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Professional Standards and Ethics for California Court Interpreters

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Professional Standards and Ethics for California Court Interpreters

Introduction

The *Professional Standards and Ethics for California Court Interpreters* provides guidance for certified and registered court interpreters on how to conduct themselves appropriately on the job. This document also provides guidance for provisionally qualified interpreters, who assist the court when a certified or registered interpreter is not available. The ethical and professional standards outlined in this document offer guidance on how interpreters can navigate a range of ethically challenging situations they may encounter in their work. These challenges could arise while working in person, remotely, in a traditional courtroom, a hybrid courtroom, or at a proceeding outside of court.

This document is based on California Rules of Court, Rule [2.890](#), Professional conduct for interpreters, which every interpreter should be familiar with. Interpreters are also bound by the laws found in the California Evidence Code, [Sections 750-755.5](#).

Ethics is an evolving topic, and new ethical challenges continually present themselves for interpreters. Under the direction of the Court Interpreters Advisory Panel and its Professional Standards and Ethics subcommittee, this document has been updated from the 2013 edition to include new sections on ethics for remote interpreting and social media.

This document is not intended to be a substitute for formal interpreter ethics training. The topics herein are covered in much greater depth in the online *Interpreter Orientation* course that is required for all newly credentialed court interpreters, and the required *Ethics Training* which is required within a new interpreter's first two years. Although newly credentialed interpreters may take their required *Ethics Training* at any time during their first two-year compliance cycle, it is recommended to do so as early as possible. It is critical for new interpreters to have a solid understanding of interpreter ethics and professional standards prior to accepting interpreting assignments, whether for courtroom work or work in the private sector.

An *Ethics Refresher* course is also available for experienced interpreters. Though not required to maintain your interpreting credential, it is good practice for interpreters at every level to incorporate some ethics training into their continuing education during every compliance cycle. More information on the free ethics courses offered by the Judicial Council for interpreters can be found at the council's Language Access Services [website](#).

Officer of the Court

Interpreters are officers of the court and as such, are expected to uphold the highest personal and professional standards of integrity and accuracy, not only for their interpretations but also in their business practices.

This includes, but is not limited to, submitting timely and accurate billing to reflect only actual work performed and only mileage and/or travel time authorized for and by the court.

Deliberately falsifying hours or billing, whether the interpreter is a court employee or contractor, is grounds for revocation of the interpreter's credential. It may result in the interpreter being banned from working in court and from re-certifying or reinstating his or her credential.

Further, as officers of the court, interpreters should always conduct themselves professionally, whether working in person or remotely, whether in court or in another environment. Interpreters should always follow these professional standards and ethics, whether they are communicating in person or on social media platforms.

Professional conduct includes dressing professionally and being punctual. If working remotely, allow sufficient time for logging in and testing your computer setup. If working in person, allow enough time to park, pass through building security, and find the location of your assignment.

You must also learn and follow the required courtroom protocols, such as where to position yourself and how to address the court. Professional conduct applies to appropriate use of cell phones and smart phones on the job. It's a good idea to keep your cell phone off while you're working to avoid interruptions or distractions. Avoid glancing at your phone while working; it is a serious detriment to your ability to maintain your focus and concentration, both of which are required to deliver a complete and accurate interpretation.

Rules of Conduct for Court Interpreters

The rules of conduct for court interpreters are documented in the California Rules of Court, as previously referenced. This rule is discussed individually below by subsection, along with the ethical and professional conduct implications for interpreters.

Rule 2.890(a) – Representation of Qualifications

An interpreter must accurately and completely represent his or her certifications, training, and relevant experience.

(California Rules of Court, Rule 2.890(a).)

Best practices for appropriate representation of your qualifications include:

- Maintain your credential in good standing by meeting all compliance requirements and paying annual renewal fees. See [Compliance Requirements for Interpreters](#).

- Wear your badge when you are working; take off your badge when not working.
- Do not misrepresent your credentials or the status of your credential to obtain work.
- For example, if an interpreter is certified in Mandarin, and speaks but is not certified in Cantonese, he/she should not interpret in the non-certified language unless provisionally qualified by a judge.

California does not currently offer an examination to become credentialed as an American Sign Language (ASL) court interpreter because there is no entity available at this time to administer certification exams in our state. Certified ASL court interpreters (currently in good standing) may possess any of the following credentials:

- Specialist Certificate: Legal, formerly issued by the Registry of Interpreters for the Deaf, Inc. (RID).
- Legal Interpreting Certificate, formerly issued by the California Coalition of Agencies Serving the Deaf and Hard of Hearing, Inc. (CCASDHH) before October 20, 2006.
- The Texas Board for Evaluation of Interpreters (BEI) Court Interpreter Certificate (CIC), which is currently offered and issued by the Texas Office of Deaf and Hard of Hearing Services (DHHS).

California is now offering reciprocity for ASL court interpreters that have passed the Texas BEI CIC and are credentialed by Texas and in good standing. Please refer to the [Court Interpreters Program - ASL Credentialing](#) web page for updated information.

Rule 2.890(b) – Complete and Accurate Interpretation

An interpreter must use his or her best skills and judgment to interpret accurately without embellishing, omitting, or editing. When interpreting, the interpreter must interpret everything said during the entire proceeding. When interpreting for a witness, the interpreter must interpret everything said during the witness's testimony.

(California Rules of Court, Rule 2.890(b).)

Interpreter's Oath

Regarding your interpreter's oath, please keep the following in mind:

- You must ensure your signed oath is on file with the court.
- For each proceeding, you will swear to "well and truly interpret to the best of your ability completely and accurately," prior to interpreting on the record.
- Please take your oath to heart. Keep in mind there is much at stake for the limited English persons for whom you will be interpreting. Judges, the jurors, attorneys, court reporters, witnesses, defendants, and victims will have only your interpretation to rely on.

Complete and Accurate Interpretation Guidance

The following provide guidance for delivering a complete and accurate interpretation:

- Interpret everything said faithfully and accurately, conserving all elements of the source message in the target language.
- Do not mimic the speaker's gestures, do not use gestures yourself, or be overly dramatic to convey emotion.
- Never address a witness or speaker directly; this will create confusion and potentially the appearance of bias.
- All communication from the interpreter should be directed to the judge, attorney, or court reporter.
- Always refer to yourself in the third person as "the interpreter."
- If you are interpreting remotely, ensure your screen name indicates "Interpreter."
- Always stay on camera when working remotely, unless taking an official break.
- If onscreen glare is causing additional fatigue that could impact the completeness or accuracy of your interpretation, request to turn your camera off.

For additional guidance on common issues interpreters encounter while trying to deliver a complete and accurate interpretation, see *Appendix A: Common Issues for Complete and Accurate Interpretation*.

Rule 2.890(c) – Impartiality and Avoidance of Conflicts of Interest

1. *Impartiality* - An interpreter must be impartial and unbiased and must refrain from conduct that may give an appearance of bias.
2. *Disclosure of conflicts* - An interpreter must disclose to the judge and to all parties any actual or apparent conflict of interest. Any condition that interferes with the objectivity of an interpreter is a conflict of interest. A conflict may exist if the interpreter is acquainted with or related to any witness or party to the action or if the interpreter has an interest in the outcome of the case.
3. *Conduct* - An interpreter must not engage in conduct creating the appearance of bias, prejudice, or partiality.
4. *Statements* - An interpreter must not make statements to any person about the merits of the case until the litigation has concluded.

(California Rules of Court, Rule 2.890(c).)

Opinions & Statements

Best practices for appropriate managing of opinions and statements include:

- Do not express opinions about the cases you work on, or parties involved in your cases.
- If an attorney asks your opinion, politely explain that interpreters are not allowed to express opinions about cases they work on.
- Do not share opinions about your cases with other interpreters.
- Make no verbal or written statements about a case, its merits, parties, or outcome.
- Do not post or respond to posts on social media about the cases you work on.
- Do not make statements to the press or media about cases you are working on.
- Consider refraining from making statements all together to the media or on social media about cases you have worked on even after the case has concluded.

Emotions

Best practices for appropriate managing and handling of emotions on the job include:

- Remain neutral and always maintain a professional demeanor.
- Do not display your emotions, i.e., anger, pity, etc. as you are interpreting, regardless of the message, as it could bias the jury, witnesses, court personnel or others.

Conflict of Interest and Interpreter Bias

A conflict of interest is when the interpreter has a personal interest in or could personally benefit from the outcome of a case. Below are some best practices for how to avoid conflicts of interest and the perception of interpreter bias:

- Immediately inform attorneys and/or the judge of any conflict of interest or potential or perceived conflict of interest.
- Disclose prior involvement in a case to the parties, attorneys, and the judge.
- Do not develop a bias; do not give the appearance of bias; do not take sides.
- Treat all parties equally, neutrally, and professionally.
- Accept no gifts, favors, tips, or gratuities from the parties, attorneys, court staff, etc.
- Refrain from behaviors that could create the appearance of bias, i.e., hugging a client or an attorney.

Personal Interactions

Below are some best practices for how to manage personal interactions with parties, attorneys, and others, which will help you to avoid the appearance of bias or a potential conflict of interest. These practices will also assist you in avoiding other ethical breaches, such as inadvertently giving legal advice:

- Do not have direct, personal conversations with clients you're interpreting for.

- Do not directly interact with members of the jury or discuss the case with them even after the matter is resolved.
- Do not interact with court or law enforcement personnel while you are working on a case except in a professional capacity.
- Refer questions from the public about the case to appropriate court personnel.
- Avoid potentially compromising situations by taking off your interpreter badge when you are not working, for example, when you leave your assignment to take your lunch break or when you are on your way out of the courthouse after work.
- Do not hand out business cards while on the job or solicit for additional work. If someone asks for your personal contact information, refer them to the judge, attorney, interpreter services coordinator for the court, etc. as appropriate.

Rule 2.890(d) – Confidentiality of Privileged Communications

An interpreter must not disclose privileged communications between counsel and client to any person.

(California Rules of Court, Rule 2.890(d).)

Below are some best practices for managing confidential and privileged communications:

- Treat all information as confidential.
- If interpreting remotely, you should be in a secure, private place, free of distractions.
- Ensure your computer audio is not leaking into the public domain.
- Properly destroy all documents shared for the proceeding and your interpreting notes.
- Interpreters are bound by the same rules of confidentiality as attorneys.
- An interpreter may not be called as a witness against a client he or she has interpreted for.
- Attorney-client privilege does not apply the same to interpreted communications between prosecutors and prosecution witnesses as it does between an attorney and a defendant.
- An interpreter should not reveal the content of interpreted conversations.
- If there is any doubt about confidentiality, don't share information.
- Do not break confidentiality unless ordered by a judge to do so.
- Confidentiality applies to "*in camera*" (closed) hearings, grand juries, and juvenile matters.
- Do not comment on evidence you see or hear prior to it being presented in court.
- If you are asked to provide a written translation of a document, apply the same standards of care and accuracy as for verbal interpretation.
- Confidentiality also applies to translations and transcriptions of written materials.
- You may be required to testify about written translations.
- The Judicial Council does not certify the ability to translate written documents, and your interpreting credential does not extend to written translations.

Rule 2.890(e) – Don Not Give Legal Advice

An interpreter must not give legal advice to parties and witnesses, nor recommend specific attorneys or law firms.

(California Rules of Court, Rule 2.890(e).)

Below are some best practices for interpreters regarding giving legal advice:

- On the record, interpret the speaker’s questions; do not answer them.
- If the speaker addresses you (the interpreter) directly, interpret exactly what has been said. If there is ambiguity, allow the attorneys or judge to request clarification.
- Off the record, do not answer questions from clients regarding their cases or any other legal matter; explain you are not an attorney, and you don’t know the answer.
- You may politely and briefly answer general questions such as hours or time and date of the next proceeding, directions to the restroom, parking lot, etc.
- Do not discuss client’s case with him or her; if a client has questions about his or her case, direct them to the attorney.
- Do not discuss client’s case with client’s friends, other witnesses, or family members. Direct them to speak with the attorney.
- For self-represented parties, do not suggest that they could benefit from an attorney and do not make any specific referrals to any attorneys.

Rule 2.890(f) – Impartial Professional Relationships

An interpreter must maintain an impartial, professional relationship with all court officers, attorneys, jurors, parties, and witnesses.

(California Rules of Court, Rule 2.890(f).)

Best practices for interpreters regarding impartial professional relationships include:

- The interpreter is an officer of the court and must always remain neutral.
- The interpreter may be called on to assist any or all the parties during the case.
- The interpreter should ensure they are not perceived as being on one “team” or another.
- Remain as unobtrusive as possible; do not draw attention to yourself.
- Your job is to facilitate communication between the parties through complete and accurate interpretation, no more and no less.
- Address parties formally, i.e., Mr. [NAME] or Ms. [NAME] using appropriate pronouns.
- Address the judge as “Your Honor;” attorneys as “Counsel,” or Mr. or Ms. [NAME].
- Interpreters should not distribute business cards or solicit work while on the job.
- Interpreters should be judicious on professional networking and social media sites.
- The standards of professional conduct apply to online as well as in-person situations.

Rule 2.890(g) – Continuing Education and Duty to the Profession

An interpreter must, through continuing education, maintain and improve his or her interpreting skills and knowledge of procedures used by the courts. An interpreter should seek to elevate the standards of performance of the interpreting profession.

(California Rules of Court, Rule 2.890(g).)

Court interpreting is a highly regarded profession that requires a high level of skill to perform well. It requires a commitment to lifelong learning and continuing education. Regular ethics training will prepare you to handle new challenges as they come up on the job.

Some best practices for interpreters regarding continuing education and duty to the profession include:

- As much as possible, familiarize yourself with the facts of the case before it begins.
- Identify potential ethical issues ahead of time so you can respond appropriately.
- Study specialized technical terminology in advance so you will be well-prepared.
- Identify glossaries or resources you might need and have them ready to refer to.
- If you are using a tablet or smart phone as a reference, be unobtrusive with it in court.
- Study jury instructions ahead of time; you will need to interpret them in their entirety.
- If you are not able to interpret for a case accurately and completely, for any reason, you must recuse yourself.
- Inform the judge or the attorneys you are unable to interpret if the level of difficulty and complexity of the case exceeds your current skill level.

Ongoing training:

- Ensure you are always in compliance with your continuing education hours and minimum number of professional assignments. For more details see the [Compliance Requirements for Interpreters](#)
- Incorporate some ethics training into your continuing education every compliance cycle, even though it is not required by the Judicial Council after your initial two years.
- On demand ethics courses from the Judicial Council can be reviewed or re-taken at any time. Visit the Language Access Services [website](#) for details.
- Continue your professional development by networking with colleagues and joining professional interpreting and translation associations.
- Familiarize yourself with technical equipment for interpreting such as headsets, remote interpreting and video remote interpreting (VRI) software, etc.
- For more information on Ethical Challenges for Remote Interpreting, see the subsequent section of this document.
- You will also find more information on VRI at [Video Remote Interpreting \(VRI\)](#)

Rule 2.890(h) – Assessing and Reporting Impediments to Performance

An interpreter must assess at all times his or her ability to perform interpreting services. If an interpreter has any reservation about his or her ability to satisfy an assignment competently, the interpreter must immediately disclose that reservation to the court or other appropriate authority.

(California Rules of Court, Rule 2.890(h).)

For guidance on how to handle common impediments to performance for interpreters, see *Appendix B: Common Impediments for Interpreters*.

Rule 2.890(i) – Duty to Report Ethical Violations

An interpreter must report to the court or other appropriate authority any effort to impede the interpreter's compliance with the law, this rule, or any other official policy governing court interpreting and legal translating.

(California Rules of Court, Rule 2.890(i).)

Below are some best practices for interpreters regarding reporting ethical violations:

- You are required to report any attempt to induce or encourage you to violate any statute, rule, regulation, or policy related to court interpreting.
- You may report these violations to the judge, the interpreter coordinator, the supervising attorneys, district attorney, or the presiding judge of the court.
- An example of this would be if a person tries to bribe an interpreter to not interpret certain testimony, or to change what the witness or defendant said, or to tamper with evidence, etc.
- An ethical violation that occurs during a remote proceeding should be reported the same as if it had happened in person.

Ethical Challenges for Remote Interpreting

This section expands on some of the ethical challenges that are unique to remote interpreting. It also provides guidance on how to effectively navigate these challenges when they come up.

This topic is covered in greater depth in the ethics and VRI courses offered to interpreters by the Judicial Council. For more details, visit the Language Access Services [website](#).

Remote Interpreting Generally

Interpreters should remember that everything that applies to in-person interpreting also applies to remote interpreting. Remote interpreting, however, introduces some extra complexities. The *Professional Standards and Ethics for Court Interpreters* should be followed whether you are working in person, in a formal courtroom environment, or appearing remotely.

Interpreting Credentials

Interpreters should keep the following in mind when working remotely regarding the appropriate way to represent their credentials:

- Use your screen name to identify yourself as the “Interpreter.”
- Remain on camera, unless on a break or you have received permission to turn your camera off to reduce fatigue from screen glare.
- Show your badge to all parties by holding it up to the camera; type your name and certification number into the chat if requested to do so.
- Wear your badge while you are on camera.

Being Sworn in Remotely

Your interpreter oath has the same force and effect while working remotely as it does when you are working in person:

- You will be sworn in prior to the proceeding as if you were interpreting in person.
- Your oath remains in effect even when you are not on screen.

Personal Conduct While Working Remotely

Some best practices regarding your personal conduct while working remotely include:

- Be aware that the proceeding may be recorded (even unintentionally) and conduct yourself in the same manner as if you were working in person.
- Dress professionally and select a neutral background or blur your background to minimize visual distractions for participants. Do not blur your background if you are

providing ASL interpretation, as it can interfere with the clarity of signed communication.

- Request participants in the proceeding blur their backgrounds to minimize distractions, except when providing ASL interpretation, as a blurred background can interfere with the clarity of signed communication.
- Make sure you have a strong wi-fi signal and use professional-quality equipment such as a modern laptop or desktop computer, a noise-canceling headset with a good microphone, and keep all software versions up to date.
- Have a backup plan for equipment failures, such as a second laptop or desktop computer, tablet, or smartphone, so the proceeding does not have to be rescheduled.
- Make sure your work area is set up comfortably, so you have enough room for all your equipment, note-taking items, etc.
- Be on time and allow sufficient time to log in, test equipment, connectivity, and software.
- Request a copy from the court to review any introductory statement that the court would like you to recite prior to being sworn in.
- Be prepared to interpret the court interpreter's introductory statement regarding video remote interpretations; content may vary.
- If you are team interpreting for a remote proceeding, you must act professionally even when you are not actively interpreting.
- Avoid multi-tasking while working remotely or drawing attention to yourself.

Complete and Accurate Interpretation

You are ethically bound to provide a complete and accurate interpretation while working remotely, despite technical glitches that may at times make that more difficult than while interpreting in person. Some best practices to assist you are below:

- Never interpret anything that you have not heard completely or fully understood.
- Request a repetition or a read back if there are technical issues such as frozen screen, low bandwidth, or too much background noise.
- If technical issues become an impediment to a complete and accurate interpretation, you must inform the parties immediately.

Impartiality and Avoidance of Conflicts of Interest

Some important points for interpreters to consider regarding impartiality and avoidance of conflicts of interest include:

- Do not use the chat unless instructed to do so by an attorney, judge, or court reporter.
- Only provide the information requested, such as your name and certification number.
- Do not use the chat for anything not specifically related to the current proceeding.
- Turn off your camera and mute audio during breaks.

- Do not have personal conversations with any parties during a remote proceeding, even during breaks.
- If any of the parties, attorneys, or clients inquire about the future availability of the interpreter, refer them to the appropriate person, such as the interpreter coordinator, or defer the discussion until after the proceeding.

Confidentiality and Privileged Communications

When you are interpreting remotely, there are additional important considerations around confidentiality and privileged communications, such as:

- If interpreting remotely, you should be in a secure, private place, free of distractions.
- It is advisable to not utilize a shared space, if possible, for remote interpreting.
- Keep pets, children, etc., off camera; have a neutral background or blur your background for privacy. Do not blur your background if providing ASL interpretation.
- Ensure audio is not leaking into public domain.
- Ensure any documents shared with you electronically are secure.
- Properly delete or destroy/shred any documents shared for the proceeding and your interpreting notes.
- Do not use third party software to enhance audio or video without prior authorization.

Do Not Give Legal Advice

Some best practices for not giving legal advice when interpreting remotely include:

- Do not give legal advice or answer any questions about legal matters when interpreting remotely.
- Remote proceedings may feel less formal than in person, but they are not.
- Information you provide during breaks or in chat may later be construed as legal advice.

Impartial Professional Relationships

There are additional challenges with maintaining impartiality in a remote setting, such as:

- Do not use the chat feature for personal comments or conversation; it may create the appearance of bias.
- Do not have off-the-record conversations with clients or attorneys during a remote proceeding.

Continuing Education and Duty to the Profession

If you will be working remotely, even just occasionally, you may want to include training on the new types of remote conferencing technologies that are used for interpreting. Some best practices

for interpreters around continuing education and duty to the profession as they relate to remote interpreting are:

- Prepare for remote assignments the same way you would prepare for in-person events.
- Have any reference materials or other resources, e.g., glossaries or dictionaries, you might need for the assignment ready, open, and available on your desktop.
- If you are not able to interpret for a case accurately and completely because of technical equipment issues, you must inform the judge, attorneys, and parties and recuse yourself.
- Familiarize yourself with technical equipment for interpreting, such as devices, headsets, and remote interpreting and VRI software.
- Incorporate technical equipment training into your continuing education hours.
- Stay up to date with VRI practices by accessing recommended guidelines, online training modules, live and recorded webinars, and various support materials available through the Judicial Council of California.

Common Impediments for Remote Interpreting

You must report any impediments to interpreting whether you are working in a remote or in-person proceeding. For a summary of common impediments interpreters encounter while working remotely see *Appendix C: Common Impediments to Remote Interpreting*.

Duty to Report Ethical Violations

You are required to report any attempt to induce or encourage you to violate any statute, rule, regulation, or policy related to court interpreting whether working in person or remotely.

Any ethical violation that occurs during a remote interpreted proceeding should be reported the same as if it had happened in person.

Interpreter Conduct on Social Media

This section expands on the *Professional Standards and Ethics for Court Interpreters* as they apply to interpreter conduct on social media. It reviews the ethical challenges that may apply to interpreters who utilize social media platforms including Facebook, X (formerly Twitter), and LinkedIn. It also provides guidance for interpreters on how to navigate some of these challenges and examines how Rule of Court 2.890 can be applied.

Appropriate social media conduct for interpreters is also covered in more detail in the ethics courses available from the Judicial Council. For more information, visit the Language Access Services [website](#).

Interpreters on Social Media Generally

Interpreters should remember that the same ethical standards that apply in person also apply on social media. The internet poses additional challenges in that once something is propagated on the internet or social media, it has a very long shelf-life and may remain searchable forever. It may also be impossible to delete. Further, once information, opinion or images are posted on social media, the author (in this case, the interpreter) loses control of where, how, when, and by whom these things may be modified or taken out of context.

With that in mind, consider how the professional standards and ethics for court interpreters should be followed when utilizing social media. While all are important, the most important ethical cannons for interpreters on social media deal with impartiality and confidentiality.

Representation of Qualifications

While on social media, interpreters should not:

- Misrepresent qualifications on professional networking sites such as LinkedIn for the purpose of getting work.
- Do not post images of your badge or credential or certification number. These could be stolen from the internet and used by another person.

If you find someone is using your credential, report it immediately to the Judicial Council.

Personal Conduct on Social Media

Interpreters should keep in mind that everything on the internet is considered discoverable, meaning it may be identified later as a document that is demanded for inspection. Below are some best practices for interpreter personal conduct on social media:

- Remember that your personal conduct online and on social media will reflect on you in your in-person, professional work.

- You may not be able to delete something from the internet that you later regret posting.
- Social media posts may be used as evidence in court proceedings.

Impartiality

Social media provides a platform where many people feel comfortable aligning with specific causes or expressing their opinions. There are many opportunities, and increasing pressure, to monetize your social media presence. However, interpreters should keep the following in mind as it applies to behavior on social media:

- An interpreter should not make specific endorsements or professional referrals on social media, for example, endorsements of or referrals to attorneys, interpreting agencies, doctors, etc.
- Be aware that your social media “friend relationships” could also give the appearance of bias or conflict of interest.

Confidentiality and Privileged Communications

The following are some best practices for protection of confidentiality and privileged communications on social media:

- Never post confidential information on any social media site.
- Refrain from posting about your cases on social media.
- Do not post opinions about cases, their merits or any of the parties.
- Be mindful that anything you post may be linked to by another site or lifted and used out of context by another person.
- Do not post photos from your interpreting assignments.

Do Not Give Legal Advice

Do not answer any legal questions or give legal advice or make any statements that could be construed as doing so on social media.

Appendix A: Common Issues for Complete and Accurate Interpretation

Interpreting Challenge	How to Handle	Example
Maintaining Style and Register of the source message	Maintain the same style and register as the original message; preserve all nuances of the source message in the target language. Do not add or embellish; do not omit anything.	If the speaker says, "gentleman" do not interpret it as "guy."
Interpreting Idiomatic Expressions, Proverbs, Figurative Language	If the speaker uses an idiomatic expression, proverb, or figurative language in the source message, interpret to an equivalent in the target. If an equivalent is unavailable, interpret literally.	An example of an idiomatic expression is "When it rains it pours."
Money and Measurements	Do not clarify or convert units of money or measurements	If the speaker says "20 kilos" you must not convert that to pounds.
3 rd Person References	Do not omit, edit, or try to "clean up" any third person references; simply interpret exactly what the person says. Let the judge and attorneys instruct the speaker as needed.	"Tell him I was home last night," should be literally interpreted as such.
Repetitions and Redundancies	Include all repetitions and redundancies, false starts, fragments, and fillers in your interpretation. Your interpretation should be as if the person had spoken the text him- or herself in the target language.	"It was a very large, gigantic, enormous car," must be interpreted with all three adjectives.
Ambiguity	If the original message is ambiguous, conserve the ambiguity in your interpretation. If you are unable to interpret into the target language <u>because</u> of ambiguity, request clarification before interpreting.	

Interpreting Challenge	How to Handle	Example
Double Negative	Interpret double negatives as such; let the judge or attorneys request clarification.	An example of a double negative is "It was not abnormal"
Nonsensical or Non-Responsive	If the original message is nonsensical or non-responsive, interpret this into the target language.	"Yeah, well, right, okay, right?" should be interpreted as such.
Profanity	If the speaker uses profanity, interpret the profanity into the target language.	
Interpreter doesn't understand a question, an answer or didn't hear something	Request a repetition or a read back. Never interpret something you have not completely heard and understood.	
Speaker (i.e., attorney, judge, etc.) makes an error when speaking	Interpret the error	
Another interpreter makes an error	Confer with your colleague off the record and agree how to handle the situation. Allow your colleague to correct the error.	At the first opportunity ask for a break in an unobtrusive way, i.e., May the interpreters have a moment to confer?
You make an error while interpreting, or realize later that you made an error	Correct the record as soon as you realize you've made an error. Refer to your dictionary or other reference materials as needed.	At the first opportunity, request a chance to correct the record, e.g., The interpreter would like to correct the record. When she said "house," she meant to say "cottage."
Speaker uses an unfamiliar term	Never guess; refer to a dictionary or confer with a colleague prior to interpreting.	
Speaker uses a culturally bound term, i.e., one for which there is no translation	Leave it in the source language and spell it for the court reporter. If any further explanation is required, let the judge or attorney request it.	

Interpreting Challenge	How to Handle	Example
Speaker uses an English word, or responds in English	<p>Leave the word in English; repeat what the speaker says even if it's in English.</p> <p>The court reporter is only taking down what you, the interpreter, says.</p>	
Speaker asks the interpreter a direct question	Interpret what is said without explaining or clarifying; Do not answer the speakers question directly.	If a witness says, "Do I have to answer that?" it should be interpreted as such.
Interpreter needs to address the court, or one of the parties directly	Refer to yourself in the third person as "the interpreter."	Never refer to yourself as "I." Instead, say, "May the interpreter request a clarification?"
Your interpretation is challenged	<p>If you agree with the correction proposed, make the correction to the record as noted previously.</p> <p>If you do not agree, state that the interpreter stands by his or her interpretation. Explain your reasoning if necessary. Be polite and professional.</p>	You may say something like, "The interpreter stands by her interpretation."
Interpreting for a witness who is not a defendant	Interpret everything said, including all objections and colloquy unless otherwise instructed by the court	

Appendix B: Common Impediments to Performance

Impediment	How to Handle
Fatigue	<p>Request a break before you are so mentally fatigued that it interferes with your ability to interpret accurately.</p> <p>You may find you get more fatigued working remotely, due to the additional load of staring at a video screen, lack of visual clues, inconsistent quality of audio, etc. Monitor this and request breaks as needed.</p> <p>Work as a team with another interpreter, alternating 20 minutes on 20 minutes off to prevent fatigue, ensure accuracy and avoid interruptions to the proceedings</p>
Multiple overlapping communications	<p>Work as a team with another interpreter if possible</p>
Audibility	<p>If you cannot hear what is being said, don't guess or infer or continue. Advise the judge, attorneys, or other parties that you cannot hear what is being said.</p> <p>You may find additional difficulty with audibility while working remotely due to technical factors that are out of your control, such as network bandwidth, ambient noise, etc.</p>
Position in the courtroom	<p>If your position in the courtroom makes it more difficult or impossible to interpret accurately and completely, inform the judge or the attorneys and request to move.</p>
People talking over each other	<p>Inform the judge, attorneys, or parties that you can only interpret for one person at a time. Ask for assistance and repetition of what was said.</p> <p>You may find additional difficulty with people talking over each other while working remotely due to technical factors that are out of your control, such as network bandwidth, ambient noise, software limitations, etc.</p>
People talking too softly, mumbling, etc.	<p>If you cannot hear or understand what is being said, don't guess what the speaker said. Advise the judge, attorneys, or other parties that you cannot hear or understand what is being said.</p> <p>You may find additional difficulty with people talking too softly, mumbling, etc. while working remotely due to technical factors that are out of your control, such as network bandwidth, ambient noise, software limitations, etc.</p>

Impediment	How to Handle
<p>No pre-appearance interview with client or instructions for interpreted proceedings</p>	<p>Request a few moments to become familiar with the client's manner of speaking, accent, etc. if you feel you need to do this to ensure a complete and accurate interpretation.</p> <p>For more details on pre-appearance interviews and instructions for interpreted proceedings, see California Standards for Judicial Administration Interpreters and Pre-appearance Interviews and Instructions for Interpreted Proceedings</p>
<p>Instructions to not interpret during a court proceeding</p>	<p>Inform the judge you have been instructed to not interpret; allow the judge to decide how to handle.</p>
<p>Documents and sight translation</p>	<p>Do not begin translating until asked to do so. Allow the attorney to describe the document for the record and wait for instructions.</p>
<p>Interpreting audio or video real time in court</p>	<p>Generally not done on the fly; request time to review the materials yourself prior to interpreting to ensure accuracy.</p> <p>If, after reviewing, you do not believe you can accurately interpret it in real time, request a transcription.</p>
<p>Cultural or Linguistic Expertise</p>	<p>Avoid testifying as an expert witness in a case you are working on; do not testify in any case on topics that are beyond your personal expertise.</p> <p>Do not comment on these matters, even informally, with attorneys.</p>

Appendix C: Common Impediments to Remote Interpreting

Impediment	How to Handle
Fatigue	<p>You may find you get more fatigued working remotely, due to the additional load of staring at a video screen, lack of visual clues, inconsistent quality of audio, etc. Monitor this and request breaks as needed.</p> <p>Request a break before you are so mentally fatigued that it interferes with your ability to interpret accurately.</p>
Audibility	<p>You may find additional difficulty with audibility while working remotely due to technical factors that are out of your control, such as network bandwidth and ambient noise.</p> <p>If you cannot hear what is being said due to technical or equipment issues, do not guess or infer what was said. Advise the judge, attorneys, or other parties that you cannot hear what is being said.</p>
People talking over each other	<p>You may find additional difficulty with people talking over each other while working remotely due to technical factors that are out of your control, such as network bandwidth, ambient noise, and software limitations.</p> <p>Inform the judge, attorneys, or parties that you can only interpret for one person at a time. Ask for assistance and repetition of what was said.</p>
People talking too softly, mumbling, etc.	<p>You may find additional difficulty with people talking too softly, mumbling, etc., while working remotely due to technical factors that are out of your control, such as network bandwidth, ambient noise, and software limitations.</p> <p>If you cannot hear or understand what is being said, don't continue. Advise the judge, attorneys, or other parties that you cannot hear or understand what is being said.</p>
Technical equipment Issues	<p>Network outages, variable bandwidth and network speed, software glitches, etc., are out of the interpreter's control.</p>

Impediment	How to Handle
	If technical issues preclude the interpreter from providing complete and accurate interpretation, the interpreter must inform the judge, attorney, and parties.
The interpreter is having difficulty getting the attention of the attorney, judge, witness, etc.	Interpreter must be assertive, yet professional, when needing to interrupt the proceedings. Use a visual cue, such as raising your hand or gesturing, in addition to making your request.

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Appendix D: Additional General Interpreter Ethics References

Interpreters may find these other resources on Ethics and Professional Conduct of interest:

- [Federal Court Interpreter Standards for Performance and Professional Responsibility](#)
- [National Center for State Courts Model for Court Interpreter Ethics](#)

Appendix E: Guidelines for Video Remote Interpreting

Below are guidelines on video remote interpreting:

- [Recommended Guidelines and Minimum Specifications for Video Remote Interpreting \(VRI\) for Spoken Language-Interpreted Events](#)
- [Recommended Guidelines for Video Remote Interpreting \(VRI\) for ASL-Interpreted Events](#)

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