



## COURT INTERPRETERS ADVISORY PANEL

### MINUTES OF OPEN MEETING

August 28, 2024  
12:15 p.m. – 1:15 p.m.  
Virtual

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**Advisory Body Members Present:** Hon. Brian L. McCabe (Chair), Mr. Hector Gonzalez, Jr. (Vice-Chair), Ms. Angie Birchfield, Mr. Mark Crossley, Ms. Jennifer De La Cruz, Ms. Mary Ma, Mr. José Navarrete, Ms. Anabel Romero, Hon. Maurice Sanchez

**Advisory Body Members Absent:** Mr. Hany Farag, , Ms. Shirley Luo, Ms. M. Luisa McEwen, Hon. Michael P. Pulos, , Mr. Tam “Tyler” T. Nguyen

**Others Present:** Hon. Jaqueline Jackson (Liaison), Mr. Don Will, Mr. Ray Mata

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#### OPEN MEETING

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##### Call to Order and Roll Call

The chair called the meeting to order at 12:15 p.m. and Mr. Ray Mata took roll call.

##### Approval of Minutes

The advisory body reviewed and approved as submitted the minutes of the April 23, 2024, Court Interpreters Advisory Panel (CIAP) meeting.

##### Public Comment

The public did not relay any public comment prior to the meeting.

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#### DISCUSSION AND ACTION ITEMS (ITEMS 1–3)

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##### Item 1

###### Designation of Certain Languages as Certified and Registered (Action Required)

Mr. Ray Mata gave a presentation to CIAP asking them to review and approve a draft council report with recommendations to change Japanese, Khmer (Cambodian) and Western Armenian from certified to registered language status to create a pathway for more interpreters in these languages.

The members had no questions concerning the presentation.

**Action:** The voting members of CIAP unanimously voted to approve the report.

##### Item 2

###### Compliance Requirements for Certified Court and Registered Interpreters (Action Required)

Mr. Ray Mata gave a presentation to CIAP asking them to review for approval changes to the [Compliance Requirements for Certified Court and Registered Interpreters](#) so that it is more efficient, clear to interpreters, and in alignment with operational improvements.

**Action:** Members discussed possibly giving CIMCE credits for a volunteer interpreter mentorship program and asked about the possibility of setting a due date for the non-live ethics course for new interpreters. The voting members of CIAP unanimously voted to approve recommendations to the compliance requirements as presented.

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**A D J O U R N M E N T**

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There being no further business, the meeting was adjourned at 1:15 p.m.

Approved by the advisory body on enter date.

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# CREDENTIALING OPTIONS FOR ASL GENERALIST INTERPRETERS



2024-2025 Project Plan

## PROJECT OVERVIEW

NCSC will conduct research and present findings on how the Judicial Council of California (JCC) and California courts can utilize ASL interpreters with generalist credentials, identifying case types or matters that may be appropriate for such persons to work in the California courts.

## MAJOR STEPS

### #1 Conduct Landscape Review on National ASL Certification/Credentialing Options (July–September 2024)

NCSC will conduct surveys, focus groups and interviews with state language access programs, Department of Health and Human Services (DHHS) representatives, representatives from the Registry of Interpreters for the Deaf (RID), National ASL leaders and stakeholders, credentialed ASL interpreters, and Certified Deaf Interpreters (CDIs).

### #2 Present Draft Findings to JCC Staff and Conduct Policy Review (October 2024)

NCSC will present draft survey and focus group findings to Judicial Council staff and conduct a review of Evidence Code section 754(f).

### #3 Develop Preliminary Report (October 2024)

NCSC will develop a preliminary report on research methodology and findings on how California can utilize ASL interpreters with generalist credentials for consideration by the Court Interpreters Advisory Panel (CIAP). Information will also be included on how California may handle credential renewals and complaints regarding persons with an ASL generalist credential.

### #4 Finalize Preliminary Report (November 2024)

NCSC will finalize the preliminary report with all recommended edits and suggestions from the review process.

### #5 Present Findings to Language Access Subcommittee (November 2024)

NCSC will present findings to the Language Access Subcommittee and incorporate feedback and input for the final presentation to CIAP.

### #6 Present Findings to CIAP (December 2024)

NCSC will present findings to the full Court Interpreters Advisory Panel.

### #7 Prepare Final Report (January 2025)

NCSC will develop a final project report on findings as well as a final project report on all deliverables.



## PROJECT TIMELINE

Research							
Draft Findings							
Policy Review							
Preliminary Report Development							
Presentations to CIAP							
Development of Final Report							
	July 2024	August 2024	September 2024	October 2024	November 2024	December 2024	January 2025



# Guidelines for Approval of Certification Programs for Interpreters for Deaf and Hard-of-Hearing Persons

Proposed Revisions | Court  
Interpreters Advisory Panel (CIAP)

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September 24, 2024



# Background

- Evidence Code 754(h)(1)
- Judicial Council must establish guidelines to determine which testing organizations, agencies, or educational institutions will be approved to administer tests for certification of court interpreters for individuals who are deaf or hard of hearing

# Background

- Last Revision to Guidelines was November 2023
  - Approved by council upon recommendations from CIAP
  - Included four-year exemption for adherence to the Guidelines in critical or unusual circumstances to recognize other states' qualified testing programs

# Background

- Last Revision to Guidelines was November 2023
  - Texas Board for Evaluation of Interpreters approved as a testing entity for at least four years
  - Council also directed CIAP to revise the Guidelines and develop a recommended approval process for court interpreter testing entities that is more responsive to the current interpreter marketplace and testing and certification landscape



# Important to note

- Proposed revision maintains core testing expertise, requirements and expectations of an ASL court interpreter certification body that are required for approval
- Outdated or other requirements that were unrealistic in 2024 were removed for efficiency and to encourage qualified testing entities to develop

# Revision # 1

- Modernizing the language within the guidelines by replacing "shall" with "must"

## 1. Structure and Administration of Evaluating Panels/Boards

- A. The evaluating panel/board and its processes **must** ~~shall~~ be administratively independent of the certifying organization in the testing and certification of individual applicants—that is, the panel/board **must** ~~shall~~ be free of influence from any external sources on decisions affecting the test results and certification of interpreters.

# Revision # 2

- Removing unreasonable expectations on non-contracted organizations

B. The certifying organization, in all its processes, ~~shall not discriminate~~ **must have a non-discrimination policy that ensures no discrimination** among applicants for certification as to age, sex, race, religion, national origin, disability, sexual orientation, or marital status ~~and shall include statements on nondiscrimination in every announcement of the certification program.~~ The certifying organization **must** ~~shall~~ provide for access and reasonable accommodation to the testing process for persons with disabilities.

# Revision # 3

- Broadening the applicability of the Guidelines beyond California-specific contexts

~~F. The evaluating panel/board shall include, but not be limited to:~~

- ~~1. A majority of members who are deaf and possesses the knowledge and experience necessary to evaluate court interpreters for deaf persons;~~
- ~~2. Certified interpreters who may themselves be court interpreters or intermediary court interpreters (as defined in Evid. Code, § 754) and possess the knowledge and experience necessary to evaluate court interpreters for deaf persons; and~~
- ~~3. A judge or member of the State Bar of California.~~

# Revision # 4

- Updating the testing criteria to align more closely with the current practical requirements of the certification process

E. The certifying process **must** ~~shall~~ be comprehensive in testing for all aspects of the court interpreting process, including:

1. ~~Translation and transliteration~~ **Interpretation** competency, which includes:

a. **Consecutive interpreting, simultaneous interpreting, and sight translation;**

b. American Sign Language competency;

c. English language competency; and

d. Competency in interpreting language and terminology common to court proceedings;

2. ~~The role, function, and understanding of techniques for working *with* a relay interpreter or other intermediaries or for working *as* a relay interpreter;~~

# Revision # 5

- Establishing a new application process designed to streamline and modernize the approval procedure for certifying organizations

## Application to the Judicial Council for ASL Court Interpreter Certification Programs

**Instructions:** Please complete the following application to provide information about your American Sign Language (ASL) court interpreter certification program. Each section includes questions designed to ensure your program meets the guidelines set by the Judicial Council of California. Provide detailed responses and include links to supporting documentation where indicated. You can access the full ASL Certification Guidelines [here](#).

### Section 1: Contact Information

1. Name of the certifying organization:
2. Contact details (including phone number, email address, and mailing address):

### Section 2: Background

1. When did the certifying organization begin testing for the ASL court interpreter certification? (Year)
2. Does the certifying organization have documented processes for both the development and administration of the ASL court interpreter certification exam, as well as for the selection and training of exam raters? Yes  No

# Next steps

- With CIAP approval today, the proposed Guidelines revision and form will circulate as an Invitation to Comment
- Proposal with draft documents will be posted for six weeks to allow court, public and stakeholder input
- Staff will return to CIAP with a revised proposal

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LANGUAGE ACCESS SERVICES PROGRAM  
**Report to the Court Interpreters Advisory Panel  
(Action Item)**

**Title:**           **Revised Guidelines for Approval of Certification Programs for Interpreters for Deaf and Hard-of-Hearing Persons**

**Date:**           August 20, 2024

**From:**           Douglas G. Denton, Principal Manager, Language Access Services,  
415-865-7870, [douglas.denton@jud.ca.gov](mailto:douglas.denton@jud.ca.gov)

Russell McGregor, Senior Analyst, Language Access Implementation Unit, 916-643-6988, [russell.mcgregor@jud.ca.gov](mailto:russell.mcgregor@jud.ca.gov)

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### **Executive Summary**

The Court Interpreters Advisory Panel (CIAP) has a project on its 2024 Annual Agenda to revise the current *Guidelines for Approval of Certification Programs for Interpreters for Deaf and Hard-of-Hearing Persons (Guidelines)* and implement a process for approving certification programs that is more responsive to the interpreter marketplace and testing and certification landscape. This report sets forth recommendations to achieve these objectives.

### **Recommendations**

1. Staff recommend that several changes be made to the *Guidelines* to update and streamline the document. Those recommended changes are provided as an attachment and summarized in this report for CIAP review and approval (Attachment A).
2. Staff recommend utilizing a newly developed application form that can be completed by potential and approved American Sign Language (ASL) court interpreter testing entities at regular four-year intervals. The draft application form is attached to this report for CIAP review and approval (Attachment B).
3. Following CIAP approval, staff recommend that the revised *Guidelines* and new application form be circulated for public comment.

### **Previous Council Action**

The Judicial Council previously delegated authority to the Administrative Director for approval of entities to test and certify court interpreters for Deaf and hard-of-hearing individuals, based on the *Guidelines* established by the council (Link A).

Effective January 1, 2024, the council approved a four-year exemption for adherence to the *Guidelines* in critical or unusual circumstances to recognize other states' qualified testing programs (Links B and C). Under this exemption, the Texas Board for Evaluation of Interpreters (BEI) Court Interpreter Certification (CIC) was approved as a testing entity for at least four years



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to allow court interpreters with this certification to apply for reciprocity to be added to the Judicial Council Master List. (Ibid.) The council also directed CIAP to revise the *Guidelines* and develop a recommendation for an ASL court interpreter certification program approval process that is more responsive to the current interpreter marketplace and testing and certification landscape. (Ibid.)

**Background**

Evidence Code section 754(h)(1) states that “before July 1, 1992, the Judicial Council shall conduct a study to establish the guidelines pursuant to which it shall determine which testing organizations, agencies, or educational institutions will be approved to administer tests for certification of court interpreters for individuals who are deaf or hard of hearing.” The council first adopted the *Guidelines* on February 21, 1992. The *Guidelines* were last revised in 2023, effective January 1, 2024, when the council approved the temporary exemption to adherence to the *Guidelines* (Links B and C).

From 1998 to 2016, the Registry of Interpreters for the Deaf offered the Specialist Certificate: Legal (SC:L). The council still recognizes holders of the SC:L as individuals who are recognized for inclusion on the Master List because they have demonstrated specialized knowledge of legal settings and greater familiarity with language used in the legal system.

At present, the Texas BEI remains the only testing entity in the United States that tests for ASL court interpreter certification. It is hoped that there will be additional ASL court interpreter testing entities in the future that will be able to provide this important legal certification.

**Proposed Changes**

Staff recommends the following updates to the *Guidelines for Approval of Certification Programs for Interpreters for Deaf and Hard-of-Hearing Persons*:

1. All instances of “shall” have been replaced with “must” to modernize the language and ensure the certifying organizations understand the mandatory nature of the requirements. This change emphasizes the obligation without potential ambiguity.
2. Sections imposing unreasonable expectations on non-contracted organizations have been removed. This includes the elimination of requirements for nondiscrimination statements in every announcement, and the provision of certain lists and information to the Judicial Council. These changes ensure that external agencies are not burdened with impractical obligations.
3. Sections specific to California have been revised or removed to make the *Guidelines* applicable to a broader range of certifying bodies. This includes the removal of requirements specifying the composition of evaluation panels with California-specific members, ensuring statewide accessibility for testing locations, and other provisions that

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limited applicability to out-of-state organizations. These changes aim to broaden the scope and applicability of the *Guidelines* beyond California-based entities.

4. Revisions to the testing criteria have been made to better align them with the practical requirements of the certification process. This ensures that the *Guidelines* reflect the current standards and expectations for ASL court interpreter certification.
5. An application process has been established to streamline and modernize the approval procedure for certifying organizations, aligning with the proposed revised *Guidelines*.

**Analysis/Rationale**

California has a statewide need for more qualified ASL court interpreters. The *2020 Language Need and Interpreter Use Study* (Link D) indicates that ASL is the third most requested language in the state, with 38,460 interpreted events reported between FY 2014–15 and FY 2017–18. California currently has 46 active ASL court interpreters on the council’s Master List, which includes several new interpreters added through reciprocity who hold the Texas BEI CIC.

Updating the *Guidelines* ensures California can be more flexible in recognizing a broader range of certifying agencies as they become available. This flexibility is crucial for quickly adapting to changes in the interpreter certification landscape, which helps address the shortage of qualified ASL court interpreters in the state. By being able to approve more certifying agencies, California can expand its pool of qualified interpreters without compromising the high standards that are necessary for court proceedings.

The revised *Guidelines* maintain stringent standards while allowing for the inclusion of new certifying agencies. This balance ensures that while we expand our pool of ASL court interpreters, we do not lose the integrity and reliability of the certification process. The updates make the certification process more adaptable and efficient, ensuring that California courts continue to have access to highly qualified ASL court interpreters to meet the growing demand.

**Policy Implications**

Approval of the proposed revisions to the *Guidelines* will enable the Judicial Council to recognize a broader range of certification agencies nationwide, not just the SC:L certification and Texas BEI CIC. The revisions allow for the future inclusion of any agency that meets the criteria set forth in the revised *Guidelines*, thereby expanding the pool of qualified ASL court interpreters. By implementing a more flexible and modern process for approving certification programs, the council can more efficiently respond to changes in the interpreter marketplace and the availability of testing entities. This approach ensures that the council can continuously meet the needs for qualified ASL court interpreters in California courts, enhancing language access services and maintaining high standards for interpreter certification.

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**Alternatives Considered**

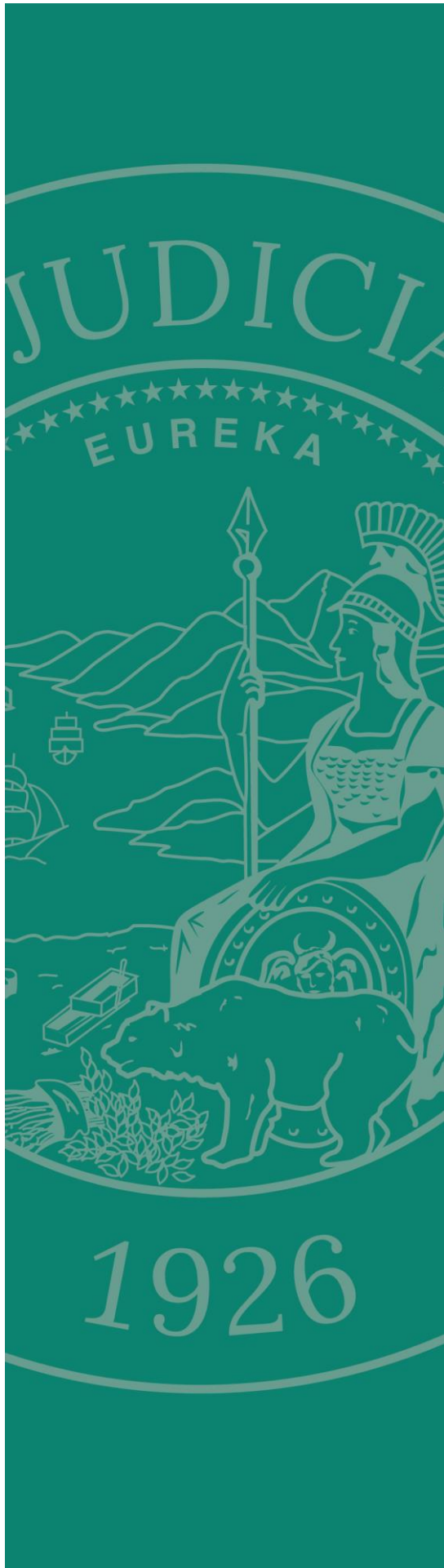
This project is following a directive from the Judicial Council for CIAP to revise the *Guidelines* prior to the end of the four-year exemption period. (Link B). Updated *Guidelines* will benefit the courts and public for two reasons: (1) the Texas BEI will be able to continue to verify it meets Judicial Council requirements every four years, and (2) future entities that test for ASL court interpreter certification will be able to apply for recognition by the Judicial Council.

**Fiscal and Operational Impacts**

Approval of the revisions to the *Guidelines* would result in no cost to the courts or council. There will be minimal staff resources necessary for the Language Access Implementation Unit to revise and implement the new *Guidelines* and accompanying application form.

**Attachments and Links**

1. Attachment A: Proposed Changes to the *Guidelines for Approval of Certification Programs for Interpreters for Deaf and Hard-of-Hearing Persons*
2. Attachment B: Application to the Judicial Council for ASL Court Interpreter Certification Programs
3. Link A: <https://www.courts.ca.gov/documents/121509item6.pdf>
4. Link B: <https://jcc.legistar.com/View.ashx?M=F&ID=12443593&GUID=86D50238-F331-4F4E-BBA7-A91D30995599>
5. Link C: <https://languageaccess.courts.ca.gov/sites/default/files/partners/default/2024-05/Guidelines%20for%20Approval%20of%20Certification%20Programs%20-%20Jan%202024.pdf>
6. Link D: <https://languageaccess.courts.ca.gov/sites/default/files/partners/default/2023-07/2020-language-need-and-interpreter-use-study-report-to-the-legislature.pdf>



# **Guidelines for Approval of Certification Programs for Interpreters for Deaf and Hard-of-Hearing Persons**

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January 1, 2024 **2025**



Judicial Council of California

# Guidelines for Approval of Certification Programs for Interpreters for Deaf and Hard-of-Hearing Persons

## Preamble

Evidence Code section 754 requires that in any civil or criminal action—including any action involving a traffic or other infraction, juvenile court proceeding, proceeding to determine the mental competency of a person, or administrative hearing where a party or witness is a deaf or hard-of-hearing person and that person is present and participating—the proceeding shall be interpreted in a language that the deaf or hard-of-hearing person understands by a qualified interpreter appointed by the court or other appropriate authority. A “qualified interpreter” is defined as “an interpreter who has been certified as competent to interpret court proceedings by a testing organization, agency, or educational institution approved by the Judicial Council as qualified to administer tests to court interpreters for individuals who are deaf or hard of hearing.” (Evid. Code, § 754(f).)

Evidence Code section 754 further requires the Judicial Council to establish guidelines under which it will determine which testing organizations, agencies, or educational institutions will be approved to administer tests and certify court interpreters for deaf and hard-of-hearing persons and provides that an initial approval of testing entities shall occur before July 1, 1992. The Judicial Council, therefore, establishes the following guidelines.

In these guidelines, the term “certified court interpreter” is used to mean a sign language interpreter who is certified to interpret in court proceedings. “Certifying organization” refers to the entity under whose auspices the evaluation of applicant interpreters is conducted. “Evaluating panel/board” refers to the persons who rate the applicant interpreters. Oral interpreting, services to hard-of-hearing individuals such as assistive listening devices, interpreting for deaf/blind individuals, and other forms of communicative assistance to persons with hearing disabilities are not covered by these guidelines.

## Guidelines

### 1. Structure and Administration of Evaluating Panels/Boards

- A. The evaluating panel/board and its processes **must** ~~shall~~ be administratively independent of the certifying organization in the testing and certification of individual applicants—that is, the panel/board **must** ~~shall~~ be free of influence from any external sources on decisions affecting the test results and certification of interpreters.
- B. **The certifying organization, in all its processes, shall not discriminate must have a non-discrimination policy that ensures no discrimination** among applicants for certification

as to age, sex, race, religion, national origin, disability, sexual orientation, or marital status ~~and shall include statements on nondiscrimination in every announcement of the certification program.~~ The certifying organization **must** ~~shall~~ provide for access and reasonable accommodation to the testing process for persons with disabilities.

- C. The certifying organization **must** ~~shall~~ possess the knowledge and experience necessary to conduct the testing and certification of court interpreters.
- D. The certifying organization **must** ~~shall~~ have a formal procedure for the selection of evaluating panel/board members. That procedure must include input from certified interpreters and deaf individuals who possess the knowledge and experience required for that purpose.
- E. The certifying organization **must** ~~shall~~ have formal procedures for training of evaluating panel/board members to ensure the consistency of their evaluation over time.
- F. ~~The evaluating panel/board shall include, but not be limited to:~~
  - ~~1. A majority of members who are deaf and possesses the knowledge and experience necessary to evaluate court interpreters for deaf persons;~~
  - ~~2. Certified interpreters who may themselves be court interpreters or intermediary court interpreters (as defined in Evid. Code, § 754) and possess the knowledge and experience necessary to evaluate court interpreters for deaf persons; and~~
  - ~~3. A judge or member of the State Bar of California.~~
- FG.** The certifying organization **must** ~~shall~~ hold testing at reasonable cost to the applicant interpreter and with sufficient frequency ~~and diversity of location~~ to ensure that there is reasonable opportunity ~~and accessibility~~ for individuals ~~in all parts of the state~~ to be tested and certified.
- GH.** The certifying process **must** ~~shall~~ have and maintain:
  - 1. Competence-based standards of performance;
  - 2. A clear process for determining the pass-fail standard for certification and cutoff scores on tests; and
  - 3. An established procedure for the regular and timely review and adjustment of these standards of performance, utilizing input from interpreters, deaf and hard-of-hearing persons, court personnel, and research sources.
- HI.** The certifying organization **must** ~~shall~~ maintain the confidentiality and integrity of the testing process, including test materials, scoring information, and other sensitive information. The certifying organization **must** ~~shall~~ have a procedure to regularly update, rotate, reformulate, or alter test materials to guarantee that the confidentiality of test

items, tapes, scripts, and other materials is protected and that the materials are new to those applicants who are being tested.

- I. On completion of testing, the certifying organization **must** ~~shall~~ issue to qualified interpreters a certificate that clearly identifies the interpreter as certified to interpret in court by this organization and the period of time covered by the certification.
- JK. The certifying organization **must maintain** ~~shall furnish to the Judicial Council~~ a list of those interpreters who are certified to interpret in court proceedings and **must** ~~shall~~ keep this list up to date ~~by immediately informing the Judicial Council of any additions or deletions to this list.~~
- L. ~~If the certifying organization plans to include in this list those interpreters who were certified to interpret in court proceedings by the organization before the effective date of approval by the Judicial Council to certify court interpreters under these guidelines, the certifying organization shall have a clear and reasonable procedure to do so. This procedure must ensure that interpreters so included meet the competency and knowledge requirements of the certifying organization as approved under these Judicial Council guidelines.~~
- KM. The certifying organization **must** ~~shall~~ have an established and reasonable procedure for assuring the continued competency of certified court interpreters through periodic assessment or other means. Such a certification maintenance process must include efforts by the certifying organization to enhance continued competence of the individual. If continuing education is used as a means of ensuring continued competency, the certifying organization may not require interpreters to enroll in its own education or training program.
- MN. The certifying organization **must** ~~shall~~ promptly report certification results to applicants.
- NO. The certifying organization **must** ~~shall~~ have and publicize the existence of a reasonable grievance and appeal process for certification applicants who question the certification or testing process, test results, or eligibility for testing.
- OP. The certifying organization **must** ~~shall~~ have and publicize the existence of a reasonable complaint process for the public to use in addressing discipline of those holding certificates, including revocation of certification for conduct that clearly indicates incompetence, unethical behavior, and physical or mental impairment affecting performance.
- PQ. ~~The certifying organization shall also furnish to the Judicial Council a list of community organizations and contacts that can serve as resources to the court in facilitating the legal process where certified sign language court interpreters are involved.~~

## 2. Certification Testing and Test Content

- A. The certification process, including tests and testing procedure, **must** ~~shall~~ be objective, fair, and free of test bias (including, but not limited to, bias as to age, sex, race, religion, national origin, sexual orientation, culture, or class).
- B. The certification process, including tests and testing procedure, **must** ~~shall~~ be directly based on the knowledge and skills needed to function as an interpreter in court proceedings.
- C. Tests and testing processes **must** ~~shall~~ be standardized and nondiscriminatory and **must** ~~shall~~ be shown to be both reliable and valid (particularly relative to the certified court interpreter's subsequent ability to perform in court proceedings) under generally accepted procedures for establishing the validity and reliability of tests.
- D. The certifying organization **must** ~~shall~~ clearly state, and publish in a manner reasonably certain to provide adequate notice to applicants, the certification and testing criteria and the requirements used to certify court interpreters, including information about the competencies required, the level of competency required, and how these competencies are determined.
- E. The certifying process **must** ~~shall~~ be comprehensive in testing for all aspects of the court interpreting process, including:
  - 1. ~~Translation and transliteration~~ **Interpretation** competency, which includes:
    - a. **Consecutive interpreting, simultaneous interpreting, and sight translation;**
    - b. American Sign Language competency;
    - c. English language competency; and
    - d. Competency in interpreting language and terminology common to court proceedings;
  - ~~2. The role, function, and understanding of techniques for working with a relay interpreter or other intermediaries or for working as a relay interpreter;~~
  - 23.** Understanding of social, cultural, and linguistic aspects of the local, state, and national communities of deaf people;
  - 34.** The role and function of court interpreters, including court etiquette;
  - 45.** The various court proceedings that commonly and frequently require use of an interpreter or interpreters; and
  - 56.** A code of conduct and professional ethics.
- F. If, in addition to testing for the above, a certifying organization establishes education and training requirements that an interpreter must have before certification (such as a high school diploma or college degree), there must be a direct correlation between these requirements and an interpreter's ability to perform in court proceedings. A certifying



organization may not require an interpreter to take its own education or training program as a prerequisite to testing or certification.

### 3. Application to the Judicial Council for Approval to Certify Court Interpreters and Maintenance of Standing

- A. ~~The certifying organization shall provide to the Judicial Council all evidence required to document compliance with these guidelines.~~ The certifying organization must submit a completed application to the Judicial Council to document compliance with these guidelines at four-year intervals after initial approval.
- B. The certifying organization **must** will notify the Judicial Council **if it** of any plans to suspend or discontinue testing, either permanently or temporarily.
- ~~B. The certifying organization shall advise the Judicial Council of any substantive changes in the structure and administration of the certification process, including any substantive changes in testing techniques or testing content. The certifying organization, agency, or institution shall provide any information about the certification process to the Judicial Council on request.~~
- ~~C. An approved certifying organization shall provide evidence to the Judicial Council of continued compliance with the guidelines at four year<sup>1</sup> intervals after initial approval.~~
- ~~D. An approved certifying organization shall provide evidence of continued compliance with these guidelines before the mandated four year interval.~~
- CE.** The Judicial Council may suspend or revoke its approval of a certifying organization or place conditions on continued approval, if such action is deemed necessary to ensure the quality and/or integrity of court interpreting or this approval process.

### 4. Exemptions in Critical or Unusual Circumstances

- A. Effective January 1, 2024, the council approved allowing for exemptions for adherence to these guidelines in critical or unusual circumstances for a period of four years to assure that certified ASL court interpreters are available to provide services in California. This allowance may include recognition of another state's testing program, provided that the council can verify that the testing entity is qualified to administer tests to court interpreters for the deaf or hard-of-hearing.<sup>2</sup>

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<sup>1</sup> On December 15, 2009, the Judicial Council adopted the recommendation to revise guidelines 3.C and 3.D of the *Guidelines for Approval of Certification Programs for Interpreters for Deaf and Hard of Hearing Persons* to require the review of approved certifying organizations from every two years to every four years.

<sup>2</sup> On November 17, 2023, the council approved a four-year exemption, effective January 1, 2024, to ensure certified ASL court interpreters are available in California. This includes recognizing the Texas Office of Deaf and Hard of

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Hearing Services (DHHS) Board for Evaluation of Interpreters (BEI) as an approved testing entity for a temporary period. For more details, refer to the [Judicial Council Report](#). On November 17, 2023, the four-year exemption, effective January 1, 2024, was considered for approval by the council. Under the proposed exemption, the council also considered for approval the Texas Office of Deaf and Hard of Hearing Services (DHHS) Board for Evaluation of Interpreters (BEI) as an approved testing entity for ASL court interpreter certification temporarily for a period of four years, effective January 1, 2024.

# Application to the Judicial Council for ASL Court Interpreter Certification Programs

**Instructions:** Please complete the following application to provide information about your American Sign Language (ASL) court interpreter certification program. Each section includes questions designed to ensure your program meets the guidelines set by the Judicial Council of California. Provide detailed responses and include links to supporting documentation where indicated. You can access the full ASL Certification Guidelines [here](#).

## Section 1: Contact Information

1. Name of the certifying organization:
2. Contact details (including phone number, email address, and mailing address):

## Section 2: Background

1. When did the certifying organization begin testing for the ASL court interpreter certification? (Year)
2. Does the certifying organization have documented processes for both the development and administration of the ASL court interpreter certification exam, as well as for the selection and training of exam raters?      Yes                  No
  - Provide links to the documented processes for exam development and administration, and for rater selection and training (If unavailable, write N/A):
3. Does the certifying organization have a public registry of persons with the ASL court interpreter certification?      Yes                  No
  - Provide a link to the public registry (If unavailable, write N/A):

## Section 3: Fairness and Non-Discrimination

1. Does the certifying organization provide reasonable accommodation to the testing process for persons with disabilities?      Yes                  No
  - Provide details or a link to the accommodation policy (If unavailable, write N/A):
2. Is the certification process, including the exam, objective, fair, and non-discriminatory?      Yes                  No
3. Does the certifying organization have a non-discrimination policy?      Yes                  No
  - Provide a link to the non-discrimination policy (If unavailable, write N/A):
    - *The non-discrimination policy should ensure no discrimination based on age, sex, race, religion, national origin, disability, sexual orientation, or marital status.*
4. Does the certifying organization have procedures to maintain the confidentiality and integrity of the exam materials and scores?      Yes                  No

- Provide a link to the confidentiality and integrity procedures (If unavailable, write N/A):
- 5. Does the certifying organization have a grievance and appeal process for certification applicants who question the certification or testing process, test results, or eligibility for testing?      Yes                      No
  - Provide a link to the grievance and appeal process (If unavailable, write N/A):

**Section 4: Exam Information**

1. Does the certifying organization provide publicly available information about the certification process, including exam dates, registration, content, format, scoring, and appeal processes? Yes                      No
  - Provide a link to this information (If unavailable, write N/A):
2. Does the exam cover the following criteria? (See below).
  - Yes                      No
  - Provide a link to this information (If unavailable, write N/A):

**Criteria Covered:**

1. Interpretation competency, which includes:
  - a. Consecutive interpreting, simultaneous interpreting, and sight translation
  - b. American Sign Language competency
  - c. English language competency
  - d. Competency in interpreting language and terminology common to court proceedings
2. Understanding of social, cultural, and linguistic aspects of the local, state, and national communities of deaf people
3. The role and function of court interpreters, including court etiquette
4. The various court proceedings that commonly and frequently require use of an interpreter or interpreters
5. A code of conduct and professional ethics

**Section 5: Certification Maintenance and Complaints**

1. Does the certifying organization have a certification maintenance process, including continuing education requirements and fees?
  - Yes                      No
  - Provide a link to the certification maintenance process (If unavailable, write N/A):
2. Does the certifying organization have and publicize a reasonable complaint process for the public to use in addressing discipline of those holding certificates?
  - Yes                      No
  - Provide a link to the complaint process (If unavailable, write N/A):

**Section 6: Declaration**

I declare that the foregoing is true and correct.

Signature:

Print Name:

Title:

Date:

DRAFT

# Professional Standards and Ethics for California Court Interpreters

Proposed Revisions | Court  
Interpreters Advisory Panel (CIAP)

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September 24, 2024



# Background

- Ethics Manual intended to inform interpreters of their professional and ethical responsibilities
- Help them deal with the difficulties that commonly arise in matters involving non-English-speaking parties in the judicial system
- Based on CA Rules of Court, Rule 2.890
- Ethics Manual was last updated in 2013
- CIAP has an Annual Agenda project to update the Ethics Manual

# Key Objectives for Update

- Align ethics with remote and hybrid courtroom interpreting, and contemporary ethical issues such as interpreter conduct on social media
- Increase interpreter accessibility and engagement
- Align content with a redesigned live ethics training that is required for new interpreters and a new online ethics refresher training for more experienced interpreters



# CIAP Subcommittee

- Professional Standards and Ethics Subcommittee met to review the proposed content and made several suggestions for changes
- Version before you is the result of those detailed discussions and document revisions

# Major changes

- Content is same, but has been updated as Ethics Guide and put in bullet form for ease of reading
- Two new sections have been added:
  - Ethics for remote interpreting
  - Ethics for social media
- More depth has been added to provide guidance to interpreters on how to handle real-world situations (with specific examples and best practices)

# Next steps

- With CIAP approval today, the revised Ethics Guide will circulate as an Invitation to Comment
- Proposal with draft will be posted for six weeks to allow court, public and stakeholder input
- Staff will return to CIAP with a revised proposal

Draft 9/4/2024



# Professional Standards and Ethics for California Court Interpreters

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Sixth Edition, September 2024



Judicial Council of California

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# Professional Standards and Ethics for California Court Interpreters

## Introduction

The *Professional Standards and Ethics for California Court Interpreters* (hereafter “Ethics Guide”) provides guidance for certified and registered court interpreters on how to conduct themselves appropriately on the job. The Ethics Guide also provides guidance for provisionally qualified interpreters, who assist the court when a certified or registered interpreter is not available. The Ethics Guide can also be used as a reference for other court staff such as judges, attorneys, court clerks and bailiffs.

The ethical and professional standards outlined in the Ethics Guide 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. These challenges are shared by all persons who may who participate in or observe interpreted court proceedings: the judge, attorneys, parties, jury members, and other court staff. It is important for everyone to have a clear, shared understanding of the interpreter’s role, responsibilities, and limitations.

The Ethics Guide is based on the 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](#).

Interpreter 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, the Ethics Guide has been updated from the 2013 edition to include new sections on ethics for remote and hybrid interpreting and social media.<sup>1</sup>

The Ethics Guide 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* virtual workshop 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, preferably prior to accepting court assignments if this would be practical. 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. It is the

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<sup>1</sup> This document replaces and updates the previous version from 2013. A downloadable PDF version of this document can be found [here](#). The current document provides in Appendix E links and attachments for content that were previously incorporated as text in the main paginated document. This change was made to streamline the document and make it easier for interpreters to read on screen and for Judicial Council staff to update, while still preserving the detailed content from prior versions for those who wish to download or print out attachments.

interpreter's responsibility to review and become familiar with the ethical and professional standards that are applicable to their job.

An *Ethics Refresher* course is also available for experienced interpreters. This course is now required to be taken every two years by all credentialed interpreters after an interpreter's first two years. It is a good practice and strongly recommended for interpreters at every level to incorporate some ethics training into their continuing education during every two-year 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](#).

Training, specific judicial education, bench cards and other resources are also available for court staff and judges on how to work with an interpreter. Court staff should contact the Court Interpreters Program or the Center for Judicial Education and Research for more information.<sup>2</sup>

### **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 review and potential 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. For more information, see: [Court Interpreters Complaints | Language Access Services \(ca.gov\)](#).

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

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<sup>2</sup> Ethics courses for interpreters at every level are available from Judicial Council approved continuing education providers. A list of these providers can be found at: [List of Providers for Court Interpreter Minimum Continuing Education \(CIMCE\) Credit | Language Access Services](#). Additional resources on interpreter ethics have been included in Appendix D of this document. You will also find more information on interpreter ethics by searching on the website of the National Center for State Courts, [www.ncsc.org](http://www.ncsc.org).



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. If you must refer to an electronic dictionary on your cell phone while interpreting, please do so discreetly. If you are unable to do so, or feel like it might break your concentration while interpreting, please request a short recess.

Additionally, you may want to inform other judicial officers about this Ethics Guide. They should also have a good understanding of the interpreters' responsibilities and limitations to ensure a smooth, problem-free interpreted proceeding.

### **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 so that it is easily visible when you are working; take off your badge when not working. You may also leave your badge on to identify yourself, if needed, so that other parties would refrain from discussing case details in your presence.
- 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. If you do not have an oath on file with the court, you will be sworn in at the proceeding at the beginning of your assignment.
- 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.
- In a civil matter, if the interpreter is instructed to not interpret objections, he or she can make a statement on the record to the effect that “per the Professional Standards and Ethics Guidelines for interpreters, published by the Judicial Council, interpreters are expected to interpret everything said during the proceeding. At the request of [INSERT ATTORNEY’S NAME], the interpreter is not interpreting colloquy between attorneys, and objections, unless specifically instructed to do so.” You may adjust the specific wording as needed so that it fits your particular situation.

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, e.g., anger, pity, fear, disgust, empathy, etc. as you are interpreting, regardless of the message. It could bias the jury, witnesses, court personnel or others.
- If you feel unable to maintain your composure while interpreting, request a break.

### ***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. This also includes things such as accepting or offering rides (for money or *gratis*) to and from court. Though this seems innocent enough, it could create the appearance of bias.
- Refrain from any behaviors that could create the appearance of bias, e.g., hugging a client or an attorney.
- For interpreters of languages of lesser diffusions, where there are not as many certified or registered interpreters available, take care to not work outside of court on a case you will be interpreting for in court to also avoid the appearance of bias or a conflict of interest.
- If, due to a shortage of interpreters in a particular language, an interpreter must work on both sides of a case, maintaining neutrality, avoiding even the slightest appearance of bias, and maintaining strictest standards of confidentiality for all information will be required.

### ***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.
- You may be able to 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. However, it may also be appropriate to leave it on to identify yourself in case you are surrounded by jurors or similar while entering or leaving the courtroom. Use your discretion based on the specifics of the situation.
- 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 if the communications were privileged.
- If an interpreter has interpreted non-privileged communications for a client, he or she can potentially be called as a witness against that client.
- The best way for an interpreter to avoid inadvertently being called as a witness against a client is to understand his or her role, responsibilities, and limitations, and to not exceed them. Remain neutral at all times and take care to avoid giving any appearance of bias.
- 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.

### ***Sight Translation and Written Translation of Documents***

- California certified court or registered interpreters are authorized in a judicial proceeding to interpret orally the verbal content of documents (sight translation), but the Judicial Council does not otherwise test or certify an interpreter's written translation skills.
- If an interpreter is asked to sight translate any document into the record in court, whether a written document, text messages on a cell phone, an email, etc. it is recommended to request a brief recess to review and assess the material.
- Generally, a lengthy document (greater than 1 page) should not be sight translated immediately into the record and in open court due to the time it would take to simply perform a sight translation of that length and duration.
- If the document is long, dense and/or complex, and would require the interpreter to do additional research and preparation prior to translating (either sight translating or in writing), when returning from the break, inform the court of this and request the time necessary to prepare.
- You may also remind the court it is in the best interest of all parties to take the necessary time to prepare the translation to ensure completeness and accuracy.
- If the source material is short, less than one page, and the interpreter believes he or she can provide a smooth, complete and accurate sight translation into the record in open court, then that would be appropriate, and he or she can proceed. Exercise caution and discretion.
- Government Code section 27293 permits California county clerks to certify documents translated into English only if the document has been translated by [American Translators Association](#) certified translators, California certified court interpreters, or California registered interpreters.
- You may also review the relevant Government Code sections regarding written translations at: [California Code, GOV 27293](#).
- The Judicial Council does not certify the ability to translate written documents, and your interpreting credential does not extend to written translations, only to sight translation (which is tested during the bilingual interpreting examination for certified languages).
- If you are asked to provide a written translation of a document, apply the same standards of care and accuracy as for verbal interpretation.
- If you undertake a written translation, never go beyond your translation skill, especially if the translation you performed will be certified by a county clerk.
- Confidentiality also applies to translations and transcriptions of written materials.
- You may be required to testify about written translations, so be careful in and check your translation.

### **Rule 2.890(e) – Do 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 not 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, e.g., 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.
- If you must recuse yourself, you might say something like: “Your honor, the interpreter is unable to provide a complete and accurate interpretation due to [excessive fatigue, source material is beyond the interpreter’s current abilities, etc. INSERT REASON HERE] and must recuse him(her)self.”
- You might also consider requesting a recess, alerting the interpreter services manager and requesting assistance to properly recuse yourself.

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 ethics training into your continuing education every compliance cycle. The Ethics courses from the Judicial Council can be repeated, but an interpreter can only receive CIMCE credit for them once per compliance cycle.
- 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 to Performance (Live and Remote)*.

### **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 & Hybrid Interpreting**

This section expands on some of the ethical challenges that are unique to remote and hybrid interpreting. Hybrid interpreting is when some of the parties are appearing in-person, and some are appearing remotely. 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 & Hybrid Interpreting Generally**

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

### **Interpreting Credentials**

Interpreters should keep the following in mind when working remotely or on a hybrid assignment regarding the appropriate way to represent their credentials:

- Use your screen name to identify yourself as the “Interpreter” including your language, e.g., “Mandarin 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 or Hybrid

Some best practices regarding your personal conduct while working remotely or hybrid 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 if this is becoming problematic, except when providing ASL interpretation, as a blurred background can interfere with the clarity of signed communication.
- Make sure you have sufficient connectivity and connection speed, 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 drawing attention to yourself while working remotely.
- Should you experience technical issues while working remotely, inform the court and the parties immediately, and remind them that for some LEP court users the remote technology platforms are new and confusing to use. Request extra time or a longer recess if necessary to ensure the proceeding continues smoothly.
- If you are unable to provide a complete and accurate interpretation due to issues with a remote or hybrid environment, inform the court immediately and request assistance. If the court is unable to assist and you believe you cannot provide a complete and accurate interpretation under the present conditions, you may recuse yourself. You may also inform the interpreter coordinator or file a complaint.

## **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 court and 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. It is okay to use the chat function to communicate with court staff.
- 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. Do not provide remote interpreting services from your car or any other public place where other people can hear you such as a coffee shop, restaurant or the public library.
- Do not utilize a shared space, if possible, for remote interpreting; use a private room.
- 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 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 B: Common Impediments to Performance (Live and Remote)*.

### **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.

### **Technical Issues or Other Problems**

If you experience sporadic technical issues or any other problems during a remote or hybrid event, report issues or feedback to the interpreter coordinator after the event. This information will help the court to make improvements.

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## **Interpreter Conduct on Social Media**

This section expands on the Ethics Guide as it applies 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.

The simplest solution is to keep your work life as an interpreter and your personal life on social media completely separate.

### **Representation of Qualifications**

While on social media, remember, do not:

- Misrepresent qualifications on professional networking sites such as LinkedIn for the purpose of getting work.
- 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 <sup>rd</sup> 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.	

<b>Interpreting Challenge</b>	<b>How to Handle</b>	<b>Example</b>
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 (e.g., 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, e.g., 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, e.g., 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
<p>Speaker uses an English word, or responds in English</p>	<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>	
<p>Speaker asks the interpreter a direct question</p>	<p>Interpret what is said without explaining or clarifying; Do not answer the speakers question directly.</p>	<p>If a witness says, "Do I have to answer that?" it should be interpreted as such.</p>
<p>Interpreter needs to address the court, or one of the parties directly</p>	<p>Refer to yourself in the third person as "the interpreter."</p>	<p>Never refer to yourself as "I." Instead, say, "May the interpreter request a clarification?"</p>
<p>Your interpretation is challenged by a party in court</p>	<p>If your interpretation is challenged, regardless of the source of the challenge, you should request a recess to do some research.</p> <p>If after you have completed your research 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. You may want to emphasize that you are certified by the State of California to provide interpretation services in court, and the challenging party is not, if this is the case.</p> <p>If your interpretation is challenged by another interpreter, or if you wish to challenge another interpreter's</p>	<p>You may say something like, "The interpreter stands by her interpretation."</p>

Interpreting Challenge	How to Handle	Example
	interpretation, request a recess to confer.	
Interpreting for a witness who is not a defendant	Interpret everything said, including all objections and colloquy unless otherwise instructed by the court	

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## Appendix B: Common Impediments to Performance (Live and Remote)

Impediment	How to Handle
Fatigue	<p>Request a break <b>before</b> 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	Work as a team with another interpreter if possible
Audibility	<p>If you cannot hear what is being said, in person or remotely due to technical issues, 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	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.
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
No pre-appearance interview with client or instructions for interpreted proceedings	<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 <a href="#">Interpreters and Pre-appearance Interviews</a> and <a href="#">Instructions for Interpreted Proceedings</a></p>
Instructions to not interpret during a court proceeding	Inform the judge you have been instructed to not interpret; allow the judge to decide how to handle.
Documents and sight translation	Do not begin translating until asked to do so. Allow the attorney to describe the document for the record and wait for instructions.
Interpreting audio or video real time in court	<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>
Cultural or Linguistic Expertise	<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>
Technical equipment Issues	<p>Network outages, variable bandwidth and network speed, software glitches, etc., are out of the interpreter's control.</p> <p>If technical issues preclude the interpreter from providing complete and accurate interpretation, the interpreter must inform the judge, attorney, and parties.</p>
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.

## **Appendix C: General Interpreter Ethics References**

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

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

## **Appendix D: 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](#)

## **Appendix E: Links and Attachments**

Below are additional links and attachments to this document:

- Link: California Evidence Code sections [750-757](#)
- Attachment: California Rules of Court, Rule 2.890
- Attachment: California Rules of Court, Standard 2.10
- Attachment: California Rules of Court, Standard 2.11

**Court Interpreters Advisory Panel**  
**Annual Agenda<sup>1</sup>—2025**

**Approved by Executive and Planning Committee: December XX, 2024**

**I. COMMITTEE INFORMATION**

<b>Chair:</b>	Hon. Brian L. McCabe, Judge, Superior Court of Merced County
<b>Lead Staff:</b>	Mr. Ray Mata, Analyst, Court Interpreters Program, Center for Families, Children & the Courts
<b>Committee's Charge/Membership:</b> <p><a href="#">Rule 10.51</a> of the California Rules of Court states the charge of the Court Interpreters Advisory Panel (CIAP), which is to: Assist the council in performing its duties under Government Code sections 68560 through 68566 and to promote access to spoken-language interpreters and interpreters for deaf and hearing-impaired persons, the advisory panel is charged with making recommendations to the council on:</p> <ol style="list-style-type: none"><li>(1) Interpreter use and need for interpreters in court proceedings; and</li><li>(2) Certification, registration, renewal of certification and registration, testing, recruiting, training, continuing education, and professional conduct of interpreters.</li></ol> <p><a href="#">Rule 10.51(b)</a> sets forth the additional duties of the panel that are: Reviewing and making recommendations to the council on the findings of the study of language and interpreter use and need for interpreters in court proceedings that is conducted by the Judicial Council every five years under Government Code section 68563.</p> <p><a href="#">Rule 10.51(c)</a> sets forth the following membership composition of the committee. CIAP currently has 14 members, which consists of 11 advisory panel members (voting) and 4 advisors (nonvoting) appointed by the Chief Justice to assist the advisory panel. A majority of the members must be court interpreters. The advisory panel must include the specified numbers of members from the following categories:</p> <ol style="list-style-type: none"><li>(1) Four certified or registered court interpreters working as employees in trial courts, one from each of the four regions established by Government Code section 71807. For purposes of the appointment of members under this rule, the Superior Court of California, County of Ventura, is considered part of Region 1 as specified in section 71807, and the Superior Court of California, County of Solano, is considered part of Region 2 as specified in section 71807;</li></ol>	

<sup>1</sup> The annual agenda outlines the work a committee will focus on in the coming year or cycle and identifies areas of collaboration with other advisory bodies and the Judicial Council staff resources.



- (2) Two interpreters certified or registered in a language other than Spanish, each working either in a trial court as an independent contractor or in an educational institution;
- (3) One appellate court justice
- (4) Two trial court judges; and
- (5) Two court administrators, including at least one trial court executive officer.

The current committee [roster](#) is available on the committee’s web page.

**Subgroups of the Advisory Committee<sup>2</sup>:**

- 1. Professional Standards and Ethics Subcommittee – Provides review and recommendations on interpreter professional development, as well as adherence to professional standards and compliance requirements.
- 2. Interpreter Language Access Subcommittee – Works on specific projects related to language access and interpreting services, including recommendations from the [Strategic Plan for Language Access in the California Courts](#) that relate to court interpreters. As appropriate, these projects are undertaken in collaboration with the Language Access Subcommittee of the Advisory Committee on Providing Access and Fairness.

**Meetings Planned for [YEAR(S)]<sup>3</sup> (Advisory body and all subgroups listed above.)**

Date/Time/Remote or Location if in person (see footnote 3 for in-person meetings):

Video conference calls – As needed.

In-person meeting – No in-person meetings are planned.

Professional Standards and Ethics Subcommittee – Video conference calls as needed.

Interpreter Language Access Subcommittee – Video conference calls as needed.

Check here if in-person meeting is approved by the internal committee oversight chair.

<sup>2</sup>For the definition of “subcommittee” see Cal. Rules of Court, rule 10.30(c); “working group” see rule 10.70, “workstream,” see rule 10.53(c); and “education curriculum committee,” see rule 10.50(c)(6).

<sup>3</sup> Refer to section IV. 2. of the [Operating Standards for Judicial Council Advisory Bodies](#) for governance on in-person meetings.

Note: Because of the current budget and staffing constraints, advisory body chairs and staff must first consider meeting remotely. The chair of the Executive and Planning Committee is suspending advisory body in-person meetings for the 2024–2025 annual agenda cycle. If an in-person meeting is needed, the responsible Judicial Council office head must seek final approval from the advisory body’s internal oversight committee chair. Please see the prioritization memo dated July 1, 2024, for additional details.

## II. COMMITTEE PROJECTS

#	New or One-Time Projects <sup>4</sup>	
1.	<b>Project Title:</b> Assembly Bill 1032: Workforce Study on Court Interpreters (New)	<b>Priority 1<sup>5</sup></b>
<p data-bbox="174 402 1978 695"><b>Project Summary:</b> <a href="#">Assembly Bill (AB) 1032</a> (Stats. 2023, Ch. 556) was approved by the Governor in October 2023. The legislation amended the Trial Court Interpreter Employment and Labor Relations Act (“Interpreter Act”), California Government Code sections <a href="#">71800</a>–<a href="#">71829</a>. These amendments will take effect on January 1, 2025. The Interpreter Act establishes procedures governing the employment and compensation of certified, registered, and provisionally qualified trial court interpreters and court interpreters pro tempore (intermittent temporary court employees) employed by the courts. New Government Code section 71900 of AB 1032 requires the Judicial Council to conduct a court interpreter workforce study by January 1, 2026, and provide recommendations to the Legislature regarding court interpreter availability and the future court interpreter workforce. It further requires that the council work in collaboration with key stakeholder groups on the study, including labor organizations representing court employees and independent contractors.</p> <p data-bbox="174 727 1978 768"><b>Status/Timeline:</b> Fall 2025 (council approval in November 2025 before submission of the study to the Legislature by 1/1/2026).</p> <p data-bbox="174 833 1978 979"><b>Fiscal Impact/Staff Resources:</b> Judicial Council Language Access Services will develop the workforce study with assistance from a consultant. The estimated one-time cost, which will be funded under the Court Interpreters Program consultant budget for fiscal year 2024–25, is estimated at \$250,000 for a consultant. Staff will work with Judicial Council Governmental Affairs and Human Resources staff on study development and completion.</p> <p data-bbox="174 1011 1978 1084"><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p>		

<sup>4</sup> All proposed projects for the year must be included on the Annual Agenda. If a project implements policy or is a program, identify it as *implementation* or a *program* in the project description and attach the Judicial Council authorization/assignment or prior approved Annual Agenda to this Annual Agenda.

<sup>5</sup> For non-rules and forms projects, select priority level 1 (must be done) or 2 (should be done). For rules and forms proposals, select one of the following priority levels: 1(a) Urgently needed to conform to or accurately reflect the law; 1(b) Council has directed the committee to consider new or amended rules and forms; 1(c) Change is urgently needed to remedy a problem that is causing significant cost or inconvenience to the courts or the public; or 1(d) Proposal is otherwise urgent and necessary, such as a proposal that would mitigate exposure to immediate or severe financial or legal risk. *For each priority level 1 proposal, the advisory body must provide a specific reason why it should be done this year and how it fits within the identified category.* 2(a) Useful, but not necessary, to implement changes in law; 2(b) Responsive to identified concerns or problems; or 2(c) Helpful in otherwise advancing Judicial Council goals and objectives. *If an advisory committee is interested in pursuing any Priority Level 2 proposals, please include justification as to why the proposal should be approved at this time.*

<sup>6</sup> Indicate which goal number of The Strategic Plan for California’s Judicial Branch the project most closely aligns.

#	New or One-Time Projects <sup>4</sup>
	<p><i>Internal/External Stakeholders:</i> Trial courts, interpreters, interpreter labor organizations, interpreter education entities.</p> <p><i>AC Collaboration:</i> Advisory Committee on Providing Access and Fairness (PAF) and its, Language Access Subcommittee.</p>

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#	<b>Ongoing Projects and Activities</b>	
1.	<b>Project Title: 2025 Language Need and Interpreter Use Study</b>	<b>Priority 1</b> <b>Strategic Plan Goal I, II, IV</b>
<p><b>Project Summary:</b> Pursuant to Government Code section 68563, develop the legislatively mandated <i>Language Need and Interpreter Use Study</i>. This five-year study will be due to the Governor and Legislature by July 1, 2025.</p> <p><b>Key Objectives:</b></p> <ul style="list-style-type: none"> <li>• Assess the current statewide landscape concerning the need and use of interpreting services in California’s trial courts;</li> <li>• Evaluate trends and compare to previous studies;</li> <li>• Develop sound recommendations for the council’s consideration;</li> <li>• Assist the strategic expansion of interpreters into needed areas; and</li> <li>• Continue to address the shortage of court interpreters in key languages.</li> </ul> <p><b>Status/Timeline:</b> The Language Access Implementation unit will develop this study and prepare the report in 2024. The unit will provide CIAP with project status updates throughout 2024. The study is due to the Governor and to the Legislature no later than July 1, 2025.</p> <p><b>Fiscal Impact/Resources:</b> There is no fiscal impact associated with this project. Resources are: Governmental Affairs, Court Interpreters Program, and the Language Access Implementation staff.</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p><b>Internal/External Stakeholders:</b> Interpreter community, the superior courts, the Governor, and the Legislature.</p> <p><b>AC Collaboration:</b> CEAC.</p>		
2.	<b>Project Title: Certification of Persons with American Sign Language (ASL) Generalist Credentials to Perform Work in the Courts and ASL Guidelines</b>	<b>Priority 1</b> <b>Strategic Plan Goal I, II, IV</b>
<p><b>Project Summary:</b> As directed in the November 2023 council report, <i>Language Access Plan: New Requirements for American Sign Language Court Interpreters</i>, CIAP will (1) develop a proposal for the council to certify persons with ASL generalist credentials to perform</p>		

#	<b>Ongoing Projects and Activities</b>	
	<p>work in the courts, (2) revise the <i>Guidelines for Approval of Certification Programs for Interpreters for Deaf and Hard-of-Hearing Persons (Guidelines)</i>, and (3) develop a recommendation for a process for approving ASL court interpreter certification programs that is more responsive to the current interpreter marketplace and testing and certification landscape.</p> <p><b>Key Objectives:</b></p> <ul style="list-style-type: none"> <li>• Explore the feasibility of a tiered approach to certify persons with ASL generalist credentials to perform work in the courts.</li> <li>• Develop a more modernized approval process for ASL court interpreter certification programs.</li> </ul> <p><b>Status/Timeline:</b> A consultant (National Center for State Courts) has been secured to assist with developing an implementation proposal for ASL generalist credentials by January 2025. Separately, staff has updated the <i>Guidelines</i> and developed a more modernized approval process for ASL court interpreter certification programs. Following CIAP approval, the revised <i>Guidelines</i> will circulate for public comment and will be presented to council in 2025.</p> <p><b>Fiscal Impact/Resources:</b> The estimated one-time cost, which will be funded under the Court Interpreters Program consultant budget for fiscal year 2023–24, is \$200,000 for a consultant to conduct national level research on accepted ASL generalist credentials and tiered approaches. Implementation options will be proposed to CIAP for consideration. Resources include the Court Interpreters Program and the Language Access Implementation Unit, and additional staff time as needed from Legal Services and Human Resources.</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p><b>Internal/External Stakeholders:</b> Interpreter community (including ASL interpreters), judicial officers, justice partners, language access court personnel, and the public.</p> <p><b>AC Collaboration:</b> Consultation with the Advisory Committee on Providing Access and Fairness as needed.</p>	
3.	<p><b>Project Title: Interpreting Skills Assessment Process</b>– Professional Standards and Ethics Subcommittee</p>	<p><b>Priority 1</b></p> <hr/> <p><b>Strategic Plan Goal IV</b></p>
<p><b>Project Summary:</b> To further support implementation of the <a href="#">California Court Interpreter Credential Review Procedures</a>, consider a proposed process to assess an interpreter’s ability to interpret if a complaint alleging gross incompetence is lodged against the interpreter, and if following review and investigation, the complaint is deemed to have merit. This project originated with Recommendation #64 of the <a href="#">Strategic Plan for Language Access in the California Courts</a> (LAP) and Government Code section 68564(g), which states that the Judicial Council shall establish a “...procedure for Judicial Council and local court review of each court interpreter's skills and for reporting to the certification entity the results of the review.”</p> <p><b>Key Objective:</b></p>		

#	Ongoing Projects and Activities	
	<ul style="list-style-type: none"> <li>Consider and recommend a process that strengthens the Judicial Council’s ability to assess an interpreter’s interpreting abilities in a fair and thorough manner when the subject of a valid complaint concerning interpreting ability.</li> </ul> <p><b>Status/Timeline:</b> Court Interpreters Program staff are working under a contract with the National Center for State Courts to develop a skills assessment process for the committee’s consideration in 2024. Work on this project will likely carry over into 2025.</p> <p><b>Fiscal Impact/Resources:</b> Any expenses associated with this project will be entirely funded under the Court Interpreters Program budget.  <input type="checkbox"/> This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</p> <p><b>Internal/External Stakeholders:</b> Interpreter community, judicial officers, justice partners, language access court personnel, and the public.</p> <p><b>AC Collaboration:</b> None.</p>	
4.	<b>Project Title: Professional Standards and Ethics for California Court Interpreters</b> – Professional Standards and Ethics Subcommittee	<b>Priority 2</b>  <b>Strategic Plan Goal V</b>
	<p><b>Project Summary:</b> Consider recommended updates to <a href="#">The Professional Standards and Ethics for California Court Interpreters Manual</a>, which informs interpreters of their professional and ethical responsibilities. The manual was last updated in 2013.</p> <p><b>Key Objectives:</b></p> <ul style="list-style-type: none"> <li>Update the manual to align with current interpreting practices, evolving technology, remote and hybrid courtroom environments, video remote interpreting, and contemporary ethical issues such as conduct on social media.</li> <li>Increase interpreters’ accessibility and engagement with the manual by adding scenarios that illustrate ethical considerations.</li> <li>Align the content with a redesigned live ethics training that is required for new interpreters and a new online ethics refresher training for more experienced interpreters.</li> </ul> <p><b>Status/Timeline:</b> Court Interpreters Program staff has developed proposed updates to the ethics document. It is anticipated that revisions will be presented to the committee for consideration in Fall 2024. The revised ethics document will then be circulated for public comment and will be presented to council in 2025.</p> <p><b>Fiscal Impact/Resources:</b> Any expenses associated with updating the manual and the electronic dissemination of the updated version will be entirely funded by the Court Interpreters Program.</p>	

#	<b>Ongoing Projects and Activities</b>	
	<p><b>Internal/External Stakeholders:</b> Interpreter community, judicial officers, justice partners, language access court personnel, and the public.</p> <p><b>AC Collaboration:</b> None.</p>	
5.	<p><b>Project Title: Carryover of Bilingual Interpreting Examination (BIE) Scores</b></p>	<p><b>Priority 2</b></p> <p><b>Strategic Plan Goal I, II, IV</b></p>
<p><b>Project Summary:</b> After consideration of the findings from the National Center for State Courts (NCSC) research on court interpreter test administration and credentialing options from other states, Language Access Services (LAS) staff will draft and propose recommendations for CIAP regarding the feasibility of allowing interpreter candidates to carry over passing scores of 70 percent or higher on two or more exam sections of the Bilingual Interpreting Examination (BIE) from one administration to another within a two-year period. Several states allow this practice to ensure that interpreter candidates stay in the testing pipeline and provide them with two years to pass all four sections of the exam. Candidates failing to pass all four sections of the BIE within this timeframe must restart the process by retaking all sections. Key considerations for CIAP include determining whether LAS staff can implement the carryover practice already established by other states. LAS staff will develop recommendations, including an assessment of potential costs, benefits, drawbacks, and operational feasibility.</p> <p><b>Key Objectives:</b></p> <ul style="list-style-type: none"> <li>• Maintain the current testing requirements for attaining certified court interpreter status.</li> <li>• Explore the feasibility of allowing candidates to carry over passing scores on two or more exam sections of the BIE from one administration to another within a two-year period.</li> <li>• Evaluate the potential costs, benefits, drawbacks, and operational feasibility associated with adopting this practice which is already implemented in other states to expand their interpreter credentialing pool.</li> </ul> <p><b>Status/Timeline:</b> December 2025.</p> <p><b>Fiscal Impact/Resources:</b> Any expenses associated with this project will be entirely funded under the Court Interpreters Program budget.</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p><b>Internal/External Stakeholders:</b> Interpreter community, judicial officers, justice partners, language access court personnel, and the public.</p> <p><b>AC Collaboration:</b> None.</p>		

## LIST OF [PREVIOUS YEAR] PROJECT ACCOMPLISHMENTS

#	<b>Project Highlights and Achievements</b> <i>[Provide brief, broad outcome(s) and completed date.]</i>
1.	<p><b>Implementation of Assembly Bill 1032 Court interpreters</b> – In September 2024, CIAP recommended that the council, effective January 1, 2025:</p> <ol style="list-style-type: none"> <li>1. Amend California Rules of Court, rule 2.893 to incorporate new statutory limits on the appointment of noncertified and nonregistered interpreters, clarify the current processes by drawing a clear distinction in the rule between provisional and temporary appointments, and include a definition and new section dedicated to the issue of relay interpreters.</li> <li>2. Revise forms INT-100-INFO, INT-110, INT-120, and INT-140 to align their content with changes to the rule of court and further clarify and streamline the process of appointing noncertified and nonregistered interpreters.</li> </ol> <p>The council approved these recommendations at its September 2024 business meeting (TBD). This project is now closed.</p>
2.	<p><b>Designation of Certain Languages as Certified and Registered</b> – In August 2024, CIAP approved a draft report that recommended that the council, effective January 1, 2025:</p> <ol style="list-style-type: none"> <li>1. Change the certified status designation of Armenian (Western), Japanese, and Khmer (Cambodian) to registered status due to low interpreting language usage, low testing demand, and the testing program not having examinations or sufficient raters to administer for certified status. Interpreters who are currently certified in California in these languages would retain their certified status for as long as they remain in good standing with the council.</li> <li>2. Continue monitoring the language usage of Hmong (registered) and Portuguese (certified). At this time, the recommendation is to keep the designation status of these languages the same.</li> </ol> <p>The council is scheduled to approve these recommendations at its November 2024 business meeting. This project is now closed.</p>
3.	<p><b>Compliance Requirements for Certified Court and Registered Interpreters</b> – In August 2024, CIAP approved changes to the Annual Court Interpreter Renewal and Compliance requirements. The major changes are to change the annual compliance cycle from 9.5 months over two calendar years to 5 months within the same calendar year, and to remove the automatic revocation and retesting requirements for interpreters who are out of compliance at the end of the cycle. Instead, interpreters who are out of compliance will be placed on permanent suspension and able to come back into good standing upon request. These changes make the compliance process simpler and will help retain interpreters. Following approval by the Administrative Director under a delegation from the council, an informational report will be prepared for council. This project is now closed.</p>