
Working with Sign Language Interpreters in Court

FACT SHEET

Just like with spoken language interpreters, in most of your cases, there will be a single sign language interpreter because the nature of the case requires no more. However, certain types of cases require more than one sign language interpreter. The purpose of this paper is to assist you in understanding why more than one interpreter is used in certain cases and how to most effectively use their services.

Proceedings Interpreters and Party Interpreters

The court will normally hire two court interpreters – proceedings interpreters – to interpret all of the



While this scenario presents the normal interpreter configuration for a contested civil or criminal case, at times, there are other deaf participants which present unique circumstances for the court. Today, it is common to see deaf Americans serving on juries and when they do, two court interpreters are sworn to assist them by interpreting the proceedings and the jury's deliberations. These interpreters are impartial court officers who do not participate in nor influence the deliberations in any manner. When you have a deaf juror, it is helpful to instruct the interpreters and the jury regarding the interpreter's role in the proceedings and in deliberations. Likewise, at the conclusion of the deliberation, it is customary to poll the jury on whether or not the interpreters maintained their role as interpreters during the deliberation process. A sample instruction and polling question might look like the following:

Instruction to the Interpreter for a Deaf Juror¹

Mr. or Ms. _____, your function in the jury room is only to interpret. You are instructed not in any way to express any ideas that you may have, any opinions that you may have, or any observations that you may have. You are strictly to interpret. Do you understand that?

Post-deliberation Polling and Question

Could you tell me whether you took any part in the deliberations other than just to interpret to and from sign language? I now ask each juror individually whether the interpreters took part in any manner in the deliberations other than just to interpret to and from sign language. (poll jurors individually).

Deaf Audience Members

At times, there may be deaf individuals in the audience who are exercising their right to access to government and are simply observing proceedings that may or may not involve other deaf people. In those cases, the interpreter is considered a reasonable accommodation under Title II of the Americans with Disabilities Act. Normally the 'accommodation interpreter' will want to stand or sit along the wall with his or her back to the court and interpret the proceedings to the deaf audience members. At times,

¹ Adapted, in part, from *United States v. Dempsey*, 830 F.2d 1084, 1087-88 (10th Cir. 1987).

bailiffs or clerks might misunderstand the interpreter's signing as having improper conversations during

