

Wisconsin Court Interpreter Program Guidelines for Using Team Interpreters (Spoken Languages)

WHAT IS TEAM INTERPRETING?

Team interpreting refers to the practice of using two or more interpreters who rotate every 30-40 minutes and provide simultaneous or consecutive interpretation for one or more individuals with limited English proficiency (LEP). The interpreter engaged in delivering the interpretation at any given moment is called the *active* interpreter. His or her job is to interpret the court proceedings truly and accurately. The other interpreter is called the *support* interpreter. The statutory authority for using team interpreting is found under Wis. Stat. 885.38(3)(b).

WHY SHOULD TEAM INTERPRETING BE USED?

Interpreter fatigue. Interpreter fatigue refers to both physical and mental fatigue which results from the complex mental processing and high degree of concentration an interpreter must possess to hear, understand, analyze, and express ideas coherently in another language. Research has shown that an interpreter's accuracy declines dramatically after 30 minutes of continuous interpreting.

It is unrealistic to expect interpreters to maintain a high level of accuracy for hours at a time without relief. The interpreter's ability to continue to provide a consistently accurate interpretation may be compromised if no breaks are allowed. To reduce the possibility of interpreter fatigue, interpreters should ideally work in teams for lengthier proceedings whenever possible.

Second language expert. The support interpreter who is part of the team can also serve as an impartial language expert in case any challenge to the interpretation arises.

Supporting the active interpreter. The other member of the team can also act as a support to the active interpreter by serving as a "second ear" to confirm quickly any spoken names, numbers, to look up vocabulary or to assist with any technical problems encountered if interpreting equipment is used.

Courtroom efficiency. Team interpreting enables court sessions to proceed at the pace the judge requires without a need for extra breaks.

WHEN SHOULD TEAM INTERPRETING BE USED?

- ⇒ **All trials**
- ⇒ **Long hearings expected to last 4 hours or more.** When continuous simultaneous or consecutive interpretation will be required a team of two interpreters should be appointed.
- ⇒ **If an LEP witness or witnesses are testifying and there is an LEP defendant.** During testimony of the LEP witness, one "witness interpreter" will interpret at the stand for the witness while the "counsel table interpreter" will interpret all communications at counsel table between attorney and LEP client.
- ⇒ **Cases involving multiple defendants who have adverse interests.** If defense counsel or parties are uncomfortable using the same interpreter for privileged communications, the court may be required to appoint an individual interpreter for each defendant.

Note: *This practice should not always be presumed necessary because trained and qualified interpreters are under an oath to protect confidentiality of communications and refrain from communicating directly with any court participant except when engaged interpretation.*

UNDERSTANDING THE DIFFERENT FUNCTIONS OF COURT INTERPRETERS

- ⇒ **Proceedings interpreting.** This function is the most commonly encountered role an interpreter performs to enable an LEP litigant to understand the proceedings and communicate with the court when necessary. Sometimes, the interpreter will be referred to as simply the “court interpreter.” In short, “proceedings interpreting” makes the defendant or other litigant *present* during the proceedings. It is conducted in the simultaneous mode.
- ⇒ **Witness interpreting.** This function is to secure testimony from an LEP witness that is preserved for the record. It is conducted in the consecutive mode.
- ⇒ **Counsel table interpreting.** This function is to facilitate communication between an LEP person and his or her attorney to ensure effective assistance of counsel.

HOW IS TEAM INTERPRETING USED?

- ⇒ Courts should schedule a team of two certified interpreters whenever possible and should inform each interpreter who the other team partner will be
- ⇒ For simultaneous interpreting it is recommended for interpreters to rotate at least every 30-45 minutes
- ⇒ For consecutive interpreting of witness testimony, it is recommended for interpreters to rotate at least every 45-60 minutes

REIMBURSEMENT

Reimbursement for a team of interpreters is the same as if one interpreter were used. Counties must list each member of the interpreting team in order to obtain reimbursement for each member of the interpreting team.

Resources

“New Study on Fatigue Confirms Need for Team Interpreting,” Mirta Vidal, *Proteus*, April 1997
Hewett, William E. *Court Interpretation: Model Guides for Policy and Practice in the State Courts*. National Center for State Courts, 1995.
The Supreme Court of Ohio, *Interpreters in the Judicial System: A Handbook for Ohio Judges*
“Team Interpreting in the Courtroom” NAJIT Position Paper, March 1, 2007