping voices and sounds

Due to these obstacles transcribers and translators of sound recordings employ explanatory footnotes. However, such explanations go beyond the scope of the court interpreter’s role which is to interpret “without explanation.”

Additionally, interpreting recorded non-English evidence for a party may cause you to be called as a witness by a party in order to explain or defend an interpretation in question. A court interpreter’s neutral role as described in the *Code of Professional Responsibility* requires that you remain impartial, avoiding the appearance of bias. Being called as a witness by a party may create a situation which is perceived as a bias.

Therefore, Court Interpreter Services recommends that you, the interpreter, carefully evaluate requests to interpret sound recordings being presented as evidence, and that you inform the judge and the parties of potential practical and ethical difficulties.