

Normally we try to avoid using the same interpreter for both the out of court and in court communications on the same case not because we believe that the interpreter would have a real conflict of interest by so doing, but because we have encountered a few situations when opposing counsel will object to the use of the same interpreter. When a judge sustains such an objection, the hearing must be set over to another date in order for us to find a different interpreter, which, in the case of Tibetan would be rather difficult. If the parties are stipulating that they will not object to the same interpreter being used, then this can work.

Because some parties may perceive using the same interpreter as a conflict of interest, interpreters are asked to state on the record at the start of a hearing when they have interpreted previously for communications in the case in order to comply with the Code of interpreter ethics for interpreters in Oregon courts. Here are a couple of examples you might use to let the court know tomorrow about your relationship with the defendant (ideally using the third person when referring to yourself):

"Your Honor, the Code of Professional Responsibility for Interpreters in Oregon Courts requires that the interpreter disclose any prior involvement in the case. In this case the interpreter has interpreted for defense attorney/client visits, but has not had any other involvement."

-OR-

"Your Honor, as required by the interpreter code of ethics, for the record, the only prior involvement this interpreter has in this case is that of interpreting for defense attorney/client visits."

Please refer to #4 of the Code of Professional Responsibility for Interpreters <http://www.ojd.state.or.us/osca/cpsd/interpreterservices/documents/ethicscode.pdf> for more information on the conflict of interest issue and of course, let me know if you have any questions.