



NEW YORK STATE

## Unified Court System

### OFFICE OF COURT ADMINISTRATION

Division of Court and Professional Services  
Office of Court Interpreting Services  
25 Beaver Street, New York, NY 10004  
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## Remote Interpreting Operational Standards

*as of November 2011*

**Purpose:** It is generally agreed that the preferred way to ensure accurate interpretation is to provide on-site services. However, when availability or critical need renders on-site interpretation impractical, telephone, video conference, or web-based interpreting services (*all remote interpreting, or "RI"*) delivered by UCS court interpreters are suitable alternative methods to achieve the same goal. The purpose of this document is to:

1. encourage the use of remote interpreting in the Unified Court System when appropriate and practical, and
2. establish court system standards for remote interpreting that promote the same quality of interpretation that is expected from on-site services.

**Background:** The Unified Court System must provide interpreting services for individuals who are involved in court actions, in each of the trial court jurisdictions throughout the 62 counties of New York State (22 NYCRR Part 217).

In practice, the court system's remote interpreting service is similar to some of the telephone-based interpreting services that are provided by private firms, and to video-based technology that is being used in both Federal and various state courts, to expedite cases and to provide interpretation in as timely a manner as possible. However, in addition to the cost factor and (general) need for court interpreters to be scheduled in advance (where many of the private remote language services offer 24-hour a day on-call interpreting services by phone) a significant difference between the services offered by such firms vs remote interpreting through UCS is that the UCS program uses court-qualified interpreters who have met the language skills screening standards and training requirements established by the OCA Division of Human Resources and the Division of Court and Professional Services. When using a private vendor service, there is no guarantee of an interpreter's qualifications, nor mechanism by which to verify their skills.

With a complement of more than 300 state-employed linguists and myriad freelance interpreters representing dozens of languages that are requested by court users, the court system can provide consecutive and/or simultaneous interpretations of court proceedings by individuals who are familiar with legal terminology and the ethical responsibilities of interpreters who work in the courts. These court interpreters are either full-time or part-time employees of the Unified Court System, or independent contractors (often referred to as "per diem" or "voucher-paid" interpreters), who have completed a rigorous written and oral language-screening process, undergone a criminal background check, and attended UCS training.

**Available Languages:**

The UCS has on-staff interpreters who can provide interpreting services in almost 30 languages, including but not limited to: Arabic, ASL (American Sign Language), Bengali, Cantonese, , French, Ga, Greek, Haitian Creole, Italian, Korean, Mandarin, Polish, Punjabi, Russian, Serbian, Spanish, Toisan, Twi, Wenzhou and Wolof. For all other languages, the court system will arrange for and provide the services of a qualified independent/freelance per diem interpreter.

**When to use Remote Interpreting:**

Telephone or video interpretation may be used in place of on-site interpreting (and is recommended for use by OCA) whenever the quality of interpretation is not compromised and:

- there are no other qualified in-person interpreter resources (whether UCS staff or per diem) available;
- it is more responsible to obtain the services of a UCS-qualified interpreter by remote-means than to delay a court appearance.

Depending on the circumstances, it may be reasonable to wait until a “live” interpreter can be located and brought in to perform the interpreting services on-site. However, when delay in finding an interpreter will result in an individual’s being unable to fully participate in the programs and services of the court system, the option to use RI services can provide a more-timely conclusion or resolution of the matter. RI may also be appropriate for non-immediate matters that are scheduled in advance, when the interpretation of these matters cannot be handled in-person by staff or per diem interpreters in a fiscally-responsible or timely manner.

Some matters, although they may be relatively short in duration (90-minutes or less is a general threshold to which RI should be limited), may be of a complex or sensitive nature that deems on-site interpretation the more-appropriate option, regardless of fiscal considerations. Review of the case-type and nature of the proceeding, as well as the determination of suitability of RI for the matter, should be done by local court personnel; if needed or requested, additional guidance may be provided by the Office of Court Interpreting Services (CIS).

**Requesting the Service:**

Requests for RI services shall be made to the OCA Office of Court Interpreting Services (CIS), using the ***Request for Remote Interpreting Services form***, which can be found on the UCS intranet:

<http://inside-ucs.org/oca/professional-ct-services/CourtInterpreting/remoteInterp.shtml>

Requests should be submitted by court managers, supervising court interpreters or their designees. With the exception of emergency or otherwise urgent situations, all requests for RI Services should be submitted in writing. The RI request form, or related questions, may be submitted by ***e-mail*** to:

[remoteinterpreting@courts.state.ny.us](mailto:remoteinterpreting@courts.state.ny.us)

As with requests for “live” or on-site court interpreting services, lead time is very important. Court managers should contact CIS as soon as they are aware of the need for RI services, so that an interpreter may be scheduled in a timely manner. When time is limited, securing an interpreter - even for a widely-used language such as Spanish - may prove challenging. Requests should be made at least one week prior to a scheduled appearance, whenever possible.

Following receipt of the Request form by CIS, the RI coordinator will determine the availability of interpreters for the requested language; if no UCS staff interpreter is available, a qualified per diem interpreter will be called. CIS will provide an update to the court (on the status of scheduling an interpreter for the appearance) within 48-hours of receipt of the Request form. Once an interpreter has been confirmed for the Remote appearance, CIS will reply to the court with the pertinent details, such as the interpreter’s name, IP address or phone number for the day of the appearance, etc.

*\* Note: several courts have coordinated their own RI appearances, from one court location to another, within the respective county or Judicial District (i.e video conference interpreting between the Central Islip and Riverhead courts in Suffolk County). It is not required that these independent court-to-court arrangements be submitted to OCA’s Office of Interpreting Services, but the information should always be entered onto the E-Scheduling System, and noted as “Remote” in the Part field. An interpreter providing Remote services should always be interpreting from a COURT facility, with appropriate oversight; interpreting services should NOT be provided from a non-court location or via an interpreter’s personal telephone.*

### **Equipment:**

All courts should have RI equipment available in courtrooms, judicial chambers, and/or other rooms where court proceedings may take place, which may require interpreting services (for instance, areas where matters are heard by judicial hearing officers, support magistrates or court attorney referees), or offices in which court personnel deliver direct services to the public. Equipment may include but is not limited to:

- telephones with a speaker-phone function;
- telephones with multiple-handsets, line ‘splitters’ and/or noise-reducing headphones;
- video conference equipment;
- other similar technology, as applicable.

UCS technical staff should be involved in setting-up the RI equipment, whether it is temporarily or permanently installed in the area(s) where it will be used. The decision to install equipment permanently or to have mobile systems available should be at the discretion of local administrators, based on criteria such as efficiency, frequency of use, aesthetics and available resources.

### **Training:**

To ensure the integrity, effectiveness and efficiency of the program, training on providing interpretation via remote technology will be provided by CIS staff to

participating interpreters and court personnel, including guidelines on what to do if the connection is broken during the proceeding. CIS will also work with District offices and individual courts to coordinate orientation sessions or a test-run of the remote connections, as needed; local administrators may offer this information to judges and/or non-judicial court staff who will be using remote interpreting. At local discretion, the RI overview and guidelines may also be offered to ancillary agencies that frequently appear in court and use RI.

Court personnel who are involved with scheduling interpreting assignments will be advised of the quality controls, equipment needs and guidelines for ensuring a successful interpretation, as well as how to identify a “good match” for RI Services, and instructions on how to schedule, change or cancel a remote appearance.

**Instructional Materials:**

Prior to a remote appearance, judges and non-judicial personnel will be provided with a link to the OCA publication: **“Working with Interpreters by Video or Teleconference - Tips for Remote Interpreting”** which is posted on the UCS intranet at:

<http://inside-ucs.org/oca/professional-ct-services/CourtInterpreting/PDFs/CISTipSheet.pdf>

The **“Remote Interpreting Tip Sheet”** outlines the various responsibilities of court personnel who will participate in the RI appearance, the mechanics of the RI program, and important protocols such as:

- Role of the Interpreter
- Oath
- How to ensure successful communication
- Facilitating private exchanges between the attorney, client, and interpreter
- Translation of documents
- Assessing the performance of the court interpreter

The **“[Remote Interpreting Tip Sheet](#)”** should be reviewed thoroughly before any remote proceeding, and/or may be referred to as needed during the interpreter’s appearance.

**Evaluation Of Program:**

Following the completion of each RI event, the court that received the service should complete an evaluation form to provide feedback on the RI appearance, and the court’s level of satisfaction with the RI service. The **Remote Interpreting Assessment form** may be found on the UCS intranet, at:

<http://inside-ucs.org/oca/professional-ct-services/CourtInterpreting/remotelInterp.shtml>

Any concerns or comments about the interpreter or the remote services should be directed to the **Office of Court Interpreting Services:**



Tel: **646-386-5670**



Email: [remoteinterpreting@nycourts.gov](mailto:remoteinterpreting@nycourts.gov)