



OREGON JUDICIAL DEPARTMENT
Office of the State Court Administrator

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(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 Sight-Interpret/Translate non-English Written Evidence into English**

CIS Non-English Written Evidence Interpretation Guideline

Court Interpreter Services advises that non-English written evidence be translated into written document form by the moving party prior to being submitted as evidence, and that the court interpreter not perform sight-interpretation/translation of written 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 written evidence (letters, notes, lists, accounts, etc.). Common impediments are:

- Lack of punctuation, accents or spelling errors which can change the meaning of a word
- Poor handwriting (whether in personal or official documents)
- Unfamiliar abbreviations
- Lack of opportunity to request clarification of an uncertain word or an ambiguity
- Lack of access to dictionaries to research an unknown or uncommon word

Due to these obstacles a court interpreter might need or be asked to provide explanations to the court which is beyond the scope of the court interpreter’s role which is to interpret “without explanation.”

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

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