



**Expanding on a Rich History of Reflective Practice:
An Update on the Work of the
NCIEC Legal Interpreting Workgroup**

Interpreting in the legal setting is a long-recognized area of specialization in the field of ASL-English interpreting. RID has been offering a specialty certification (SC: Legal) for interpreters working in this setting since 1974. Traditions from the field of spoken language interpreting and the legal community contribute to the conventional way legal interpreting work is performed. As well, practices have been conceived by ASL-English interpreter practitioners over time through a process of application of theory drawn from the profession's scholarship and the field of law. As more scholarship and research emerge and our knowledge of the legal implications associated with interpreting expand, practices evolve, improve and change. The NCIEC Legal Interpreting Work Team seeks to further this process of advancing effective practice by building a series of expert, practitioner, educator and consumer partnerships that stimulate the open exchange of ideas, experiences and knowledge. The goal of this exchange is to deepen the field's understanding of the work of interpreters in the legal setting. Of particular interest is the collaborative work between deaf-hearing interpreter teams in the legal setting.

The core work group is comprised of seven deaf and hearing individuals who are supported by a larger group of twelve experts who have and will continue to contribute to the targeted outcomes. The core work group includes: Carla Mathers (MD), Jimmy Beldon (MN), Margaret Ransom (CA), Jan DeLap (MD), Kellie Stewart (MA), Richard Laurion (CATIE, MN) and Anna Witter-Merithew (MARIE, NC), who serves as the Team Leader. In addition to these individuals, the expert workgroup consists of deaf and hearing interpreters that include Keri Brewer (OR), John Folker (AZ), Jo Linda Greenfield (CO), Lisa Gonzales (CA), Lorrie Kosinski (CO), Priscilla Moyers (CA), Rachel Naiman (CO), Cynthia Napier (NM), June Prusak (IL), Lynda Remmel (CO) and Sharon Neumann Solow (CA). The expertise of other practitioners and stakeholders has been and will continue to be sought in moving the work of this group forward.

To date, the efforts of this work team have resulted in the following:

- Three interpreter focus groups including input from over 60 interpreters specializing in the legal setting who identified their training needs and priorities, and resources that would support their work. One focus group was comprised entirely of interpreters who are deaf.
- A three-day meeting of sixteen experts in the field who worked collaboratively to identify current best practices, unique competencies and literature and resources useful to the teaching and practice of legal interpreting.
- A framework and draft of an annotated bibliography of literature and resources useful to the teaching and practice of legal interpreting.
- A draft of competencies unique to interpreters working in the legal setting.

- A draft set of best practices for interpreters working in the legal setting relating to team interpreting, division of roles and labor, establishing appropriate working conditions and other relevant themes.

The core work group met in February to further the draft documents relating to competencies, best practices and the annotated bibliography. Because of the significant overlap between the work of the NCIEC Legal Interpreting and Deaf Interpreter workgroups, a member of the NCIEC Deaf Interpreter workgroup was invited to join the face-to-face meeting and ensure that the interests of both workgroups could be furthered simultaneously. Since that meeting core group members have been working on various documents and the group will reconvene in September to review progress and prepare materials for wider review. The external review process will involve building practitioner, educator and consumer consensus around the documents, and making them available for use to the fields of interpreting and interpreter education.

Two other important and exciting activities are underway. One relates to the support of a field-based research initiative of the Ventura County Superior Court under the leadership of Tracey Clark and Margaret Ransom, with assistance from Lisa Gonzales. This team submitted a research proposal to RID that was funded and they will soon begin conducting research into the work of deaf-hearing interpreter teams in courtrooms across the United States. The NCIEC Legal Interpreting and Deaf Interpreter Workteams, in conjunction with the NCIEC Effective Practices Team, are providing technical assistance in the development of an observational tool for use in their research. This observational tool will be designed in a generic form so that it can be applicable to settings other than the legal context. A meeting with the Ventura County Superior Court team and representatives from NCIEC was hosted in Los Angeles in mid-April and the tool is being developed for field-testing in May.

The second activity relates to the preparation of a legal brief related to the use of Deaf interpreters in the legal setting. This brief is being researched and prepared by Carla Mathers, Esq. as a consultant to the NCIEC Legal Interpreting Workgroup. Data gathered during the three focus groups conducted to date, as well as from the expert team assembled, indicates that interpreters and agencies often have difficulty in establishing the need and use of Deaf interpreters in the legal context. To resolve this difficulty, Carla will perform a review and analysis of the legislative and judicial treatment of deaf interpreters in the state and federal courts. The review will include the formal status of certified deaf interpreters as set forth in state and federal statutes and regulations. An analysis of state and federal common law will demonstrate the practical status of “intermediary interpreters,” whether certified or ad hoc. Evidence codes, court interpreter ethical rules and administrative office directives will be surveyed to the extent that they set forth the best practices necessary to ensure that interpreted legal settings are done competently and ethically. Once the review and analysis are complete, she will prepare and annotate a report outlining the statutory and common law status of certified deaf interpreters in the United States. Further, the narrative will incorporate policies from evidence codes, court rules and administrative directives governing the standards of accuracy for interpreters, where relevant to the determination that a certified deaf interpreter is a necessary party to effectuate the policies set forth in these materials.

It is expected that both of these tools—the observational tool and the legal brief regarding Deaf interpreters—will be wonderful resources to the fields of interpreting and

interpreter education. Both will be made available within the next year on the NCIEC website under the Legal Interpreting link.

Further, additional research and training initiatives will be fostered to increase the scholarship and preparation of interpreters for working in the legal setting. One illustration of this is the contribution of funding for two conferences in 2009—the Conference for Legal Sign Language Interpreters in May and a pre-conference being planned for legal interpreters prior to the RID Convention in August. Individuals interested in learning more about the work of the NCIEC Legal Interpreting workgroup are encouraged to contact Anna Witter-Merithew at anna.witter-merithew@unco.edu or visit the NCIEC website at <http://www.asl.neu.edu/nciec/>. As products are developed and available, they will be archived on this site.

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